

POCONO TOWNSHIP BOARD OF COMMISSIONERS

SEWER MEETING MINUTES

MARCH 4th, 2019 6:00 P.M.

The Sewer meeting of the Pocono Township Commissioners was held on Monday, 03/04/2019 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Gerald Lastowski at 6:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Gerald J. Lastowski, present; Richard Wielebinski, present; Jerrod Belvin, present; Chad Kilby, present; and Harold Werkheiser, absent.

IN ATTENDANCE:

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Jon Tresslar and Mike Gable, Twp. Engineers, Boucher & James, Inc.; DonnaASURE, Township Manager; and Pamela Tripus, Township Secretary, and Patrick Briegel, Sewer Consultant, were present.

PUBLIC COMMENT:

Marc Wolf, solicitor for owner of Shoppes at Turtle Walk L.P., requested to speak during the discussion of Baymont Hotel.

Ellen Gandt, Twp. resident, questioned the sewer transfer, lack of Kalahari letter in agenda package, and a possible violation of the sunshine act. D.ASURE, Twp. Manager, explained the sewer transfer amount was an error in the draft agenda, and will be corrected.

ANNOUNCEMENTS:

MINUTES:

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of 02/04/2019 sewer committee meeting. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

OLD BUSINESS:

Vasilios Kotretsos - 312 Learn Road - request for reduction in EDUs. No action taken.

Jimmy Schlier EDU Purchase answer. No action taken.

Resolution update committee report - workshop date to discuss. No action taken.

FINANCIAL TRANSACTIONS

Milnes Company Change Order #4 - J. Tresslar, Twp. Engineer, explained since the original change order was approved the designed was modified which increased the cost. C. Kilby made a motion, seconded by J. Belvin, to approve change order No. 4 from the Milnes Company in the amount of \$3,426.00 for installation of fencing at Valve Station #1 for a total cost of installation to be \$11,825.25 as recommended by Patrick Briegel and Boucher & James, Inc. as the lowest quote received for this project including the new change order. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

FINANCIAL TRANSACTIONS CONT:

Transfer from Sewer Operating to Sewer Capital - G. Lastowski made a motion, seconded by R. Wielebinski, to authorize the transfer of \$200,000.00 from sewer operating to sewer construction fund as approved in the 2019 budget. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Milnes Company payment applications No. 2 & 3 - G. Lastowski made a motion, seconded by R. Wielebinski, to approve the payment applications No. 2 & 3 from the Milnes Company in the amount of \$12,720.00 as final payment for bypass pumping system improvement project No.1721013A as recommended by Patrick Briegel and Boucher & James, Inc. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Keystone Engineering Invoice No 3. -

R. Wielebinski made a motion, seconded by G. Lastowski, to approve invoice No. 3 from Keystone Engineering in the amount of \$12,424.20 (balance remaining \$56,386.67) for control and float system improvements, project No. 1831019, as recommended by Patrick Briegel and Boucher & James, Inc. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Emergency Systems Service Company -2019 maintenance-

J. Belvin made a motion, seconded by C. Kilby, to approve the proposal from Emergency Systems Service Company for the 2019 planned maintenance on sewer system in the amount of \$4,402.01 plus additional costs for services not defined in the scope of planned work as recommended by Patrick Briegel, sewer consultant. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

APPEALS:

Gateway equities - 2185 Route 611 - denial of reduction in EDU - No action taken

REPORTS:**COMMISSIONERS:**

Commissioner Jerrod Belvin - J. Belvin noted at the last meeting the Board had received the list of properties which have been deferred.

J. Belvin made a motion, seconded by R. Wielebinski, to direct Patrick Briegel, sewer consultant, to do a study on all deferred sewer properties and report to the Board at the 04/01/2019 sewer meeting. G. Lastowski questioned if the additional work was budgeted for Patrick Briegel, sewer consultant. R. Wielebinski questioned how the Township can determine if lateral was not installed. P. Briegel explained in some cases a lateral may not extend to the property line and would require additional investigation. Discussion followed on the cost to install missing laterals. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

SEWER CONSULTANT REPORT:

BCRA Committee to Develop Valve Station #2 Action Plan - P. Briegel, Sewer Consultant, reported he is working with Dave Horton, BCRA, to develop the step by step operation plan to allow BCRA to take action in case of an emergency.

PA One Call - P. Briegel, Sewer Consultant, explained he recommended Utility Locators since their costs were comparable. Discussion followed. R. Wielebinski noted the importance to correctly locate the lines.

G. Lastowski made a motion, seconded by C. Kilby, to enter into a contract with Utility Locators, for locating and marking services for the Township sewer lines, beginning 03/08/2019 with varying costs per the quote, as recommended by Patrick Briegel, Sewer Consultant, contingent upon a review and approval by the Township Solicitor. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Verizon Hookup - L. DeVito, Twp. Solicitor, explained he has been in contact with Verizon's legal department and they will be applying for the sewer connection. He noted the Township's easement abuts their property. Discussion followed.

Robert Fisk and surrounding properties recommendation - P. Briegel, Sewer Consultant, noted the cost to bore under Rt. 611 is approximately \$100,000 to connect the four properties. Discussion followed on alternate routes and easements. G. Lastowski explained additional discussion is needed for all the future service areas.

Borton-Lawson request for January flow data for Tobyhanna - M. Gable, Twp. Engineer, explained the data is from Tobyhanna Twp. sewer flows and currently the Township does not have a policy for releasing data. Discussion followed on the release of data to outside agencies and the cost to prepare the reports.

J. Belvin made a motion, seconded by C. Kilby, to grant Tobyhanna Township the flow data for Kalahari for January, on a one-time basis. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

ADMINISTRATION:

Properties in the mandatory connection areas - D. Asure, Twp. Manager, requested direction from the board for persons claiming they can't afford the connection. She noted there is no policy to handle low-income cases and recently a new property owner claimed financial hardship as a reason not to connect. Discussion followed on previous efforts to assist low-income cases and policy to mandate connection. G. Lastowski directed the Twp. Manager to send a letter and connection package to the resident.

SEWER ENGINEER:

Sanofi Sanitary Sewer Easement - J. Tresslar, Twp. Engineer, no report.

ACT 537 - J. Tresslar, Twp. Engineer, explained they are still waiting to hear from DEP.

TOWNSHIP SOLICITOR:

Baymont Hotel and Suites connection - L. DeVito, Twp. Solicitor, reviewed the history of the property and noted the property has not connected. He explained the property is currently being billed and has not paid. Discussion followed.

J. Belvin made a motion, seconded by R. Wielebinski, for Baymont Hotel and Suites to hook up at the standard rate of \$3,750.00 per EDU within 120 days. Marc Wolf, Solicitor, presented a time line of the Baymont Hotel. He noted Mr. Ertle is willing to connect at the discount EDU rate and believed Mr. Ertle is waiting for the Township's response to the reduced rate. C. Kilby explained the Township did nothing to prevent him from connecting and he has been billed since 2016 and not paid. J. Belvin questioned why Mr. Ertle did not come in to discuss the issue earlier. L. DeVito, Twp. Solicitor, noted the ordinance states even if a property does not connect, it will be billed the user fee. D.ASURE, Twp. Manager, noted Baymont Hotel is in arrears at approximately \$70,000.00. Discussion followed. L. DeVito explained the Township is correct in going after the monies in arrears. M. Wolf requested the motion be deferred until the next meeting. R. Wielebinski noted Mr. Ertle has had time to address this over the years but has failed to do so. G. Lastowski opened the meeting to public comment. Hearing none.

Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Letter from Tobyhanna Township - L. DeVito, Twp. Solicitor, explained he has spoken to John Van Luvanee, Solicitor for Kalahari, concerning a letter sent to Tobyhanna Township. Tobyhanna forwarded the letter on to Pocono Township. L. DeVito, Twp. Solicitor, explained the letter requested a deferral from the construction of a pretreatment plant since Kalahari has hired engineers to review all water and sewage flows and are looking at alternative treatment options, and other issues. J. Van Luvanee, Solicitor for Kalahari, noted Kalahari is also requesting a reduction of EDUs since the total flows were based on high usage months. L. DeVito, Twp. Solicitor, suggested a work session to discuss all issues addressed in the letter. The Board concurred to hold a future work session to discuss.

PUBLIC COMMENT: None

ADJOURNMENT:

G. Lastowski made a motion, seconded by J. Belvin, to adjourn the meeting at 7:00 p.m. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Respectfully submitted, Pamela Tripus, Township Secretary