

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Municipal Building at 3333 Bear Creek Blvd. Chairman Zingaretti called the meeting to order. Roll was called. Mr. Masi, Ms Wasilewski, Mrs. Koval and Mr. Zingaretti were present. The salute to the flag followed.

**MINUTES:** Minutes from the January 4, 2010 Reorganization meeting were reviewed and a motion was made by Ms Wasilewski to accept, seconded by Mr. Masi. Vote: unanimous yes.

**MINUTES:** Minutes from the January 4, 2010 regular meeting were reviewed and a motion was made by Ms Wasilewski to accept, seconded by Mr. Masi. Vote: unanimous yes.

The treasurer's report for January 2010 was read by Mr. Zingaretti.

**RECEIPTS:** Income for the month of January was \$21,910.31. Motion to approve the December receipts, subject to audit was made by Mrs. Koval, seconded by Mr. Masi. Vote: Mr. Masi, yes; Ms Wasilewski, no; Mrs. Koval, yes; and Mr. Zingaretti, yes.

**DISBURSEMENTS:** Expenses for the month of January were \$30,934.88. Motion to approve, subject to audit was made by Mr. Masi, seconded by Mrs. Koval. Vote: Mr. Masi, yes; Ms Wasilewski, no; Mrs. Koval, yes; and Mr. Zingaretti, yes.

**FIRE DEPT REPORT:** 16 Calls for the month of January 2010 were reported: 13 motor vehicle accidents, 1 structure fire and 2 assists.

**WIND FARM:** Mr. Zingaretti read the report for the Bald Mountain Wind Farm. For the month of January 2010 production was 7341M Wh, site availability was 94%.

**ACT 537 PLAN:** Reilly Associates are in the process of finalizing a plan for the Boards review which we anticipate will be delivered to the Board in the second week of February. Discussion will begin with Plains Twp Sewer Authority over reserving capacity in their sewer system should we interconnect with them. The draft plan must be submitted to the township and county planning commissions for review and comment and there will be a 30 day public comment period. There is a meeting February 12, 2010 at the Plains Twp Sewer Authority that Reilly would like the Supervisors to attend.

**ZONING OFFICER'S REPORT:** Mr. Andrews' reported for the month of January that there were 17 contractor's licenses, 2 building permits, and 1 occupancy/demolition permit for a total of \$2300.00.

**ROAD MASTER REPORT:** Mrs. Koval reported the road crew plowed and cindered as needed, took care of the recycling, did shop work, removed trees and branches from the roads as needed, put together listing of all road signs in the township and took care of water problem on Old East End Blvd.

**OPEN RECORDS REPORT:** Mr. Masi reported that no new open records requests were received in January.

**PLANNING BOARD RECOMMENDATIONS:** None.

**ORDINANCES AND RESOLUTIONS:**

**SOLICITOR'S REPORT:** Attorney Vinsko reported:

**Concini litigation-**Mrs. Concini contacted the township recently concerning water issues on her property. Since this matter is heating up it will be addressed at an executive session

**Aqua PA-** Amended complaint has yet to be filed. Matter will be discussed further at an executive session.

**Development Agreement-** Met with Attorney Bishop. He is waiting for his clients to confirm whether they want any discovery on the preliminary objections that were filed. Deadline was last Friday therefore the court was asked to schedule the oral argument to resolve the preliminary objections. Once that is done the property will be in the hands of the township and then the issue will be the valuation. There is also an offer on the table to purchase the property for an amount near the appraised value which they have not responded to.

**OLD BUSINESS:**

Mr. Zingaretti went through a list of items left open from last meeting that the Board, Secretary or Solicitor was to follow up on and what the present status of each item is at this time.

- \*Website updates for newly elected officials completed by Mr. Zingaretti
- \*Notice letters to individuals who were appointed or not reappointed were drafted by Mr. Zingaretti.
- \*Lions Club storage notice of general terms/conditions handled by Atty. Vinsko.
- \*Advertisement for CPA completed on 1/11/10 by Mrs. Weihbrecht.
- \*Berkheimer Per Capita tax overpayment by Berkheimer to Bear Creek Twp. was handled by Mr. Smith and Mrs. Weihbrecht

A motion was made by Ms Wasilewski to release the funds that were due to Berkheimer from an overpayment made to Bear Creek Twp for Per Capita tax, seconded by Mrs. Koval. Vote: unanimous yes.

- \*Berkheimer contract language change will remain on the list for the next meeting
- \*Benkoski federal case; fee recovery handled by Atty. Vinsko
- \*Benkoski county case; insurance recovery handled by Ms Wasilewski and Atty. Vinsko.

- \*Zoning Map project specs and deliverables being handled by Mr. Masi.
- \*Proposed Murphy land donation process letter handled by Atty. Vinsko.
- \*Proposed Murphy land donation Act 537 value. No volunteer to handle but Reilly Associates believe it may have some value.
- \*Resolutions 5 & 6 revisions handled by Atty. Vinsko.

### **CORRESPONDENCE/NEW BUSINESS:**

#### **Easter Egg Hunt:**

A request was made by the Bear Creek Foundation to use the Recreation fields and the community meeting room for their Easter Egg Hunt to be held on March 27, 2010.

#### **Bear Creek Charter School Crisis Management Facility Request:**

A request was made by the Bear Creek Charter School to use the township community meeting room for a period of time as needed, to provide a communications center and a central meeting place for parents of students who have been evacuated from the school during emergency situations.

A motion was made by Ms Wasilewski to approve the execution of the Memorandum of Understanding with the Bear Creek Community Charter School for purposes of their Crisis Management Plan, seconded by Mrs. Koval. Vote: unanimous yes.

#### **Liquid Fuels Audit:**

There were no finding in the receipts/spending on our Liquid Fuels account.

#### **Natural Lands Trust:**

Mr. Zingaretti introduced Joe Vinton, manager for the Natural Lands Trust and a full time employee at the Bear Creek Preserve.

#### **Appointments:**

Ms Wasilewski made a motion to vacate the position of Primary Sewage Enforcement Officer, seconded by Mrs. Koval. Vote unanimous yes.

Ms Wasilewski made a motion to appoint Frank Egenski as Primary Sewage Enforcement Officer, seconded by Mr. Masi. Vote unanimous yes.

A motion was made Ms Wasilewski to appoint Karen Kollar as Planning Board Secretary, seconded by Mrs. Koval. Vote: unanimous yes.

### **PUBLIC COMMENT:**

Mrs. Koval announced that the Lions Club was accepting supplies, food and donations for the SPCA and these items can be dropped of at the Township Office.

**Denise Rogan**- Asked Mr. Zingaretti the status of how things were progressing concerning the safety issues on Route 115. Mr. Zingaretti announced that there was a meeting scheduled for Thursday with PennDOT, the three legislators' representatives and the Pennsylvania State Police. They will present to us their short term fix, beyond what they have already done with the speed minders, signs and additional state police coverage. They also plan to present their long term solutions for improving safety on Route 115.

Mr. Zingaretti also explained that we have had since December a pending grant application for approximately \$600,000.00 to do some safety improvement projects. This project was named the Route 115 Safety Corridor.

Denise Rogan suggested that the Turnpike Commission should also be a part of this upcoming meeting since many problems are from the tractor trailers exiting the turnpike onto Route 115. She also suggested that the signage needs to be better on the turnpike and on the exit leading out to Route 115.

Denise Rogan asked if the meeting on Thursday would be open to the public. Mr. Zingaretti said he felt it was probably not open to the public but if it is, he would get the word out to everyone.

Denise Rogan also commented that she believes the speed minders are working but the weather condition signs need to be turned off or have the messages changed to reflect the current conditions.

**Roger Southward**-Asked for an update on the legislation that would require municipalities that don't have their own police force to pay for state police coverage. Mr. Zingaretti noted that there is several different versions of the legislation circulating. At this point there is nothing solid.

**Steve Moon**- Asked if the police would continue to be a stronger presence on Route 115 and wanted to know how we were going to go about lowering the speed limit. Mr. Zingaretti explained that at this point we requested a lower speed limit on an emergency basis only and that traffic studies would have to be done before it would be considered on a permanent basis.

**Heather Mosley**-Also expressed concern over safety on Route 115 but not only from the turnpike going down the mountain but going south bound where people use the turn only lanes to pass other vehicles.

**Henry D'Amato**-Had concerns about traffic coming off of the turnpike and safety concerns trying to enter and exit the plaza across from the turnpike exit.

**Roger Southward**-Had safety concerns for the people trying to enter and exit Laurel Brook Estates. He felt with there being no turn lane at the entrance of Laurel Brook people were in danger from the traffic approaching from behind.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Ms Wasilewski.  
Vote: unanimous yes.

Respectfully submitted,

Paula Weihbrecht, Secretary