

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE REGULAR MEETING
December 15th, 2008 7:00 p.m.**

The Regular Meeting of the Pocono Township Supervisors was held on December 15th, 2008, 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.

ROLL CALL: Jane Cilurso, present; Harold Werkheiser, present; and John Bramley, present.

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

MINUTES: H. Werkheiser made a motion, seconded by J. Bramley, to approve the minutes of the Supervisor's 12/02/2008 Regular Meeting. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

J. Bramley made a motion, seconded by H. Werkheiser, to approve the minutes of the 12/05/08 and the 12/09/2008 Special Meetings. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

Bills: The semi-monthly bills were presented. 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, J. Bramley; yes. Motion carried.

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

BIDS: None

SEO REPORT: Dennis Keesler, Township SEO reported on the permits issued, inspections completed, and testing done for a possible, future commercial enterprise. A full copy of his report is available at the township.

ZONING OFFICER'S REPORT: Steve Meylach, Township Zoning officer reported on the activities of the Zoning Department, including several violations of litter and junk cars addressed. A full copy of his report is available at the township.

NEW PLANS:

- 1) Shiro Restaurant As-Built Plan - Plan submitted 12/15/2008 for the 12/15/2008 Sup'v. meeting. Chrissie Himler, Borton Lawson, Engineering, Inc. and Vincent Trapasso, owner, represented the plan. C. Himler addressed the comments of the Twp. Engineer's letter of 12/15/2008. The As-built plan includes a 10' by 23' addition to the kitchen area. A truck turning template was submitted to the Twp. Engineer for approval. Two parking areas need additional space for use. The Twp. Engineer suggested gravel or stone be placed for the 'backing' areas of the spaces. The 60 day temporary Certificate of Occupancy ends 12/24/2008. C. Himler requested the Twp. Zoning officer extend the temporary C/O for 90 days. The board suggested a 60 day extension be considered.

J. Bramley made a motion, seconded by H. Werkheiser, to table the Shiro Restaurant As-Built Plan. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

ONGOING PLANS:

TABLING OF PLANS: J. Bramley made a motion, seconded by H. Werkheiser, to table the below plans; The Reserve at Cherry Lane Final Plan; Steve Basick Lot Combination Plan; Nicholas P. Nicholas Properties Final Minor Subdivision/Lot Combination Plan; Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan, and Northridge at Camelback Revision to Phases 11-16 Final. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

- 1) The Reserve at Cherry Lane Final Plan - Stroud Twp. has approved their portion of the plan. The Pocono Township Planning Commission recommended Conditional Approval of the plan. The Supervisors previously accepted a Waiver letter extending the requirement until 1/31/2009. The plan was tabled at the 12/02/08 Sup'v. meeting. See above motion.
- 2) Steve Basick Lot Combination Plan-Plan submitted for the 09/15/2008 Sup'v. mtg. \$300.00 fee paid. The Plan was tabled at the 12/02/2008 Sup'v. meeting. The Supervisors at their 12/02/08 meeting accepted a 90-day time extension until 03/02/08. See above motion.
- 3) 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 12/02/2008 Sup'v. meeting. The 90-day time requirement expires 01/04/09. See above motion.
- 4) Sanofi Pasteur - 138 KV Substation Final Lot Consolidation Plan - Plan submitted 11/07/2008 for 12/02/2008 Sup'v. Meeting. \$300.00 Plan fee paid. Plan was tabled at the 12/02/08 Sup'v. meeting. See above motion.
- 5) Northridge at Camelback Revision to Phases 11-16 Final Plan - The Pocono Township Planning Commission recommended Conditional Approval of the plan and acceptance of the Time Extension Letter until 01/20/09. Plan was tabled at the 12/02/08 Sup'v. meeting. See above motion.

WAIVER LETTER

The Pocono Township Planning Commission recommended the following:

A.J. A. Snyder Entities, Inc. Subdivision Plan - 90 Day Time extension waiver requested. J. Bramley made a motion, seconded by H. Werkheiser, to accept the 90 day time extension request. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

UNFINISHED BUSINESS:

1) Traffic Signal Plan at intersection of SR314W and Rt. 611 and SR314E (By the Amber Club in Swiftwater) H. Werkheiser made a motion, seconded by J. Bramley, to table the Traffic Signal Plan. T. McManus, Twp. Solicitor reported that Mt. Airy's attorney advised their HOP has been extended until September 14th, 2009 to complete this work and that further efforts will be taken after the holidays to attempt to resolve the issue of performance bond protection for the township. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

NEW BUSINESS:

- 1) Release of monies in the Letter of Credit for Tannersville Realty (CVS Pharmacy Property). J. Bramley made a motion, seconded by H. Werkheiser, to release \$239,420.00 (retaining a 10% contingency - \$23,942) as recommended by the Twp. Engineer. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried
- 2) Release of monies in the Letter of Credit for Pocono Community Bank. Confirmation of the Sewage from the Twp. SEO and a copy of the HOP from Penn Dot was received. J. Bramley made a motion, seconded by H. Werkheiser, to release \$197,752.50 (retaining \$25,275.25) as recommended by the Twp. Engineer. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried
- 3) Member's contribution to the Pocono Twp. Police Pension Plan. J. Cilurso made a motion, seconded by J. Bramley, to set the Pocono Township Police Pension Plan at 5% for the year 2009 to cover the amount needed for the Twp.s' Minimum Municipal Obligation for 2009, as per Pocono Township's actuarial firm for the Police Pension Plan. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried
- 4) H. Werkheiser made a motion, seconded by J. Bramley, to set the time for the Supervisor's Reorganization Meeting to 3 p.m. on 01/05/2009. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried

COMMENTS:

Frank Ruggerio, Twp. Resident raised concerns on the planning procedures of Shiro's restaurant.

ADJOURNMENT: H. Werkheiser made a motion, seconded by J. Bramley, to adjourn the meeting at 7:50 p.m. until 1/05/2009 at 3 p.m. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried

Respectfully Submitted, Pamela Finkbeiner, Recording Secretary

