

May 1, 2018
Tuesday, 10:00 a.m.

MINUTES

Chairman Robert Rohner called the meeting to order at 10:00 a.m. Also present were Richard Vollmer, Vice-Chairman, Theresa Laino, Supervisor, Attorney Donald Karpowich, Jon Tresslar, P.E. and Mary Ann Conza, Assistant Sec / Treas.

PUBLIC COMMENTS:

None.

APPROVE THE MINUTES OF APRIL 10, 2018:

Motion made by Mr. Vollmer and second by Ms. Laino to approve the minutes of April 10, 2018. Unanimous.

APPROVE THE PAYMENT OF THE BILLS ON LIST #1, LIST #2 AND THE TRANSFERS AS PRESENTED:

Motion made by Mr. Vollmer and second by Ms. Laino to approve the payment of the bills on List #1, List #2 and the transfers as presented. Unanimous.

ACCEPT THE FINANCIAL STATEMENTS; ALL FUNDS, FOR THE MONTH ENDED MARCH 31, 2018:

Motion made by Mr. Vollmer and second by Ms. Laino to accept the financial statements; all funds, for the month ended March 31, 2018. Unanimous.

BID OPENING – SPRING CLEAN UP DAY CONTAINERS:

The only bid received was from Waste Management:

\$32.00 per yard for bulk & trash

\$16.50 per yard for metal.

Metal will be separate from trash. No extra costs and no special requirements.

Motion made by Mr. Vollmer and second by Ms. Laino to accept Waste Management's bid. Unanimous.

OLD BUSINESS:

1. BUSHKILL COMMUNITY CHURCH:

Rev. Paul Miller was present on behalf of the Bushkill Community Church. The Church purchased the Log Cabin Restaurant with the intention of turning it into a worship facility for their congregation. They need an HOP from PennDOT and there are a few obstacles concerning the driveway and the pipe going under Bushkill Falls Road. After meeting with PennDOT and Rep. Rosemary Brown at the site, PennDOT agreed that the property owner may move the entrance to the southern part of the property.

The other obstacle is, PennDOT wants the Township to permit the pipe and take responsibility of maintaining it. Presently the pipe is functioning fine and there is no need to change anything. If there becomes a problem in the future, the Church is proposing to take full responsibility for repair and maintenance of the pipe. Riley Associates, engineering firm for the Church, drafted an agreement for Attorney Karpowich to review.

Attorney Karpowich reviewed and suggested that the agreement between the municipality and the landowner should state that although PennDOT will seek recourse from the municipality for any problems with the pipe, the landowner will be responsible to do the work and pay the cost of repairs. It would be a recorded document binding upon successors and assigns. The municipality should also require a bond or revocable letter of credit for whatever the cost would be to replace the pipe.

In order for the Township to sign the form for the HOP, it needs the agreement in place with the landowner taking responsibility for any repairs. We need to make sure the funds are available in case PennDOT comes to the Township for repairs or replacement in the future.

Attorney Karpowich will draw up a sample agreement for the Church to review and their engineer will come up with the cost estimate.

2. THE GLEN AT TAMIMENT POA STORMWATER MANAGEMENT-PARKING LOT:

Tabled.

NEW BUSINESS:

1. PA AMERICAN WATER CO. PRELIMINARY LAND DEVELOPMENT PLAN – SAW CREEK TREATMENT FACILITY WAIVERS:

Present on behalf of the applicant were Jeremy Nelson, Kasey White and Dave Altmiller. The applicant is requesting land development approval for construction of a building in Saw Creek Estates for their water system. There are two existing wells that cannot be used because of high levels of manganese and iron. The proposed building would be a treatment facility for the water that would be provided to the residents of Saw Creek Estates.

They received approvals from the Zoning Hearing Board, the Planning Commission recommends approval. They have been addressing the Township's engineering concerns. Permits are in place with DEP and they received ENS approval from Pike County. Mr. Vollmer would like a letter from Saw Creek Estates POA stating that the Association and the neighbors are on board and have no objections.

The applicant is seeking waiver approvals for the following:

- **SALDO: Section 405.1:** Looking for a concurrent Preliminary/ Final Plan approval. This would mean that they do not have to come back for final approval. The Township wants to make sure the work was done and denied this request. ***Motion made by Mr. Vollmer and second by Ms. Laino to deny this waiver. Unanimous.***

Currently there are maintenance issues with PA American Water and Attorney Karpowich asked for a ***note to be on the plans stating that any problems concerning Township Ordinances would be rectified within 30 days, provided they are given written notice.***

- **SALDO: Section 509.1:** Waive the performance guarantee on the storm water basin. Motion made by Mr. Vollmer to approve. There was no second. **Motion made by Mr. Rohner to deny the waiver, seconded by Ms. Laino.** Motion passed with Mr. Vollmer abstaining.
- **Storm Water Management: Section 303.3.a:** Wants to utilize ***ductile iron*** pipe for the drainage facilities because there is a shallow cover over the pipe and this type of pipe is stronger and will withstand the load. **Motion made by Mr. Vollmer and second by Ms. Laino to approve this request.** Unanimous.
- **Storm Water Management: Section 303.4.f:** Because of the existence of the wetlands and other limitations on the site, they are requesting 3 to 1 slopes at the proposed detention basin. **Motion made by Mr. Vollmer and second by Mr. Rohner to approve this request.** Unanimous.
- **SALDO: Section 702.9.11:** Approve the proposed building to be located within the 25 foot wide wetland easement. The Zoning Hearing Board granted a variance. **Motion made by Mr. Vollmer and second by Ms. Laino to approve this request.** Unanimous.

Motion made by Mr. Vollmer and second by Ms. Laino to approve preliminary approval with the condition that they post a performance guarantee for the storm water and they add the notation regarding maintenance on their plan. Unanimous.

2. U.S. BOARD ON GEOGRAPHIC NAMES – PROPOSAL TO NAME SMALL LAKE NEAR PEEC – THOMA POND:

Motion made by Mr. Vollmer and second by Ms. Laino to approve the name Thoma Pond for the small lake near PEEC. Unanimous.

3. QUOTE OF \$16,702.56 RECEIVED FOR A NEW CATERPILLAR COLD PLANER PC 306B (24"). STATE CONTRACT #4400011411:

Motion made by Mr. Vollmer and second by Ms. Laino to purchase a new Caterpillar Cold Planer PC 306B (24") under State Contract #4400011411. Unanimous.

4. REQUEST OF BOY SCOUT TROOP #87 THE USE OF THE COMMUNITY PARK SEPTEMBER 14-16 FOR THE ANNUAL BOY SCOUT CAMPOREE:

Motion made by Mr. Vollmer and second by Ms. Laino to approve the request of Boy Scout Troop #87 the use of the Community Park September 14-16 for the Annual Boy Scout Camporee. Unanimous.

5. BURNED DOWN STRUCTURE ON 2118 FAWN ROAD:

Owner Armando Beniamino's insurance company would not put up the escrow and Attorney Karpowich prepared the lawsuit putting them on notice and through discussions sent them the estimate. We are expecting payment.

ADENDUM NO. 1:

MAZZONE DECISION – Attorney Karpowich prepared the decision made by the Board, after the public hearing, that it was a dangerous structure pursuant to the Ordinance and as a result of this decision the property owner has to commence work within 10 days and complete repair or demolition within 60 days. Motion made by Mr. Vollmer and second by Ms. Laino to sign the decision and have the secretary send it to Mr. Mazzone. Unanimous.

ADDENDUM NO. 2:

The Township's EMA Directors will be going around to homes that do not have their 911 address sign posted. They will have new maps showing the 911 addresses as well as ID's. Attorney Karpowich will prepare a letter to the property owners for the EMA Directors to hand deliver.

MISCELLANEOUS:

- 1. SPRING CLEAN UP DAYS WILL BE HELD FRI., MAY 18TH FROM 7:00 A.M. TO 4:00 P.M. AND SAT., MAY 19TH FROM 7:00 A.M. TO 2:00 P.M.**

POCONO / PIKE COUNTY COUNCIL OF GOVERNMENT REPORT:

Ms. Laino reported that there was discussion at this meeting on the Tick count. 30% of the ticks in the last count had a new strain of Lyme disease. We can call them if we want an area tested.

PUBLIC WORKS DIRECTOR / ROADMASTER REPORT:

Tim Rohner, Public Works Director / Roadmaster reported working on trucks and equipment. Re-opened Toms Creek Road on April 10th, cut shoulders and cleaned pipes on Toms Creek Road. Worked on caretaker's house at the park. Crew attended LTAP class on April 12th for stop signs and intersection traffic control. Put in a verbal complaint about the Township road signs on Bushkill Falls Road and Milford Road (they took down our legal size stop signs and put up 24"). Put out trash cans on Creek Road and East Sugar Mountain Road. Pet Clinic at the Township building on April 14th was well attended with approximately 150 people. Installed two new toilets for the upstairs bathrooms at the Township building. Broomed Township parking lot and back of shop. CAT loader was serviced by Cleveland Bros., R&D Safe & Lock was in to change locks at park and annex, waiting for him to start the Township building. Hauled anti-skid from Township building to park for storage. Crew has been cutting trees and brush on Little Egypt Road (cut about 100 trees) and should be opened today. Cleaned up recycling sites at Tamiment, Township building. Brodhead Road was re-opened on April 25th. Cutting shoulders and cleaned pipes on Little Egypt Road and sign repairs. Installed 2 new front tires on CAT backhoe. Installed new batteries in grader. Contacted Chemung Supply for guide rail repairs. End of June is the possible delivery date for the Ford Explorer.

May 1, 2018

Tim Rohner attended a Road Task Force meeting on April 19th and reported on the Milford Road project : 1) Cuts and fills are ongoing, 2) pipe installations, 3) will be filling pot holes on Milford Road, 4) crews will be out to cut trees off fog lines on Bushkill Falls Road (no time frame).

SHORT TERM RENTALS:

Attorney Karpowich suggested that the best way to handle this would be through an Ordinance and have a 3rd party inspector do an annual inspection. First the Township needs to adopt the International Property Maintenance Code which is what the building inspector will be inspecting under, in addition to the building code. We could then do away with the lengthy dangerous structure process.

It was decided that Attorney Karpowich will start drafting from the IPMC for a work session on Tuesday, May 8, 2018 at 10:00 a.m.

ADJOURNMENT:

Motion made by Mr. Rohner and second by Ms. Laino to adjourn at 11:24 a.m. and go into an Executive Session regarding litigation.

Respectfully submitted,

Mary Ann Couza
Assistant Secretary