

Pocono Township Board of Commissioners
Work Session Minutes

DATE: April 10, 2019

TIME: 5:00 pm

PLACE: Township Building

PRESIDING COMMISSIONER: Jerry Lastowski

ROLL CALL:

Harold Werkheiser - Absent
Richard Wielebinski – Absent
Chad Kilby – Present
Jerrod Belvin – Present

Also, present Leo DeVito, Township Solicitor, Jon Tressler – Township Engineer, B&J; Mike Gable-engineer, B&J; Patrick Briegel – Pocono Township Sewer Consultant; Donna Asure – Township Manager; Township Supervisors from Tobyhanna Township as well as Tobyhanna Township Manager and Assistant Manager, Tobyhanna Township Engineer and Solicitor; BCRA Director Dave Horton and representatives from Kalahari Resort including legal counsel and Borton Lawson, engineering firm representing Kalahari, Ralph Matergia, counsel for PMI.

The work session was called to order at 5:30pm by President Lastowski with the Pledge of Allegiance.

There was no public comment.

The work session began with discussions of the various correspondence that has been sent requesting extensions and/or amendments of the current agreements.

John VanLuvanee, council for Kalahari stated there were two issues –

- The request for extension of pre-treatment – extend letter of credit and three-year grace period
- Reduce flows/need to buy additional EDU's/overage charges

Discussion followed on –

- The agreements currently in place and the protective language they contain
- The township would not be giving anything up extending the time period
- There is not enough information to prove violations
- Data collection since the Phase I agreement was put into place in 2015
- Testing was done originally but then stopped
- Quality of the effluent
- The effect of the PMI development
- Taking pool water out of the equation – changing the effluents and design
- Whether or not there have been any issues that have triggered any significant concerns for Pocono Township or BCRA
- Go through end of 2019 to show progress on reduction of flows
- Less incentive to reduce flows if they have more capacity
- Kalahari has paid over \$300K in overage charges in last ¾ years
- The need to know hotel occupancy and how that relates to flow rate
- Concerns on pool discharge (130K during day to 400K at night)
- Use of site wells
- Infiltration studies to be done this spring
- Reverse osmosis

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- Equalization tanks as a resolution – and the timing of this
- How does BCRA going through the permitting process affect Kalahari?
- Addressing higher strength waste
- Is there an impact at all if it is not impacting the plant?

Discussion took place on involving all three owner municipalities if any agreements are to be amended. BCRA stated that they needed to get a copy of all agreements in place between Pocono and Tobyhanna. BCRA stated they needed to come up to speed with everything that was going on and all agreements in place to be able to weigh in on the issues.

Ralph Matergia, representing PMI discussed the economic impact of the development that will occur in this area. He explained that the project is gaining traction and the effluent from this project needed to be taken into consideration by the engineers.

Steve Pine spoke to the letter of credit and stated that Kalahari would be willing to extend the letter of credit with the knowledge that the dialogue was going to continue.

A timeline was discussed for the professionals to get together and provide the necessary information such as occupancy rates. It was felt that this could be done by May 1, 2019. This would help to quantify the flow data.

The subcommittee formed earlier this year will be placed on hold at this time.

NO OFFICIAL ACTIONS OR ROLL CALL VOTES WERE TAKEN DURING WORK SESSION.

Having no further discuss and no other public comment at this time the work session was adjourned at 6:40pm.

Submitted by:


Donna M. Asure
Pocono Township Manager