

POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE REGULAR MEETING
JULY 20th, 2009 7:00 p.m.

The Regular Meeting of the Pocono Township Supervisors was held on July 20th, 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.

Debra Huffman, Alternate 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. Bramley, to approve the minutes of the 07/06/2009 regular Supervisors' meeting and the minutes of the 07/07/2009 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 Line Painting and Stop Bars and Arrows as advertised for opening and reading aloud at the 07/06/2009 Sup'v. meeting.

H. Werkheiser made a motion, seconded by J. Bramley, to award the Line Painting and Stop Bars and Arrows to Interstate Road Management for \$26,507.76. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

SEO REPORT: D. Keesler, Twp. SEO reported 13 percs, 9 soil probes, two septic permits, and a well permit were issued. A replacement system has been staked out and designed for a property in Swiftwater. D. Keesler brought to the boards' attention a property in Pocono Haven has perced for a septic system. This property is part of the stormwater plan for the development and was recently purchased at tax sale. A full copy of his report is on file and available at the Twp. office.

ZO OFFICER REPORT: Steve Meylach, ZO Officer reported 33 permits were issued, continued work on review of ordinances, and various meetings attended. A full copy of his report is on file and available at the township.

JEFFERY SNYDER - Township's Engineering Letter of 07/16/2009 - Jeffery Snyder, Developer of Hillside Park, addressed the board. The Final Punch List for Lot 2, Hillside Park, Scotrun, Pa. was reviewed. J. Snyder will submit an as-built plan by the next meeting, to show the changes made to the site. The Supervisors will visit the site to review lighting changes, and J. Cilurso will contact Mike Shay, Pocono Township Volunteer Fire Company, to review the fire lanes' proposed locations. Revised Stormwater Calculations will be provided to the Twp. Engineer for review.

NEW PLANS:

1. Hamilton Twp. Properties, LLC, Proposed Car Wash II, Land Dev. Plan - Dave Horton, Pennoni Associates, Inc., represented the plan. The site was previously approved for construction of an office building. The Pocono Township Planning Commission recommended Conditional Approval of the plan. The proposed use is for a car wash and automotive oil change facility. Improvements have been made to the site, retaining walls, parking, etc. A variance was approved for a 25' relief of front yard setback, on April 23rd, 2009. An appeal has been filed by the neighbor and is awaiting a ruling. 3 RFMs are requested;
 - A. SALDO SEC. 2.106 - Preliminary/Final
 - B. SALDO SEC. 3.201.B - Replacement Septic Area
 - C. SEC. 402 of Act 167 Stormwater Management, Section 303.1.8 - Stream Buffer - Application is considered a minor amendment to the previously approved plan.

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.

Dennis Keesler, Twp. SEO requested the septic system to be redesigned to include a grease trap. The owner, Scott Kramer will submit a new septic application to the township.

- J. Bramley made a motion, seconded by H. Werkheiser, to approve the Hamilton Twp. Properties, LLC, Proposed Car Wash II, LDP with conditions:
- A. Applicant is permitted to receive all permits and approvals, but will not be allowed to break ground until the decision of the Court of Common pleas, as to the appeal, has been determined.
 - B. New septic application and design with grease trap is submitted to Twp. SEO, and approved.
 - C. All outside agencies permits and approvals must be received.
 - D. Developer's agreement must be received.
 - E. All professional fees paid.
- Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

2. Sanofi Pasteur Bldg. 37, Bldg. Additions - Preliminary Land Dev. Plan
 - The Pocono Township Planning Commission recommended conditional Preliminary Approval - recommended acceptance of 2 RFMs; recommended acceptance of a Time Extension letter - until 08/03/09. Mike Wilks, Borton Lawson, Engineering, Inc., represented the plan. 2 RFMs. H. Werkheiser made a motion, seconded by J. Bramley, to approve the RFMs from:
SALDO SECTION 2.302.A - Plan Scale
SALDO SECTION 3.210.A - Wetland study
Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
J. Bramley made a motion, seconded by J. Cilurso, to approve the Sanofi Pasteur Bldg. 37, Bldg. Addition with conditions:
A. Plans to be signed.
B. All requirements of Twp. Engineer's letter of 06/24/2009 be satisfied.
C. All professional fees paid.
Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
3. Sanofi Pasteur Central Utility Plan Phase 3 (CUP 3) Preliminary Land Development Plan - The Pocono Township Planning Commission recommended approval of 2 RFMS. Mike Wilks, Borton Lawson, Engineering, Inc. represented the plan. H. Werkheiser made a motion, seconded by J. Bramley, to approve the 2 RFMs from:
SALDO SECTION 2.302.A - Plan Scale
SALDO SECTION 3.210.A - Wetland study
Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes.

TABLING OF PLANS AND ACCEPTANCE OF WAIVERS:

J. Bramley made a motion, seconded by H. Werkheiser, to table the Nicholas P. Nicholas Final Minor Subdivision/Lot Combination Plan, Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan, Sanofi Pasteur Final Lot Consolidation Plan - South Campus, RJAD, LLC (Anthony Diaz) As-Built LDP, and Camelback Hotel and Waterpark Prelim/Final LDP and Minor Subdivision. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

ONGOING PLANS:

- 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 07/06/2009 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 07/06/2009 Sup'v. meeting. Sup'v. accepted the Time Extension request until 09/07/2009 (Holiday). 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 07/06/2009 Sup'v. meeting. Sup'v. accepted the Time Extension request until 09/07/2009 (Holiday). See motion above for tabling.
- 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 07/06/2009 Sup'v. meeting. Sup'v. accepted a 90-day Time Extension letter from 07/19/09- until 10/12/09. The last Sup'v. meeting is 10/05/09. See motion above for tabling.
- 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 07/06/2009 Sup'v. meeting. The Sup'v. accepted a Time Extension letter until 08/03/2009. See motion above for tabling.

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

- A. The Outback Lodge & Waterpark Preliminary Land Development Plan - 60-Days from 07/26/2009 - until 09/24/2009.
J. Bramley made a motion, seconded by H. Werkheiser, to accept the 60-days Time Extension letter from 07/26/2009- until 09/24/2009 for the Outback Lodge & Waterpark Preliminary Land Dev. Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

UNFINISHED BUSINESS:

- 1) Traffic Signal Plan at the intersection of SR314W and RT. 611 and SR314E (By Amber Club in Swiftwater) The Twp. solicitor expects resolution to this matter, soon. J. Cilurso made a motion, seconded by H. Werkheiser, to table the plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

NEW BUSINESS:

- 1) Adoption of Act 537 Official Sewage Plan Revision - Official Act 537 Regional Sewage Facilities Plan for Stroud Township, Stroudsburg Borough, Pocono Township, and Hamilton Township. J. Bramley made a motion, seconded by H. Werkheiser, to approve Resolution #555 - The adoption the Official Act 537 Plan Update Regional Sewage Facilities Plan for Pocono Twp., Hamilton Twp., Stroud Twp., and Stroudsburg Borough, dated May 2009, finding the same to be in accordance with the objectives of the Adopted Regional Comprehensive Plan currently in effect for Pocono Township. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 2) Budget for matching funds for leverage grants - NEPA's Traffic Signal Conversion Program (Conversion of traffic signals from incandescent bulbs to Light Emitting Diodes (LED), as needed. J. Bramley made a motion, seconded by H. Werkheiser, to budget for matching funds for leverage grants for NEPA's Traffic Signal Conversion Program. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 3) Appointment of Russell Cramer - Alternative member of the Pocono Township Zoning Hearing Board. J. Cilurso made a motion, seconded by H. Werkheiser, to appoint Russell Cramer as alternative member to the Pocono Township Zoning Hearing Board. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 4) Pocono Township has been awarded \$9,000,000 from the H2O monies, to help towards the Pocono Township Sewage System.
- 5) Representative for the Earned Income Tax Collection Committee - The state of Pennsylvania had mandated by 2012, that all counties have one earned income collector, instead of individual township collectors. J. Bramley made a motion, seconded by H. Werkheiser, to appoint J. Cilurso as representative for the Monroe County Earned Income Tax Collection Committee. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 6) Mt. View Park Project - The Twp. engineer has recommended payment of \$21,329.40 to Moeller Construction, for site improvement at Mt. View Park. The project included new parking, paths and handicap walkways between pavilions and was made possible by a grant from DCNR (Department of Conservation and Natural Resources) and a match from Pocono Township. H. Werkheiser made a motion, seconded by J. Bramley, to approve payment of \$21,329.40 to Moeller Construction. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

COMMENTS: Joe Sadowski, Twp. resident, asked if H. Werkheiser could inspect a No Parking sign, near Barley Creek.
Gordon Holz, Twp. resident asked the status of the traffic signal at RT314 and RT611.
Frank Ruggiero, Twp. resident asked what was the frequency or schedule of cleaning of road side swales.

GOOD OF THE ORDER: None

ADJOURNMENT: H. Werkheiser made a motion, seconded by J. Bramley, to adjourn the meeting at 8:20 p.m. until 08/03/2009 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