

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE SPECIAL MEETING
MAY 21ST, 2013, 6:00 P.M.**

The Special Sewer Meeting of the Pocono Township Supervisors was held on May 21st, 2013 at the Pocono Township Municipal Building, Tannersville, Pa., and was opened by Chairman Frank Hess at 6:00 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.

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

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

MINUTES

H. Bengel made a motion, seconded by F. Hess, to approve the 05/01/2013 Sewer Meeting Minutes and the 03/28/2013 Meeting Transcript from the meeting with Tobyhanna Twp. and BCRA. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

APPROVAL OF BILLS:

H. Bengel made a motion, seconded by F. Hess, to approve payment of:

Blue Ridge Cable - PS#1 - \$83.76	
Blue Ridge Cable - PS#2 - \$167.51	
Blue Ridge Cable - PS#4 - \$49.76	
Blue Ridge Cable - PS#5 - \$83.76	Subtotal BRC - \$384.79

Mettel - PS#5 - \$47.34

PPL - PS#5 \$0.00
PPL - PS#3 - \$174.09

PENNDOT Inspections - Scotrun Ramp Inv. 1801379947 - \$463.73

Grim, Biehn & Thatcher - Inv. 129143 - \$15,531.29

Pennoni Associates, Inc. - Expert Witness for Litigation - \$2,604.62

RKR Hess Invoices from 3/23/2013 to 04/26/2013 - \$35,104.06

Cramer, Swetz, & McManus

Inv. 33593 - PHASE 2 - \$1,386.00	
Inv. 33590 - PHASE 1 - \$1,113.15	
Inv. 33589 - PHASE 3 - \$84.00	
Inv. 33588 - BCRA - \$168.00	
Inv. 33586 - Sewer Project - \$3,870.83	
Inv. 33587 - POCONO MANOR (Escrow) \$5,381.13	

Subtotal CSM (May) = \$12,003.11

BILLS CONT:

Pioneer Construction - Inv. 001 - Repair MH C 01-78 0 \$2,140.00

Samuel P. Counterman and Carol L. Counterman - Replacement of voided check for Just Compensation for Sewer Easement - \$1,100.00

1st Keystone Bank - 06/01/2013 Interest Payment on General Obligation Note Series of 2010 (former Ambulance Building Loan) to be paid out of Wayne Bank Sewer Operating Account - approx. \$16,400.00

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

SEWER RESERVATION POLICY Discussion concerning Twp. Sewer Solicitor, T. McManus's e-mail correspondence of 05/20/2013 addressing several core questions the board will need to make:

1. Fee for reservation.
2. How will fee be paid, i.e. annually, monthly, quarterly?
3. How long will a reservation be good for.
4. At what point will a reservation be required, i.e. prior to issuance of a "will serve" letter by Township?
5. At what point can a developer obtain a reservation if they desire to obtain one earlier than the date by which one is required.

UPDATE ON TOBYHANNA TOWNSHIP SEWER AGREEMENTS

T. McManus gave a brief update.

CONNECTION NOTICES TO CUSTOMERS

The Sewer Service Inquiry is available for the Township to hand out to customers, who have questioned their EDU determinations.

The Township issued comment letters to PADEP and the Delaware River Basin Commission in response to correspondence from Great Wolf Lodge's consultants.

The Chairman has met with representatives of Pocono Mountain School District School Board to discuss connection to the Pocono Mountain Sewer System. F. Hess will arrange a meeting with School District.

PHASE I SEWER COLLECTION SYSTEM ISSUES

Contract No. 2 - Leeward Construction performed the investigative test dig of the section of pipe near Manhole MH#C=01-06 (near Scotrun on-ramp) on April 17th, 2013. At the May 1, 2013 meeting the Supervisors approved payment of \$18,095 for the investigative work, upon final restoration being completed. Since it does not make sense to pave the pit area, until the corrective measures are implemented, the contractor has requested release of a \$17,455.00 payment. The Contractor has been asked for an estimate to pump grout into the casing to prevent floatation of the sewerline, which will include final restoration costs. H. Bengel made a motion, seconded by H. Hess, to approve the release of \$17,455.00 to Leeward Construction, Contract No. 2. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

Contract No. 2 - Leeward Construction has asked for consideration for its previous offer of resolution of \$35,000.00 compensation for re-setting of the Manhole B2-1-04 near Alfredo's Restaurant. RKR Hess has provided an estimate of \$12,694.93 based upon the over-excavation and concrete portion of the work, performed as a precautionary measure. H. Bengel made a motion, seconded by F. Hess, to approve payment of \$12,694.93 to Leeward Construction, Contract No. 2 for compensation of re-setting Manhole B2-1-04. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

PHASE III FORCEMAIN CONSTRUCTION

Contract No. 14 - PACT Construction, Inc. has requested a status update from Stroud Township on some of the billing rates charged on inspection invoices submitted by the engineer for Stroud Township.

JOINT MUNICIPAL WWTP CAPITAL CONTRIBUTION

In accordance with the R.K.R. Hess letter of May 15th, 2013, it is recommended that the Township approve payment of the invoice for Pocono Township's share of Construction Contract costs for March 2013, as well as reconciliation of WWTP Capital Contribution Costs, to BCRA in the amount of \$1,109,548.00. The letter also recommends that the Supervisor approve Requisition No. 13 to be drawn from ESSA \$4.5M Guaranteed Sewer Revenue Note Series of 2010 in the amount of \$757,020.01 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 F. Hess, to approve payment of Pocono Township's share of Construction Contribution Costs, to BCRA in the amount of \$1,109,548.00. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

BENNINGER INSURANCE POND ISSUE Two quotes have been received to repair the pond in front of Benninger Insurance Building. Farda Landscaping was the low quote at \$3,600.00. The Board suggested holding off on the repair until the section of sewer line is repaired.

RESOLUTION 2013-10 H. Bengel made a motion, seconded by F. Hess, to adopt Resolution 2013-10, amending and restating Resolution 633 establishing user fees and other fees and rules and regulations for the Pocono sewer system. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.

COMMENTS:

Deanna Schmoyer, Borton Lawson Engineering, requested Pocono Township be applicant on a PennDOT HOP Permit for the Crossing Premium Outlets Property. The applicant will pay all application fees and bond costs and inspection fees. Borton Lawson expects to submit to PennDOT for the HOP and to PADEP for the General permit for Stream Crossing in July 2013. Due to seasonal fish spawning restrictions on when the stream crossing can be performed, it is expected that the construction of the sewer service line will commence in January of 2014 and be completed by the Spring of 2014.

COMMENTS CONT:

Charles Stenlake, Avalanche Septic Services, questioned regarding calls from potential customers. He requested information re: installation requirements.

EXECUTIVE SESSION AND ADJOURNMENT - H. Bengel made a motion, seconded by F. Hess, to adjourn the meeting into Executive Session at 7:13 p.m. to discuss Contract No. 6 litigation related matters. Roll call vote: F. Hess, yes; and H. Bengel, yes. Motion carried.