

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE REGULAR MEETING
NOVEMBER 1st, 2010 7:00 P.M.**

The Regular Meeting of the Pocono Township Supervisors was held on November 1st, 2010 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 Frank Hess, absent.
Todd W. Weitzmann, Alternate Township Solicitor; Aaron Sisler, Boucher & James Engineering, Inc.; Pamela Finkbeiner, Recording Secretary; Dennis Keesler, Sewage Enforcement Officer, and Steve Meylach, Zoning Officer; were present.

MINUTES: H. Werkheiser made a motion, seconded by J. Cilurso, to approve the minutes of the Supervisors' 10/18/10 Regular Meeting, and the 10/26/2010 Special Meetings. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

BILLS: H. Werkheiser made a motion, seconded by J. Cilurso, to approve the payment of the Semi-Monthly Bills. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

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

CONSTRUCTION ENGINEERING REPORT: Aaron Sisler, Twp. Engineer reported no activity for the week.

SEO REPORT: D. Keesler, Twp. SEO reported the Township lost a total of \$9,425.00 to date due to Act 46 - the state bill passed which suspended the collection of renewal fees for permits. A full copy of his report is on file and available at the Township office.

ZO REPORT: Steve Meylach reported 16 permits were issued. Several violations and hearings attended too. A full copy of his report is on file and available at the Township office.

NEW PLANS: NONE**ONGOING PLANS:**

- 1) 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 10/18/2010 Sup'v. Meeting. The Sup'v. at their 09/07/2010 mtg. accepted a Time Extension letter until 12/18/2010. Last Sup'v. mtg. 12/06/10. Lou Cozza, Nicklaus, Engineering, represented the plan. Discussion followed as to the completion of the required rear yard landscaping. H. Werkheiser made a motion, seconded by J. Cilurso, to table the plan until 11/15/2010, allowing the owner time to complete the required landscaping. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

- 2) 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 for Pump Stations 3 & 5 was tabled at the 10/18/2010 Sup'v. Meeting. The Supervisors accepted a Time Extension letter until 11/16/2010 for Pump Stations 3 & 5; last Sup'v. Meeting is 11/15/2010 (Pump Stations No. 1 & No. 2 were approved on 10/05/2009.) Nate Oiler, RKR Hess Associates, Inc. represented the plan. All required easements have been obtained. H. Werkheiser made a motion, seconded by J. Cilurso, to approve the plan with conditions;
 - A) E&S and NPDES approval.Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

- 3) Lot Consolidation Plan for Lands of C. Castle, LLC - \$300.00 plan fee paid. Plan submitted for 02/01/2010 Sup'v. mtg. The plan was accepted at the 03/01/2010 Sup'v. Mtg. The plan was tabled at the 10/18/2010 Sup'v. Meeting. The Sup'v. at their 08/16/2010 meeting accepted a 90 - day Time Extension Letter until 11/14/2010. The last Sup'v. mtg. is 11/01/10. Ray Rogers, Frank Smith Jr., Inc. Surveyors, represented the plan. The property is the former Birchwood Resort, consisting of 6 lots. The plan calls for the combination of the six (6) lots into one (1). Discussion followed re setback lines. R. Rogers will add the setbacks to the plan. 4 RFMS requested.
 - A) SALDO SEC. 121, SECTION 2.305.A - Final Plan to scale - H. Werkheiser made a motion, seconded J. Cilurso, to approve the Request for Modification from SALDO SEC. 121, SECTION 2.305.A. Roll call vote: J. Cilurso, yes, and H. Werkheiser, yes. Motion carried.

- B) SALDO SEC. 121, SECTION 2.305.D.9 - Building Setback lines - H. Werkheiser made a motion, seconded by J. Cilurso, to approve the Request for Modification from SALDO SEC. 121, SECTION 2.305.D.9. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.
- C) SALDO SEC. 121, SECTION 2.305.D.16 - Steep Slopes - H. Werkheiser made a motion, seconded by J. Cilurso, to approve the Request for Modification from SALDO SEC. 121, SECTION 2.305.D.16. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.
- D) SALDO SEC. 121, SECTION 2.305 and SECTION 6.201 - Lots to be adjacent - H. Werkheiser made a motion, seconded by J. Cilurso, to approve the Request for Modification from SALDO SEC. 121, SECTION 2.305 and SECTION 6.201. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

H. Werkheiser made a motion, seconded by J. Cilurso, to approve the Lot Consolidation Plan for C. Castle, LLC. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

- 4) Barton Glen Lots 11 and 12, Section 2 - Lot Consolidation Plan - \$300.00 Plan fee and \$1,500.00 Escrow fee paid. Plan submitted at 04/06/10 Sup'v. Meeting. The Sup'v. at their 09/20/10 mtg. accepted a Time Extension Letter until 12/31/2010. The last Sup'v. mtg. is 12/20/10. The plan was tabled at the 10/18/2010 Sup'v. meeting. H. Werkheiser made a motion, seconded by J. Cilurso, to table the Barton Glen Lots 11 and 12, Section 2 - Lot Consolidation Plan. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

- 1) The Outback Lodge & Waterpark Preliminary Land Dev./ Subdivision Plan - \$2,967.50 Plan fee paid. \$1,052.50 Stormwater Review Fee paid. Plan submitted 04/17/09 for 05/11/09 P.C. meeting. The Planning Commission, at its 09/27/10 meeting, recommended Conditional Approval of the plan. Nate Oiler, RKR Hess Associates, represented the plan. The property is the former Summit Resort, located off RT. 715. The proposed plan is for a 402 room hotel and waterpark. 3 RFMs requested.

- A) SALDO SECTION 2.302.A - Scale of plan - H. Werkheiser made a motion, seconded by J. Cilurso, to approve the Request for Modification from SALDO SECTION 2.302.A. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

- B) Stormwater Management Ordinance (SWMO) Sections 303.I.6.b; 303.I.7.b and 303.I.8.b - the applicant proposes .6 acres of disturbed buffer with a restoration of .71 acres of previously disturbed buffer areas. H. Werkheiser made a motion, seconded by J. Cilurso to approve the Request for Modification from (SWMO) Sections 303.I.6.b; 303.I.7.b and 303.I.8.b. Roll call vote; J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

OUTBACK LODGE & WATERPARK PRELIMINARY LAND DEV. CONT:

- C) SWMO Section 306.B - rainfall data - H. Werkheiser made a motion, seconded by J. Cilurso, to approve the Request for Modification for SWMO Section 306.B. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

H. Werkheiser made a motion, seconded by J. Cilurso, to approve the Outback Lodge & Waterpark Preliminary Land Dev./Subdivision Plan with conditions:

- A) Tax Certifications for merged properties.
B) All non-conformities registered with the Zoning Office
C) Note 9 on the plan to be corrected.
D) All professional fees Paid

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

TIME EXTENSION LETTER:

- 1) The Lands of The Spirit of Swiftwater, Inc. (Office) - Requesting a 90-day time extension. The Pocono Twp. Planning Commission recommended a Final Time Extension until the 12/13/19 P.C. Meeting; the last Sup'v. meeting will then be 12/20/10. H. Werkheiser made a motion, seconded by J. Cilurso, to accept the Time Extension Letter for The Lands of The Spirit of Swiftwater, Inc. (Office) until 12/20/2010. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

UNFINISHED BUSINESS:**NEW BUSINESS**

- 1) Proposed Ordinance #145 defining Snow Emergencies - H. Werkheiser made a motion, seconded by J. Cilurso, to adopted Ordinance #145 Defining Snow Emergencies, Regulating the Parking of Vehicles during Snow Emergencies, and Providing Enforcement Provisions. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.
- 2) Pioneer Construction, Inc., Contract #4, Payment Request # 8 for \$267,254.10 for weeks ending 10/03/2010, 10/10/10, 10/17/2010, and 10/24/2010 is in order for action by the Township - H. Werkheiser made a motion, seconded by J. Cilurso, to approve payment for Pioneer Construction, Inc., Contract #4, Payment Request #8 for \$267,254.10. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.
- 3) Leeward Construction, Inc., for Contract #3, Payment #7 for \$73,725.32, for weeks ending 10/09/10 and 10/16/10 is in order for action by the Township. H. Werkheiser made a motion, seconded by J. Cilurso, to approve payment for Leeward Construction, Inc., Contract #3, Payment Request #7 for \$73,725.32 for weeks ending 10/09/10 and 10/16/10. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

- 4) PACT Construction, Inc., for Contract #5, Payment #2 for \$512,174.25, for weeks ending 09/25/10, 10/02/10, 10/09/2010, 10/16/10, and 10/23/10 - and 09/25/10, 10/02/10, 10/09/10, and 10/16/10 is in order for action by the Township. H. Werkheiser made a motion, seconded by J. Cilurso, to approve payment for PACT Construction, Inc., for Contract #5, Payment #2 for \$512,174.25, for weeks ending 09/25/10, 10/02/10, 10/09/2010, 10/16/10, and 10/23/10 - and 09/25/10, 10/02/10, 10/09/10, and 10/16/10. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.
- 5) Appointment of Rodney Michael to the Pocono Township Zoning Hearing Board as the Alternate Zoning Hearing Board Member. H. Werkheiser made a motion, seconded by J. Cilurso, to approve the appointment of Rodney Michael to the Pocono Township Zoning Hearing Board as the Alternate Zoning Hearing Board Member. Roll call vote: J. Cilurso, yes; and H. Werkheiser, yes. Motion carried.

RESPONSES AND COMMENTS:

Brian Kiernan, Henryville, questioned the distribution of fines collected for violations.

Gordon Holz, Henryville, status of 911 addressing.

Joe Sadowski, Sullivan Trail, re Outback lodge.

GOOD OF THE ORDER

ADJOURNMENT: H. Werkheiser made a motion, seconded J. Cilurso, to adjourn the meeting at 8:10 p.m., until 11/15/10 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 J. Finkbeiner
Recording Secretary