

**POCONO TOWNSHIP SUPERVISORS
MINUTES OF THE REGULAR MEETING
October 6th, 2008 7:00 p.m.**

The Regular Meeting of the Pocono Township Supervisors was held on October 6th, 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; David Horton, Boucher & James Engineering, Inc.; Pamela Finkbeiner, Recording Secretary; and Steve Meylach, Pocono Township Zoning Enforcement Officer, were present.

MINUTES: J. Bramley made a motion, seconded by H. Werkheiser, to approve the minutes of the Supervisor's 09/15/2008 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 Special Meetings of 09/16/2008, 09/23/2008, and 09/30/2008. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

BILLS: The semi-monthly bills were presented. H. Werkheiser made a motion, seconded by J. Bramley, to approve the semi-monthly bills for payment. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

COMMUNICATIONS: Communications pertained to plans before the board and were addressed accordingly.

BIDS:

- 1) Advertisement was made for Bids for sale of an "As Is" 1968 Austin-Weston Grader and a 1985 JD-610-B Loader/Backhoe for opening and reading aloud at the 10/06/08 Supervisor's meeting.
- 2) Advertisement was made for Bids for a Subcontractor to Plow the Township Roads, to be opened and read aloud at the 10/06/08 Supervisor's meeting.

A. Subcontractor to Plow the Township Roads:

Locust Ridge Quarry 50 Hrs. +/- \$275.00 per hour

B. 1985 JD-610-B Loader/Backhoe:

Vincent Robertson	\$3,620.00
S.L. Management	\$5,000.00
Jonathan Aide	\$8,900.00

C. "As Is" 1968 Austin-Weston Grader:

No Bids

BIDS CONT:

H. Werkheiser made a motion, seconded by J. Bramley, to table the awarding of bids until the 10/20/2008 Sup'v. Meeting. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

SEO REPORT: None

ZO REPORT: S. Meylach, Township Zoning Officer, reported 53 permits were issued, several meetings attended and violations being addressed. A full copy of his report is on file at the township.

NEW PLANS:

Pocono Creek Plaza Land Dev. Plan and Planning Modules: The P.C. Commission recommended approval of 5 RFMs and Conditional Approval of the plan at their 09/22/2008 meeting. Marv Walton, Niclaus Engineering, Corp., represented the plan.

The 5 Requests for Modification:

1. SALDO Section 2.106 - Preliminary Plan
2. SALDO Sections 2.302.B.4 and 2.303.B.4 - Proposed streets and lot layouts on adjoining tracts.
3. SALDO Section 2.302.D.15 - Community Impact Analysis
4. SALDO Section 2.400 - Guarantee of required improved improvements prior to final plan approval.
5. SALDO Section 3.210G - Requiring that the delineated boundary of wetlands be fenced off.

J. Bramley made a motion, seconded by H. Werkheiser, to approved the 5 RFMs, listed above. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

Discussion followed on the plan. The structure (Former Gloria's Furniture Store) will be remodeled and an ADA walkway will be installed. The improvements will be minimal and will not change the overall use of the structure. Planning Modules submitted differ from the existing flows of the site, a letter dated 09/15/2008 from Niclaus Engineering, Corp., stating: no public toilets, 200 GPD design flow, and employees not to exceed 20. D. Keesler, Township SEO concurred the flows stated in their letter of 09/15/2008 (Niclaus Engineering, Corp) were adequate.

Marv Walton asked for withdrawal of the planning modules at this time. Fee in Lieu will not be required for this plan. Additional items to be addressed:

- 1) All comments from Boucher & James, Inc. letter of 9/22/08 need to be addressed.
- 2) Note on Plan as per the 09/15/2008 Niclaus letter: sewage flows, employees not to exceed 20, and no public toilets.
- 3) Confirmation that the line from the septic area to the treatment plant is non-functioning. Note should be put on plan confirming, Twp. SEO should write a letter confirming this, also.
- 4) Lighting plan to be submitted.
- 5) ADA requirements of plan to be submitted to BIU for approval.
- 6) Landscaping to be shown on plan.
- 7) All outside approvals.
- 8) All professional fees paid.
- 9) Copy of deed to Township engineer.

POCONO CREEK PLAZA CONT:

J. Bramley made a motion, seconded by H. Werkheiser, to table the Pocono Creek Plaza Land Development Plan. Roll Call Vote: J. Cilurso, yes; H. Werkheiser, yes; and J. Bramley, yes. Motion carried.

Silver Leaf Resorts - Sketch Plan

Mike Brown, Silver Leaf Resorts, and Rocco Caracciolo, Pennoni Associates, Inc., represented plan. The existing resort (Former Brookdale on the Lake Resort) will become a Time Share Resort. The first phase will use the present sewage treatment plant; additional units will utilize the proposed Central Sewage line on Rt. 611. Discussion followed on the proposed units with additional flows. T. McManus noted only units for which sewage will be immediately available (as opposed to only available in the future if and when the central sewer system is installed) can be included as part of any land development plan submission. A future LDP with additional units can be submitted near the time of central sewage line completion. The board looked favorably on the sketch plan concept. The plan is scheduled to be submitted to the township in early November, 2008.

ONGOING PLANS:

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 accepted a Waiver letter extending the requirement until 11/30/2008. The plan was tabled at the 09/15/08 Sup'v. meeting. J. Bramley made a motion, seconded by H. Werkheiser, to table the plan. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

2) Garvey Agency, Inc. Lot Consolidation Plan - (Lots 807 & 808 Alpine Lake) Plan submitted for 02/04/2008 Sup'v. mtg. \$300.00 Plan fee paid. Plan was tabled at the 09/15/2008 Sup'v. meeting. The 90-day time requirement expires 10/20/08. J. Bramley made a motion, seconded by H. Werkheiser, to table the plan. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

1) Steve Basick Lot Combination Plan-Plan submitted for the 09/15/2008 Sup'v. mtg. \$300.00 fee paid. Barry Tompkins, BTT Associates, represented the plan. Lots 2 & 3, Block - J, are proposed to be combined. The Plan was tabled at the 09/15/2008 Sup'v meeting. J. Bramley made a motion, seconded by H. Werkheiser, to accept the Steve Basick Lot Combination Plan. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

WAIVER LETTERS:

The Pocono Township Planning Commission recommended acceptance of the following waiver letters:

- 1) Nicolas P. Nicholas Properties Final Minor Subdivision/Lot Combination Plan - 90 days from 10/06/2008.
- 2) Snyder Major Subdivision Preliminary Plan - 90 days from 10/20/08.
- 3) Camelback Hotel and Waterpark - Land Dev. Plan and Minor Subdivision Plan - until 12/15/08.

WAIVER LETTERS:

H. Werkheiser made a motion, seconded by J. Bramley, to accept the above waivers. 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. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

2) Pocono Township Community Day was held on September 27th, 2008. J. Cilurso noted 33 non-profit groups attended and everyone had a great time. She thanked all who participated and attended the 6th annual event.

3) Pocono Township's Fall Clean-up was held on October 2, 3, and 4, 2008. A full report will be presented at a later date.

NEW BUSINESS:

- 1) Estate of Louise Metzger - Attorney David L. Horvath represented the estate. There is a remaining undersized lot owned by the estate which is to be distributed to an heir. Although this lot was to have been joined to another parcel as part of a subdivision plan and approved by the Township in 1979, that joinder never occurred. The owner of the property to which it was to be joined has changed, with the result that the required joinder would result in the property going to someone other than the intended heir. Attorney Horvath intends to seek a variance from the Zoning Hearing Board to allow this undersize lot. If he is successful, he will be submitting a new subdivision plan to the Township seeking to revise the 1979 Plan by removing the lot joinder requirement.
- 2) A Hearing for proposed Ordinance #136 entitled Pocono Township Act 167 Stormwater Management Ordinance to implement the Brodhead/McMichael Watershed Act 167 Stormwater Management Plan adopted by Monroe County, Pa., pursuant to PA Stormwater Mgmt. Act (Act 167) as amended is scheduled for 11/03/08 at 6:00 p.m.
- 3) Weston Solutions, Inc., - collection and reporting of stream temperature data associated with NPDES Permit requirements for the Pocono Township Sewer project, at the cost of \$50,000.00. Frank Ruggiero, township resident questioned the cost of project and need. J. Cilurso explained the testing is a requirement of DEP for the NPDES Permit.
J. Bramley made a motion, seconded by H. Werkheiser, to approve Weston Solutions, Inc., continued collection and reporting at the cost of \$50,000.00. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

- 4) Ordinance #135 authorizing an Addendum to a Memorandum of Understanding among the Townships of Hamilton, Pocono, and Stroud, The Stroud Township Sewer Authority, the Borough of Stroudsburg, The Township of Smithfield, the Borough of East Stroudsburg, The Brodhead Creek Regional Authority, The Brodhead Watershed Association and Citizens for Pennsylvania's Future to implement a comprehensive solution to the wastewater disposal needs of The Township of Hamilton, Pocono and Stroud and Borough of Stroudsburg. The ordinance will be adopted at 10:00 a.m., October 14th, 2008.
- 5) Appointment of Ronald Swink to the Pocono Township Planning Commission. J. Bramley made a motion, seconded by H. Werkheiser, to appoint Ronald Swink to the Pocono Township Planning Commission. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.
J. Cilurso welcomed Ronald Swink to the P.C.
- 6) Motion to coordinate with the COG scheduling for Trick or Treat Night for 10/31/08 from 6:00 p.m. to 8:00 p.m. J. Bramley made a motion, seconded by H. Werkheiser, to schedule Pocono Township's Trick or Treat Night for 10/31/2008 from 6:00 p.m. to 8:00 p.m. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.
- 7) Gypsy Moth Program: Open discussion followed. J. Cilurso noted a few areas were identified within Pocono Township for the spray program. The Supervisors have not made a decision as to whether or not they will participate in the Gypsy Moth spraying, next year.

RESPONSES AND COMMENTS: NONE

ADJOURNMENT: H. Werkheiser made a motion, seconded by J. Bramley, to adjourn the meeting at 9:00 p.m. until October 20th, 2008, at 7 p.m. Roll Call Vote: J. Cilurso; yes, H. Werkheiser; yes, J. Bramley; yes. Motion carried.

Respectfully submitted:
Pamela Finkbeiner