

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Municipal Building located at 3333 Bear Creek Blvd., Bear Creek Township, Chairman Zingaretti called the meeting to order at 7:00 pm. Roll was called. All Supervisors were in attendance and the salute to the flag followed.

MINUTES: Motion was made by Ms. Wasilewski to accept the minutes of the March 3, 2008 meeting, seconded by Mr. Slusser. Vote: unanimous yes.

Treasurers Report was read by Mr. Zingaretti.

RECEIPTS: Motion was made by Ms. Wasilewski to approve the April 2008 receipts, subject to audit, seconded by Mrs. Koval. Vote: unanimous yes.

DISBURSEMENTS: Motion was made by Ms. Wasilewski to approve the April 2008 disbursements, seconded by Mr. Masi. Vote: unanimous yes.

FIRE DEPARTMENT REPORT: 25 Calls for the month of April were reported, majority of calls were for brush fires.

Wind Farm: Mr. Zingaretti read the report from Todd Soliday of the Bald Mountain Wind Farm giving the statistics for the month of April 2008. Mr. Soliday indicated there were no major service impacting problems during the month.

ZONING OFFICER'S REPORT: Mr. Andrews, Code Officer reported 23 contractor's licenses, 8 building permits, 4 zoning permits and 2 certificates of occupancy for a total of \$3990.00 plus BIU fees for \$2124.18 for a total of \$6114.18 for the month of April.

ROAD MASTER REPORT: Mrs. Koval reported for the month of April 2008. Road work was done repairing potholes and wash-outs from White Haven Pocono to Laurel Brook. Roads in Laurel Brook are a mess from work that was being done there. Vandalism has also been reported at Trailwood, picnic tables were smashed and vehicles driven through the grassy areas. Mrs. Koval thanked Joe English and Tony Fazzi for the work they did in preparing the ball fields for opening day. She also asked that if anyone has any problems concerning the roads that they please report it to Joe English, herself or the township secretary so that it can be handled properly.

RESOLUTION 14-2008: A resolution to extend the Hochreiter subdivision request until July 7, 2008. Motion made by Mr. Slusser, seconded by Mrs. Koval. Vote: unanimous yes.

NASRE, NASRE,& SOLIMAN –Motion made by Ms. Wasilewski to table the Nasre, Nasre and Soliman Subdivision resolution, seconded by Mrs. Koval. Vote: unanimous yes.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Tax Sale – Ziomek property up for tax claim sale is 1.7 acres located on Pittston Blvd. A company from Pittston is purchasing the property and is to drop off a copy of the map showing exactly where the property is located. Motion made by Ms. Wasilewski to table motion until map is received, seconded by Mr. Slusser. Vote: unanimous yes.

Act 537-we have requested a meeting within the next 20 days with DEP. We will take representation from our township engineer, Pasonick Engineering, solely to gather information.

Energy Unlimited-we have filed our preliminary objections to their complaint. They have filed their response and we await a decision by the court.

Aqua PA- The Fire Department has sent a letter to Aqua Pa informing them that they did not receive notification of their right to hook into the water system. We have asked that Aqua Pa make sure that every property owner has been notified.

Local Ordinance on Traffic Violations- All violations numbers have been incorporated and confirmed state requirements. Language of ordinance is being confirmed and then circulated to the Board of Supervisors to be considered for passage.

Concini Lawsuit-still pending. The answers and new matters have been filed. Site inspections on the property have been done. The insurance company has retained counsel for any monetary damages.

Tower Inspections Ordinance- Must set a reasonable fee in terms of man power to conduct inspection. Board needs to consider what would be a reasonable fee and what the criteria will be for the inspection.

Casino Motel Issue-a letter was sent at the request of Supervisor Masi asking the proprietors of the motel to monitor activity and expressed concerns about avoiding criminal activity. We also made the overture that if the township can be of any help regarding any of these issues to please contact us.

OLD BUSINESS:

Property tax relief-property tax cuts that are on the way are for the 2008-2009 fiscal year and will be in the school district tax. Estimated property tax per home owner is figured by a formula based on the market value of homes in an area and other issues. According to published reports, anyone in Wilkes-Barre area school district would receive a \$220 reduction in their property taxes related to the school. Since we have no millage, there is no issue from our perspective. Applications must be filled out and returned to the county tax assessor to participate in the reduction.

Web site update – March minutes have been posted, Mr. Masi's information on recycling containers has been added along with a new community calendar. A page on

Act 537 history has also been added as well as draft minutes and the agenda for this meeting. Minutes from 1992 to 1999 have also been added.

Recycling-reported by Mr. Slusser. Information and pricing has been gathered on recycling containers. Cost for 2 containers that are 23' long, 8' high with 3 doors on each side is \$11,814.00. Based on current market prices, we will receive \$55.00 per ton of paper recycled at current prices. Aluminum, glass and plastic can be commingled. We have \$10,000 earmarked for recycling and grants will be applied for. Mr. Zingaretti informed the audience that a notice of termination (for breach of contract) has been sent to Waste Management regarding the contract we have with them for dumpsters. It has been brought to our attention that Mascaro picks up our recyclables, not Waste Management. We do not have a contract with Mascaro. Discussion followed about keeping recycling area secure and preventing people from dumping garbage in recycling containers.

Trailwood Foot Bridge – all walking bridges at Trailwood Park have been repaired and we have received reimbursement from the insurance carrier for the last bridge that was repaired after being destroyed as a result of a motor vehicle accident.

Laurel Brook Construction at Bear Creek Village – Some roads in Laurel Brook have been damaged by the construction equipment. Mr. Masi brought up the fact that other portions of the roads in Laurel Brook are surprisingly in poor shape considering that the development is not that old. Mr. Zingaretti suggested we bring in someone from PennDot to examine the roads and contract someone to do core samples and find if they is any underlying problem with the roads. A discussion was held regarding the selection of core samples as compared to newer technology that is used to evaluate road quality. Attorney Vinsko indicated he would review the agreement whereby the township accepted the roads from the developer to identify whether we have any recourse at this time.

Fishing Derby-A thank you to all who were involved, it was a great success. Thank you also to the fire department for bringing a fire engine to the rec field on opening day of baseball for the parade.

Ridge Road-Eric Zimmer from PennDot called and said they are working on this matter but they had other issues they had to address first so it will not be until some time in June until they can get it back to us.

Zoning Update-Still in process of consolidating all zoning requests. Further review of the map shows that the map is 1995s' map with only one change, that being the area where we are now (municipal building etc) is zoned as industrial. Any zoning changes done from 1995 through 2004, are not reflected in the current map. A meeting will be scheduled to go over the requests.

NEW BUSINESS:

Trailwood Park Safety-residents have reported suspicious activity at the park. Lighting at the park will be looked at to deter this activity. Signs indicating when the park is open – “dawn to dusk” signs – will be placed at the park.

Outdoor Wood Burner Ordinance Reminder-enforcement of the ordinance will be tabled until a decision is reached by the commonwealth court in a case pending regarding the use of outdoor wood burners.

Gaming Grant Public Input Sessions-forms are available to the public to voice their suggestions in what projects should be considered in applying for gaming grants. Two input sessions will be held. The first on May 20th and the second on June 17th, both being held at the Municipal building at 7:00 pm.

PUBLIC COMMENT:

BILL PEFFER- Wanted to thank everyone who worked hard to make the fishing derby a success and thanks of all of the sponsors whose donations made the derby possible.

ROGER SOUTHWARD- had a question about the zoning in Laurel Brook Estates. According to the zoning map, ½ of Laurel Brook estates is zoned R-1, the other ½ is zoned A-1. He believes that all development plans say the land is zoned R-1. Mr. Zingaretti responded that this is one of the questions they had from the open house that was held, and the board is still reviewing this item. If we discover that the lots are still split between residential and agricultural, the board will make sure that all residents involved will be notified and allowed to submit a request for zoning map change even though the deadline for that has passed.

Motion to adjourn made by Mr. Slusser, seconded by Mrs. Koval. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary