

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE SPECIAL MEETING
DECEMBER 4th, 2013, 6:00 P.M.**

The Special Sewer Meeting of the Pocono Township Supervisors was held on December 4th, 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.

Marie Guidry questioned whether the Church at the corner of Route 715 and Sullivan Trail was included in the 537 service area and would be required to connect to the sewer system. There was some question on whether or not the property was in the Act 537 service area. RKR Hess will look into the issue further and contract the Church.

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

Timothy McManus, Special Sewer 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 11/19/2013 Sewer Meeting Minutes. Roll call vote: F. Hess, yes; Harold Werkheiser, abstained; and H. Bengel, yes. Motion carried.

APPROVAL OF BILLS: H. Bengel made a motion, seconded by F. Hess to approve payment of semi-monthly invoices on the Bill Payment list dated December 4th, 2013 **SEWER CONSTRUCTION ACCOUNT: \$20,225.00; SEWER OPERATING ACCOUNT: \$529.03;** Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

H. Bengel made a motion, seconded by H. Werkheiser, to pay all outstanding RKR Hess invoices up to and including November 2013 invoices. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

CONNECTION OF SEWER CUSTOMERS

At a recent meeting with the Township's Bond Counsel and Financial advisors it was discussed that the first round of mandatory connection notices should be sent out February 1st, 2014, with a tentative eight month schedule for notices to be sent to all existing developed properties.

BCRA SERVICES AGREEMENT

Update on two Draft Agreements with has been drawn up for consideration by the Township and the BCRA. They are: a "Billing and Collection Agreement" and an "Operation and Management Agreement" for the Pocono Township Sewer System.

SEWER COLLECTION SYSTEM ITEMS

Contract No. 3 = Leeward Construction was scheduled to start work on corrective measures to the sewerline within the steel casing near Manhole MH#C-01-06 (near the Scotrun on-ramp) in the first week of December, but has been delayed due to complication in seeking PADOT approval of maintenance of the open excavation on the North side of ramp. Leeward has been asked for a status update.

Contract No. 3 - A letter was sent by RKR Hess to Leeward Construction requesting them to investigate and address the non-uniformity issue and to provide the sewer video for the section of sewerline near Billy's Diner in Tannersville.

Manhole inserts - The consensus of the Board was to have RKR Hess proceed with the purchase of a number of plastic manhole inserts for areas where the surface runoff is observed to flow across the manhole lids.

PHASE III FORCEMAIN CONSTRUCTION

Contract No. 14 - H. Bengel made a motion, seconded by H. Werkheiser, to approve Contract No. 14, PACT Construction, Payment Request No. 9 - Final, in the amount of \$142,340.29, contingent upon the closeout items in the December 4th, 2013, RKR Hess letter being addressed. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

H. Bengel made a motion, seconded by H. Werkheiser, to approve the payment of Just Compensation in the amount of \$50,000.00 for the sewer easement obtained by eminent domain across the Glen W. Detrick (formerly Gerald Gay) property in Stroud Township. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

H2O PA GRANT

H. Bengel made a motion, seconded by H. Werkheiser, to authorize RKR Hess to submit H2O PA Grant Reimbursement Application No. 14 and authorize the Chairman to sign on behalf of the Township. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

PENNVEST GRANT (ME#27798)

H. Bengel made a motion, seconded by H. Werkheiser, to approve and authorize the Chairman to sign a PennVEST Change Order to reflect an increase in "Other Source" Funds in the amount of \$261,522.97, signifying that the Township has contributed more than its original commitment of matching funds towards eligible expenses. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

CROSSINGS PREMIUM OUTLETS SEWER SERVICE CONNECTION

Crossings Premium Outlets have submitted revised plans for their proposed sewer service connection within the PennDOT Right-of-Way of Rt. 611. H. Bengel made a motion, seconded by H. Werkheiser, to approve the submitted HOP Plans and application contingent upon 1) the remaining comments in the December 2nd, 2013 review letter from RKR Hess being addressed and 2) upon the Sanitary Sewer HOP Application Agreement with Chelsea Pocono Finance, LLC being executed. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

The revisions to the draft Sanitary Sewer HOP Application Agreement requested by Chelsea Pocono Finance, LLC were then discussed. H. Bengel made a motion, seconded by H. Werkheiser, to approve the Sanitary Sewer HOP Application Agreement subject to the incorporation of the revisions as discussed, and to authorize execution of the same by appropriate Township officers. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

GREAT WOLF LODGE SEWER SERVICE

The Engineer for Great Wolf Lodge has submitted an application for sewer service and sewer connection plans for review. A conference call with representatives of Great Wolf Lodge is tentatively scheduled for December 6th, 2013 to discuss RKR Hess preliminary review comments.

UTRS PROFESSIONAL CONSULTING SERVICES AGREEMENT

RKR Hess, a division of UTRS, Inc. has revised the Terms and Conditions of an agreement for the Township's consideration to provide ongoing Engineering Consulting Services on a Time and Materials basis for services not covered under any existing Agreements. Tabled until the next meeting.

TOBYHANNA SEWER SERVICE

H. Bengel made a motion, seconded by H. Werkheiser, to authorize Tim McManus, Twp. Sewer Solicitor, to advertise an Ordinance for adoption authorizing the Township to enter into an Intermunicipal Sewage Service Area Agreement among Pocono, Tobyhanna and BCRA, for BCRA to extend its Sewer Service treatment area to that portion of Tobyhanna Township where the Kalahari Resort and the Pocono Manor Commercial Project are to be located. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

LIST OF OUTSTANDING SEWER ISSUES TO BE ADDRESSED IN 2014

H. Bengel made a motion, seconded by H. Werkheiser to authorize RKR Hess to prepare a summary of system and outstanding issues for the incoming Board of Commissioners. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.

ADJOURNMENT

H. Bengel made a motion, seconded by H. Werkheiser, to adjourn the meeting at 7:30 p.m. Roll call vote: F. Hess, yes; H. Werkheiser, yes; and H. Bengel, yes. Motion carried.