

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE REGULAR MEETING**

July 6th, 2009 7:00 p.m.

The Regular Meeting of the Pocono Township Supervisors was held on July 6th, 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; and Harold Werkheiser, present; and John Bramley, present.

Timothy McManus, Township Solicitor, Aaron Sisler, Boucher & James Engineering, Inc., Pamela Finkbeiner, Recording Secretary, Steve Meylach, Zoning Officer, and Dennis Keesler, Sewage Enforcement Officer, were present.

MINUTES: H. Werkheiser made a motion, seconded by J. Cilurso, to approve the minutes of the 06/15/2009 regular supervisors' meeting and the minutes of the 06/23/2009 special meeting. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. 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:

- 1) Opening of Bids for a 2001 John Deere Gator (AS IS), Serial #W0042X2X038793 - 3127 Hours - Electric Lift, bed liner, and tow hitch as advertised for opening and reading aloud at the 07/06/09 Sup'v. meeting.

BIDDER	BID	\$100 Deposit
A. Roger Auto Sales	\$626.00	Yes
B. F&F Paving	\$750.00	Yes
C. Marcus Myers	\$1,101.00	Yes

J. Bramley made a motion, seconded by H. Werkheiser, to award the bid for a 2001 John Deere Gator (AS IS) to Marcus Myers for \$1,101.00. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

BIDS CONT:

- 2) Opening of Bids for Line Painting and Stop Bars and Arrows as advertised for opening and reading aloud at the 07/06/09 Sup'v. meeting.

BIDDER	BID	BID BOND
A. Instate Road Management	\$26,507.76	Yes
<u>H. Werkheiser made a motion, seconded by J. Bramley, to table the awarding of the Line Painting and Stop Bars and Arrows until the 07/20/2009 meeting to allow for further review. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.</u>		

CONSTRUCTION ENGINEERING REPORT: A. Sisler, Twp. Engineer reported the monitoring of construction activities of a new parking area and paths at Mt. View.

SEO REPORT:

D. Keesler, Twp. SEO reported on inspections and permits issued. He is working with RKR Hess to test for a replacement area for a property on RT. 611. A full copy of his report is on file and available at the township.

ZONING OFFICER'S REPORT: S. Meylach, Twp. Zoning Officer reported 46 permits have been issued. He is continuing work on ordinance review and revision. S. Meylach thanked Sergeant Phillip Riley for his assistance in resolving an unlawful business matter. A full copy of his report is on file and available at the township.

NEW PLANS:

- 1) Eugene E. Kresge Minor Subdivision Plan - Plan submitted to Twp. on 06/08/09. The Pocono Twp. Planning Commission, at their 06/22/09 meeting, recommended acceptance of 2 RFMs and Conditional Approval of the Final Plan. Marv Walton, Niclaus Engineering, Inc. represented the plan and explained the plan involves combining (3) existing parcels and reestablishing a lot line to create an approximately 45 acre property. Twp. Engineer noted all comments of his July 1st, 2009 letter have been satisfied.

J. Cilurso made a motion, seconded by J. Bramley, to accept the RFMs: SALDO SECTION 203.4B.6 - Requiring reference monument be shown on the plan and shall be placed in accordance with Section 3.603. SALDO SECTION 3.210 - Wetland Study and approve the Eugene E. Kresge Minor Subdivision Plan with conditions:

- A. Copy of Recorded Deed submitted to the township within 90 days.
B. All Professional fees paid.

Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

The Board of Supervisors expressed their deepest sympathy to Eugene Kresge and family over the recent loss of his wife, Patricia Kresge.

NEW PLANS CONT:

2) Sanofi Pasteur, Inc., Tank Storage Preliminary Land Dev. Plan - Plan submitted to Twp. on 01/12/09. Time Extension provided until the 07/20/09 Sup'v. meeting. The Pocono Township Planning Commission, at their 06/22/09 meeting, recommended acceptance of 2 RFMs and Conditional Approval of the Preliminary Plan. Chrissie Himler, Borton Lawson, Engineering, Inc., represented the plan. The new building will be used for the storage of the flu vaccines. The Twp. Engineer noted all comments of their June 24th, 2009 letter have been satisfied.

J. Bramley made a motion, seconded by H. Werkheiser, to accept the 2 RFMS:

SALDO SECTION 210A - Wetlands

SALDO SECTION 2.302.A - Plan Scale

and to approve the Sanofi Pasteur, Inc. Tank Storage Preliminary LDP with conditions:

A. Approvals from all outside agencies.

B. Signatures on plans

C. All professional fees paid.

Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

ESCROW FEES: J. Cilurso informed the audience that the Township now requires all new plans to include a \$2,000 escrow with submittal.

SKETCH PLAN:

1) Christopher Peechatka Sketch Plan - Dave Horton, Pennoni Engineering, Inc., represented the plan. The property is located on Rt. 611 in Bartonsville and presently undeveloped. The owners, Christopher and Tanya Peechatka propose an office complex on the site. The recently adopted Stormwater Management Plan requires a 50' setback from the wetlands. D. Horton asked the boards' inclination as to relief from the new 50' requirement to the previously allowed 20' wetland buffer. They will not take the wetlands, but plan to mitigate any impacted wetlands on the site and will augment the buffers on the site. Steve Meylach, ZO questioned if size/footprint of the buildings could be reduced by building two stories instead of one story. D. Horton stated it could not. D. Keesler raised concerns; a previous septic testing had limited the septic usability area to the proposed building location. A commercial project requires both a septic system area and reserve system area. There is no application pending before the board for this project and no formal request for modification has been made. Therefore, the Board could not take any formal action. However, the board indicated, if submitted, that they would be inclined to look favorably upon a request for modification for relief from the wetland buffer, if all other conditions can be met.

ONGOING PLANS:

Steve Basick Lot Combination Plan - Plan was submitted for 09/15/2008 Sup'v. meeting. \$300.00 fee paid. The plan was tabled at the 06/15/2009 Sup'v. meeting. The Sup'v. accepted a 90-day Time Extension at their 06/15/09 mtg. - until 09/13/09. The last Sup'v. meeting is 09/07/09 (Holiday). Barry Tompkins, BTT Associates, represented the plan, and noted the plan was revised to address all comments of the 06/29/2009 Twp. Engineer's letter.

J. Bramley made a motion, seconded by H. Werkheiser, to approve the Steve Basick Lot Combination Plan with condition all Professional fees are paid. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

TABLING OF PLANS AND ACCEPTANCE OF WAIVERS:

H. Werkheiser made a motion, seconded by J. Bramley, to table the Nicholas P. Nicholas Final Minor Subdivision/Lot Combination Plan, accept Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan Time extension until 09/07/09 and table the plan, accept the Sanofi Pasteur Final Lot Consolidation Plan - South Campus Time extension letter until 09/07/2009 and table the plan, accept RJAD, LLC (Anthony Diaz) As-Built LDP Time extension letter for 90-days from 07/06/2009 and table the plan, accept Camelback Hotel and Waterpark Prelim/Final LDP and Minor Subdivision Time extension letter until 08/3/09 and table the 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 06/15/2009 Sup'v. meeting. The 90-day Time Extension expires on 09/12/2009. The last Sup'v. meeting is 09/07/2009 (Holiday). 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 06/15/2009 Sup'v. meeting. See motion above for tabling and Time extension waiver.
- 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 06/15/2009 Sup'v. meeting. See motion above for tabling and Time extension waiver.
- 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 06/15/2009 Sup'v. meeting. See motion above for tabling and Time extension waiver.

- 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 06/15/2009 Sup'v. meeting. See motion above for tabling and Time extension waiver.
- 6) The Village at Iroquois Ridge Major Subdivision Preliminary Plan - The Pocono Twp. Planning Commission recommended Conditional Approval. The 90-day time requirement date expires 08/16/09. The last Sup'v. mtg. is 08/03/09. Deanna Schmoyer, HRG, Inc. represented the plan. Owners Chuck Campbell and Arnold Pellegrinelli were present. D. Schmoyer noted the Sewage Planning Modules have been forwarded to DEP, Note #14 was added - Stormwater management, Lot 5 is an irregular lot- Note #8 addresses future development that corrects Lot 5 to a regular lot. Discussion followed. The Twp. Engineer noted all comments have been satisfied.

J. Bramley made a motion, seconded by H. Werkheiser, to approve the Village at Iroquois Ridge Major Subdivision Preliminary Plan with condition that all professional fees are paid and Twp. receipt of copies of approvals from all outside agencies. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

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

- A. The Village Store Amended Final Land Dev. Plan - 90 Day Extension Letter.
- B. Pocono Manor Tentative Planned Residential Dev. Preliminary Plan - Until 09/30/2009.

J. Bramley made a motion, seconded by H. Werkheiser, to accept the time extension letters for the Village Store Amended Final LDP - 90 Days, and the Pocono Manor Tentative PRD Preliminary Plan, until 09/30/2009. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

UNFINISHED BUSINESS: Traffic Signal Plan at the intersection of SR314W and Rt. 611 and SR314E (By the Amber Club in Swiftwater). T. McManus, Twp. Solicitor, informed the board he expects resolution to this matter soon. J. Bramley made a motion, seconded by H. Werkheiser, to table the plan. Roll call vote: J. Cilurso, yes; H. Werkheiser. Motion carried.

NEW BUSINESS:

- 1) Resolution #554 evidencing Pocono Township's intent to issue bonds or notes to finance a capital project and to allocate a portion of the proceeds thereof to pay capital expenditures to be made toward such project prior to the issuance of such bonds or notes.
J. Bramley made a motion, seconded by H. Werkheiser, to approve Resolution #554. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

COMMENTS:

Joe Sadowski, Twp. resident asked H. Werkheiser to inspect a No Parking sign that is down along Sullivan Trail.
Several residents expressed concern over traffic congestion and the proposed new traffic signal on Rt. 611 and Rt.314. The signals location on a hill could be a dangerous situation. The board is working with PennDot on this issue and others.

EXECUTIVE SESSION: The board went into executive session at 8:10 p.m. to discuss a litigation matter, i.e. whether to intervene in a pending zoning appeal. The meeting convened at 8:25 p.m. No action was taken on the matter.

GOOD OF THE ORDER: None

ADJOURNMENT: H. Werkheiser made a motion, seconded by J. Bramley, to adjourn the meeting at 8:30 p.m. until 07/20/2009 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.

Respectfully submitted
Pamela Finkbeiner
Recording Secretary