

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. Smith, Mr. Masi, Ms Wasilewski, Mrs. Koval and Mr. Zingaretti were present. The salute to the flag followed.

MINUTES: Minutes from the April 5, 2010 regular meeting were reviewed and a motion was made by Ms Wasilewski to accept, seconded by Mr. Smith. Vote: Mr. Smith, Mr. Masi, Ms Wasilewski and Mr. Zingaretti yes. Mrs. Koval abstained.

MINUTES: Minutes from the April 22, 2010 work session were reviewed and a motion was made by Ms Wasilewski to accept, seconded by Mrs. Koval. Vote: Mr. Smith and Mr. Masi abstained. Ms Wasilewski, Mrs. Koval and Mr. Zingaretti, yes.

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

RECEIPTS: Income for the month of April was \$36,659.44. Motion to approve the receipts, subject to audit was made by Mrs. Koval, seconded by Ms Wasilewski. Vote: unanimous yes.

DISBURSEMENTS: Expenses for the month of April were \$36,000.72. Motion to approve, subject to audit was made by Ms Wasilewski, seconded by Mr. Smith. Vote: unanimous yes.

FIRE DEPT REPORT: 14 Calls for the month of April 2010 were reported: 3 motor vehicle accidents, 1 structure fire, 7 brush fire, 1 tree/wire down and 2 search and assists.

WIND FARM: Mr. Zingaretti read the report for the Bald Mountain Wind Farm. For the month of April 2010 production was 5461M Wh, site availability was 94%.

ACT 537 PLAN: Was focus of the April 22, 2010 work session. Reilly and Associates have been asked to rerun their numbers with some changes, and Attorney Vinsko will do some more research on the mandated connection. Ms Wasilewski will also arrange for Catherine Repose to make a presentation concerning the Act 537 and obtaining funding and also help us do an income survey in the area.

ZONING OFFICER'S REPORT: For the month of April there were 2 contractor's licenses, 2 building permits and 1 Subdivision fee for a total of \$590.00.

ROAD MASTER REPORT: Mrs. Koval reported that the road crew patched roads, did ditch work, took care of the recycling, truck maintenance, worked on the rec fields, stocked, cleaned and opened pavilion for the season, moved winter road materials and received delivery of diamond tex for the baseball fields.

OPEN RECORDS REPORT: Mr. Masi reported that there were no outstanding requests.

PLANNING BOARD RECOMMENDATIONS: None.

ORDINANCES AND RESOLUTIONS:

Electricity Choice-Put on hold until next meeting

Resolution 14-2010-is a resolution authorizing the purchase of 2 Toro 74903 commercial mowers at a cost of \$7134.26 each from Valley Power Equipment. A motion to approve was made by Mrs.Koval, seconded by Mr. Smith. Vote: unanimous yes.

Ted Carl questioned if the township charges groups to use our recreation fields since we spend money on maintaining them. Mr. Zingaretti responded that the groups that use the fields are Bear Creek and Buck Township teams and we don't charge them. He further stated that there are teams like travel soccer teams that use various fields for practicing and pay for their use, but none are using our fields. If a request for steady use of our fields would be made we would look into charging for its use.

Resolution 15-2010-is a resolution adopting the Luzerne County Hazard Mitigation Plan for Bear Creek Township. A motion was made by Ms Wasilewski, seconded by Mrs. Koval. Vote: unanimous yes.

Resolution 16-2010- is a resolution authorizing the proper Township officials to enter into an agreement with Brown & Brown to carry the insurance. A motion was made by Mr. Smith, seconded by Mrs. Koval. Vote: unanimous yes.

Discussion followed and the secretary will look into rate changes with higher deductibles and obtaining a list of other municipalities that also use the underwriter named in the proposal made by Brown & Brown.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini litigation- Has had some significant developments. There may be potential resolution with no involvement with the township.

Aqua PA- On hold for executive session.

Development Agreement- May 24, 2010 has been scheduled as date for the argument for the preliminary objections on the Development Agreement for the Charter School.

Pavilion-Notice has been left with counsel for Multiscape that the township feels it owes nothing to them for the pavilion. We have not heard back since.

OLD BUSINESS:

Street Light Request-Pike Road street light has been installed. Thornhurst Road request has not yet been addressed by PPI.

Route 115 Safety Corridor/Grant Application- Mr. Zingaretti said that it is still expected that the award announcement will be made in June.

PRIOR MEETING FOLLOW UP:

Lions Club Storage Shed- Will Kresge presented the plans for the storage shed in the breezeway between the office building and meeting room. Attorney Vinsko said he would prepare the lease agreement between the township and the Lions Club.

Resolution 17-2010- is a resolution accepting the proposal as submitted. Motion to accept was made by Mrs. Koval, seconded by Mr. Masi. Vote: Mr. Smith, Mr. Masi, Mrs. Koval and Mr. Zingaretti, yes; Ms Wasilewski, no.

Mr. Kresge asked who would get the permit since it is township property. Mr. Zingaretti advised that the Lions Club should seek out the permit since it is a matter that would be handled by BIU.

Berkheimer Contract Language- Ms Wasilewski said she spoke with John Berkheimer and they will give us whatever we ask for including a listing of people included. She advised Attorney Vinsko to contact John Berkheimer directly regarding the contract. As for the way the billing is handled, Ms Wasilewski felt that it would show a better picture if we were billed monthly showing a gross amount and what we owe and them paying them from there. Mr. Zingaretti felt as long as they give us an accurate report, it will save us in the long run to keep it the way it is.

Zoning Map and Hillcrest Right of Way-The township engineer will give us updates on both of these projects at our next work session.

2010 Paving Project- Mrs. Koval spoke with Mr. Mullen from Pennoni Associates and he will have an estimate of effort with the next week.

Newsletter- Mr. Zingaretti reminded the Board that we need to get the information together that we want to include in our newsletter. Ms Wasilewski suggested we include information concerning Act 537 for the residents in the affected areas.

Zoning Officer Position- the board discussed putting a job description together and advertising for the open position.

CORRESPONDENCE/NEW BUSINESS:

PUBLIC COMMENT:

Rose Andrews- Thanked those who volunteer for the ambulance and fire departments and suggested that the money that had been donated in the memory of her husband, Joe Andrews, be used to purchase a piece of equipment that might be used in saving a life.

Tom Mosley- asked why we would drop some areas from the Act 537 Plan and not others. Mr. Zingaretti explained that they are trying to find out the cost difference if the plan was kept to the original court order.

Mr. Mosley also asked what would happen to the property the township is in process of obtaining on behalf of the Charter School should the school close sometime in the future. Mr. Zingaretti answered that the township would have the right of first refusal to buy it at fair market value.

Heather Mosley- asked for an update on the progress of the water hook up in the township. Attorney Vinsko suggested that Ros McMullen from Aqua be contacted to find out a time table.

Ms Wasilewski asked how Aqua could take water from Forest Park where there is high fecal count and then pump it into everyone's home. Mr. Masi replied that it had to do with the depth of the wells.

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

Respectfully submitted,

Paula Weihbrecht, Secretary