

**POCONO TOWNSHIP SUPERVISORS  
MINUTES OF THE SPECIAL MEETING  
NOVEMBER 9<sup>th</sup>, 2011 10:00 a.m.**

The Special Meeting of the Pocono Township Supervisors was held on November 9<sup>th</sup>, 2011, at 10:00 a.m., at the Pocono Township Municipal Building, Tannersville, Pa., and was opened by Chairwoman, Jane Cilurso, 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 noted the Special meetings are held every other Tuesday at 10:00 a.m. to discuss sewage matters and other Twp. Business.

**ROLL CALL:** Jane Cilurso, present; Harold Werkheiser, present; and Frank Hess, present. Tim McManus, Twp. Solicitor; Russ Scott, RKR Hess Associates, Inc.; and Pamela Finkbeiner, Recording Secretary were present.

**BUSINESS OF MEETING:**

- 1) Lease Purchase of a 2011 580 Case Backhoe at an approximate cost of \$56,100.80. The Township will trade in a 2055 Case 580SM Plus. F. Hess requested more time to review the purchase. No action taken.

**PHASE II SEWER LINE CONSTRUCTION**

- Contract No. 4 - Pioneer Construction is installing clay plugs and base drains to help alleviate the groundwater issues at the Tannersville Inn and adjacent properties. They are also completing pavement restoration in various areas.
- Contract No. 6 - Linde Construction is working on completing the manholes on the Peddlers Village and Pocono Farmstand properties.
- Contract No. 6 - Linde Construction - to date, the Contractor has not agreed to address the deficiencies with the Horizontal Directional Drill installation. RKR Hess is recommending denial of the Contractor's most recent Payment Request. The board agreed.
- Contract No. 7 - PACT Construction - the contract is Substantially Complete and PACT Construction has completed all paving. RKR Hess is asking PADOT for final inspection and release of the Highway Occupancy Permit.
- Contract No. 8 - Pioneer Construction - Payment Request No. 7 - RKR Hess is recommending approval of the payment request in the amount of \$101,059.00 for work completed through 10/02/2011. The work is eligible under the PennVEST \$11.7M Grant for Phase II. F. Hess made a motion, seconded by H. Werkheiser, to approve Contract No. 8 - Pioneer Construction - Payment Request No. 7 in the amount of \$101,059.00. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

**PHASE II SEWER LINE CONT:**

- Contract No. 9 - Pioneer Construction - Payment Request No. 6 - RKR Hess is recommending approval of the payment request in the amount of \$32,158.45 for work completed through 10/02/2011. The work is eligible under the EPA STAK Grant and the PennVEST \$11.7M Grant for Phase II. F. Hess made a motion, seconded by H. Werkheiser, to approve Contract No. 9 - Pioneer Construction - Payment Request No. 6 in the amount of \$32,158.45. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.
- Contract No. 8 & 9 - RKR Hess in letters dated 10/26/2011, recommended that both Contract No. 8 & No. 9 be granted a 60 day Time Extension, bringing Substantial Completion to 12/23/2011. F. Hess made a motion, seconded by H. Werkheiser, to accept the Time Extension of 60 days for Contract No. 8 & 9 - Pioneer Construction, bringing the Substantial Completion to 12/23/2011. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.
- Contract No. 8 & 9 - Pioneer Construction - Extended manufacturer's warranty on Pumps - RKR Hess letter dated 11/09/2011. R. Scott reviewed the concerns regarding the 2 year Maintenance Bond on the pumps and the fact that the warranty will expire before the pumps go on line. The cost to extend the warranty for the pumps to five (5) years after testing is \$3,330.60. F. Hess requested the price of the pumps to determine if an extended warranty is worth the purchase. No action taken.
- Contract No. 10 - Doli Construction Corporation, is scheduling with the boring subcontractor to complete Stream Encroachment No. 36 and the low pressure sewer lines in the area of Cruver Ave. and Larch Street in Hamilton Township.
- Contract No. 10 - Doli Construction Corp. has responded to our notice of deficiencies on Encroachment No. 28 (Pocono Creek Stream Crossing near Tokyo Spa). RKR Hess is evaluating their response.

**PHASE III SEWER FORCEMAIN TO STROUDSBURG**

- Contract No. 11 - PACT Two LLC has begun to backfill the concrete structure for the equalization tank at the Pump Station No. 5 site.
- Contract No. 11 - PACT Two LLC - RKR Hess is recommending approval of Payment Request No. 3 in the amount of \$126,018.00, to PACT Two LLC for work completed through 10/21/2011. The work is eligible under the Federal HRSA Grant and the H2O PA Grant. The request is in order and ready for action by the board. F. Hess made a motion, seconded by H. Werkheiser, to approve PACT Two LLC, Contract No. 11, Payment Request 3, in the amount of \$126,018.00. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

- Contract No. 15 - JOAO & Bradley Construction has completed the forcemain installation through Stroudsburg Borough and the Wallace Street area of Stroud Township. They are currently working in the area of the Big Meadow Run stream crossing and Ehler St. in Stroud Township.
- Contract No. 15 - JOAO & Bradley Construction - Stroud Township forwarded a sewer lateral repair bill from a homeowner at 850 Wallace Street and has asked that Pocono Township's Contractor pay this bill for \$1075.00. R. Scott noted the contractor did a PA One Call and the lateral was unmarked by Stroudsburg Borough's sewer authority. The lateral was hit but not noticed at the time. The homeowner called for an emergency repair during the night, otherwise if contacted the Contractor would have done the repair. R. Scott will contact the Contractor.
- Contract No. 15 - RKR Hess is recommending approval of JOAO & Bradley Construction - Payment Request No. 3 in the amount of \$834,101.18 for work completed through 10/22/2011. The work is eligible under the H2O PA Grant (2/3 reimbursement). The request is in order and ready for action by the board. F. Hess made a motion, seconded by H. Werkheiser, to approve JOAO & Bradley Construction, Contract No. 15, Payment Request No. 3 in the amount of \$834,101.18. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

#### SEWER CONNECTION REGULATIONS

- Based upon our meeting of 09/16/2011 with representatives of the PA Department of Environmental Protection and the Delaware River Basin Commission to clarify conditions for connection of properties to the sewer system, the Supervisors were advised to consider an amendment to the Act 537 Plan for Pocono and Hamilton Township.
- RKR Hess will require authorization, if Pocono Township wishes to move forward with the preparation of a Task Activity Report for submittal to PADEP. Open discussion followed on the steps needed to amend the plan and Developer's steps to submit proposed plans under the current Act 537. The Board will meet with Hamilton Twp. Officials. No action taken.

Chris Peechatka, Bartonsville, Jim Ertle, Kunkletown, Anthony Maula, Swifterwater, Mark Vultaggio, Scotrun, proposed developers of properties along the sewer line, questioned the steps needed to submit plans.

Points discussed:

- Developer's may submit preliminary plans but not final at their own risk.

- The Twp. Engineer and Twp. Solicitor are working on draft agreements for submittals.
- Final Plans can only be submitted after the sewage plant is on-line.
- Building permits cannot be issued until final plan approval.
- The present ordinances do not allow for plans to be submitted without sewage.
- The present sewage flows on existing properties will pay for the sewage system.

The board invited developers to the next special meeting, 11/22/2011 to further discuss the steps for submittal of plans.

RKR Hess has prepared a draft Sewer Availability Guideline for the Supervisor's review. The Solicitor has since recommended some revisions to the guidelines. No action taken.

#### PHASE I DRY SEWER - MANHOLE INSPECTIONS

- On 10/18/2011 Leeward Construction, excavated the upstream side of Manhole MH B2-1-19 (near Pangea Restaurant) under Contract No. 2. One of the two clamps in this area was found to have failed due to corrosion. Soil samples were obtained and shipped to the testing laboratory for corrosivity analysis. RKR Hess is awaiting the result of the soil samples. RKR Hess has sent a letter to Leeward Construction requesting that they extend the Maintenance Bond for one additional year to allow time to further investigate and address the issues. Leeward has since requested a meeting with the board to discuss the clamp issues and other deficiencies. Robert Grimbaldi, Tannersville, requested a list of the sites with the failed clamps.

#### PUMP STATION NO. 1 & 2 PROPANE BIDS

- Advertisement for purchase of propane and tanks at Pump Stations No. 1 & 2 in Swiftwater and Tannersville. H. Werkheiser made a motion, seconded by F. Hess, to authorize the advertisement to bid for Two - 500 gallon propane tanks filled with propane and miscellaneous appurtenances with a one year service contract for Pump Station No. 1 & 2 in Swiftwater and Tannersville for the 12/06/11 Mtg. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

#### ADJOURNMENT:

H. Werkheiser made a motion, seconded by F. Hess, to adjourn the meeting at 12:05 p.m. until 11/22/2011, at the Pocono Township Municipal Building. Roll call vote: J. Cilurso, yes; H. Werkheiser, yes; and F. Hess, yes. Motion carried.

Respectfully Submitted

Pamela Finkbeiner, Recording Secretary