

**POCONO TOWNSHIP SUPERVISORS  
REGULAR MEETING  
April 2, 2012**

**MINUTES**

Chairman Frank Hess opened the meeting at 7:03 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Present: F. Hess, Chairman; H. Werkheiser, Vice Chairman; H. Bengel, Supervisor; Frank Froio, Township Administrator; Jeffrey Durney, Township Solicitor

**ANNOUNCEMENTS/CALENDAR:**

Sewer Meeting on April 4, 2012 at 6:00 p.m.

Planning Commission Meeting on April 9, 2012 at 7:00 p.m.

Park Meeting on April 11, 2012 at 7:30 a.m.

Board of Supervisors Regular Meeting April 16, 2012 at 7:00 p.m.

No Board of Supervisors Work Sessions scheduled through April 16, 2012

F. Hess announced that Sanofi had donated furniture to the Township, including chairs and file cabinets that the Township needed. F. Hess thanked both Sanofi and Bruce Kilby for their generous donation.

F. Hess also recognized that Dave Gonzalez, the man who restrained the JetBlue pilot in the recent incident that garnered national attention, is a resident of Pocono Township. F. Hess commented that it was nice to know that there is a hero living in the Township.

**PUBLIC COMMENT:**

None.

**ENGINEER'S REPORT:**

None.

**SOLICITOR'S REPORT:**

Prevailing Wage Reform – Resolution 612 – J. Durney presented a draft Resolution urging the Pennsylvania General Assembly to eliminate or amend the State Prevailing Wage Act. J. Durney explained the impact the Prevailing Wage Act has on local workers and construction contracts. The Pennsylvania State Association of Township Supervisors requested that Townships adopt a resolution supporting the reform of the Prevailing Wage Act, which under the proposed legislation, would increase the prevailing wage

threshold from \$25,000.00 to \$185,000.00. H. Bengel made a motion, seconded by H. Werkheiser, to adopt Resolution 612 urging the General Assembly to eliminate or amend the State Prevailing Wage Act. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Tax Collector Compensation Adjustment Agreement – J. Durney explained that an agreement had been reached with Patricia Michael, Pocono Township Tax Collector, to adjust her compensation from 3% of taxes collected to \$5.00 per tax bill. The resulting adjustment would reduce the Tax Collector’s compensation for 2012 and 2013 from approximately \$82,000.00 to \$32,820.00. J. Durney advised that Pat Michael agreed to this reduction voluntarily and is to be commended for her willingness to make the adjustment. A question was raised regarding how the Tax Collector’s compensation became so great. F. Hess advised that since the compensation was based upon a percentage of the taxes, as the property taxes increased, so did the Tax Collector’s compensation. There was a general discussion regarding the merits of having a Township Tax Collector as opposed to utilizing a centralized service. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Compensation Adjustment Agreement with the Tax Collector. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Kopelson Petition to Amend Zoning Ordinance and SALDO – J. Durney advised that a petition had been received from Mr. Kopelson requesting that his request for amendments to the Zoning Ordinance and SALDO be referred to the Township and County Planning Commissions for review and comment. Several questions were raised regarding the nature of the proposed development on Mr. Kopelson’s property. J. Durney advised that the purpose of the present request was simply to refer the matter to the Planning Commissions for review and comment. H. Werkheiser made a motion, seconded by H. Bengel, to refer the proposed amendments to the Township and Monroe County Planning Commissions. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Street Sign Ordinance (E-911 Addressing) – J. Durney announced that the hearing on the proposed ordinance is scheduled for the Board’s regular meeting on April 16, 2012.

Sanofi Pasteur Discovery Drive Widening Project – Time Extension Request – Pursuant to a letter dated March 20, 2012, Sanofi requested a time extension to May 30, 2012. The Planning Commission recommended approval of the request. H. Bengel made a motion, seconded by H. Werkheiser, to grant the time extension request as set forth in Applicant’s March 20, 2012 letter. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Spirit of Swiftwater – Time Extension Request – Pursuant to a letter dated March 26, 2012, Spirit of Swiftwater requested a time extension to July 17, 2012. There was a brief discussion about the Applicant’s progress since the time of the Board’s last meeting. The Planning Commission recommended approval of the request. H. Bengel made a motion, seconded by H. Werkheiser, to grant the time extension request as set forth in Applicant’s

March 26, 2012 letter. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

**ADMINISTRATOR’S REPORT:**

Spring Clean-up Authorization – F. Froio advised that the Township Spring Clean-up has been scheduled April 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> from 7:30 a.m. to 3:00 p.m. each day. In response to citizen input, the Township included Saturday, April 21<sup>st</sup> to accommodate residents who are unable to participate in the Clean-up through the week. A list of proposed prices for the items dropped off was also presented. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the Spring Clean-up dates and prices as presented. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

PennBid – Authorization to Enroll – F. Froio recommended that the Township enroll in PennBid, an e-Procurement program designed for public agencies. F. Froio explained that there is no cost to enroll in the program and that it would offer the Township another avenue in which to solicit bids. H. Werkheiser made a motion, seconded by H. Bengel, to enroll with PennBid. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Sale of Surplus Property – Resolution 611 – F. Froio advised that the Township had four vehicles that are beyond their useful lives. F. Froio recommended that the Township sell the vehicles via sealed bid. H. Bengel made a motion, seconded by H. Werkheiser, to authorize the sale of the following vehicles via sealed bid: (1) 2002 F-550 4x4 Dump with snowplow; (2) 1998 Ford Ambulance Box Truck; (3) 2004 Ford Expedition; and (4) 2008 Crown Victoria Police Interceptor. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Penny-Wise Land Company – Escrow Release Request – F. Froio advised that PennyWise has requested that certain funds that had been escrowed with the Township be released. PennyWise has elected not to proceed with the land development project for which the funds had been escrowed, which the Township has been holding since at least 2003. F. Froio advised that David Horton, the Township Engineer, reviewed the request and recommended approving the release of the escrow funds. H. Bengel made a motion, seconded by H. Werkheiser, to approve the release of the escrowed funds to Penny-Wise Land Co. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Zoning Officer Appointment (Part-time) – F. Froio advised that after the review of applicants, Joseph Brady emerged as the recommended candidate to fill the part-time Zoning Officer position. Mr. Brady currently serves, on a part-time basis, as the Zoning Officer for Mount Pocono Borough and Tobyhanna Township. F. Hess explained that Mr. Brady would work on a part-time, as needed basis and would be paid \$24.00 per hour. As a part-time employee, Mr. Brady will not be entitled to any employee benefits. H. Bengel made a motion, seconded by F. Hess, to appoint Joseph Brady as part-time Zoning Officer to work on an as-needed basis at a rate of \$24.00 per hour with no

eligibility for employee benefits. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Pocono Township Parks – F. Froio announced that the Township parks will open on Monday, April 9, 2012. A question was raised about rescheduling the Park Board meetings from 7:30 a.m. to a time when more residents might be able to attend. F. Hess advised that he would pass the request on to the Park Board.

**PAYMENT OF BILLS:**

H. Werkheiser made a motion, seconded by H. Bengel, to approve the semi-monthly bills. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

**APPROVAL OF MINUTES:**

H. Bengel made a motion, seconded by F. Hess, to approve the minutes of the 3/19/2012 Regular Meeting. Roll call vote: H. Bengel, yes; H. Werkheiser, abstained; F. Hess, yes. Motion carried.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**PUBLIC COMMENT:**

There was a discussion regarding the status of the sewer project. F. Hess explained the problem area where the pipe rises and the fact that a repair does not seem feasible. The solution to the problem appears to be constructing a bypass around the improperly constructed portion of the line. F. Hess further advised that he had been present when a camera was run through the line and that there were areas with standing water, which should not have been present. The Township is actively pursuing a resolution to the problem and continues to withhold payment to the contractor that performed the work.

Tom Sforza from Best Auto requested that the Township consider utilizing his business to service the Township's vehicles. F. Hess suggested that Mr. Sforza provide a proposal to F. Froio.

A question was raised as to whether there was any plan to widen Route 611. F. Hess advised that there he knew of no present plan to do so.

A concern was raised that there is no stop sign or street marking where the driveway from the Township building intersects with Route 611.

A question was raised regarding the status of the police contract negotiations. F. Hess advised that discussions were continuing to take place and that the Township's labor counsel was involved. F. Hess advised that any final labor agreement would need to be approved by the Board at a public meeting.

There was a discussion regarding the cancellation of a Zoning Hearing Board hearing and a request that any such cancellation should be posted at the Township. F. Hess advised that any cancellations will be posted.

**ADJOURNMENT:**

H. Werkheiser made a motion, seconded by H. Bengel, to adjourn the meeting at 8:16 p.m., until 4/16/2012, at 7:00 p.m., at the Pocono Township Municipal Building. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.