

Supervisors Meeting

December 5th, 2005

The meeting was called to order at 6:30 P.M. by Chairman Ed Benkoski. Supervisors Ruth Koval and Gary Slusser were in attendance.

The **Secretary's Minutes** of November 28th were approved on a motion by Gary Slusser, seconded by Ruth Koval.

The **November Receipts** were approved on a motion by Ruth Koval, seconded by Ed Benkoski.

The **December Receipts** were approved on a motion by Ed Benkoski, seconded by Gary Slusser.

Ed Benkoski read the **2006 Proposed Budget** and made a motion to pass the budget. Ruth Koval seconded. On the vote: Mr. Benkoski – yes; Mrs. Koval – yes; Mr. Slusser – yes.

A motion was made by Ed Benkoski to pass **Resolution No. 12 of 2005** for the proposed **Purchase of the Fire Company's building on Swanson Road**. The motion was seconded by Gary Slusser. On the vote: Mr. Benkoski – yes; Mrs. Koval – yes; Mr. Slusser – yes.

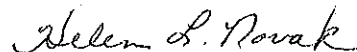
Ed Benkoski made a motion to pass **Resolution No. 13 of 2005 – 2006 Municipal Tax Levy of 0 Mils.** Gary Slusser seconded the motion. On the vote: Mr. Benkoski – yes; Mrs. Koval – yes; Mr. Slusser – yes.

Solicitor's Report: Bill Vinsko stated he would be doing a **Title Search** on the Fire Company's Property on Swanson Road.

The **Lions Club** made a request to be allowed to erect a **storage closet** that could be locked since some items seem to be disappearing. There were no objections to the request.

Mike Gatcha suggested the township send a letter of recognizing the **Bear Creek U-16 Soccer** for their winning the Division Championship.

Respectfully submitted,



Helen L. Novak,
Secretary

607459

SUPERVISORS MEETING

NOVEMBER 28TH, 2005

The meeting was called to order at 6:30 PM by Chairman Ed Benkoski. Supervisors Ruth Koval and Gary Slusser were in attendance.

The **Secretary's Minutes** of November 7th, were approved on a motion by Gary Slusser, seconded by Ruth Koval.

Resolution 11 of 2005 **Bear Creek Community Charter School** request for the placement of a plaque to honor General Paul Ambrose Oliver passed on a motion by Ruth Koval, seconded by Gary Slusser. On the vote: Mr. Benkoski – yes; Mrs. Koval – yes; Mr. Slusser – yes.

Ed Benkoski read the **2006 Proposed Budget** – which should be adopted at the December 5th meeting.

Quotes for Zoning Costs were read from Quad 3 and Pasonick were read. There will be further review prior to making a decision.

Gary Slusser read **bids** for a **Diesel Pick-up Truck/Snowplow** – Bids were received from Valley Chevrolet (\$33,399.00) and Ken Pollock (\$32,933.00). We had received gasoline powered vehicle bids previously – Valley Chevrolet (\$28,112.00) and Ken Pollock (\$27,733.00). Gary Slusser made a motion to accept Ken Pollock's Bid of \$27,733.00. The motion was seconded by Ed Benkoski. On the vote: Mr. Benkoski – yes; Mrs. Koval – abstain; Mr. Slusser – yes.

There was a discussion concerning **North Lands Trust** possible purchase of some of the **Haas Property**. Since this involves DCNR and a possible grant, the Supervisors will review the request and possibly act on it at the December 5th meeting.

Pat Cusick distributed a letter from the **Fire Company** in response to questions from the November 7th meeting.

General Fund		
Balance Forwarded	\$169,645.49	
November Receipts	37,823.02	
Interest	504.55	
November Disbursements	<u>31,814.56</u>	
GENERAL FUND TOTAL		<u>\$176,148.49</u>
		<u>-10.00 Adj</u>

Respectfully submitted,



Helen L. Novak,
Secretary

Liquid Fuel Fund		
Balance Forwarded	\$ 4,201.32	
Interest Income	<u>13.00</u>	
LIQUID FUEL FUND TOTAL		\$ 4,214.32

Capital Reserve Fund		
Balance Forwarded	\$211,815.22	
Interest Income	<u>589.90</u>	
CAPITAL RESERVE TOTAL		<u>\$212,405.12</u>

TOTAL ALL FUNDS		<u>\$392,767.93</u>
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SUPERVISORS MEETING

NOVEMBER 7TH, 2005

The meeting was called to order by Chairman Ed Benkoski at 6:30 P.M. Supervisor Gary Slusser was in attendance.

The Secretary's Minutes of October 17th were approved on a motion by Gary Slusser, seconded by Ed Benkoski.

October Receipts of \$55,946.30 were approved on a motion by Ed Benkoski, seconded by Gary Slusser.

October Disbursements of \$36,686.26 were approved on a motion by Gary Slusser, seconded by Ed Benkoski.

The Solicitor's Report included DEP Act 537 and what the township is doing in order to comply with DEP's demands. There will be visual samples taken by Frank Egenski in the Forest Park area and Llewellyn Corners. The people will be randomly selected by our Code Enforcement Officer. They sampling should be completed by December 15th.

Ordinance No. 4 of 2005 pertaining to submission to the Planning Board and the Board of Supervisors – General Procedures was passed on a motion by Ed Benkoski, seconded by Gary Slusser. On the vote: Mr. Benkoski – yes; Mr. Slusser – Yes.

Resolution No. 8 of 2005 concerning a Liquor License Transfer for the Indian Lake Inn was approved on a motion by Ed Benkoski, seconded by Gary Slusser. On the vote: Mr. Benkoski – yes; Mr. Slusser – yes.

Resolution No. 9 of 2005 – Uniform Construction Code Administrator, Building Inspection Underwriters – the motion was made by Ed Benkoski, seconded by Gary Slusser. On the vote: Mr. Benkoski – yes; Mr. Slusser – yes.

Resolution No. 10 of 2005 – Local Tax Collection Agency, Berkheimer Associates. The motion was made by Ed Benkoski, seconded by Gary Slusser. On the vote: Mr. Benkoski – yes; Mr. Slusser – yes.

Ed Benkoski read the 2006 Proposed Budget which will be available at the Municipal Building for the next 20 days.

Gary Slusser explained that we had received two bids for a new Heavy-duty Pick-up Truck with Snowplow. Bids are as follows: Valley Chevrolet = \$28,112.00 and Ken Pollock's bid was \$27,733.00. There was a discussion from the floor concerning which was a better buy – a gas powered vehicle or a diesel. Opinions varied with good and bad being cited each way.

A Motion was made by Ed Benkoski, seconded by Gary Slusser to hold a Supervisors Meeting on November 28th. On the vote: Mr. Benkoski, yes; Mr. Slusser – yes.

Respectfully submitted,



Helen L. Novak,
Secretary

607459

SUPERVISORS MEETING

OCTOBER 3RD, 2005

The meeting was called to order by Chairman Ed Benkoski at 6:30 P.M. Supervisors Ruth Koval and Gary Slusser were in attendance.

The **Secretary's Minutes of September 6th**, were approved on a motion by Gary Slusser, seconded by Ruth Koval.

September Receipts of \$44,459.22 plus interest were approved on a motion by Ruth Koval, seconded by Ed Benkoski.

September Disbursements of 54,970.82 were approved on a motion by Ed Benkoski, seconded by Gary Slusser.

Code Enforcement Report included 6 Contractor's Licenses, 12 Building Permits, Sale of 2 Zoning Books, 2 Zoning Hearings and 1 Certificate of Occupancy.

Solicitor's Report included a meeting with Senator Musto, Representatives Tighe and Yudichak relative to the **PennDOT** examination issue. They were trying to find out what could be done from a legislative standpoint to rectify that matter and to resolve any outstanding issues. He stated all three legislators are going to do what they can and we will keep in contact with them to try to resolve the matter. **Planning Board/Supervisors Ordinance** which is being reviewed by both the Planning Board and Supervisors. He also stated the Mayor of Wilkes-Barre signed the documentation with DEP to start the process for the repair of the bridges at **Trailwood Lake**.

Resolution #5-2005 - Ed Benkoski made a motion for the **Fire Company Resolution – Fire Protection Agreement**. The motion was seconded by Ruth Koval. On the vote: Mr. Benkoski -- yes; Mrs. Koval -- yes; Mr. Slusser -- yes.

Ed Benkoski explained about a meeting the supervisors had with our **Legislators** concerning the **water situation** in the area near the **PennDOT Garage**. In the event of the necessity of installing a waterline, the legislators are looking into funding for the project. Various solutions will be looked into and they will get back to us when they get the information back from the different agencies.

The low bidder on the **Pavilion Project** was Multiscape and the **on-lot sewage project** had Bognet as the low bidder. Ed Benkoski explained conventional fixtures would not be used in favor of Stainless Steel since that option was more durable. Also, he read each of the bids and made a motion to award the contracts to the low bidders. Gary Slusser seconded the motion. On the vote: Mr. Benkoski -- yes; Mrs. Koval -- yes; Mr. Slusser -- yes.

Bob Doble, Steven Shimko and George Roberts from **PennDOT** attended the meeting to explain the changes in construction on the **Meadow Run Road and Route 115** project.

Once the construction is completed, they agreed to hold a public meeting to explain the reason for the changes. **Mr. Salek** questioned the piping that was installed along Route 115 which seriously affects his property. PennDOT agreed to address that situation.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

607459

SEMI-MONTHLY SUPERVISORS MEETING

OCTOBER 17th, 2005

Chairman Ed Benkoski called the meeting to order at 6:30 P.M. Supervisors Ruth Koval and Gary Slusser were in attendance.

The **Secretary's Minutes** of **October 3rd** were approved on a motion by Gary Slusser, seconded by Ruth Koval.

Ed Benkoski read a **Letter of Resignation** he had received from **Conrad Hochreither**, Code Enforcement Officer effective at the end of October.

The Chairman asked for a motion to pass **Resolution No. 7 of 2005** addressing the **Department of Environment Protection's Act 537 Sewage Plan**. He read the motion in its entirety. Gary Slusser made the motion to pass the resolution. Ruth Koval seconded. On the vote: Mr. Benkoski – yes; Mrs. Koval – yes. Mr. Slusser – yes. This will involve the testing of approximately 35 homes in Forest Park and 16 homes in the Llewellyn Corners area that are malfunctioning and to identify the systems that can be repaired at little or no expense to the homeowner and/or which systems need to be replaced. A report is expected on or about December 15th, weather permitting.

Solicitor's Report included an **Act 537 Update**. The Update was submitted in early May, 2005 for review by DEP. This resolution is to have Mr. Egenski go out and check the current systems to identify those that are definitely malfunctioning or potential malfunctioning systems. Letters will be sent to individuals in both the Forest Park and Llewellyn Corners areas – randomly selected.

He stated there was a request by the owner of **Indian Lake Inn** has requested a **Liquor License** since the previous tenant still owns the license that was previously issued. The owner is requesting the Board of Supervisors to approve a **Resolution** so she could apply for a license. The Board has the option to approve at the next regular meeting. If there are any objections, it will be considered a public hearing at that time so that the objections can be heard. Otherwise, the Board can approve the resolution in accordance with the LCB requirements.

Atty. Vinsko also explained about the **Cingular Wireless Tower** – there was a request for a co-locator on the tower and a permit was issued in April of 2005. Cingular did not start construction until August – on August 31st, a **Stop Work Order** was issued due to a resident's complaint and after investigation into that complaint, it was deemed to be unfounded and the work was permitted to resume. On October 10th, 2005, the resident appealed the decision so that matter is going before the **Zoning Hearing Board**. Since that is beyond the 30 days, Cingular has requested that the township allow them to continue working at their own peril only because the request for appeal has come in untimely.

Mr. D'Amato asked about the sign at the **Casino Motel** – he questioned if the size of the sign was legal within our zoning. Attorney Vinsko explained that it falls within the statute of the state or within our code – our code refers to the state statute on that. It would fall under the category as the signs at Uni-Mart or Mobil on the highway.

Matt Hrabousky questioned if the Supervisors had considered his request for **Speed Limit and No Littering Signs** – Gary Slusser had informed Matt, the Supervisors, at this point, haven't discussed.

Richard Kresge of **Blossom Road** had requested time for a 10 minute statement concerning the concerns he and his family have concerning the coming and going of heavy equipment during construction of the Penobscot Wind Farm. He had many concerns that could not be addressed since the Zoning Hearing is still on-going and will continue October 27th, 2005. He was advised that was the place to start. Attorney Vinsko advised Mr. Kresge because the Board does not have this in front of them tonight, with the Board's indulgence and they have to vote on it and since you read this and we do not have a stenographer here to make this officially part of the minutes – so if you want, you could have this attached as part of the minutes, but you have to request. Mr. Kresge so requested to have the statement attached as part of the minutes. Attorney Vinsko advised Mr. Kresge that he would have an opportunity to speak at the Zoning Hearing Board – they will have a court stenographer there and you have every right to speak at the Zoning Hearing and can put it on record at the Zoning Hearing as well.

Respectfully submitted,

Helen L. Novak

Helen L. Novak, Secretary

GENERAL FUND	
Balance Forwarded	\$150,385.45
October Receipts	55,946.30
October Disbursements	<u>36,686.86</u>
GENERAL FUND BALANCE	\$169,645.49

LIQUID FUEL FUND	
Balance Forwarded	\$ 49,082.01
October Interest	119.31
Disbursements	<u>45,000.00</u> *
TOTAL LIQUID FUEL FUND	\$ 4,201.32

CAPITAL RESERVE	
Balance Forwarded	\$467,829.75
October Interest	1,135.09
Disbursements	<u>257,159.62*</u>
TOTAL CAPITAL RESERVE	<u>\$211,815.22</u>

*Paving Project – Trailwood Roads,
Small section – Pittston Blvd. &
Municipal Building & Recreation Area

TOTAL ALL FUNDS \$385,662.03

SUPERVISORS MEETING

TUESDAY, SEPT. 6TH, 2005

The meeting was called to order at 6:30 PM by Chairman Ed Benkoski. Supervisors Ruth Koval and Gary Slusser were in attendance.

Gary Slusser made a motion to accept the Minutes of August 1st. The motion was seconded by Ruth Koval.

Ed Benkoski's motion to accept the August Receipts Report of \$64,010.31 plus interest was seconded Ruth Koval.

Gary Slusser's motion to accept the August Disbursement Report of \$47,020.21 was seconded by Ed Benkoski.

Code Enforcement Report included 6 Contractor Licenses, 16 Building Permits, Sale of 4 Zoning Books/Map, 2 Zoning Hearings and 1 issuance of an Occupancy Permit for a total of \$1,617.50.

Firemen's Report from July 26 thru August 30th the fire company responded to a total of 14 calls.

Solicitor's Report – 3 issues – Ordinance of Planning Commission which was sent to members of the Planning Commission for their input before passage. We are looking into the Traffic Light issue at Route 115 and Meadow Run Road. We are also preparing the RFP for individuals or companies that submit proposals for the re-drafting of the zoning and subdivision ordinances which will be posted very shortly.

Ed Benkoski made a statement concerning the situation at Route 115 and Meadow Run Road. The township had been informed by the Contractor the construction consists of putting in 2 8' paved shoulders, 2 driving lanes and in the middle there will be an 11' turning lane. Also included in the plan is the installation of a permanent traffic light. A letter was faxed to Mr. Steve Shimko, Chief Engineer to have someone from PennDOT attend the Sept. 6th meeting. PennDOT agreed to meet with the people on September 20th.

Ed Benkoski made a motion to pass Resolution No. 6 of 2005 for payment of the Paving Contract which was awarded to Barletta. The total contract was for \$299,871.50). Payment would be forthcoming from the following accounts: Liquid Fuels - \$45,000.00 with the balance of \$254,811.50 being paid by General Fund Capital Reserve Account.

Gary Slusser seconded the motion. On the vote: Mr. Benkoski – yes; Mrs. Koval – yes; Mr. Slusser – yes.

Ed Benkoski made a motion concerning Bear Creek Township's Minimum Municipal Obligation – this is based on an estimated payroll figure for the year 2005.

Respectfully submitted,

Helen L. Novak

Helen L. Novak, Secretary

GENERAL FUND	
Balance Forwarded	\$160,489.57
September Receipts	44,866.70
September Disbursement	<u>54,970.82</u>
BALANCE GENERAL FUND	\$150,385.45

LIQUID FUEL FUND	
Balance Forwarded	\$ 62,353.40
September Interest	141.49
Disbursements	<u>13,412.88</u>
BALANCE LIQUID FUEL FUND	\$ 49,082.01

CAPITAL RESERVE	
Balance Forwarded	\$466,659.54
September Interest	<u>1,180.21</u>
BALANCE CAPITAL RESERVE	<u>\$467,839.75</u>

TOTAL ALL FUNDS	<u>\$667,307.21</u>
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607459

SUPERVISORS MEETING

AUGUST 1ST, 2005

The meeting was called to order at 6:35 P.M. by Chairman Ed Benkoski. Supervisors Ruth Koval and Gary Slusser were in attendance.

The Secretary's Minutes of July 5th, were approved on a motion by Gary Slusser, seconded by Ed Benkoski.

July Receipts of \$21,986.42 + Interest were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

July Disbursements of \$66,605.87 were approved on a motion by Gary Slusser, seconded by Ed Benkoski.

Code Enforcement Report included 8 Contractor's Licenses, 16 Building Permits, Sale of Zoning Books and Certificates of Occupancy.

Solicitor's Report included the request from the Planning Board that anyone submitting plans for a subdivision would have to act on the Board's approval within one year - otherwise the plans would have to be resubmitted. He also explained he was working on a Resolution for the Trailwood Lake Road.

Gary Slusser made a motion to award the Paving Contract to Barletta Materials & Construction, Inc. on their bid of \$299,871.50. The motion was seconded by Ed Benkoski. On the vote: Mr. Benkoski - yes; Mrs. Koval - yes; Mr. Slusser - yes.

Ed Benkoski made a motion to approve the Gruver Minor Subdivision what had been granted temporary approval by the Planning Board at their July 18 meeting. The Planning Board had listed 5 conditions which had to be met prior to final approval. It was determined the 5 conditions had been met so final approval was given on a motion by Ed Benkoski, seconded by Gary Slusser. On the vote: Mr. Benkoski - yes; Mrs. Koval - yes; Mr. Slusser - yes.

Ed Benkoski announced the Luzerne County Commissioners would be holding their September 7th meeting at 5:00 P.M. at our building.

GENERAL FUND	
Balance Forwarded	\$142,331.30
August Receipts	65,178.48
August Disbursements	<u>47,020.21</u>
GENERAL FUND BALANCE	\$160,489.57

LIQUID FUELS	
Balance Forwarded	\$ 62,188.80
Interest Income	<u>164.60</u>
LIQUID FUELS BALANCE	\$ 62,353.40

CAPITAL RESERVE FUND	
Balance Forwarded	\$465,439.04
Interest Income	<u>1,220.50</u>
CAPITAL RESERVE BALANCE	\$466,659.54

TOTAL ALL FUNDS	<u>689,502.51</u>
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Respectfully submitted,
Helen L. Novak
 Helen L. Novak,
 Secretary

SUPERVISORS MEETING

JULY 5TH, 2005

The meeting was called to order by Chairman Ed Benkoski at 6:30 PM. Supervisors Ruth Koval and Gary Slusser were in attendance.

The Secretary's Minutes of June 9th were approved as presented on a motion by Gary Slusser, seconded by Ruth Koval.

June Receipts of \$140,356.38 were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

June Disbursements of \$66,709.30 were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

Code Enforcement's Report included 17 Contractor's Licenses, 17 Building Permits, 2 sale of Zoning Books, 3 Hearing Fees and 3 Certificates of Occupancy.

Fire Company's Report from April 27th through June 28th included the following calls: 11 MVA's, 4 Structure Fires, 2 Car Fires, 9 Brush Fires, 5 Mutual Aid, 2 downed wires.

Solicitor's Report included answering a request for the Right-to-Know from an attorney on Energy Unlimited which wanted to know if they had submitted anything. They did not. He stated that Energy Unlimited wanted to meet with Pasonick Energy probably to file some type of submission. They meeting is scheduled for July 6th and the solicitor will be attending the meeting.

He also stated he was recommending to the Board, a "conflict" building code official since Pasonick is an Engineering firm -- he prepared a Resolution for a "temporary or conflict officer.

Resolution 4-2005 naming Frank Kratz as Conflict Building Code Official and Inspector fee to be determined by the Board of Supervisors, was passed on a motion by Gary Slusser, seconded by Ruth Koval. On the vote: Mr. Benkoski - yes; Mrs. Koval - yes; Mr. Slusser - yes.

Bids for the 2005 Paving Project were opened and read by Gary Slusser. Bids received were as follows: Pennsy.Supply, DBA Slusser Brothers - \$361,675.00; Locust Ridge Quarry - \$359,819.00 and Barletta Materials - \$299,871.50.

GENERAL FUND	
Balance Forwarded	\$186,574.17
July Receipts	22,363.00
July Disbursements	<u>66,605.87</u>
Total General Fund	\$142,331.30

LIQUID FUELS	
Balance Forwarded	\$ 62,034.81
July Interest	<u>153.99</u>
Total Liquid Fuels	\$ 62,188.80

CAPITAL RESERVE	
Balance Forwarded	\$463,432.43
July Interest	<u>1,006.61</u>
Total Capital Reserve	\$465,439.04

TOTAL ALL FUNDS \$669,959.14

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

607459

SUPERVISORS MEETING

MAY 2ND, 2005

The meeting was called to order by Chairman Ed Benkoski. Supervisors Ruth Koval and Gary Slusser were in attendance.

The **Secretary's Minutes** of April 4th, 2005 – were approved on a motion by Ruth Koval, seconded by Ed Benkoski.

April Receipts of \$20,395.64 + Interest were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

April Disbursements of \$38,990.44 were approved on a motion by Ed Benkoski, seconded by Gary Slusser.

Code Enforcement's Report included 10 Contractors Licenses, 15 Building Permits, 1 Zoning Book Sale and 1 Occupancy Permit for a total of \$1,655.50.

Firemen's Report included 5 MVA, 2 Structures, 2 Mutual Aid, 3 Forest & Ground Cover and 1 Vehicle Fire.

Solicitor's Report: There has been no word on the Act 537 Plan – we are still awaiting word on that from DEP. The American Asphalt litigation answer has been filed by the defendants and we are deciding on our next course of action. We had a request under the Right-to-Know Act for Energy Unlimited's information – everything was provided to legal council and legal council feels that everything was done appropriately by Energy Unlimited and Bear Creek Township Zoning and Planing Boards and Board of Supervisors.

Ed Benkoski read a letter from the **Bear Creek Volunteer Hose Company** requesting the use of the recreation area for their **Annual Bazaar** on **August 12th** and **August 13th**. The area is available on those dates and has been so noted.

Because of the **ice storm** we experienced in January, Ed Benkoski contacted DEP concerning a **controlled burning** in order to help the residents get rid of that debris – we were turned down. We have to continue "chipping" and we are using a Chipper loaned to us by the City of Wilkes-Barre. Residents will be notified we will accept the branches at a designed area behind the Municipal Building and he explained that residents are taking the chips for landscaping.

Ed Benkoski explained we did have **perc tests** at the recreation area and both passed to where we could put a conventional system rather than a turkey mound. After we receive the reports from the Sewage Enforcement Officer, we will get information on what needs to be done to have the system installed.

Ed Benkoski introduced Dr. Klemow to the audience to explain his environmental studies at the Penobscot Wind Farm Site. There was a lengthy discussion following Dr. Klemow's presentation.

Respectfully submitted,

Helen L. Novak

Helen L. Novak, Secretary

GENERAL FUND		
Beginning Balance	\$93,573.94	
May Receipts	39,016.60	
May Disbursements	<u>19,767.32</u>	
TOTAL GENERAL FUND		\$112,823.22
LIQUID FUELS		
Beginning Balance	\$61,766.72	
May Interest	<u>132.71</u>	
TOTAL LIQUID FUELS		\$ 61,899.43
CAPITAL RESERVE		
Beginning Balance	\$462,395.42	
May Interest	<u>1,947.79</u>	
TOTAL CAPITAL RESERVE		\$463,443.21
TOTAL ALL FUNDS		<u>\$537,165.85</u>

607459

SUPERVISORS MEETING

THURSDAY, JUNE 9TH, 2005

Note: Regularly scheduled meeting of Monday, June 6th was postponed due to a lack of quorum.

Ed Benkoski, Chairman, called the meeting to order at 6:30 P.M. Supervisors Ruth Koval and Gary Slusser were in attendance.

The Secretary's Minutes of May 2nd, 2005 were approved as presented on a motion by Gary Slusser, seconded by Ruth Koval.

May Receipts of \$39,016.60 were approved on a motion by Ruth Koval, seconded by Ed Benkoski.

May Disbursement of \$19,767.32 were approved on a motion by Ed Benkoski, seconded by Gary Slusser.

Code Enforcement May Report included various permits for a total of \$2,020.00.

Solicitor's Report included working on the DEP Act 537 Plan – making preparations for that and working on interrogatories on American Asphalt litigation and working on researching for the Planning Commission in regard to the 2 acre information and the zoning code.

Ed Benkoski read a letter we received from PennDOT regarding a meeting which will be held at our building on June 21st, 2005 at 7 P.M. The meeting will include representatives from DEP, PennDOT and the PA Department of Health. This is to be an informational meeting to update residents on the ongoing investigation of the contamination at the PennDOT Maintenance Building on Bear Creek Boulevard.

The Chairman read a letter from Ron Knorr, Chairman of the Planning Board. It was a letter of resignation. The resignation was regretfully accepted.

Gary Slusser made a motion to appoint Ed Benkoski to the Planning Board to fill the vacancy. Ed Benkoski seconded the motion. On the vote: Mr. Benkoski – yes; Mrs. Koval – No, I believe it's a conflict of interest; Mr. Slusser – yes. Rose Andrews took exception to Ed Benkoski being appointed to the Board. She felt that it was illegal for Ed to have seconded the motion.

Willard Kresge discussed the problem he is concerned about with a neighbor's tree. He stated the tree was split and he felt it was in danger of falling. Since the tree is slanted toward his home and if the tree came down, it would cause damage to his home or perhaps a person. Conrad Hochreiter felt the tree was in danger of falling. Bill Vinsko advised Conrad to send a letter to the neighbor voicing the concerns of the people involved.

Street Lights have been placed at various locations in the Laurelbrook Estates Development as well as one on Laurel Run Road and one on Pittston Boulevard. There was a lengthy discussion concerning the placement of the light on Pittston Boulevard. Matt Hrabousky questioned why one had not been placed on Hill Crest Road where there is a lot of dumping occurring. He felt the placement of a street light would help curtail the dumping.

Tonette Schatzel questioned the legality of the shooting that is taking place near her property. Ed Benkoski advised her to fill out a complaint form and Conrad Hochreiter would handle the problem.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

GENERAL FUND	
Balance Forwarded	\$112,823.22
June Receipts	140,460.25
June Disbursements	<u>66,709.30</u>
TOTAL GENERAL FUND	\$186,574.17

LIQUID FUELS	
Balance Forwarded	\$ 61,899.43
June Interest	<u>135.38</u>
TOTAL LIQUID FUELS	62,034.81

CAPITAL RESERVE	
Balance Forwarded	\$463,443.21
June Interest	<u>989.22</u>
TOTAL CAPITAL RESERVE	<u>464,432.43</u>

TOTAL ALL FUNDS	<u>\$713,041.41</u>
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SUPERVISORS MEETING

APRIL 4th, 2005

The meeting was called to order by Chairman Ed Benkoski. Supervisor Ruth Koval was in attendance.

The Secretary's Minutes of March 7th, 2005 were approved on a motion by Ed Benkoski, seconded by Ruth Koval – Ruth questioned the Solicitor's Report stating we are in the process of resolving the lawsuit – she wanted to know if that meant the American Asphalt Lawsuit. Bill Vinsko explained it was a matter of finalizing the paperwork.

March Receipts of \$37,207.40 + Interest were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

March Disbursements of \$24,428.75 were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

Code Enforcement Report included 5 Contractors Licenses, 3 Building Permits, Sale of 5 Zoning Books and a Zoning Hearing for a total of \$1,072.00.

Firemen's Report: They responded to 9 calls for the month – Motor Vehicle Accidents – 6, Structure Fires – 2 and Carbon Monoxide Alarms – 1.

Solicitor's Report: There was a request under The Right-to-Know Act for Energy Unlimited information. The request was made by an attorney from Scranton.

Community Energy: Asking for approval of the Planning Commission Preliminary Approval – for the placing a wind turbine on the Banazek Property - Ed Benkoski made a motion that they accept this on the recommendation of the Planning Board – Ruth Koval seconded the motion. On the vote: Mr. Benkoski – yes; Mrs. Koval – yes.

Kenzakoski Subdivision: Randy Howard presented the subdivision plans for the Kenzakoski Subdivision. The Planning Board had given preliminary approval – Ed Benkoski made a motion to accept the subdivision on the recommendation of the Planning Board – on the vote: Mr. Benkoski – yes; Mrs. Koval – yes.

There was a lengthy discussion concerning Energy Unlimited's Penobscot Mountain Wind Farm Project off the Laurel Run Road near Crystal Lake. There were Pro's and Con's concerning the project – other discussion will be held at future meetings.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

GENERAL FUND	
Balance Forwarded	\$111,986.15
Receipts	20,591.33
Disbursements	<u>38,003.54</u>
Total General Fund	\$ 93,573.94

LIQUID FUEL FUND	
Balance Forwarded	4,863.12
Allocation	56,875.57
Interest	<u>873.24</u>
Total Liquid Fuel	\$ 61,766.72

CAPITAL RESERVE	
Balance Forwarded	\$461,522.18
Interest	<u>873.24</u>
Total Capital Reserve	\$462,395.42

TOTAL ALL FUNDS \$617,736.08
April, 2005

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SUPERVISORS MEETING

MARCH 7th, 2005

The meeting was called to order by Chairman Ed Benkoski at 6:30 PM. Supervisors Ruth Koval and Gary Slusser were in attendance.

The **Secretary's Minutes of February 3rd** as presented on a motion by Gary Slusser, seconded by Ruth Koval.

Receipts for February of \$33,836.50 were approved on a motion by Gary Slusser, seconded by Ed Benkoski.

Disbursements for February of \$41,218.80 were approved (pending Audit) on a motion by Gary Slusser, seconded by Ed Benkoski.

Code Enforcement Report included 4 Contractor's Licenses, 1 Building Permit and 4 Occupancy Permits.

Fire Company Report includes 6 Motor Vehicle Accidents, 1 Auto Alarm Structure Fire and 2 Tractor-Trailer Fires.

Solicitor's Report: Attorney Vinsko explained we are in the process of resolving the lawsuit.

Dave Shadle representing **Community Energy** presented the information which the Planning Board had requested upon issuing their preliminary approval to Community Energy's request for moving one turbine to another location. The wind turbines in that area remains at 13. The Board had determined that Community Energy had met the 3 stipulations the Planning Board had placed when granting preliminary approval. Ed Benkoski made a motion for Final Approval -- motion was seconded by Gary Slusser. On the vote: Mr. Benkoski -- yes; Mrs. Koval -- yes; Mr. Slusser -- yes.

Verizon had applied for a **Conditional Use** for their present **Telecommunication Facility** located off the Laurel Run Road. The Planning Board had given preliminary approval at their February meeting with the stipulation the two existing towers be removed after the installation of the new tower and the Surveyor's Seal be added to the Plan. There was a lengthy presentation and after review the Board by unanimous vote approved the Conditional Use Application. Motion to grant this was made by Gary Slusser, seconded by Ruth Koval. On the vote: Mr. Benkoski -- yes; Mrs. Koval -- yes, Mr. Slusser -- yes.

Resolution 3-2005 to allow **Berkheimer** the right to impose and retain costs of collection of delinquent taxes was enacted on a motion by Ed Benkoski, seconded by Ruth Koval. On the vote: Mr. Benkoski -- yes; Mrs. Koval -- yes; Mr. Slusser -- yes.

Ordinance 1-2005 -- to establish an interest bearing, **Wind Fund Account** was approved on a motion by Ed Benkoski, seconded by Gary Slusser. On the vote: Mr. Benkoski -- yes; Mrs. Koval -- yes; Mr. Slusser -- yes.

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Ordinance 2-2005 – setting forth requirements for **Pave Cuts** was approved on a motion by Ed Benkoski, seconded by Ruth Koval. On the vote: Mr. Benkoski – yes; Mrs. Koval – yes; Mr. Slusser – yes.

Ordinance 3-3005 – Curative Amendment for creating an **Industrial Zone** in order to control the placement of a Methadone Treatment Facility or BYOB Clubs. There was a discussion concerning this. There is a Public Meeting scheduled for March 10th, 2005 for further discussion and, perhaps, adoption. Ed Benkoski explained the creation of this zone is not to encourage industrial development but to simply control it.

There was a discussion concerning the testing of the area near the **Pole Barn** where some of the dumping from the **PennDOT** garage occurred. Gary Slusser explained the testing will be completed when there is a break in the weather. Rachel Miller, DEP representative, was at the site from her investigation, did not feel there was a problem.

Henry D'Amato expressed his concern about materials which are still on the **PennDOT Property**. Ed Benkoski explained that he had been in contact with Greg Augustine and is awaiting a reply from him concerning the problems at the garage.

Ed Benkoski stated he had been advised that almost all the homes that possibly were affected by the problems at PennDOT have had bottled water delivered and also a **Water Filtration System installed** (which is a more permanent solution). There was one resident who refused to have any testing done on their property and another where an agreement could not be reached but hopefully that one would be resolved within the next week or so.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

GENERAL FUND		
Balance Forwarded	\$ 98,218.94	
March Receipts	38,195.96	
March Disbursements	<u>24,428.75</u>	
TOTAL GENERAL FUND		\$111,986.15
LIQUID FUEL FUND		
Balance Forwarded	\$ 4,854.14	
Interest Income	<u>8.98</u>	
TOTAL LIQUID FUEL FUND		\$ 4,863.12
CAPITAL RESERVE		
Balance Forwarded	\$460,650.59	
Interest Income	<u>871.59</u>	
TOTAL CAPITAL RESERVE		\$461,522.18
TOTAL ALL FUNDS		<u>\$578,371.45</u>

SUPERVISORS MEETING

FEBRUARY 7th, 2005

Chairman Ed Benkoski called the meeting to order at 6:30 P.M. Supervisors Ruth Koval and Gary Slusser were in attendance.

The Secretary's Minutes of January 17th were approved as presented on a motion by Gary Slusser, seconded by Ruth Koval.

January Receipts of \$29,507.63 were approved on a motion by Ruth Koval, seconded by Ed Benkoski.

January Disbursements of \$96,050.69 were approved on a motion by Gary Slusser, seconded by Ed Benkoski.

Code Enforcement Report included 18 Contractor Licenses, 2 Building Permits, 1 Sale of Zoning Book and 1 Planning Board Conditional Use Hearing.

Solicitor's Report: Bill Vinsko stated the report on Act 537 had been presented to DEP and we are awaiting a response from them.

Dan Warner requested the township adopt the Francis Walter Dam Road for 911 purposes. The addresses on that road are presently listed as White Haven Road. The road will be known as Walter Dam Road

Rose Andrews questioned if we had received the \$50,000.00 Grant for the new truck. Ed Benkoski explained the grant had not been received yet, however we have been assured by Representative Tigue that we would be receiving it.

Fire Company: Chris Keats questioned when they would be receiving any of the millage payments from the township.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

GENERAL FUND		
Balance Forwarded	\$105,601.24	
February Receipts	33,836.50	
February Disbursements	<u>41,218.80</u>	
TOTAL GENERAL FUND		\$ 98,218.94
LIQUID FUEL FUND		
Balance Forwarded	\$ 4,846.56	
Interest Income	<u>7.58</u>	
TOTAL LIQUID FUEL FUND		\$ 4,854.14
CAPITAL RESERVE		
Balance Forwarded	\$459,893.15	
Interest Income	<u>757.44</u>	
TOTAL CAPITAL RESERVE		<u>\$460,650.59</u>
TOTAL ALL FUNDS		<u>\$563,723.67</u>

2005 REORGANIZATION MEETING

JANUARY 4TH, 2005

Ed Benkoski informed the people in attendance that this meeting would be a **Reorganization Meeting** only. The regular Supervisors Meeting would be held January 17th, 2005 at 6:30 P.M.

The meeting was called to order by Ed Benkoski at 6:30 P.M. Supervisor Gary Slusser was in attendance.

All positions were declared vacant. Gary Slusser was appointed Temporary Chairman and Ed Benkoski was appointed Temporary Secretary.

Gary Slusser made a motion to appoint **Ed Benkoski as Chairman**. Motion was seconded by Ed Benkoski.

Ed Benkoski made the following motions for appointments – each motion was seconded by Gary Slusser. A vote was taken for each appointment – on the votes: Mr. Benkoski – yes; Mr. Slusser – yes.

Ruth Koval	Vice-Chairman
Gary Slusser	Roadmaster
Helen Novak	Secretary/Treasurer
Conrad Hochreiter	Code Enforcement Officer*
Frank Egenski	Sewage Enforcement Officer
Brian Egenski	Alternate SEO

Gary Slusser made the following motions for appointments – each motion was seconded by Ed Benkoski. A vote was taken for each appointment – on the votes: Mr. Benkoski – yes; Mr. Slusser – yes.

Pasonick Engineering	Engineer
David Roberts	EMA
Solicitor/Board of Supervisors	Atty. William Vinsko
Solicitor/Planning Board	Atty. William Vinsko
Solicitor/ Zoning Hearing	Atty. Angelo Terrana
Regular Meeting Time 6:30 P.M.	
Semi-Monthly Meeting	Discontinued (except for January 17 th which would be the regular meeting for the month of January)**
Planning Board Secretary	Denise Clark
Zoning Hearing Board Secretary	Denise Clark
Planning Board	Ronald Knorr
Zoning Hearing Board	Jeffrey Stewart
Vacancy Board	Edward Walsh
Convention Voting Delegate	Ruth Koval
Depository General Fund	PNC Bank

Ed Benkoski made the following motions – each motion was seconded by Gary Slusser. A vote was taken on each motion. On the vote: Mr. Benkoski – yes; Mr. Slusser – yes.

Have all supervisors sign checks and necessary bank papers.

Pay mileage as per state requirements for township business.

To pay any outstanding 2004 bills.

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There was a discussion held concerning the non-reappointment of Joseph Andrews as Code Enforcement Officer.

*There was a discussion concerning the discontinuance of the Semi-Monthly Meetings.

Respectfully submitted,

Helen L. Novak
Secretary

Supervisors Meeting

January 17th, 2005

Chairman Ed Benkoski called the meeting to order at 6:30 P.M. Supervisors Ruth Koval and Garry Slusser were in attendance.

The Secretary's Minutes of January 4th were approved as presented on a motion by Gary Slusser, seconded by Ed Benkoski.

December Receipts of \$43,166.78 were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

December Disbursements of \$52,575.21 were approved on a motion by Ed Benkoski, seconded by Gary Slusser.

The Code Enforcement Officer's Report included 45 Contractor's Licenses; 1 Building Permit; 3 Zoning Book Sales; 3 Certificates of Occupancy, 1 Demolition Permit and 1 fine for a total of \$6,245.00.

Ed Benkoski's motion to approved the **Black Bear Pass minor adjustment** of the back line of Lot 1 – which had been approved by the Planning Board – was seconded by Gary Slusser.

Rose Andrews questioned Gary Slusser about any documentation he had concerning Joe Andrews not being re-appointed as Code Enforcement Officer. She had several other questions and statements which were not included as part of the agenda.

Nancy DeMark had questioned if anything was being done concerning the water run-off problem on their property and about the property with an in-ground pool that has no fence around it. Conrad Hochreiter will meet with Mr. DeMark on Wednesday, Jan. 19th to review the situation.

Bonnie Wasilewski questioned if anything had been done concerning contaminated soil being dumped on our property by PennDOT. Gary Slusser stated the area was going to be tested but he did not feel there was a problem. The testing would be done as soon as there is a break in the weather.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

GENERAL FUND		
Balance Forwarded	\$172,144.40	
January Receipts	29,507.53	
January Disbursements	<u>96,050.69</u>	
TOTAL GENERAL FUND		\$105,601.24
LIQUID FUEL FUND		
Balance Forwarded	\$ 4,838.78	
Interest Income	<u>7.78</u>	
TOTAL LIQUID FUELS		\$ 4,846.56
CAPITAL RESERVE		
Balance Forwarded	\$459,099.31	
Interest Income	<u>793.84</u>	
TOTAL CAPITAL RESERVE		<u>\$459,893.15</u>
TOTAL ALL FUNDS		<u>\$570,340.95</u>

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