

**TUNHANNOCK TOWNSHIP SUPERVISORS
REGULAR MEETING – August 11, 2010**

In Attendance: Chairman Maureen Sterner, Vice-Chairman George Ewald, Supervisor Fran DePiano, Attorney Dan Lyons, Secretary Maria Wieand and area residents.

Chairman Sterner called the meeting to order at 7:01 p.m. For the record, all Supervisors are present.

Supervisor Ewald presented the bids for the double bituminous seal coats that were opened August 9, 2010. Four (4) bids were received Shiffer Bituminous Services, Co. for \$35,675.10, Pennsy supply Inc. DBA/Slusser Brothers for \$42,545.86 AMS for \$42,810.12 and Dosch King for \$32,239.72. Supervisor Ewald made the motion to award the bid to Dosch King at a cost of \$32,239.72; it was seconded by Supervisor DePiano. There being no comments or questions the motion passed unanimously.

The minutes of the July 14, 2010 meeting were reviewed. Supervisor DePiano made a motion to accept the minutes as written. Supervisor Ewald seconded the motion. There being no comments or questions, the motion passed unanimously.

There was no public comment on the agenda.

Treasurer's Report –Treasurer Wieand gave the financials as follows:

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| June: Opening Balance | \$820,952.37 |
| Income | \$134,563.16 |
| Expenses/Payroll | \$25,419.14 |
| Bills | \$124,475.96 |
| Ending Balance | \$805,620.43 |

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| July: Opening Balance | \$805,952.43 |
| Income | \$90,831.72 |
| Expenses/Payroll | \$22,468.99 |
| Bills | \$244,278.11 |
| Ending Balance | \$630,454.05 |

Supervisor DePiano made the motion to accept the Treasurer's report; it was seconded by Supervisor Ewald. There being no comments or questions, the motion passed unanimously.

Treasurer Wieand presented the bills in the amount of \$148,252.10 with an additional for Tobyhanna Township's SEO bill for July in the amount of \$450.60, and postage in the amount of \$193.00. Supervisor Sterner made a motion to pay the bills in the amount of \$148,859.70. Supervisor Ewald seconded the motion. Hearing no comments or questions, the motion passed unanimously.

Old Business:

Carson Helfrich, who has been working with the four (4) municipalities for the Regional Comprehensive Land Plan Use, presented an update for the board with drafts of the definitions, and supplementary regulations. He noted there is approximately nine (9) to twelve (12) months of work on the project yet, and they are meeting on August 18th at 3:00 pm at Tobyhanna Township. He asked if anyone from our boards would like copies and/or emails of anything; he would be happy to include them on his email list. He explained that some Townships will not have the exact same uses and the definitions may be different between some of them. He has met individually with each zoning officer and as a group to comprise the Regional Comprehensive Plan for Coolbaugh, Tobyhanna, Tunkhannock Townships, and the Borough of Mt. Pocono.

Supervisor Sterner explained that the General Assembly approved an amendment to the state's Fiscal Code that included a provision extending permits by State and local governments. Section XVI of Act 46 of 2010 (SB1042) creates the Permit Extension Act which would stipulate that any permit, agreement, or approval that was issued or would expire between December 31, 2008 and July 2, 2013 by the State or local governments in 29 different categories will be automatically extended until July 2, 2013. It includes: Sewage Facility Act, MPC, Flood Plan Management Act, UCC, and Soil Erosion and Sediment Control Plans.

The Tunkhannock Township Planning Commission is recommending conditional approval for the proposed Site Development Plan for MMC Plaza on Route 115, by MMC Management, Inc. The board discussed the issues of concern and answered questions by residents concerning possible

violations at the location. After the discussion and recommendations by Solicitor Lyons, a motion was made by Supervisor Sterner to grant conditional approval based on the following: documentation that the proposed gas station improvements, including tanks, will be installed in accordance with the requirements of the appropriate state and federal agencies; submit the lighting plan to be reviewed and approved by the Township Engineer; and that they submit, have approved and execute the appropriate Developer's Agreement and, if necessary, the required security per the Ordinance.

The Tunkhannock Township Planning Commission is recommending conditional approval for the Stoltzfus Farmer's Market located on Route 115 in Blakeslee. Supervisor Sterner motioned to grant two (2) waivers from the SALDO requirements; one being no paving, and the second no lightening based on the conditions being set forth on the plan. Seconded by Supervisor DePiano. There being no comments or questions the motion passed unanimously. Supervisor Sterner then made a motion to grant conditional approval for the Land Development plan based on the following conditions are met: The Market will be open only two (2) days per week (for which a note shall appear on the Plan); The Market will be open one half hour after sunrise and close one half hour before sunset (for which a note shall appear on the Plan); Proof that the PennDot Highway Occupancy Permit is still valid (for which a note shall appear on the Plan); Sufficient portable toilets with hand-washing facilities shall be provided at the facility (for which a note shall appear on the Plan); The parking space lines painted annually and as needed (for which a note shall appear on the Plan); The required buffers and landscaping shall be installed before October 25, 2010; Two (2) waivers that you have been requesting and have been granted concerning paving and lighting shall be noted on the Plan; That you submit, have approved and execute the appropriate Developer's Agreement, and if necessary, the appropriate security per the Ordinance. Seconded by Supervisor DePiano, after comments and questions where heard the motion passed unanimously.

Supervisor Sterner noted the cuts announced in the PSATS News Bulletin to the following: DEP the Sewage Facility Act and noted our submission for 2008 was for \$52,000 and we will be getting approximately \$17,526.

Supervisor Ewald reviewed that on Monday; Tobyhanna Township board of Supervisors approved and is recommending both Townships move forward with the Austin T. Blakeslee Natural Area Picnic Pavilion purchase. After

reviewing all the options and not awarding the grant to renovate the Stone Building, the group would like to move forward with a pavilion at the site. This will be less costly, engineering can be done by Tobyhanna's Engineer and site preparation can be done by both municipalities. Motion by Supervisor Ewald to approve the purchase of a pavilion from Recreation Resources, Inc. quote number Q10-534R, for the purchase and installation price of \$50,300, and the demolition of the existing building to be done either by donation from local contractors or at minimal cost for the dumpsters. Seconded by Supervisor DePiano, after comments and questions were heard the motion passed unanimously.

New Business:

Supervisor Sterner read a letter from Mr. Kevin McLaughlin who is interested in being on our EAC (Environmental Advisory Committee), after his letter was read a motion to appoint Kevin McLaughlin to the EAC for the vacant term of Alicia Siglin was made by Supervisor Sterner. Seconded by Supervisor Ewald, there being no comments or questions the motion passed unanimously.

Supervisor DePiano made a motion to appoint Barbara Land from Custom Administrative Services as the Right-To-Know Officer for Tunkhannock Township. Seconded by Supervisor Ewald, after comments and questions were heard the motion passed unanimously.

PEMA (PA Emergency Management Agency) requires a basic Plan review, and promulgation every two (2) years, along with a functional checklist review. A motion by Supervisor Sterner to adopt Resolution 2010-186 Implementing the National Incident Management System two (2) year review and promulgation required by PEMA. Supervisor Ewald seconded the motion, there being no comments or questions the motion passed unanimously.

David Sanko, Executive Director of PSATS asked that all municipalities prepare for the upcoming House Local Government Committee hearings on August 17, and 18th that will discuss anti-township legislation, including Senate Bill 1357 & House Bill 2431. Supervisor Sterner motioned to adopt Resolution 2010-185, opposing anti Township legislation making community based local government unconstitutional and giving counties oversight of all municipal operations. Supervisor DePiano seconded the

motion, there being no comments or questions the motion passed unanimously.

Blight remediation – SB900, the Neighborhood Blight Reclamation and Revitalization Act simply gives local governments the ability to place liens against the owner's personal assets for un-remediated, blighted property and to deny municipal permits pending correction of serious violations and payment of municipal taxes and services. Supervisor Sterner motioned to support this bill and asked that Secretary Wieand send a letter to our Senator supporting this bill. Motion was seconded by Supervisor DePiano, there being no comments or questions the motion passed unanimously.

Public Library subsidy was reviewed and Supervisor Sterner noted the 9.9% budget cut that will affect us at local levels.

Neil Guidera owner of property on Route 115, PIN# 20631200762196 had a fire and the house was demolished in 2007, an escrow to place a fence around the open foundation is being held until a new house is constructed. Neil sold his property on 7/15/10 and is requesting a refund in the amount of \$500. All papers are present showing the sale to new owner Mark Fischer and all taxes have been paid. Supervisor DePiano motioned to refund Neil Guidera's fire escrow deposit in the amount of \$500, that was held as security for the opening around the foundation at Route 115 address Pin#20631200762196 ID#20/7/1/6-1. Motion seconded by Supervisor Ewald, there being no comments or questions the motion passed unanimously.

Pending:

After the July 14 meeting, Engineer Harrison was contacted to inspect the residence of Mr. Waltermeyer, Long Pond Road, PIN #20633300368956. Engineer Harrison responded with a letter dated July 30, 2010, the board reviewed the information and determined we must move forward will have solicitor Lyons check on the next legal steps to be performed.

Proposed E911 letter from Gary Hoffman, director of communication for the county was read and reviewed by Secretary Wieand. Sign specifications were noted and renaming of private streets/roads were reviewed.

PPL Roseland line was reviewed by Supervisor Sterner, comments and questions were heard from the public and Supervisor Sterner will be attending the upcoming meeting on our behalf.

No action taken on the Addendum to the conservation agreement at this time.

Reports:

Joe Warriner gave the Regional Police Report and noted we are slightly over hours, but this is monitored regularly by the chief. There were twenty seven (27) arrests this past month and the PMRP Foundation is up and running. Supervisor DePiano noted the first fund raiser for the foundation will be October 16, 2010, a golf tournament.

William Byron, EMA Coordinator reviewed the race and gave the board a copy of his review for their files. He is planning a meeting in September for the committee to review any and all information pertaining to Emergency Management.

Pat Kager, no report she wasn't present.

Maria Wieand report the TCC EIT meeting for August is canceled and rescheduled for September 9 at 4pm.

Public Comments:

Comments and questions were heard from the following: Mike Gillen, Betty Terrell-Cruz, Jim Davenport, and Diane Smith.

Secretary Wieand reminded the Board and the Public there will be a special meeting at 6pm on September 8th, held by Ceco Associates regarding the bridge on Long Pond Road at Heller's Lane. They will be reviewing the intended work on the bridge and after the meeting will present it to the board at our regular meeting.

Supervisor DePiano made a motion to adjourn. Supervisor Ewald seconded the motion. Motion passed unanimously. Meeting adjourned at 9:21 p.m.

Submitted by:

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| Approved: 09.08.2010 (MSW) |
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Maria S. Wieand
Secretary/Treasurer