

POCONO TOWNSHIP BOARD OF COMMISSIONERS

SEWER MEETING MINUTES

OCTOBER 3th, 2016 6:00 P.M.

The Sewer meeting of the Pocono Township Commissioners was held on 10/03/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Harold Werkheiser at 6:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Ellen Gndt, present; Bob DeYoung, present; Harold Werkheiser, present; Jerry Lastowski, present; and Judi Coover, present.

Leo DeVito, Twp. Solicitor; Jon Tresslar, Twp. Engineer; Charles Vogt, Twp. Manager; and Pamela Finkbeiner, Twp. Secretary, were present.

ANNOUNCEMENT: The October 13th, 2016 9:00 a.m., work session will be changed to October 14th, 2016, 9:00 a.m., and will be held at the Township's Municipal Building.

MINUTES:

J. Lastowski made a motion, seconded by E. Gndt, to approve the Regular sewer meeting minutes of 09/19/2016. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

J. Lastowski made a motion, seconded by B. DeYoung, to approve the continued sewer meetings of 09/20/2016. Discussion followed. Roll call vote: E. Gndt, no; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, no; Motion carried.

J. Lastowski made a motion, seconded by B. DeYoung, to approve the Special meeting minutes of 09/28/2016. Discussion followed.

E. Gndt made a motion, seconded by J. Coover, to table the approval of the Special Meeting Minutes of 09/28/2016. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

CURRENT BUSINESS:

A) Due Diligence review of the Sewage System Redesign -

J. Tresslar, Twp. Engineer, requested direction from the Board to contact Sami Sarrouh, T&M Associates. He estimated cost to complete the review and provide a written opinion at approximately \$8,000 to \$10,000. The Board concurred to have J. Tresslar to proceed with the review and contact Sami Sarrouh and any other persons to complete the review.

J. Lastowski noted his action of voting against the review was not a reflection on Boucher & James, but he did not wish to 'jump ship' midstream for the repair work.

J. Coover made a motion, seconded by E. Gndt, to rescind the motion of J. Coover made on 09/28/2016 to appoint Tim McManus, Cramer, Swetz, McManus, & Jordan P.C.; as special counsel for sanitary sewer matters, et al. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

CURRENT BUSINESS CONT:

J. Coover made a motion, seconded by E. Gnandt, to engage Jacoby Donner Attorneys at Law, or like firm to provide the Twp. an opinion on what constitutes a change order verses a new project under Pennsylvania Procurement law. Discussion followed. J. Lastowski expressed concern that the Board received a separate opinion which the current Board disagreed with, would a third opinion be requested? Discussion followed.

B. DeYoung questioned the cost.

E. Gnandt read a portion of the Jacoby Donner Attorneys at Law Legal Services Agreement. E. Gnandt noted the rate is \$350.00 per hour, approximately 10 to 15 hours, estimate of cost is \$3,500 to \$5,250. A refundable \$5,000 retainer is required. Discussion.

Jimmy Schlier, Twp. resident, spoke concerning the cost of attorney.

J. Coover made a motion to amend the motion to state not to exceed \$10,000 and to strive to have the project completed within two weeks, if at all possible, E. Gnandt seconded. Discussion followed. Roll call vote: E. Gnandt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Main Motion as amended - Roll call vote: E. Gnandt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Discussion followed on the request.

L. DeVito, requested direction from the Board concerning a phone call from the Attorney for PACT Two. The Board concurred to have L. DeVito contact PACT Two, LLC.'s Attorney.

B) Emergency Mitigation Planning - C. Vogt explained he has started the process to develop a plan.

C) BCRA report for property owners using less than 1 EDU. P. Finkbeiner noted the report does not include properties not on BCRA water service.

UNFINISHED BUSINESS:**PUBLIC COMMENT:**

Robert Czopoth, Hilltop Drive, requested assistance concerning the distance from his buildings to the lateral. C. Vogt referred him to Patrick Briegel.

EXECUTIVE SESSION: none

ADJOURNMENT: J. Coover, made a motion, seconded by E. Gnandt, to adjourn the meeting at 07:05 p.m., until 10/17/2016 at 6:00 p.m., at the Pocono Township Municipal Building. Roll call vote: E. Gnandt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes; Motion carried.

Respectfully Submitted
Pamela Finkbeiner
Township Secretary