

**POCONO TOWNSHIP SUPERVISORS  
MINUTES OF THE SPECIAL MEETING  
AUGUST 20<sup>th</sup>, 2013, 6:00 P.M.**

The Special Sewer Meeting of the Pocono Township Supervisors was held on August 20<sup>th</sup>, 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 Harold Werkheiser, present. Henry Bengel, absent.

Sam D'Alessandro, RKR Hess Associates; Timothy McManus, Special Sewer Solicitor; and Frank Froio, Twp. Administrator, were present.

**MINUTES:**

Approval of the minutes of the 07/16/2013 meeting was tabled.

**APPROVAL OF BILLS:**

PPL PS#	\$68.42	
PPL PS#1	\$76.59	
PPL PS#5	\$999.65	
PPL PS#3	\$127.07	<b>TOTAL PPL: \$1,271.73</b>

MET-ED PS#4 - **\$78.99**

PenteleData - Internet - **\$299.75**

Blue Ridge Cable - PS#5	\$63.36	
Blue Ridge Cable - PS#1	\$63.36	
Blue Ridge Cable - PS#4	\$127.51	
Blue Ridge Cable - PS#2	\$63.36	<b>TOTAL BLUE RIDGE: \$317.59</b>

Engle-Hambright & Davies - Insurance - **\$4,597.00**

Met-Tel - Phone service PS#5 - \$46.81

BCRA - PS#5	- \$44.18	
BCRA - PS#3	- \$44.66	<b>TOTAL BCRA - \$88.84</b>

Pennoni Engineering - PS Design - 557183	- \$38,870.00	
Pennoni Engineering - PS Design - 554112	- \$102,700.00	
Pennoni Engineering - Eng. Review - 554111	- \$125.00	
Pennoni Engineering - Eng. Review - 557182	- \$1,187.50	<b>TOTAL: \$142,882.50</b>

Schlier's Towing - Dirt - **\$70.00**

Grim, Biehn & Thatcher - Legal - **\$7,695.00**

Faithful & Gould - Audit - **\$16,079.36**

**CONNECTION NOTICES TO CUSTOMERS:**

Issuance of Final Connection notices to property owner who have expressed an interest in hooking up. S. D'Alessandro reminded the Board that winter is approaching and it may delay hook-ups.

Proposed revisions to Section 2.2.C.2 of the Rate Resolution to allow for redetermination of EDU's initially attributed to a property based upon inaccurate water meter data. No action taken.

Solicitor proposed changes to the Adopted Connection Procedures. No action taken.

RKR Hess is making changes to the Connection Procedures.

**PAYOFF OF GENERAL OBLIGATION BOND SERIES OF 2010**

H. Werkheiser made a motion, seconded by F. Hess, to approve payoff of the ESSA Interim Finance - General Obligation Bond Series of 2010, by August 28<sup>th</sup>, 2013, in the estimated amount of \$3,005,942.64, in accordance with the schedule of source funds as recommended in the letter of July 31<sup>st</sup>, 2013 from Concord Public Financial Advisors, Inc. Roll call vote: F. Hess yes, and H. Werkheiser, yes. Motion carried.

**PENNVEST GRANT (ME#27798)**

H. Werkheiser made a motion, seconded by F. Hess, to approve and authorize the Chairman to sign PennVEST Payment Application No. 9 for reimbursement of Construction Costs under Phase II Contracts. The application should be submitted on or around September 6<sup>th</sup>, 2013. Roll call vote: F. Hess, yes; and H. Werkheiser, yes. Motion carried.

**H2O PA GRANT**

H. Werkheiser made a motion, seconded by F. Hess, to authorize the engineer to submit H2O PA Grant Reimbursement Application No. 13 and authorize the Chairman to sign on behalf of the Township. Roll call vote: F. Hess, yes; and H. Werkheiser, yes. Motion carried.

**PHASE I SEWER COLLECTION SYSTEM ITEMS**

Contract No. 2 - The Contractor, Leeward Construction, had previously performed an investigate test dig of the section of pipe near Manhole MH#C-01-06 (near Scotrun on-ramp) and concluded that there was floatation of the sewerline within the steel casing. The Contractor provided cost estimates for two investigative and repair options: 1) pump grout into the casing to prevent floatation of the sewerline and 2) remove and reinstall the sewerline within the casing with additional supports and spacers to prevent floatation of the sewerline. As part of the scope of work for the investigation and repair, the contractor will be required to verify that floatation of the pipe is the cause of the problem. If pipe did not float, the repair would be a contractor's warranty issue. The expected cost is between \$44,400.00 to \$46,600.00. Contract No. 2 has been closed out. T. McManus recommended bidding the job because the contract has been closed out.

**PHASE II SEWER COLLECTION SYSTEM ITEMS**

Contract No. 3 - A meeting was held with the Contractor, Leeward Construction, on June 25<sup>th</sup> to discuss verification and resolution of deficiencies related to three (3) segments of sewer pipeline in the area of Citizens Bank, Switzerland Old World Gifts and Billy's Pocono Diner. On August 7<sup>th</sup>, Leeward forwarded via email a Sewage Capacity Verification Letter from Entech Engineering to Leeward Construction. RKR Hess issued a letter dated August 16<sup>th</sup> requesting additional calculations and further verification via sewer video and potential flushing/jetting of sewer pipes.

Contract No. 8 - To date, PADEP has not responded to RKR Hess' request for direction on the scouring of the creek bottom in the area of Stream Crossing #1 (Swiftwater Creek). RKR Hess is preparing a plan to address the issue and expects to submit it to PADEP for review by the end of the week.

Contract No. 10 - In a July 25 letter, Doli Construction Corporation stated that they do not accept the Township's offer to resolve their request for additional compensation under Contract NO. 10. Doli indicated that they would contact the Township directly to schedule a meeting to discuss the outstanding issues.

Contract No. 10 - RKR received an Application for Payment #10 from Doli Construction on July 1<sup>st</sup>. They were unable to process this payment request due to outstanding closeout documents that have not been submitted by Doli.

**TOBYHANNA TOWNSHIP SEWER SERVICE**

T. McManus updated the Board on the status of the Sewer Service Agreement with Tobyhanna Township. The agreement is basically complete and ready for approval by Pocono and Tobyhanna Townships with the exception of a request made by Kalahari and Tobyhanna to Pocono within the last few days to add a provision whereby Pocono would agree not to pursue Tobyhanna and Kalahari for a violation of the Pocono's sewer system regulations and to defer the need for Tobyhanna/Kalahari to install pretreatment facilities (Which are expected to cost approximately \$900,000) for a period of time if the Kalahari project does generate extra strength wastes to enable additional phases of the project to come on line, the combined sewage from which might eliminate any extra strength waste issues without the need for pretreatment. Extensive discussion occurred involving F. Hess, T. McManus, S. D'Alessandro, Tobyhanna Supervisors; Ann Laberton and John Kerreick, Tobyhanna Manager Phyllis Haase, Ralph Matergia, Esq. representing Pocono Manor Investors, Jim Cahill (Pocono Manor) and Steve Pine (Kalahari) as to exactly what was being requested, the reason for the same and potential issues/problems created by the request. The result of the discussion was that a new agreement provision would be drafted for consideration by the parties that pre-treatment for specific identified extra strength wastes would not be required immediately to enable the Phase 2 of the Kalahari

**TOBYHANNA CONT:**

resort to be built to see if the combined sewage from Phases 1 and 2 resolved those potential extra strength waste issues. It was estimated by Steve Pine that it will take up to 20 months after the completion of Phase 1, basically up to 4 years from today, for Phase 2 to become operational. However, should the introduction of any of the identified extra strength wastes into the Pocono sewer system risk or put Pocono in violation of its agreements with BCRA or other Legal requirements applicable to it, which determination would be made by Pocono, or interfere with the proper operation of the WWTP by BCRA, then whether or not Phase 2 was built, a pretreatment system would be installed by Tobyhanna or Kalahari to eliminate the same. A letter of credit will be provided to Pocono as security to cover 110% of the cost of the pre-treatment facility.

**PA DCNR/DEP DISTRICT OFFICE SERVICE CONNECTION**

RKR Hess met with representatives of the PA DCNR and PA DEP regarding the details of connecting their office in Swiftwater to the sewer system.

The Township received an Act 14 Notice regarding renewal of the NPDES Permit of the existing wastewater treatment plant at this site. While this may be a formality, the Township may wish to issue comments to PADEP Wilkes-Barrie Regional Office informing them that the property will be required to connect to the central sewer system and to abandon the stream discharge upon notice being issued by the Township.

**JUST COMPENSTATION**

H. Werkheiser made a motion, seconded by F. Hess, to authorize the Township Sewer Solicitor to settle the sewer condemnation Just Compensation issue with Suburban Realty for \$12,500.00. This condemnation is docketed to No. 5532 CV 2011, Monroe County Court of Common Pleas. Roll call vote: F. Hess, yes; and H. Werkheiser, yes. Motion carried.

**ADJOURNMENT:** H. Werkheiser made a motion, seconded by F. Hess, to adjourn the meeting at 7:23 p.m. Roll call vote: F. Hess, yes; and H. Werkheiser, yes. Motion carried.