

**POCONO TOWNSHIP SUPERVISORS
REGULAR MEETING
May 20, 2013**

MINUTES

Chairman Frank Hess opened the meeting at 7:05 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Frank Hess, Chairman; Harold Werkheiser, Supervisor; Henry Bengel, Vice Chairman; Frank Froio, Township Administrator; David Horton, Township Engineer; Jeffrey Durney, Township Solicitor

ANNOUNCEMENTS/CALENDAR:

Sewer Meeting on May 21, 2013 at 6:00 p.m.

Zoning Hearing Board (JMC Restaurant Group) on May 22, 2013 at 6:00 p.m.

Planning Commission Meeting on May 27, 2013 cancelled due to Memorial Day holiday

Board of Supervisors Meeting on June 3, 2013 at 7:00 p.m.

F. Hess announced that an Executive Session had been held immediately prior to the meeting to discuss personnel matters.

PUBLIC COMMENT:

None.

ENGINEER'S REPORT:

None.

SOLICITOR'S REPORT:

CB H20, L.P. (Camelback Lodge & Waterpark) – Consideration of Developers Agreement. J. Durney advised that the attorneys and engineers for Camelback had been working with the Township's Engineer and Solicitor to finalize a Developers Agreement. J. Durney advised that the parties had agreed upon most of the terms, with the only remaining issues related to engineering and inspection procedures. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Developers Agreement subject to final approval by the Township Engineer and Solicitor. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

CB H20, L.P. (Camelback Lodge & Waterpark) – TIF Financing Authorization to Advertise Hearing. J. Durney advised a public hearing needed to be scheduled with respect to Camelback's proposed TIF Financing. J. Durney advised that the Monroe

County Industrial Authority had already prepared the Public Notice, which scheduled the hearing at 6:00 p.m. on June 17, 2013 immediately prior to the Board's regularly scheduled meeting. H. Bengel made a motion, seconded by H. Werkheiser, to approve the advertisement of a hearing for Camelback's TIF Financing proposal for 6:00 p.m. on June 17, 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Butz Landfill Superfund Site Well Prohibition Ordinance – Authorization to Advertise. J. Durney advised that the federal Environmental Protection Agency requested that the Township adopt a proposed ordinance that would restrict groundwater use in the vicinity of the Butz Landfill Superfund Site. H. Bengel made a motion, seconded by H. Werkheiser, to approve the advertisement of the consideration of the proposed ordinance restricting groundwater use in the vicinity of the Butz Landfill Superfund Site. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

NID Intergovernmental Cooperation Ordinance – Authorization to Advertise. J. Durney advised that in connection with the Kalahari Resort and Conference Center, a request had been received for Pocono Township to enter into an Intergovernmental Cooperation Agreement with Tobyhanna Township in connection with a Neighborhood Improvement District, a portion of which would be located in Pocono Township. J. Durney advised that he was still seeking additional information regarding the request. J. Durney suggested that the matter be postponed to the Board's next meeting. H. Bengel made a motion, seconded by H. Werkheiser, to table consideration of the authorization to advertise the NID Intergovernmental Cooperation Ordinance. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Henryville Inn, LLC Petition to Amend Zoning Map – Authorization to Advertise Hearing. J. Durney advised that the Township's Planning Commission and the Monroe County Planning Commission had both reviewed and submitted their recommendations regarding the request to amend the zoning map. J. Durney advised that the matter was now ready to be scheduled for a hearing. H. Bengel made a motion, seconded by H. Werkheiser, to approve the advertisement of a Public Hearing to consider Henryville Inn, LLC's Petition to Amend Zoning Map. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

J. Durney provided an update concerning the contract for the installation of the Crossing Abilities playground equipment.

ADMINISTRATOR'S REPORT:

Sanofi Pasteur, Inc. Professional Services Agreement (Bldg. 55, Phase 3). F. Froio advised that a Professional Services Agreement was submitted by Sanofi in connection with its Bldg. 55, Phase 3 project. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Professional Services Agreement for the Bldg. 55, Phase 3 project. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Sanofi Pasteur, Inc. Professional Services Agreement (Bldg. 53). F. Froio advised that a Professional Services Agreement was submitted by Sanofi in connection with its Bldg. 53 project. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Professional Services Agreement for the Bldg. 53 project. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Trap Enterprises, LLC (Route 611 Project) – Time Extension Request. F. Froio advised that a time extension request had been received from the applicant with respect to its pending application. The applicant sought a 60 day extension. H. Bengel made a motion, seconded by H. Werkheiser, to grant the time extension request of 60 days. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

The Reserve at Bryson’s Farm – Time Extension Request. F. Froio advised that a 90 day time extension request had been received from the applicant with respect to its pending application. H. Bengel made a motion, seconded by H. Werkheiser, to grant the 90 day time extension request to August 26, 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Spirit of Swiftwater – Time Extension Request. F. Froio advised that a time extension request had been received from the applicant with respect to its pending application. The applicant sought a time extension to August 31, 2013. H. Bengel made a motion, seconded by H. Werkheiser, to grant the time extension request to August 31, 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

Tanalo Estates – Time Extension Request. F. Froio advised that a 90 day time extension request had been received from the applicant with respect to its pending application. H. Bengel made a motion, seconded by H. Werkheiser, to grant the 90 day time extension request to July 29, 2013. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

F. Froio advised that approval of each of the foregoing time extension requests was recommended by the Township Planning Commission.

Resolution No. 2013-09 – Kyle M. Roth Eagle Scout Commendation. F. Froio advised that Kyle M. Roth had successfully met all of the requirements to receive the rank of Eagle Scout. The Board recognized Kyle’s accomplishment and thanked him for his service. H. Bengel made a motion, seconded by H. Werkheiser, to adopt Resolution No. 2013-09 congratulating and commending Kyle M. Roth for earning the rank of Eagle Scout. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried. **RESOLUTION NO. 2013-09.**

Possinger/Besko Professional Services Agreement. F. Froio advised that a Professional Services Agreement was submitted by Ryan Possinger and Jerry Besko in connection with their conditional use application to install an electronic billboard at a location on Rimrock Road and Interstate 80. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Professional Services Agreement with respect to their conditional use

application. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

PAYMENT OF BILLS:

H. Bengel made a motion, seconded by F. Hess, to approve payment of the semi-monthly bills on the Bill Payment List dated May 20, 2013 (GENERAL FUND: \$129,029.03; PARK FUND: \$690.27; DEBT SERVICE: \$11,641.31). Roll call vote: H. Bengel, yes; H. Werkheiser, no; F. Hess, yes. Motion carried. H. Werkheiser advised that he voted no, as he objected to spending taxpayer money to pay lawyers fighting his case.

APPROVAL OF MINUTES:

H. Bengel made a motion, seconded by H. Werkheiser, to approve the minutes of the May 6, 2013 Board of Supervisors Meeting. Roll call vote: H. Bengel, yes; H. Werkheiser, yes; F. Hess, yes. Motion carried.

OLD BUSINESS:

Jane Cilurso asked about the process to be utilized to hire a new Director of Public Works. F. Hess advised that the Board had not yet come to a final agreement on the process to be used. F. Hess stated that it would be the Board that would conduct the interviews and make the hiring decision.

Monica Gerrity asked when the Board expected to appoint a new Director of Public Works. F. Hess advised that while the hope was to have interviews completed and a recommendation by the Board's June 3rd meeting, it was not clear whether the process would be completed by this date. F. Hess advised that the Board intends to move forward as quickly as possible to have a new Director appointed.

NEW BUSINESS:

None.

PUBLIC COMMENT:

John Bramley discussed various matters concerning the Central Pocono Ambulance Corps. J. Bramley advised that a letter had been sent from the Ambulance Corps to the Board. The Ambulance Corps suggested creating a separate card to track fuel usage for any ambulances scheduled to operate at the Sciota sub-station. The goal would be to segregate the fuel usage for the Sciota sub-station from the fuel used for other vehicles. J. Bramley further advised that the Ambulance Corps would continue to negotiate with Hamilton and Jackson Townships regarding their financial support of the Ambulance Corps. J. Bramley discussed other issues concerning the Ambulance Corps. J. Bramley also asked if the Supervisors would permit a notice to be placed on the digital billboards where the Township has been given access in support of the Ambulance Corps' subscription drive. F. Hess stated that he would review the matter with the sign company.

ADJOURNMENT:

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn at 7:33 p.m., until June 3, 2013 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.