

Bear Creek Township Board of Supervisors Reorganization Meeting of January 2, 2007 and Regular Monthly Meeting of January 2, 2007 convened at 7:00pm at the Bear Creek Township Municipal Building at 3333 Bear Creek Boulevard, Bear Creek Township. Chairperson Bonnie Wasilewski presided with Supervisor Ruth Koval in attendance. Supervisor Gary Slusser absent.

Chairperson Wasilewski declared all positions vacant appointing the following:

Temporary Chairman:	Ruth Koval
Temporary Secretary:	Bonnie J. Wasilewski
Chairman:	Ruth Koval
Vice chairman	Gary Slusser
Roadmaster;	Ruth Koval
FT Secretary/Treasurer:	Paulette Yenchik
Sewage Enforcement Officer:	Frank Egenski
Alternate:	Brian Egenski/Steven Egenski
Engineer:	Pasonick Engineers
Solicitor/Board of Supervisors:	William Vinsko
Solicitor/Planning Board:	William Vinsko
Solicitor/Zoning Hearing Board:	Angela Terrana
Regular Meeting Time:	7:00PM
Planning Board Secretary:	Denise Clark
Zoning Hearing Board Secretary:	Denise Clark
Planning Board Appointment:	Richard Kresge for a 4 year Term
Zoning Board Appointment:	Michael Rebovich for a 3 year Term
Vacancy Board Appointment:	Michael Gober
Convention Voting Delegate:	Bonnie J. Wasilewski
Depository General Fund:	PNC Bank

A motion to approve the following vacancies was made by Ruth Koval and second by Bonnie J. Wasilewski. (Vote: Wasilewski = yes, Koval = yes, Slusser = absent).

A motion to have all supervisors sign checks and necessary bank papers; pay mileage rate of 48.5 as per state requirement for Township business; to reimburse Supervisors wages at their regular rate of pay in accordance with section 602, 607 (4) 1401 and 1402 of Township code was made by Bonnie J. Wasilewski and second by Ruth Koval. (Vote: Wasilewski = yes, Koval = yes, Slusser = absent).

Public Comment:

Mark Petlock commented on Supervisors and Solicitor getting microphone and an elevated stage, copies of minutes and bills prior to meeting, sewers and SEO, budget with public input, health care to employee only and not covering supervisors. Dave Salata spoke on Health Care and EMS Tax; Ted Carl Act 537, Waste Water management and Sewage Enforcement Officer, update on Pavilion. Patricia Moore requested update on burning Ordinance and commented on Act 537. Mr. William Haas submitted a letter regarding Energy Unlimited and Wind Turbines surrounding Crystal Lake in Bear Creek Township that was submitted to the Bear Creek Pulse but was not published. Jim Smith questions the hold on ACT 537 and what is the process. Attorney Vinsko addressed that issue. Miscellaneous comments from residents included Building Inspectors and violation fines and how they are handled, lengthy discussions on SEO. Public commented that Act 537 should be the #1 topic update on the Agenda. Carl Kresge questioned the OWB Ordinance and who it applies to. Is there a special exception or grandfathered to preexisting outdoor wood burners.

Update:

Tom Susko of Community Energy updated the public on Kilowatt hours and noted that he had 1 visitor to the site, reported incidents that have occurred since his last update, and the Life span of a Turbine.

Agenda Items:

- Resolution #1 extending the Contract with Building Inspection Underwriters to December 31, 2007 as Third Party Administrator of the Uniform Construction code commencing January 1, 2007 and ending on December 31, 2007 and shall revert to a month to month contract thereafter. A Motion was made by Bonnie Wasilewski and second by Ruth Koval. (Vote: Koval = yes, Wasilewski = yes, Slusser = absent).
- Resolution #2 authorizing the advertisement for a Certified Public Accountant to prepare the 2006 Audit. A motion was made by Bonnie J. Wasilewski and second by Ruth Koval. (Vote: Koval = yes, Wasilewski = yes, Slusser = absent).
- Resolution #3 Establishing the Fee Schedule for 2007. A motion was made by Bonnie J. Wasilewski and second by Ruth Koval. (Vote: Koval = yes, Wasilewski = yes, Slusser = absent).

During a lengthy discussion from the public regarding the Sewage Enforcement Officers reappointment a motion was made by Bonnie J. Wasilewski and second by Ruth Koval to hold off appointing the Sewage Enforcement Officer and 2 alternates until they present themselves at a Regular Supervisors Meeting and explain why they issued a Holding Tank to Community Energy in Bear Creek Township and not abiding by Bear Creek Township Ordinance. (Vote: Koval = yes, Wasilewski = yes, Slusser = absent).

- A motion was made by Ruth Koval and second by Bonnie J. Wasilewski to approve the December 4, 2006 and the December 11, 2006 meeting minutes. (Vote: Koval = yes, Wasilewski = yes, Slusser = absent).
- A motion was made by Ruth Koval and second by Bonnie J. Wasilewski to approve expenditures and receipts of December 2006 subject to audit. (Vote: Koval = yes, Wasilewski = yes, Slusser = absent).

Zoning Officer gave a report of 38 Contractor Licenses, 10 building Permits, 2 Certificate of Occupancy Permits, 1 Zoning Permit for December 2006.

Solicitors Report:

Attorney William Vinsko updated the residents on Energy Unlimited appeal of December 11, 2006 in Commonwealth Court; Trailwood Lake Bridge; Community Energy, and Act 537 and the need for a Soil Scientist. He also gave an update on Laurel Brook Estates regarding no building permits for the development until they are in compliance with Luzerne County Conservation District requirements.

Roadmasters Report:

Ruth Koval reported on Branch removal, vandalism of street signs on Old East End Boulevard, destruction in Trailwood Park field and FE Walter Dam area, dumpster issues and the Township flag.

Old Business:

Recycling update was not available due to the absence of Mr. Slusser. Bear Creek Township Website is trying to get more information available on line as soon as possible but need time to change old reports that have been updated.

Correspondence:

- A letter from Gil Longwell regarding Community Energy meeting Act 537.
- A letter from Catholic Social Services stating that there is help available for the public who was hit by the recent flooding. Contact phone # 822-7118
- Letter from PennDot regarding the proposed Water distribution system.

- Two response letters of December 8, 2006 and December 18, 2006 from the Department of Transportation regarding PA 115 at turnpike Exit Ramps, PA 115 at White Haven Road, PA 115 at Bear Creek charter School and White Haven Road at Francis Walter Dam traffic concerns.
- A letter from Hilary Palencar regarding Postal Services at the Orloski UniMart Plaza and potential funding available for this lease.

The Auditor's reorganization meeting will take place on January 3, 2007 at 6:00pm at the Township Municipal Building.

The next Supervisor's Regular Monthly meeting will be on February 5, 2007 at 7:00pm at the Township Municipal Building.

A motion was made by Ruth Koval and second by Bonnie J. Wasilewski at 9:00pm to adjourn the meeting.

Respectfully Submitted by

Paulette S. Yenchik
Secretary for Board of Supervisors

Regular Meeting

February 5th, 2007

The regular meeting of the Bear Creek Township **Board of Supervisors** was held at 7:00 PM February 5th, 2007 at the Municipal Building located at 3333 Bear Creek Blvd., Bear Creek Township. Chairperson Ruth Koval presided with Supervisor Bonnie Wasilewski and Vice Chairman Gary Slusser in attendance. Salute to the flag followed.

The agenda items were announced and a public comment period was held at the beginning of the meeting.

- Resolution #6 --- A Resolution Appointing Bonita & Rainey as Accountants to Conduct the 2006 Audit was approved with a motion made by Gary Slusser, a second by Ruth Koval. (Vote: Koval = Yes, Wasilewski = Yes, Slusser = Yes)
- Resolution # 7 --- A Resolution To Authorize the Payment of the Proceeds Collected by the EMS Tax for 2007 to be Distributed to the Bear Creek Township Volunteer Fire Department was approved with a motion made by Bonnie Wasilewski, a second by Gary Slusser. (Vote: Slusser = Yes, Koval = Yes, Wasilewski = Yes)
- Resolution #8 --- A Resolution of the Governing Board of Bear Creek Township, Luzerne County, Pennsylvania, Authorizing, Empowering and Directing the Proper Officers of the Governing Board to Appointed Collector of Bear Creek Township for the District, for the Express Purpose of Sharing Confidential Tax Information with the District for Official Purposes was approved with a motion made by Bonnie Wasilewski, a second by Ruth Koval. (Vote: Koval = Yes, Slusser = Yes, Wasilewski = Yes)
- Resolution #9 --- A Resolution to Approve the Williams Subdivision was approved with a motion made by Bonnie Wasilewski, a second by Ruth Koval. (Vote: Koval = Yes, Slusser = Yes, Wasilewski = Yes)

PUBLIC COMMENT:

Robert Southward regarding Laurel Brooks roadways, performance bond, building permits and media located at entrance way of Laurel Brooks Estates.

Jeannie Haas regarding a letter written but not published in the Pulse. She wanted the community to know that she is not "anti-wind, anti-green and handed her letter regarding her concerns to the general public.

Ted Carl regarding SEO, septic system at Community Energy wind park.

Pat Moore regarding building codes, ATV and importance of documentation

John Fazzi regarding building permits, contract agreements and unity as a three person board.

Rose Andrews regarding building on two acres, procedures regarding permits and resolutions to wind park project.

Carl Kresge regarding SEO, Act 537 and permits

Lengthy discussion was held regarding the above issues with participation from the supervisors and solicitor.

Presentation

The Bald Mountain Wind farm provided information on a decrease in Kilowatts, 2 Generators failed as well as a gear box on T-9, a weekly flyer from Babcock & Brown regarding "Global Warming", and a report on CFL Lights.

- APPROVAL OF MINUTES: A motion was made by Bonnie Wasilewski, a second by Ruth Koval to approve the minutes of the January 2007 Supervisors Meeting. (Vote: Koval = Yes, Slusser = Abstain, Wasilewski = Yes)
- APPROVAL OF EXPENDITURES: A motion was made by Bonnie Wasilewski to approve the January 2007 Expenditures and a second by Ruth Koval. (Vote: Koval = Yes, Slusser = Abstain, Wasilewski = Yes)
- APPROVAL OF RECEIPTS: A motion was made by Bonnie Wasilewski to approve the January 2007 receipts pending audit, as second by Ruth Koval. (Vote: Koval = Yes, Slusser = Yes, Wasilewski = yes)

Solicitors Report:

Energy Unlimited: No ruling todate.

Benkoski complaint: Judges Briefings to be forwarded to Commonwealth Court Luzerne County Boundaries and Districts-Attorney discussed the maps forward district are to stay the same.

Benkoski/Carl complaint-Attorney Vinsko stated he will represent the township in an advisory capacity. The insurance company will handle this matter.

Act 537- at the present time the township is soliciting for proposals for Act 537. We have until late March to answer briefs.

Community Energy. Attorney Vinsko has been in contact with CE and at the present time waiting to resolve this issue with the new owners.

ROADMASTER REPORT: Mrs. Koval updated the board regarding the roads and equipment, recent storms and water conditions.

FIRE COMPANY REPORTS: Mrs. Koval read fire company report.

RECYCLING...Mr. Slusser stated that everything has been prepared and submitted and we should hear the results with 5 to 6 months.

- Messiah Church 15th Annual 5K Run/Walk Saturday March 3 at 10 AM: A motion was made to hold the 15th Annual Bear Creek 5K run/Walk and Children's Half Mile Run on Saturday March 3rd, 2007 by Ruth Koval with a second from Bonnie Wasilewski. (Vote: Wasilewski = Yes, Slusser = Yes, Koval = Yes)
- Terrana...Zoning Board approved application for special exception/home occupation for William Reilly White Haven Road.
- Bear Creek Charter School regarding school plowing. Township plowed the school area due to the emergency for the safety of the children

Adjournment: Motion to adjourn was made by Mrs. Koval and Seconded by Mr. Slusser. Vote Unanimous.

Next township meeting March 5, 2007

Regular Meeting

March 5th, 2007

The regular meeting of the Bear Creek Township **Board of Supervisors** was held at 7:00 PM March 5th, 2007 at the Municipal Building located at 3333 Bear Creek Blvd., Bear Creek Township. Chairperson Ruth Koval presided with Vice Chairman Gary Slusser and Supervisor Bonnie Wasilewski. Salute to the flag followed.

The agenda items were announced and a public comment period was held at the beginning of the meeting.

Bald Mt Wind Park... status of operations regarding weather related issues; tax credits information for the general public and a monthly Environmental report was presented. Comments were received from Mr. Salata and Mr. Gatcha.

Lewin Property: Mr. William Bolton from Lawson Engineers inquired the status of the Lewin property regarding their application and upcoming public hearing. Attorney Vinsko address Mr. Bolton issues and advised him the he is looking for an additional few days to resolve the matter.

Aqua Water facilities: Ross Mullen and a represented informed the township a new is being installed in Forest Park. A map was presented for the township's review. Mr. Mullen was informed of the rules and regulations regarding a conditional use hearing and the township's schedules.

PUBLIC COMMENT:

Mr. T Carl: addressed concerns received from Mrs. Koval regarding an article published in the Pulse. Mr. Carl acknowledges that Mrs. Koval and Attorney Vinsko did in-fact state that Ms. Wasilewski requested time cards and various records and was not given access to all records. He would make the necessary corrections. **Pavilion**-Mrs. Koval stated a final inspected had already been completed in November. We are waiting on a response from Quad three. The project will be completed by opening day for the Baseball.

Energy Unlimited- a discussion was held regarding legal cost. Attorney Vinsko stated \$4,100 was expended to date.

Robert Southward: regarding contractors performance bond and entrance to **LAUREL BROOK Estates**

Mark Petlock: contractor fees and rising cost

Dave Salata : law suits and cost per incident

Minutes: Motion was made by Supervisor Wasilewski and Seconded by Supervisors Slusser to approve minutes as presented. Vote unanimous.

Disbursements: Motion was made by Supervisor Wasilewski and seconded by Supervisor Koval to approve disbursements as presented. Vote unanimous

Receipts: Motion was made by Supervisor Wasilewski and seconded by Slusser to approve receipts subject to audit. Vote unanimous.

Code enforcement: Mr. Andrews presented his monthly report and receipts of \$1,125.00

Solicitors Report:

Energy Unlimited: response to motion for re-argument. Also the township received state wide exposure regarding this court issue. The additional 9 are still outstanding.

Act 537- at the present time responses are being received. Approximately 30 applicants' contacted the township. The competition is great and hopefully the township will get a good price. Scope of work is to be completed within the upcoming week by the Reilly and Associates. Briefs should be completed by May.

Community Energy; a conference call was held with supervisors Slusser, the township is moving forward and the binders are now in the township building. Kratz will witness the torching within the next week. Holding tank is still an issue and we are presently trying to resolve the many concerns regarding this matter. Another conference call is schedule with Community Energy with Supervisors KOVAL and Wasilewski.

Assessment Hearing...An Assessment hearing is schedule for March 21 regarding the properties of Banasek and Lupas . Attorney Vinsko will be representing the township regarding this matter.

Supervisors Wasilewski thanked Attorney Vinsko regarding the excellent job he did representing the township in the Energy Unlimited matter. Supervisor Koval was also in agreement

ROAD MASTER REPORT...supervisor KOVAL, Road master stated the township crew did an outstanding job during the snowstorm of February 14. The township employees started at 3:30 AM and one slept in his vehicle and never made it home. The township declared a state of emergency and hired additional contractors to help with the snow removal. The township is not responsible for resident's mailboxes or clearing of driveways. Many complaints were received regarding the state highways and township roadway regarding driveways.

FIRE COMPANY...The Township will forward a check in the amount of approximately \$10,000 to the fire company from the funds for the EMS tax.

Recycling... the township is presently experience a problem with garbage being dump at the recycling site. Hopefully this matter would be resolved when we install a security system. The security system will be placed in the recreation area and the township building facilities.

HAAS...a letter was forwarded to the township from William Haas who was contacted by member of the PULSE regarding a statement he made. Mr. Haas in the letter apologized if he offended Pulse.

ATV'S...Mrs. Koval forwarded a letter to the State Police regarding a request from township residents.

Next township meeting April 2, 2007. Motion to adjourn: Ms. Wasilewski seconded by Mr. Slusser. Vote unanimous.

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APRIL 2, 2007

REGULAR MEETING

The regular meeting of the Bear Creek Township Board of Supervisors was held at 7:00 PM April 2, 2007 at the Municipal Building located at 3333 Bear Creek Blvd., Bear Creek Township. Chairperson Ruth Koval presided with Supervisors Bonnie Wasilewski and Supervisor Gary Slusser. Salute to the flag followed.

RESOLUTION 14-2007: Authorizing the proper authority to pay the deductible for Federal law suit.

RESOLUTION 15-2007: Authorizing the proper authority Esq. John Dean to defend supervisor Bonnie J Wasilewski and past secretary-treasurer Paulette Yenchik

Chairperson Ruth Koval read resolutions in full text. Discussion was held and detailed explanations were provided to the public. Comments were received from the following: Mr. Carl, Mr. Tarleton, Mr. Southward, Mr. Salata, Mr. W Kresge and Ms. Moore. Regarding the above motions.

Resolution 14-2007 Motion was made by Mrs. Koval to adopt resolution 14 in its original presentation. Ms. Wasilewski seconded the motion stating she is a defendant in the lawsuit and will benefit in a result of a positive vote. On the Vote Mr. Slusser, no Ms. Wasilewski yes, and Mrs. Koval yes. Vote passes.

Resolution 15: Ms. Koval, chair called for an executive session to discuss the pending resolution 15. Meeting was called to order.

Resolution 15- A motion was made by Mrs. Koval to hire Jack Dean Esq. for 30 days at a wage not to exceed the fees paid by insurance company and their counsel. Atty Dean is to supply the township with a fee schedule. Atty Dean would be hired for a 30 day period and can not bill for any work unless authorized by the board. Ms. Wasilewski seconded the motion stating she is a defendant in the law suit and will benefit in a result of a positive vote. On the Vote. Mr. Slusser no, Ms. Wasilewski yes and Ms. Koval yes. Vote passes.

Wind Park: Inspection made on 9, 10, 11 and 12. Mr. Kratz witnessed the torking of the bolts. He has not signed off on the occupancy permit. Mrs. Koval stated there are other pending issues that needed to be addressed along with the torking.

PUBLIC COMMENT: The following comments were received: Mr. Southward regarding performance bonds on roadways. Mr. Liem- outdoor wood burners, Ms. Moore- web site and swage updates, Mr. Carl-pavilion and Community Energy, Mr. Frank Martin-911 White Haven Pocono's fire and Mr. Thompkins-pending law suits. Mrs. Carl, wife of auditor, Ted Carl apologized to Ms. Wasilewski for her outburst stating that Ms. Wasilewski had conspired against her husband Ted Carl. Comment period was closed.

Solicitor report: Atty Vinsko stated the township is waiting for the soils scientists to complete their scope of work relating to Act 537. Environmental hearing Board judge permitted everything to proceed. Discovery has been provided to the other side at this point we are waiting for their comments.

April 2, 2007

Regular Meeting

MINUTES: Mrs. Koval moved to approve minutes from March 2007 regular meeting as presented. Seconded by Mr. Slusser. Vote Unanimous.

DISBURSEMENTS: Mrs. Koval moved to approve disbursements as presented, seconded by Mr. Slusser. Vote unanimous

RECEIPTS: Mr. Slusser moved to approve receipts subject to audit, seconded by Mrs. Koval . Vote unanimous.

AUDIT: Mr. Slusser moved to approve audit for 2006 as presented, seconded by Mrs. Koval . Vote unanimous.

PAVILION: Mrs. Koval stated cabinets have been installed and appliances have been ordered . Opening day is scheduled for April 29, 2007 for Baseball season.

ROAD MASTER: Mrs. Koval stated ditches and sign posting are underway. She thanked the township employees for an excellent job during the winter season . The ball fields are presenting being prepared for the upcoming season.

FIRE COMPANY: a check in the amount of \$10,204.06 was issued to the fire company for the 2006 EMS tax.

RECYCLING GRANT: No update

ATV: Letter was forwarded to the Pa State Police regarding complaints received from township residents regarding the ATV in the township.

Next township meeting : May 7, 2007

Respectfully submitted:

Ellen Kubaugh/ September 2007

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MAY 7, 2007

REGULAR MEETING

The regular meeting of the Bear Creek Township Board of Supervisors was held at 7:00 PM May 7, 2007 at the Municipal Building located at 3333 Bear Creek Blvd., Bear Creek Township. Chairperson Ruth Koval presided with Supervisors Bonnie Wasilewski and Supervisor Gary Slusser. Salute to the flag followed

PRESENTATIONS:

PENN DOT/115: Rom Bonacci and James Kropiownicki representatives from Penn Dot addressed the public regarding their concerns relating to the intersection of the Pennsylvania Turnpike, Rte 115 ingress and egress area of the township municipal building and adjacent properties. Mr. Bonacci stated representatives from Penn Dot along with the township supervisors met to discuss the township concerns regarding the safety along Rte 115 and the adjacent area of the turnpike. Reports were compiled and corrective studies were made to address the signing and speed along this area. A sketch was presented to the public showing some possible resolutions. Comments were made by the following: W Kresge, C Kresge, K Harbousky, M Harbousky, D Salata, E Benkoski, G Zingeretti and other township residents. Penn Dot representatives stated changes will be made to this location within the next several months and necessary changes will be altered if necessary.

NATURE CONSERVANCY: Mr. Bud Cook representative from Nature Conservancy explained the function of the Nature Conservancy. Nature Conservancy has three local areas of concern addressing the scrub oak in Dennison Twp, Hanover Twp and Bear Creek Township. Twenty-Five species of plants and animals live in the scrub oak areas of these local municipalities. Sixty per-cent of the purchased land is restricted to conservation forever with various restrictions on certain areas. Mr. Yenchik, Mrs. Andrews and Mr. Salata addressed issues relating to the Crystal Lake area, administrative compliances, deed restrictions and development. Mr. Cook informed the residents issues relating to this parcel of land are still not clear and should be ironed out in the near future.

ORDINANCE 1-2007: An Ordinance of the Board of Supervisors of the Township of Bear Creek Amending Ordinance Number 4 of 2006. Chairperson Mrs. Koval read ordinance in full text. This amendment address the time period of operation for utilization of the outdoor wood burners. Motion: Ms. Wasilewski moved to adopt Ordinance 1 of 2007 as presented, seconded by Ms. Koval. Vote unanimous. Discuss was held

BUILDING USAGE: Chairperson Mrs. Koval stated the township has received many calls regarding the use of the township building for political purposed. Mr. W. Kresge stated the request for the use of the building is not a political affair. The building is being requested by the lions club and fees are being paid. He also questioned the use of the township building for offices stating the building was acquired as a community center using a grant for Community Development. Chair Koval stated the offices were moved into the present location as result of Ms. Wasilewski's resignation as township Secretary. Mr. Benkoski stated it was an opportunity and the township took advantage of the use and the township offices were opened at their present location. A lengthy discussion was held regarding the policy and procedures relating to the permitted usage of the build and grounds.

Mrs. Koval, Chair stated the township received several complaints regarding the use of the township facilities for political purposes. She stated the residents see the sign posted in front of the building and the residents apparently feel the township is sponsoring the activity. Supervisor Wasilewski moved to adopt RESOLUTION 16-2007: a RESOLUTION PREVENTING Political use of the township municipal buildings. Chairperson Mrs. Koval read resolution 16 in full text. Motion: Ms. Wasilewski moved to adopt resolution 16-2007 as presented, seconded by Mrs. Koval. Vote: Unanimous.

SOLICITOR REPORT:

COMMUNITY ENERGY: Atty Vinsko stated he met with new owners Babcock & Brown to discuss pending issues on the wind mill project on Bald Mt Road. Supervisor Wasilewski instructed Atty Vinsko to contact the new owners and reschedule the meeting when it was convenient for all three supervisors to attend after four due to their work schedules. Atty Vinsko would contact the owners as requested.

ACT 537: DEP asked for an extension and briefs are being prepared. A new schedule would be sometime in July or August. Atty Vinsko also discussed the soil scientist role and felt that spending the money on these studies will not resolve the issue at hand. He also stated he had engineering contacts that would volunteer their expert advice to assist the Board. He would address this matter with the supervisors.

DISBURSEMENTS: Mrs. Koval moved to approve disbursements as presented, seconded by Mr. Slusser. Vote unanimous

RECEIPTS: Mr. Slusser moved to approve receipts subject to audit, seconded by Mrs. Koval. Vote unanimous.

ROAD MASTER REPORT: Mrs. Koval stated fields were cut; potholes patched in the White Haven Pocono's area and clean up on Pike Road. The Board would be meeting with the township engineer to discuss the White Haven Pocono's paving project scheduled for late summer of 2007.

FIRE CO: First allocation of \$10,000 was approved for disbursement. White Haven Pocono's request a review of the Mutual aid in their area.

ATV: Letter was received from Pa State Police regarding the township's request for assistance. They would have patrol in the area as requested.

RIGHT OF WAYS: Matt and Karen Harbousky asked the board to review the right of way on Hill Crest road and also street lighting in that area.

GYPSY MOTH: The Township contact Luzerne county regarding funding for spraying in Bear Creek Township. There are no funds available at this time. Residents could contact private contractors.

PA GROWING GREENER: Wright Township request of support from our township. All were in agreement to forward the correspondence.

TOWNSHIP MEETING: June 4, 2007

Motion to adjourn: Mr. Slusser moved to adjourn, seconded by Ms. Wasilewski. Vote unanimous

Respectfully submitted

Ellen Kubaugh-September 2007

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JUNE SUPERVISORS MEETING

BEAR CREEK TOWNSHIP SUPERVISORS

DATE: THURSDAY, JUNE 14, 2007 @ 6:00 P.M.

**LOCATION: BEAR CREEK TOWNSHIP MUNICIPAL BUILDING
BEAR CREEK, PA.**

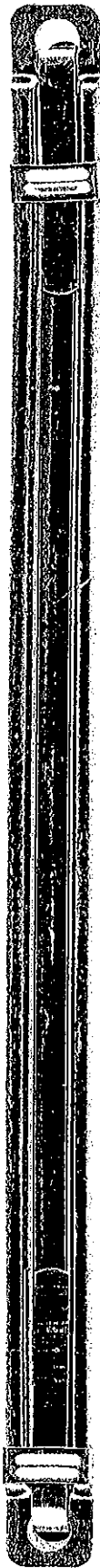
1. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
2. LEWIN ZONING CHANGE – PUBLIC HEARING
3. GENERAL MEETING

APPEARANCES:

RUTH KOVAL	CHAIRWOMAN
GARY SLUSSER	BOARD MEMBER
BONNIE WASILEWSKI	BOARD MEMBER
JACK VARALEY	BOARD MEMBER
ATTY. WILLIAM VINSKO	SOLICITOR
DIANE BROWN	STANDING COMMISSIONER

DIANE BROWN
204 TULIP RD.
HARVEYS LAKE, PA. 18618

570-639-1724



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JULY SUPERVISORS MEETING
BEAR CREEK TOWNSHIP SUPERVISORS

DATE: MONDAY, JULY 2, 2007

LOCATION: BEAR CREEK TOWNSHIP MUNICIPAL BUILDING
BEAR CREEK, PA.

- 1. BALD MOUNTAIN WIND FARM
- 2. RESOLUTION 17 – MINIMUM WAGE STANDARDS
- 3. LEWIN SUBDIVISION
- 4. AQUA WATER – WELL – CONDITIONAL USE

APPEARANCES:

RUTH KOVAL	CHAIRWOMAN
GARY SLUSSER	BOARD MEMBER
BONNIE WASILEWSKI	BOARD MEMBER
JACK VARALEY	BOARD MEMBER
ATTY. WILLIAM VINSKO	SOLICITOR
DIANE BROWN	STANDING COMMISSIONER

DIANE BROWN
 204 TULIP RD.
 HARVEYS LAKE, PA. 18618
 570-639-1724

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SUPERVISORS' MEETING**August 6, 2007**

The regular meeting of the Board of Supervisors of Bear Creek Township was held on August 6, 2007, commencing at 7:00 p.m. in the Municipal Building located at 3333 Bear Creek Boulevard, Bear Creek Township. Chairperson, Ruth Koval, presided with Vice Chairman, Gary Slusser and Supervisor, Bonnie Wasilewski. Salute to the Flag followed.

BALD MT. WIND PARK: Todd Soliday, representative, updated the public regarding monthly production. Questions from the audience were addressed regarding general maintenance on equipment, road, environmental effect on animals and past oil spill.

PUBLIC COMMENT: Ed Benkoski: Lion's Club request for use of pavilion. Mrs. Koval, Chairperson stated her concerns regarding the food and supplies in the pavilion. She spoke to Attorney Vinsko and we will address a policy in the near future regarding use of the facility. Ms. Wasilewski stated a liquor license is required if serving alcohol. She also stated a certificate of insurance would be required for use of the facility. Ms. Wasilewski expressed her concern relating to the use of the facility during recreational activities and the childrens' safety.

Mr. Joseph Sperazza stated he was a witness to a fight that broke out during the fireman's bazaar. Thirty boys approached an individual and the shovel did not come out until later. Mrs. Koval asked him if he reported it to the state police. Mr. Sperazza addressed an issue regarding the home next to the Bear Creek Charter School and his concerns between the two property owners.

WILLARD KRESGE: He asked the Supervisors if they were aware of a grant from the gaming commission. Mrs. Koval stated we received the papers and we are working on it.

JEFF BUGNO: He addressed the Board regarding property owned by a member of his family on which a trailer is placed. He contacted the code enforcement officer and was not satisfied with his response. Attorney Vinsko asked to meet with them after the meeting to discuss the matter.

Mrs. Koval closed public comment.

PAVING PROJECT: Mrs. Koval stated bids were opened for paving of the White Haven roads. The following bids were received: Pennsy Supply - \$435,434; Pike's Creek Contractors - \$550,633.75; Barletta Materials - \$425,698.75; and Franzosa Trucking - \$519,370. The bids were tabled for review.

DISBURSEMENT: Motion to approve as submitted made by Mrs. Koval and second by Ms. Wasilewski. Vote to approve. Slusser – yes, Wasilewski – yes, Koval – yes.

RECEIPTS: Motion to approve receipts subject to audit by Mrs. Koval, second by Mr. Slusser. Vote: Mr. Slusser – yes, Ms. Wasilewski – yes and Mrs. Koval – yes.

SUPERVISOR'S MEETING**August 6, 2007**

CODE ENFORCEMENT OFFICER: Mr. Andrews, Code Enforcement, reported \$3,786 local fees and \$2,311.62 BUI fees. Total fees collected for July \$6,097.62.

SOLICITOR'S REPORT: Energy Unlimited: Status pending, no update. Act 537: An extension was requested, waiting for a resolution on the motion. Conover complaint: A total of \$18,000 settlement of which \$14,000 Township share. The Township will review the area of concern and submit a report. Community Energy: Working on a resolution for a final approval.

FIRE COMPANY: Mrs. Koval read monthly report as follows: 4 MVA, 1 active fire alarm, 1 bush fire, 1 tree down, 1 assist Laurel Run, 1 EMS assist, 1 Turnpike, and 1 search. Mrs. Koval thanked all who supported and assisted with the fireman's bazaar.

TREASURER: A motion was made by Ms. Wasilewski and second by Mrs. Koval to appoint Paulette Pietrezkoski as Treasurer for Bear Creek Township. Vote: Mr. Slusser – yes, Mrs. Koval – yes, and Ms. Wasilewski – yes.

MEETING SECRETARY: Motion was made by Mr. Slusser and second by Ms. Wasilewski to appoint Ellen Kubaugh as Secretary for the Bear Creek Township Supervisors and the Bear Creek Township Zoning Hearing Board monthly meetings. Vote: Mrs. Koval – yes, Ms. Wasilewski – yes, and Mr. Slusser – yes. Mrs. Koval stated Ms. Wasilewski would continue to assist both new personnel in order to bring them aboard in their capacity as Treasurer/Secretary.

RECYCLING: Mr. Slusser updated the board regarding progress on the grant.

PENN DOT ROADWAYS: Ms. Wasilewski read a letter received from PennDot on the following roadways: White Haven Road at Francis Walter Dam Road. The signing revealed that there are no intersection warning signs currently installed in this vicinity. As a result of the review, the Department will install the necessary signs on both approaches.

PA115 AT BEAR CREEK CHARTER SCHOOL. Our review of existing signs revealed school 15 mph sign must be removed or have an hours panel installed. School crossing sign is no longer an approved sign. The proper sign to be installed is a "school area sign". The primary concern for this section of roadway is speeding which can readily be addressed through strict enforcement by the police.

NEXT SCHEDULED MEETING: Monday, September 10, 2007 at 7:00 p.m.

MOTION TO ADJOURN: Made by Mr. Slusser and seconded by Ms. Wasilewski. Vote unanimous.

608763

Regular Meeting

September 10, 2007

The regular meeting of the Bear Creek Township Board of Supervisors was held at 7:00 PM September 10, 2007 at the Municipal Building located at 3333 Bear Creek Blvd., Bear Creek Township. Chairperson Ruth Koval presided with Supervisor Bonnie Wasilewski. Supervisor Gary Slusser was absent. Salute to the flag followed with a moment of silence for the sixth anniversary of the September 11th national towers tragedy.

Bald Mt Wind Park... No representative was present due to a scheduling issue.

PUBLIC COMMENT:

Mr. Mark Petlock Laurel Run Road address the following issues: Zoning Permits for signs, Trailwood Park and safety concerns

Mr. Terry Tunn a resident of Laurel Brooks Estates presented a petition requesting installation of speed bumps in the Laurel Brooks Estates roadways. A discussion was held and referred to the township solicitor.

Joseph Sperazza Meadow Run Road addressed the board on various concerns regarding violations of township rules and regulations involving zoning. Supervisor Wasilewski instructed Mr. Sperazza to contact the code enforcement officer and file the necessary formal complaints. Chair Supervisor Koval asked Mr. Sperazza if he confronted township employee Mr. English last month by blowing his horn and flashing his lights in order to stop road employee English. Mr. Sperazza admitted he did and a discussion was held.

Rodger Southward Laurel Brooks Estates address the board regarding signs, roadways and traffic fines. Attorney Vinsko address some of Mr. Southward's concerns.

Chair Koval closed the public comment period.

Minutes: Motion was made by Supervisor Wasilewski and Seconded by Supervisor Koval to approve minutes of April thru August 6th as presented. Vote unanimous.

Disbursements: Motion was made by Supervisor Koval and seconded by Supervisor Wasilewski to approve disbursements as presented. Vote unanimous Supervisor Koval stated the fire company allocation \$18,000 was included in the disbursements.

Receipts: Motion was made by Supervisor Koval and seconded by Wasilewski to approve receipts subject to audit. Vote unanimous.

Code enforcement: Mr. Andrews presented his monthly report and receipts of \$3,608.00

SOLICITORS REPORT: Energy Unlimited appeal is still pending. A conference was held with Judge Conahan and representative attorneys' from Energy Unlimited. A discussion was held and Supervisor Wasilewski asked why our attorney attended a meeting with the local courts to discuss a matter that was already in a higher court. Attorney Vinsko updated the board regarding this matter. ACT 537- deadline October 31 for briefs. All documents are being gathered and a hearing would be scheduled sometime in January 2008. Community Energy- (Babcock) Attorney Vinsko stated Mr. Saliday updated all reports to finalization the necessary papers to acquire a occupancy permit. Benkoski Appeal-no progress to date. Outdoor Wood Burner- an appeal has been filed and the township is preparing the necessary briefs.

ROADMASTER- Mrs. Koval- Roadmaster stated she contacted the plumber who installed the septic system at the pavilion due to the toilets and urinals . This problem is still not resolved . School lights have been inspected and activated. Vehicle repairs have been made and most have been completed in house by township employees. Damage to mail boxes. Recycling bins are being abused and the board is presently contacting DEP and the county regarding the pending grant.

September 10, 2007

Regular Meeting

PAVING- Motion was made by Supervisor Koval and seconded by Supervisor Wasilewski to award contract to Barletta construction in the amount of \$291,660.75 which cover Alternates 1,2,3 and 4. Vote unanimous. Supervisor Wasilewski moved to hire Pasonick Engineers to prepare the necessary specifications to complete White Haven roads and other roadways throughout the township. Specifications would be necessary in order to apply for funding thru the gambling funds available in the near future. Motion was seconded by Mrs. Koval . Vote unanimous.

SCOUT PROJECT. Frank Armont Jr Eagle Scout, is preparing a sign as his project for the recreational area.

Security System... Supervisor Koval stated the Board is presently working on the pending issue regarding safety and security system for the township recreation field and parking area .

October 1, 2007 next township meeting.

Respectfully submitted

608763

Approved 1/7/08

SUPERVISORS' MEETING

October 1, 2007

The regular meeting of the Board of Supervisors of Bear Creek Township was held on October 1, 2007, commencing at 7:00 p.m. in the Municipal Building located at 3333 Bear Creek Boulevard, Bear Creek Township. Chairperson, Ruth Koval, presided with Supervisor, Gary Slusser and Supervisor, Bonnie Wasilewski. Salute to the Flag followed.

BALD MT. WIND PARK: Todd Soliday, representative, updated the public regarding monthly production. Major maintenance, which involved shaft bearings being replaced on turbines 4 and 7; and 18-month routine services.

PUBLIC COMMENT:

JOE SPERAZZA: Requested resignation of Zoning Officer. Supervisor Wasilewski suggested that was a personnel matter and not open for discussion to the public. Discussion followed as to who may entertain request of Zoning Officer resignation. Attorney Vinsko responded that public may make a request to the Board about issues that concern the Township, but Supervisors are not required to respond or make determination because it is personnel matter. Suggestions were made to submit request in writing with regard to specific concerns.

TED CARL: Road sign on Route 115 is still there. Attorney Vinsko stated measures are being put in to place to protect ordinance and a discussion was held. Mr. Carl suggested that updates are needed on the Township Web Site. A lengthy discussion was held regarding enforcement of Act 537 and wastewater management committees. Mr. Carl questioned the Supervisors as to when all of the problems regarding the pavilion would be resolved. A discussion was held in reference to meetings held with the plumber and Supervisor Koval. Supervisor Slusser stated he would call Quad 3.

LAUREL ~~RUN~~^{BROOK} SPEED BUMPS: Attorney Vinsko stated Township does have right and authority to establish speed bumps. However, engineering and traffic studies are required under the Statute 75 PA CSA 6109. Discretion of Board of Supervisors to have studies done.

WILLARD KRESGE: Mr. Kresge requested an update on a recycling program. Supervisor Slusser stated that in October of 2006 he put in requisition for three dumpsters and has not received response as of yet. Supervisor Slusser stated he would resubmit this requisition. A discussion was held as to the various expenses and solutions. Mr. Kresge questioned whether the Township has applied for gambling funds. Supervisor Koval stated she has requested and would be sent information relative to applying for the gambling funds. Mr. Kresge suggests recycling would be a good use for gambling funds. A discussion followed as to what the gambling funds would be used for. Mr. Kresge suggested that they look into increasing pressure of the flush valve to solve the plumbing problem in the pavilion.

SUPERVISORS' MEETING

October 1, 2007

DONNA PIAZZA: A sex offender is residing in motels very close to charter school. She contacted Megan's law and state police to inform them of the offender.

JIM SMITH: Sources have revealed that the offender has moved out of the area.

Chair Supervisor Koval closed public comment.

MINUTES: Motion was made by Supervisor Wasilewski and seconded by Supervisor Koval to approve minutes of September 10, 2007. Vote: Supervisor Koval – yes; Supervisor Slusser – abstain; Supervisor Wasilewski – yes. Vote passes.

DISBURSEMENTS: Motion was made by Supervisor Koval and seconded by Supervisor Wasilewski to approve disbursements as presented. Vote: Supervisor Koval – yes; Supervisor Slusser – abstain; Supervisor Wasilewski – yes. Vote passes.

RECEIPTS: Motion was made by Supervisor Koval and seconded by Supervisor Wasilewski to approve receipts subject to audit. Vote: Supervisor Wasilewski – yes; Supervisor Koval – yes; Supervisor Slusser – abstain. Vote passes.

CODE ENFORCEMENT OFFICER: Mr. Andrews, Code Enforcement, presented his monthly report and receipts of \$4,075.30.

SOLICITOR'S REPORT: Energy Unlimited: No change. Act 537: Responsive Motions are due at the end of October 2007. Community Energy Wind Farm: Babcock and Brown would like to alleviate the matter of the permits that were issued for the operations and maintenance building and holding tank. If they pay a \$1,500 fine (under the Board's approval only), they still have to come before the Planning Board for final approval of the plans. Paying the fine of \$1,500 does not make the permits that were issued legal. If they prove the permits are legal, they do not have to pay the fine. Supervisor Slusser made a motion to approve payment of the fine and proceed before planning board. Motion dies for lack of second.

Mrs. Andrews questioned the issuance of a permit for holding tank at Bald Mountain Wind Farm. A discussion was held. Mr. Kresge explained a holding tank in detail.

It was decided that a meeting with Mr. Soliday, Babcock & Brown and the Board would be scheduled to try to resolve the matter. The meeting would have to be scheduled after 4:00 p.m. to accommodate schedules.

ROADMASTER'S REPORT: There was a discussion held regarding the soccer fields, pavilion doors and bathrooms; dumpsite, dumpsters, appliances, anti-skid and salt. Job well done on road sweeping.

SUPERVISORS' MEETING

October 1, 2007

FIRE COMPANY REPORT:

PASONICK ENGINEERING: Motion was made by Supervisor Wasilewski and seconded by Supervisor Koval to enter into agreement for professional planning services between Bear Creek Township and Pasonick Engineering (\$70.00 per hour). Pasonick will serve as the administrator for the ordinance. Vote: Supervisor Koval -- yes; Supervisor Slusser -- no; Supervisor Wasilewski. Vote passes.

OLD BUSINESS: Donna Piazza questioned the legality of wood burning. Attorney Vinsko stated he would be able to update that at the next meeting. Supervisor Koval stated that Eagle Scout Frank Armont did an excellent job on his recreation sign for the park.

NEXT SCHEDULED MEETING: Monday, November 5, 2007 at 7:00 p.m.

MOTION TO ADJOURN: Made by Supervisor Wasilewski and seconded by Supervisor Koval. Vote unanimous.

Respectfully submitted,

Ellen Kubaugh,
Secretary

October 2007

NOVEMBER 12, 2007

REGULAR MEETING

Approved
1/7/08

The regular meeting of the Bear Creek Township Board of Supervisors was held at 7:00 PM November 12, 2007 at the Municipal Building located at 3333 Bear Creek Blvd., Bear Creek Township. Vice Chairman Gary Slusser presided with Supervisor Bonnie J Wasilewski. Mrs. Koval was absent due to a scheduled family obligation. Salute to flag followed.

Wind Park ... Representative Todd Saliday reported the 18 months cycle maintenance is presently underway at this point four have been completed

SUBDIVISION... Haas subdivision was submitted for final review. Motion to approve Haas subdivision was made by Mr. Slusser and seconded by Ms. Wasilewski. Vote Unanimous.

HOCKREITER : Motion to extend Hockreiter subdivision to February 15 was made by Mr. Slusser and Seconded by Ms. Wasilewski. Vote unanimous.

AQUA PA... Atty Vinsko stated the Planning Board recommended approval subject to the DEP permit. Confirmation of closure completed. Atty Vinsko gave options to the Board regarding action on this matter. Ms Wasilewski stated Mrs .Koval has concerns regarding this matter. The next meeting is December 13 . Motion to extend review for 45 was made by Mr. Slusser and seconded by Ms. Wasilewski.

PUBLIC COMMENT....

Mr. Kollar Laurel Run Road... an appeal has been filed regarding the Outdoor wood burner. Mr. Kollar asked why this matter was not a public vote. Attorney Vinsko stated due to the time restraints which fell outside the public meeting, the board can have an executive session and take necessary action. Attorney Vinsko explained the steps taken by the Board as permitted by law. The action needs to be ratified. A motion was made by Ms. Wasilewski to ratify the decision to proceed with the Kollar complaint and appeal. Motion was seconded by Mr Slusser.

Disbursements... Motion made by Mr Slusser to approve disbursements as presented. Seconded by Ms. Wasilewski. Vote unanimous

Receipts... Motion made by Mr. Slusser to approve receipts subject to audit. Seconded by Ms. Wasilewski. Vote unanimous

ZONING OFFICER... Total 1,740.00 local permits and 1,415.68 new constructions for the month of October.

Solicitors report... Energy Unilinted-Pa court denied their appeal. Act 537 – hearing early next year.

Recycling... Waiting for grant update. No decision to date.

BEAR CREEK VILLAGE BOROUGH... Mr. Slusser stated a letter was received from the Village regarding concerns of asbestos in the nursing home structure that was scheduled for burning by the fire company. Ed Jasulevicz stated the fire company used the structure for training and no burn at this point.

SIGN REMOVAL... Letter was received from Kwak regarding a sign removed from his property. Attorney Vinsko stated he responded to Kwak concerns.

Community Development...Mr. Slusser stated the township would be participating in the grant program with Community Development for an 110,000 grant for roads.

Gaming Grant...A meeting is scheduled for local communities to discuss the steps necessary for submission of grant applications.

White Haven Roads...Mr. Slusser explained the grant moneys received by the township regarding the payment for the paving of the roadways. He also explained the Luzerne Foundation grant program.

Motion to adjourn was made by Ms. Wasilewski and Seconded by Mr.Slusser. Vote unanimous.

BEAR CREEK TOWNSHIP
BOARD OF SUPERVISORS

DECEMBER 13, 2007

REGULAR MEETING

The regular meeting of the Bear Creek Township Board of Supervisors was held at 7:00 PM December 13, 2007 at the Municipal Building located at 3333 Bear Creek Blvd., Bear Creek Township. Chairperson Ruth Ann Koval presided with Supervisors Bonnie J Wasilewski and Gary Slusser . Salute to flag followed.

Pa Game Commission...Representative from the Pa Game Commission Jerry Kapfield presented a certificate of appreciated to the township for providing the township facility building to the game commission for education purpose regarding hunter's safety training in 2007. Hopefully this will be a yearly activity.

Executive Session: Mrs. Koval stated an executive session was held in order to update the supervisors and the newly elected official on pending legal action. Attorney Vinsko has prepared copies of updates for all board members along with packets for the newly elected officials.

RESOLUTION 30-2007: Resolution for submission of application to DCED under the local share account program. Motion made by Ms. Wasilewski and seconded by Mr. Slusser. Vote Unanimous.

RESOLUTION 31-2007: resolution for extension requested by Aqua Pa for an extension until February 12, 2008. Motion made by Mrs. Koval, seconded by Mr. Slusser. On the Vote: Ms. Wasilewski abstained, Mr. Slusser yes, and Mrs. Koval yes

PUBLIC COMMENT:

GRANT FROM GAMBLING PROGRAM. Mrs. Koval stated we are applying for roads, culverts, truck and comprehensive plan. We also have a pending project waiting for funding under the recycling program. She stated the present system is being abused. Recycling is not one of the priorities on the gaming funding list. A lengthy discussion was held. Ms. Wasilewski stated the township is presently working on a security system to install on township property and the recycling area. The township received donations from the Haas family for the recycling and security system.

RECREATION/CULTURE Question regarding the 2008 budget and the recreation funds for 2008. Ms. Wasilewski stated the township is hoping that the money we received from Community Development can be used for expansion of the recreation facility. The Township submitted requests for recreation and roadway improvements. Ms. Wasilewski gave a full breakdown regarding the funds.

DISBURSEMENTS: Motion was made by Mrs. Koval and seconded by Mr. Slusser to accept disbursements as presented. Vote unanimous

RECEIPTS: Motion was made by Mrs. Koval and seconded by Mr. Slusser to approve receipts subject to audit. Vote unanimous.

ACT 537 final brief have been filed. CONOVER was order to sign the settlement agreement and will end the case.

ROAD MASTER REPORT: Mrs. Koval stated the road crew salted and cinder roads, building winterized, furnaces serviced and the recycling area were clear and cleaned.

WHITE HAVEN POCONO'S; Letter of thank you from the residents regarding our most recent project.

BUDGET: motion to accept proposed budget of 2008 was made by Mrs. Koval. (Ms. Wasilewski stated one change in the EMS, additional estimated revenue \$ 9, 600.00 for EMS Total 603,650.00,) Ms. Wasilewski seconded the motion. Comment on the motion: explanation of categories, reasoning of line items, total of entire budget, suggestions were given regarding other ways to prepare budget and how to use transfers. A lengthy discussion was held. Ms. Wasilewski attempted to explain the municipal accounting systems to the general public. The Board addressed questions from Mr. Kresge, Mr. Carl, Mr. Southward and Mr. Rosenkos regarding the budget receipts and expenditures. Mr. Kresge requested a line item explanation of all other funds. Ms. Wasilewski stated this can be done as soon as the township hires a secretary because we don't have one at the present time and have not had one since March of 2007. Ms. Wasilewski stated the township has a surplus of \$9,600. In addition we have a surplus balance securities and investments from general funds of nearly \$225,000.00. On the Vote. Mr. Slusser, No, Mrs. Koval yes, and Ms. Wasilewski yes.

Motion to adjourn was made by Mr. Slusser and seconded by Mrs. Koval. Vote unanimous yes.

BEAR CREEK TOWNSHIP
BOARD OF SUPERVISORS