

POCONO TOWNSHIP BOARD OF COMMISSIONERS

SEWER MEETING MINUTES

SEPTEMBER 19th, 2016 6:00 P.M.

The Sewer meeting of the Pocono Township Commissioners was held on 09/19/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Harold Werkheiser at 6:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Ellen Gndt, present; Bob DeYoung, present; Harold Werkheiser, present; Jerry Lastowski, present; and Judi Coover, present.

Leo DeVito, Twp. Solicitor; Jon Tresslar, Twp. Engineer; Charles Vogt, Twp. Manager; and Pamela Finkbeiner, Twp. Secretary, were present.

ANNOUNCEMENT: H. Werkheiser noted the meeting will be continued until 6:00 p.m., Tuesday September 20th, 2016, to discuss the PACT Two Change Orders and sewer system matters.

MINUTES:

J. Coover made a motion, seconded by H. Werkheiser, to approve the Sewer meeting minutes of 08/15/2016. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

E. Gndt stated she would record the meeting.

CURRENT BUSINESS:

Ridgley Werkheiser read a statement concerning the history, uses, and water usage for the St. John's Lutheran Church, Scotrun, PA. The St. John's Church is requesting that due to the De Minimis water usage, the assignment of 1 EDU be lowered to 7.55% or \$7.86 per month. Discussion followed on a reduced rate per water usage, administrative costs, number of properties affected, and regulating water usage.

J. Coover made a motion, seconded by J. Lastowski, to amend the policy for EDU payment to:

0 to 25% = administrative cost (cost to produce invoices and bill)

26% to 50% = ½ cost or \$52.09

51% to 100% = full rate of \$104.17

B. DeYoung disclosed he is involved with the Church.

Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Coover requested Jon Tresslar draft the rate policy and suggested C. Vogt investigate a way to inform users of the change in policy. C. Vogt will contact BCRA to create a list of De Minimis (less than 25%) water users.

UNFINISHED BUSINESS:

PACT Two Change Orders and sewer system matters - to be discussed on 09/20/2016 at 6:00 p.m. SEE ANNOUNCEMENT ABOVE.

J. Lastowski noted at the previous meeting the Board agreed to revisit the sewer policy to discuss the request for the full rate if a property owner cannot meet the deadline. Discussion followed. The Board agreed to review the policy at the next regular work session.

UNFINISHED BUSINESS CONT:

John Strubert, Bartonsville, questioned the work session date and time. C. Vogt noted the Thursday before the next regular meeting at 9:00 a.m. for work sessions.

PUBLIC COMMENT:

Jim Schlier, Twp. resident, noted he would like to connect his business now, before construction of his new building. He requested direction from the Board. J. Lastowski suggested he contact Patrick Briegel. Jon Tresslar noted the property is in Land Development with a rate of 5 EDUs assigned for the new building. Discussion followed on the process of reserving EDUs for the new and proposed buildings.

Brad Wise, Twp. resident, questioned the Sanofi odor control. J. Lastowski noted they have been using Bioxide to treat effluence. B. Wise questioned who was inspecting sewer connections and the back fill used. Mike Tripus, ZO/SEO/BIU inspector requested the property in question. J. Lastowski suggested B. Wise reach out to M. Tripus to discuss.

Deanna Schmoyer, Engineer for the Amber Inn, requested direction for connecting the property and the difficulties due to the present sewer system is in the Rt. 314 right-of-way. C. Vogt suggested it be placed on the next agenda.

Jane Cilurso, Twp. resident, questioned the departure of Jeffry Clapper. H. Werkheiser noted he left for a better job offer.

Joe Zbylrcki, Dynamite Car Wash, requested direction for Teresa Kramer's property. The Car wash is a self-circulating water system with no water or bathroom facilities. Discussion followed. J. Lastowski requested they be placed on the next agenda.

EXECUTIVE SESSION: J. Coover made a motion, seconded by E. Gndt, to convene the meeting into executive session at 6:47 p.m., to discuss personnel and litigation matters and will not return; the Board will continue the meeting on 09/20/2016 at 6:00 p.m., Tuesday. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

POCONO TOWNSHIP BOARD OF COMMISSIONERS
SEPTEMBER 20th, 2016 at 6:00 P.M. CONTINUATION OF
SEPTEMBER 19th, 2016 6:00 P.M. SEWER MEETING

Harold Werkheiser, President, reconvened the meeting at 6:00 p.m., 09/20/2016 and call for a roll call.

ROLL CALL: Ellen Gndt, present; Bob DeYoung, present; Harold Werkheiser, present; Jerry Lastowski, present; and Judi Coover, present.

Carlos Costa and Ryan (?), PACT TWO, LLC.; Charles Vogt, Township Manager; and Pamela Finkbeiner, Township Secretary; were in attendance.

ATTENDANCE BY PHONE: Sami Sarrouh, Mark Ambrose, Russell Benner, T&M Associates, Inc.; Leo DeVito, Township Solicitor; and John Hartman, Hartman Corp.

Discussion points:

- a) Time line of change order.
- b) Status of Valve order and warranty.
- c) Bidding verse Change Order.
- d) PACT TWO, LLC settlement.

J. Coover questioned the timing and steps to complete the Change Order for the Forcemain repair.

Henrick Maxian, PACT TWO, LLC., joined the meeting by phone to confirm they received the specs on 2/15/2016, Change order was provided May 25th, 2016 and approved by Board.

E. Gndt questioned why the change order did not have line by line entries with hours, times rate or quantity time price, as previous change orders had.

Sami Sarrouh noted to reduce the cost the change order was of limited scope. He noted if the Board decides to bid, it will require additional work to create bid documents, and without as-builds showing what is under the ground, that may increase liability and he will not stamp the drawings for bid documents.

J. Lastowski noted when it was known the system wasn't working correctly the prior Board took the necessary steps to correct it before another event.

S. Sarrouh explained some repairs were made but the system is 'on life support' at present and a major 'blow out' of the main line can occur if the repairs are not made.

E. Gndt questioned PACT Two, LLC \$140,000 settlement. L. DeVito explained the history of the project and how the \$140,000 settlement was reached.

Annabella Lastowski, Twp. resident noted the School district is concerned about connecting until the Township fixes the problems.

E. Gnantd suggested bidding out the project. Discussion followed on if it would delay to repair.

J. Coover questioned the settlement with PACT TWO. J. Lastowski suggested an executive session to discuss.

B. DeYoung suggested moving forward with the repairs.

J. Coover questioned what constitutes an emergency and if the Board is required to declare it.

E. Gnantd made a motion, seconded by J. Coover to investigate the length of time and cost it would take to spec the project, prepare bid documents, and bid out the project. Discussion followed on the cost associated to accomplish the motion. P. Finkbeiner questioned which engineer will be used.

E. Gnantd restated her motion - to investigate how much time and cost it will take to spec out and prepare bid documents for the force main repair by T&M Associates, J. Coover restated her seconded.

Roll call vote: E. Gnantd, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, no; and J. Coover, yes. Motion carried. H. Werkheiser noted with no additional cost to the Township.

PUBLIC COMMENT:

Annabella Lastowski, Twp. resident, questioned the delay in repairing the system and the additional properties connecting.

J. Lastowski noted that the Township may not receive any bids or the bids will be higher than the PACT TWO change order.

Annabella Lastowski questioned if PACT TWO will continue to work on the project?

Mary Rieman, Twp. resident, requested an extension to connect the Amber Inn, noting the property is in the PennDOT right-of-way. She did question if she should hookup with all the problems. C. Vogt suggested she contact Patrick Briegel at the Township.

J. Lastowski questioned the \$140,000 payment to PACT TWO, LLC. Discussion followed. E. Gnantd noted if they had an agreement or a change order and voted to approve it at a meeting it would be okay to pay it.

J. Lastowski made a motion, seconded by H. Werkheiser, to approve the approximate \$140,000 to PACT TWO, LLC., conditioned upon the paperwork being completed. C. Vogt noted he believed T&M was requested to provide a change order and should be at the next meeting. Discussion followed. Roll call vote: E. Gnantd, no; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, abstained. Motion carried.

ADJOURNMENT:

J. Lastowski made a motion, seconded by J. Coover, to adjourn the meeting at 8:11 p.m. Roll call vote: E. Gnantd, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Respectfully submitted
Pamela Finkbeiner
Township Secretary