

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE REGULAR MEETING
OCTOBER 5th, 2009 7:00 p.m.**

The Regular Meeting of the Pocono Township Supervisors was held on October 5th, 2009 at the Pocono Township Municipal Building, Tannersville, Pa., and was opened by Chairwoman, Jane Cilurso, at 7:00 p.m. followed by the Pledge of Allegiance.

ACKNOWLEDGEMENT OF COMMENTS RE RESIDENTS: Chairwoman J. Cilurso noted that each visitor has the right to comment at this time or before any action is taken on the matter.

NOTICE OF MEETING TIMES: J. Cilurso welcomed the audience and thanked them for attending. She noted the regularly scheduled Supervisors meetings are held on the 1st and 3rd Monday of each month at 7:00 p.m. unless rescheduled.

ROLL CALL: Jane Cilurso, present; Harold Werkheiser, present; and John Bramley, present.

Timothy McManus, Township Solicitor, Aaron Sisler, Boucher & James, Engineering, Inc., Pamela Finkbeiner, Recording Secretary, and Dennis Keesler, SEO were present.

MINUTES: H. Werkheiser made a motion, seconded by J. Cilurso, to approve the minutes of the 09/21/2009 regular Supervisors' meeting, and the minutes of the 09/29/2009 special meeting. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes; and J. Bramley, abstained. Motion carried.

BILLS: J. Bramley made a motion, seconded by H. Werkheiser, to approve the semi-monthly bills for payment. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

COMMUNICATIONS: All communications pertained to the plans and were addressed when the plans were presented.

BIDS: None

CONSTRUCTION ENGINEERING REPORT: A. Sisler reported construction has begun on the Hamilton Properties Car Wash, Rt. 611, Tannersville.

SEO and ZO REPORT: Dennis Keesler, Township SEO and Acting ZO, reported on the activities of the Sewage Enforcement Office and Zoning Office, a full copy of his report is on file and available at the Township office. Steve Meylach, Twp. Zoning Officer is on extended medical leave until 10/13/2009. D. Keesler is serving as both SEO and acting Zoning Officer during S. Meylach's absence.

NEW PLANS:

- 1) Discussion re process for small Sanofi Pasteur projects - Chrissie Himler, Borton-Lawson Engineer, Inc., addressed the board re future small projects scheduled for Sanofi. A small addition to Building 38, construction of a sidewalk, and adjustment to the loading dock of Building 46 are proposed. C. Himler requested the board to waive the Land Development Plan for the addition to B38 and allow the structure to be built with a building permit, only. All stormwater management would be addressed in a future Land Development Plan. Discussion followed. The board concluded that since all improvements are required to be recorded as revisions to the overall Sanofi land development, the addition and other small projects must have or be included in a Land Development Plan. No action taken
- 2) Mount Airy #1, L.L.C. Minor Subdivision/Lot Consolidation Plan - Plan submitted for 10/05/09 Sup'v. Mtg. Waivers requested. John Pocius, P.E. PLS, represented the plan. The plan is a consolidation of lots in Paradise Twp. with a small corner of one lot in Pocono Twp. Approval is needed by both Townships. J. Bramley made a motion, seconded by H. Werkheiser, to accept the Mount Airy #1, L.L.C. Minor Subdivision/Lot Consolidation Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

ONGOING PLANS:

TABLING OF PLANS: J. Bramley made a motion, seconded by H. Werkheiser, to table the Nicholas P. Nicholas Properties Final Minor Subdivision/Lot Combination Plan, Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan, Sanofi Pasteur Final Lot Consolidation Plan - South Campus, Camelback Hotel and Waterpark Prelim/Final Land Dev. Plan and Minor Subdivision Plan, and Barley Creek Parking Area Drainage Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

- 1) Nicholas P. Nicholas Properties Final Minor Subdivision/Lot Combination Plan - The Pocono Township Planning Commission recommended Conditional approval of the plan for final. The plan was tabled at the 09/21/2009 Sup'v. meeting. The Supervisors at their 09/08/09 meeting accepted a 90-day Time Extension, which expires 12/07/09. See motion above for tabling.
- 2) Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan - Plan submitted 11/07/2008 for 11/17/2008 Sup'v. Meeting. \$300.00 Plan fee paid. Plan was tabled at the 09/21/2009 Sup'v. meeting. Sup'v. accepted the Time Extension Request until 11/30/2009 at the 8/17/2009 Sup'v. meeting. See motion above for tabling.
- 3) Sanofi Pasteur Final Lot Consolidation Plan - South Campus - \$300.00 fee paid. Submitted on 12/22/08 for the 01/20/09 Sup'v. meeting. Plan was tabled at the 09/21/2009 Sup'v. meeting. Sup'v. accepted the Time Extension Request until 11/30/2009 at the 08/17/2009 Sup'v. meeting. See motion above for tabling.

ONGOING PLANS CONT:

- 4) RJAD, LLC (Anthony Diaz) As-Built Land Dev. Plan - \$500.00 Fee paid.
Plan was submitted on 01/16/2009 for the 01/26/2009 P.C. mtg. The P.C. recommended conditional approval of the plan at their 02/23/2009 meeting. The plan was tabled at the 09/21/2009 Sup'v. meeting. The Sup'v. accepted a 90-day Time Extension letter from July 19th, 2009 - until 10/12/09. The last Sup'v. meeting is 10/05/2009.
A Time Extension letter was received until 12/21/09.
J. Bramley made a motion, seconded by H. Werkheiser, to accept the Time Extension letter until 12/21/09, and table the plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes.
Motion carried.
- 5) Camelback Hotel and Waterpark Prelim/Final Land Dev. Plan and Minor Subdivision Plan - The P.C. recommended disapproval on the Land Dev. Plan and approval on the Minor Subdivision Plan at their 03/23/09 meeting. Plan was submitted to the Sup'v. on 04/06/2009. The plan was tabled at the 09/21/2009 Sup'v. meeting. The Sup'v. accepted a Time Extension letter at their 09/08/09 meeting until 10/19/2009. The last Sup'v. meeting is 10/19/2009. See motion above for tabling.
- 6) Pump Stations in Pocono Twp. related to SR0611 Pocono and Hamilton Townships Sewerage System Project Land Dev. Plan - The Pocono Twp. Planning Commission recommended Conditional Approval and approval of 4 RFMs. The plan was tabled at the 09/21/09 Sup'v. meeting. The last Sup'v. meeting is 10/05/09. Russ Scott, RKR Hess, Inc. represented the plan. Pump Stations No. 1 & No. 2 are complete. Pump Stations No. 3 & No. 5 are awaiting completion of the acquisition of easements before final approval.
4 RFMs are requested:
A. SALDO Sec. 2.106 - Preliminary Plan
B. SALDO Sec. 2.302.B.9 and 2.303.B.9 - Tract boundaries
C. SALDO Sec. 3.209 - Steep Slopes
D. SALDO Sec. 3.212.C - Ordinance 121 - Fee in Lieu requirements
J. Bramley made a motion, seconded by H. Werkheiser, to approve the RFMS. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- J. Cilurso made a motion, seconded by J. Bramley, to approve the Pump Stations No. 1 and No. 2 related to SR0611 Pocono and Hamilton Townships Sewerage System Project Land Dev. Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- H. Werkheiser made a motion, seconded by J. Bramley, to accept a Time Extension letter until 01/04/2010, and table the Pump Station No. 3 & No. 5 related to SR0611 Pocono and Hamilton Townships Sewerage System Project Land Development Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

- 7) Barley Creek Parking Area Drainage Plan - Plan submitted on 09/02/09 for the 09/21/09 Sup'v. mtg. See motion above for tabling.

TIME EXTENSION LETTERS:

The Pocono Township Planning Commission recommended acceptance of the following Time Extension Letters:

- A) Sanofi Pasteur VDL - Phase 3 Land Development Plan - The P.C. recommended that the Supervisors accept the Time Extension letter until 11/30/09, as requested.
- B) The Village Store Amended Land Dev. Plan - The P.C. recommended that the Supervisors accept the Time Extension letter until 12/21/09, as requested.

J. Bramley made a motion, seconded by H. Werkheiser, to accept the Time Extension letters for Sanofi Pasteur VDL - Phase 3 LDP until 11/30/09, and the Village Store Amended LDP until 12/21/09, as requested. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

UNFINISHED BUSINESS:

- 1) Pocono Township Community Day held on 09/26/09 and sponsored by the Pocono Twp. Volunteer Fire Company, Central Pocono Ambulance, and Pocono Township was a huge success. J. Cilurso thanked to all who participated to make Community Day a huge success.

NEW BUSINESS:

- 1) Resolution #560 Tom Lepre for serving our country in the Iraq War, serving in the U.S. Army, and for serving in the National Guard for many years. J. Bramley made a motion, seconded by H. Werkheiser, to approve Resolution #560 - retroactive motion congratulating and thanking Todd Lepre for his service to our country. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 2) Resolution #563 - St. Paul Lutheran Church 175th Anniversary - The church was founded in 1834. J. Bramley made a motion, seconded by H. Werkheiser, to approve Resolution #563 - Congratulations to St. Paul Lutheran Church, Tannersville, on their 175th Anniversary. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 3) Conditional Use Application - Northampton Community College - J. Cilurso made a motion, seconded by J. Bramley, to send the Conditional Use Application - Northampton Community College on to the Planning Commission and set the hearing date for 12/01/09 at 7:00 p.m. at the Pocono Township Municipal Building. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

NEW BUSINESS CONT:

- 4) Release of the remaining funds consisting of the 5% retainage (\$1,147.60) for Moeller Construction regarding the Mountain View Park Project.
J. Bramley made a motion, seconded by H. Werkheiser, to approve the release of remaining funds consisting of the 5% retainage (\$1,147,60) for Moeller Construction regarding the Mt. View Park Project. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 5) Pocono Mountain "Run for the Red" Marathon, sponsored by the American Red Cross of Monroe County, request to utilize the highway in Pocono Township, on Sunday, 05/16/10, from 9:00 a.m. to 12:00 p.m.
J. Bramley made a motion, seconded by H. Werkheiser, to approve the request for the Pocono Mountain "Run for the Red" Marathon to utilize the highway in Pocono Township. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 6) Lease Purchase for a 2010 Peterbilt Truck through PNC Bank for five years with a 3.25 interest rate - Cost: \$178,743.00.
H. Werkheiser made a motion, seconded by J. Bramley, to approve the Lease Purchase for a 2010 Peterbilt Truck through PNC Bank for five years with a 3.25 interest rate - Cost: \$178,743.00. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 7) Authorization for reimbursement of fees from \$3,300.00 to \$4,100.00 for Sheldon Kopelson re sewage easement.
H. Werkheiser made a motion, seconded by J. Bramley, to approve authorization for reimbursement of fees from \$3,300.00 to \$4,100.00. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

COMMENTS: Joe Sadowski, Township resident, questioned why Barley Creek customers are parking in the Mt. View Park's parking lot. J. Cilurso suggested J. Sadowski attend a future Mt. View Park board meeting with his concerns.

GOOD OF THE ORDER:

ADJOURNMENT: J. Bramley made a motion, seconded by H. Werkheiser, to adjourn the meeting at 7:35 p.m. until 10/19/2009 at 7:00 p.m. at the Pocono Township Municipal Building. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes; Motion carried.

Respectfully Submitted
Pamela Finkbeiner
Recording Secretary

