

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE REGULAR MEETING
SEPTEMBER 8th, 2009 7:00 p.m.**

The Regular Meeting of the Pocono Township Supervisors was held on September 8th, 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 Steve Meylach, Twp. Zoning Officer were present.

MINUTES: H. Werkheiser made a motion, seconded by J. Cilurso, to approve the minutes of the 08/17/2009 regular Supervisors' meeting, and the minutes of the 08/18/2009, 08/31/2009, 09/02/2009 special meetings. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried. J. Bramley abstained.

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: None

SEO REPORT: Dennis Keesler, Township SEO was absent.

ZO REPORT: Steve Meylach, Township Zoning Officer reported on the activities of the zoning office from 08/18/09 to 09/08/2009. A full copy of his report is on file and available at the Township office.

NEW PLANS:

- 1) 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. The last Sup'v. meeting is 10/05/09. H. Werkheiser made a motion, seconded by J. Bramley, to table the Pump Stations in Pocono Twp. 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.

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 08/17/2009 Sup'v. meeting. The 90-day Time Extension expires on 09/12/2009. The last Sup'v. meeting is 09/08/2009. A Time Extension letter was received for 90 - days. H. Werkheiser made a motion, seconded by J. Bramley, to accept the Time Extension letter for 90 - days, and table the Nicholas P. Nicholas Properties Final Minor Subdivision/Lot Combination Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 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 08/17/2009 Sup'v. meeting. Sup'v. accepted the Time Extension Request until 11/30/2009 at the 8/17/2009 Sup'v. meeting. J. Cilurso made a motion, seconded by J. Bramley, to table the Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 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 08/17/2009 Sup'v. meeting. Sup'v. accepted the Time Extension Request until 11/30/2009 at the 08/17/2009 Sup'v. meeting. J. Cilurso made a motion, seconded by J. Bramley, to table the Sanofi Pasteur - Final Lot Consolidation Plan - South Campus. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 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 08/17/2009 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. J. Cilurso made a motion, seconded by J. Bramley, to table the RJAD, LLC (Anthony Diaz) As- Built Land Dev. 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 08/17/2009 Sup'v. meeting. The Sup'v. accepted a Time Extension letter until 09/08/2009. The last Sup'v. meeting is 09/08/2009. A Time Extension letter was received until 10/19/09. H. Werkheiser made a motion, seconded by J. Bramley, to accept the Time Extension letter until 10/19/2009, and table the plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 6) Charles McHugh Lot Consolidation Plan - Plan submitted for the 08/03/2009 Sup'v. meeting. \$300.00 plan application fee paid. \$1,500.00 Escrow fee paid. The plan was tabled at the 08/17/2009 Sup'v. meeting. Richard Storm represented the plan. The owners propose to combine lots 8 & 9 located in the development known as the Wise Subdivision. A dry stream bed crosses the properties and is identified on the plan in the flood hazard area. A wetland study was not conducted since all wetland areas are within the flood hazard area. R. Storm asked the board for relief from SALDO SEC. 2.305.D.15 - wetlands and SALDO SEC. 3.210 - Wetland study. Discussion followed. S. Meylach suggested requesting Victor Motts, M CCD, to walk the property to confirm all wetlands are within the flood hazard zone. H. Werkheiser made a motion, seconded by J. Cilurso, to approve the Charles McHugh Lot Consolidation Plan with conditions:
A. Victor Motts, M CCD, be contacted to perform a site inspection of the properties and submits a letter to the Twp. with his findings. If additional wetlands are found, they will be shown on the plan.
B. Note # 10 will be corrected by adding the phrase "to the extent shown hereon" to the end of that note.
C. All Professional Fees paid.
Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.
- 7) Lot-2 Hillside Business Park - As-Built Plan - Plan submitted for the 08/03/2009 Sup'v. meeting. Plan fee have not been paid. The plan was tabled at the 08/17/2009 Sup'v. meeting. Jeffery Snyder, owner, represented the plan. Michael Tripus, Building Inspection Underwriters, Inc., requested J. Snyder to submit a building permit for the rock retaining wall. J. Snyder submitted a letter from Wilson Engineering Associates, LLC, stating the rock wall was acceptable. The board agreed a Building code permit was necessary. J. Snyder will submit a building permit application for the rock wall. A RFM from SALDO Section 3.201.B - Steep Slope was requested. J. Bramley made a motion, seconded by H. Werkheiser, to approve the RFM for SALDO SEC. 3.201.B - Steep Slope.
Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

LOT - 2 Hillside Business Park Cont:

J. Bramley made a motion, seconded by H. Werkheiser, to approve the Lot - 2 Hillside Business Park - As-Built Plan with condition:

A. Building Code Permit for Rock Retaining Wall

B. \$300.00 plan fee, and all professional fees paid.

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

Letter from Mr. Snyder requesting a release of moneys in the amount of \$37,547.17 re the Letter of Credit #5300210378 for Hillside Business Park. Discussion followed. T. McManus, Twp. Solicitor excused himself due to a conflict of interest.

J. Cilurso requested J. Snyder submit a letter with his request for alternate Twp. Solicitor review.

H. Werkheiser made a motion, seconded by J. Bramley, to release the moneys in the amount of \$37,547.17 re the Letter of Credit #5300210378 for Hillside Business Park.

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

The board expressed their concerns and hope for a cure, for J. Snyder's Grandson - Jason and Ashleigh Snyder's young son, Logan.

TIME EXTENSION LETTERS: The Pocono Township Planning Commission recommended acceptance of the following Time Extension Letters: Snyder Major Subdivision Preliminary Plan- Time extension letter for 90 - days.

H. Werkheiser made a motion, seconded by J. Bramley, to accept the Time Extension letter for 90 - days for the Snyder Major Subdivision Preliminary Plan. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

UNFINISHED BUSINESS:1) Fall Clean-up dates and times:

Thursday 09/17/09 7:30 a.m. to 6:00 p.m. Metal Products only

Friday 09/18/09 7:30 a.m. to 6:00 p.m. Landfill Products

Saturday 09/19/09 7:30 a.m. to 3:00 p.m. Landfill Products

A flier is available in the foyer of the Pocono Twp. Municipal Building.

NEW BUSINESS:

- 1) Pocono Township Community Day - Saturday - 09/26/09 Noon to 5:00 p.m. Sponsored by the Pocono Twp. Volunteer Fire Company, Central Pocono Ambulance, and Pocono Township. Applications are still available for tables for non-profit organizations. Come out and join the fun. Great fun for children and adults. Lots of door prizes - food and music, too.

NEW BUSINESS CONT:

2) Nottingham Manor Residents - Glenn Dowling, spoke on behalf of the Nottingham Manor residents. The residents have realized that Mr. Anthony Maula did not fulfill his part of the agreement for the road dedication. The residents are presently pursuing legal action to resolve the issue. G. Dowling apologized to the board for blaming the Township for the delay, and requested the Township consider allowing the residents to complete the requirements for road dedication in the future.

J. Bramley acknowledged the difficulty the residents have had and supported allowing the residents to continue the road dedication. The board agreed not to foreclose the opportunity for road dedication.

3) Monroe County Little League Group won a National Safety Award - Mark Nayman, President - Big Pocono Little League, will receive a field lighting system valued at more than \$100,000 from Musco Sports Lighting of Oskaloosa, Iowa. The board congratulated the Big Pocono Little League organization for all their work encouraging all children in the sport of baseball.

COMMENTS:

Juan Parrilla - Pocono Country Estates, residents, asked the board to take over the road in their development. There are 17 homes in the development, 43 lots total. The roads are gravel, and are a hardship for the residents to maintain. J. Cilurso noted the board decided last year, not to accept any new roads at the present time. J. Bramley noted the Twp. receives a set amount from the state for the maintenance of roads. All new roads, private or public, are required to be built to Twp. standards before the Twp. considers dedication. The Pocono Country Estates was developed before Twp. road standards were enforced. No action taken.

Mary Powell, resident on Powell Road, asked for the boards' option concerning the road. She realizes the Twp. cannot take over the road. The residents are concerned about the safety of a hill at the bottom of the road. They would like to close off the road to thru traffic. They have been unsuccessful in locating the road owner, and the original developer has passed away. T. McManus noted the Twp. does not control a private road or private property. The Twp. can not give advice on private property matters. No action taken.

GOOD OF THE ORDER:

J. Bramley has been working with PennDot on the proposed Route 715 funding. PennDot is requesting the Twp. take the lead in the project. PennDot has not presented plans or costs for improvements as to date. Discussion followed. No action was taken.

ADJOURNMENT: H. Werkheiser made a motion, seconded by J. Bramley, to adjourn the meeting at 8:35 p.m. until 09/21/2009 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

