

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE SPECIAL MEETING
MARCH 19th, 2013, 6:15 P.M.**

The Special Sewer Meeting of the Pocono Township Supervisors was held on March 19th, 2013 at the Pocono Township Municipal Building, Tannersville, Pa., and was opened by Chairman Frank Hess at 6:15 p.m. followed by the Pledge of Allegiance.

ACKNOWLEDGEMENT OF COMMENTS FROM RESIDENTS: Chairman Frank Hess noted that each visitor has the right to comment at this time or before any action is taken on a matter.

Terry Reif and June Honorowski, First Keystone Community Bank, addressed the Board and audience with information concerning low interest loans available to Pocono Township residents for sewer hook-ups.

ROLL CALL: Frank Hess, present; and Henry Bengel, present; and Harold Werkheiser, present.

Tim McManus, Twp. Sewage Solicitor; Sam D'Alessandro and Russ Scott, RKR Hess Associates; and Frank Froio, Twp. Administrator, were present.

BILLS:

H. Bengel made a motion, seconded by H. Werkheiser to approve payment of:
Blue Ridge Communications (PS#1 Internet - three months) - \$268.41

PPL - Acct No. 93463-23009 (PS#5) - \$1,025.02

PPL - Acct No. 90522-93007 (PS#3) - \$ 274.33

Subtotal PPL \$1,299.35

Cramer, Swetz & McManus (dated 3/15/2013)

1) Invoice 33331 - Phase II - \$567.00

2) Invoice 33330 - Phase I - \$21.00

3) Invoice 33326 - Sewer Project - \$1,523.76

4) Invoice 33329 - Phase III - \$63.00

5) Invoice 33328 - BCRA - \$756.00

Subtotal CSM(March \$2,930.76

Grim, Biehn & Thatcher Law Offices - Sewer Legal - **\$4,731.00**

RKR Hess - Invoice from 01/26/13 to 2/22/13 - **\$40,525.40**

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

CONNECTION NOTICES FOR CUSTOMERS

Great Wolf Lodge - On January 25th, 2013 Delaware River Basin Commission posted a Notice of Application Received for renewal of the Great Wolf Lodge WWTP. On March 8th, 2013, Pocono Township received notice of an NPDES Sewage Discharge Permit Renewal application from Great Wolf Lodge. The Township has 30 days to provide comment to PADEP.

H. Bengel made a motion, seconded by H. Werkheiser to authorize the Township Engineer to draft a letter to PADEP commenting on the Great Wolf Lodge NPDES Sewage Discharge Permit Renewal application. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

CONNECTION NOTICES CONT:

Salerno Property - On March 13th, 2013 Pocono Township received a Notice of an NPDES Sewage Discharge Permit Renewal application for Salerno Properties LLC/Fountain Springs West Property in Tannersville. The Township has 30 days from the date of the Notice to comment. H. Bengel made a motion, seconded by H. Werkheiser to authorize the Township Engineer to draft a letter to PADEP commenting on the Salerno Properties LLC/Fountain Springs West property, NPDES Sewage Discharge Permit Renewal application. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

Pre-Connection Notices - The first round of Pre-Connection Notices were issued to customers. The Township is beginning to receive questions and concerns over the assignment of EDUs for some of these properties; specifically, there are questions as to whether EDUs can be recalculated in the case of a high water meter reading due to plumbing issues (leaks, running toilets, etc.). T. McManus noted those issues are addressed in the Rate Resolution Ordinance.

Pocono Mountain School District - The Township has sent a letter to Pocono Mountain School District Superintendent requesting to meet with them regarding connection to the sewer system. Having received no response, the Board will send a follow-up letter directly to the PMSD School Board.

ACT 537 REVISION

The Pocono Township Supervisors approved the amendment at the February 19th, 2013 Sewer meeting.

The Hamilton Township Supervisors approved the amendment at the February 26th, 2013 Supervisors meeting.

The amendment was submitted to PADEP for review on February 27th, 2013.

POCONO MANOR AND KALAHARI RESORTS SEWAGE PLANNING MODULES

H. Bengel made a motion, seconded by H. Werkheiser to authorize the Township Engineer to work with the consultants for Pocono Manor/Kalahari Resort to develop technical specifications for the conveyance system to connect to the Pocono Township Sewer System. The work will be paid out of the Pocono Manor escrow account with the Township. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

PHASE II SEWER COLLECTION SYSTEM CONSTRUCTION

Contract No. 4 - Pioneer Construction Co. Inc. intends to be on site at the Prehart property to make corrections to a manhole to improve the slope of the sewer main in this section on March 20th and 21st.

Contract No. 5 - PACT Construction Co., Payment Request #12 - Final. Manhole #C01-70 (near Palmerton Bank on Learn Road) was hit by a snowplow last month, causing substantial damage to the plow. The Contractor on Contract No. 5 - PACT Construction Co. has been requested to investigate the cause of the problem. H. Bengel made a motion, seconded by H. Werkheiser, to table any action PACT Construction Co., Payment Request #12 - Final. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

In accordance with the RKR Hess letter of March 11th, 2013, it is recommended that the Township approve payment of the invoice for Pocono Township's share of Construction Contract Costs for January 2013, to BCRA in the amount of \$595,540.47. The letter also recommends that the Supervisors approve Requisition No. 11 to be drawn from the ESSA \$4.5M Guaranteed Sewer Revenue Note Series of 2010 in the amount of \$142,984.24 to cover a portion of this invoice. The balance will be paid out of the ESSA \$3.0M Interim Finance Construction account for now, and applied toward Pocono Township's share of Capital Contribution to the Joint Wastewater Treatment Plant. H. Bengel made a motion, seconded by H. Werkheiser, to approve payment of the invoice for Pocono Township's share of Construction Contract Costs for January 2013, to BCRA in the amount of \$595,540.47 and approve Requisition No. 11 to be drawn from the ESSA \$4.5M Guaranteed Sewer Revenue Note Series of 2010 in the amount of \$142,984.24. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

JOINT MUNICIPAL WWTP O&M INVOICE

Pocono Township has paid two (2) invoices from BCRA in the amount of \$54,187.00 each, for Pocono's share of the O&M and Debt Service expenses related to the Joint Municipal WWTP for February and March 2013. H. Bengel made a motion, seconded by H. Werkheiser, to ratify payment of February and March invoices to BCRA in the amount of \$54,187.00 each, for Pocono's share of the O&M and Debt Service expenses relate to the Joint Municipal WWTP. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

The BCRA invoices for Pocono Township's share of O&M and Debt Service expense are on-going, regular monthly expenses to be paid out of the sewer revenues. H. Bengel made a motion, seconded by H. Werkheiser, to approve payment of the monthly BCRA invoices for O&M and Debt Service cost through the end of 2013. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

PENNVEST GRANT

PennVEST is receptive to a request by the Township to reallocate a portion of the \$11.7M Grant (#27798) from Phase II Construction to Capital Contribution to the Joint WWTP. In order to perform this reallocation, a PennVEST Change Order will need to be filed. The amount of this reallocation will be approximately \$1.6M-\$1.8M to account for termination of a Contract and to adjust for Contracts potentially coming in under the original PennVEST Budget. Any additional fund required to complete construction under Phase II can be drawn from sources otherwise budgeted for Capital Contribution. While this may allow remaining PennVEST funds to be utilized prior to resolution of the construction issues, the 5% holdback will still apply regardless of how funds are allocated. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Change Order to PennVEST to reallocate a portion of the \$11.7M Grant (#27798) from Phase II Construction to Capital Contribution to the Joint WWTP. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

COMMENTS

Judy Coover asked about the status of the Sewer ligation.
Charles Marzzacco questioned the hookup order.
Paul Frantz questioned the rates for customer without water meters.

ADJOURNMENT

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 7:20 p.m. until April 3rd, 2013, at 6:00 p.m. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.