December 4, 2000 Regular Meeting

The Regular meeting of the Board of Supervisors of Bear Creek Township was held December 4, 2000 at the Bear Creek Neighborhood Facilities Building Rte 115 at 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Limongelli was not present due to a pending legal case. Salute to flag Followed.

APPROVAL OF MINUTES: Mr. Clymo stated, he did not know the budget that was presented to him at the November meeting was the same budget he previously reviewed when he abstained from voting. Motion was made by Mr. Clymo to approve minutes of November 13, 2000, seconded by Mr. Gayeski . Vote unanimous

DISBURSEMENTS...Motion was made by Mr. Benkoski and seconded by Mr. Gayeski to approve disbursements as presented. Vote unanimous.

RECEIPTS...Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve receipts subject to audit. Vote unanimous.

CODE ENFORCEMENT.... Mr. Andrews, code enforcement officer reported the following permits for the month of November. Seven contractors, ten building, one zoning book, one certificate of occupancy and one demo permit for a total of $1738.00.

SOLICITORS REPORT...Mr. Benkoski stated Attorney Limongelli was not present due to a high profile case at the courthouse. We do have pending items and would hold them over for the solicitor's report.

CREEK SIDE SUBDIVISION...Mr. Benkoski stated the subdivision has been reviewed and recommended by the Planning Board for approval. Motion was made by Mr. Benkoski to approve final subdivision of Creek Side Estates as presented Mr. Gayeski asked for clarification on the subdivision and Mr. Benkoski explained. Mr. Clymo expressed the residents concerns in that area regarding the lodging and etc of that area. Mr. Benkoski stated the township has nothing to do with Lucas property. Motion seconded by Mr. Gayeski. Vote Mr. Benkoski yes, Mr. Gayeski yes and Mr. Clymo abstained. Vote passed.

COMMUNITY DEVELOPMENT...Mr. Benkoski read letter received from the Office of Community Development for a grant increase to construct street improvements. Additional funds of $30,000.00 would be subtracted from our next grant allocation. A total of $118,808.00 would be forwarded to the township to pay for the Swanson Road project, Mr. Benkoski informed the public.

BUDGET 2001. Mr. Benkoski stated the budget this year is five mills and the budget is balanced. The expenses do not exceed our income. It is available along with the minutes for public review. Mr. Benkoski moved to approve budget as presented for the year 2001, seconded by Mr. Gayeski. Vote unanimous.

RESOLUTION 1-2001...Motion was made by Mr. Benkoski and seconded by Mr. Gayeski to approved the tax rate resolution (MILLAGE) as read. Vote unanimous.

PENDING BILLS...Motion was made by Mr. Benkoski and seconded by Mr. Gayeski to have the secretary pay pending bills for the year 2000. Mr. Clymo asked if any expenses would be paid for the additional expenses to the Swanson Road project. The secretary stated they need to consider paying the original project without additional expenses. All were in agreement. Vote unanimous.

TRANSFERR TO ACCOUNTS...Motion was made by Mr. Benkoski and seconded by Mr. Gayeski to have the secretary transfer money to balance the necessary accounts as needed. Vote unanimous.

TOWNSHIP MEETING...January 2, 2001 due to the holiday. No semi monthly meeting in December.

TRAILWOOD LAKE... Mr. Benkoski stated a letter was forwarded to the mayor he does not accept any phones calls or talk to anyone unless he personally decides to do this. His solicitor would not communicate without his permission so our solicitor contacted he in writing and requested a meeting no response to date.

SWANSON ROAD...Letter was forwarded to American Asphalt regarding the roadway and the township intent.

FIRE COMPANY.....During the month of November, the Bear Creek Township Volunteer Hose Company responded to 21 calls for assistance. These calls consisted of three reported structure fires (one was a porch fire), three vehicle fires, five motor vehicle accidents, one brush fire, one mutual aid call to Laurel run, four medical assists, one missing child, one driveway wash down, and one carbon monoxide alarm off. These calls consumed roughly sixty-nine-man-hours.

607459

Public participation

Mr. Mammilla a property owner and a pending complaint asked the supervisors for additional time. A discussion was held. The Code Enforcement officer along with the solicitor would review the request. He stated he wanted additional 2 weeks to clean up in the beginning of January.

SEWAGE COMPLAINT... Asked about her previous complaint in Forest Park. Mr. Benkoski stated the area had been tested and came back zero. She asked what area was tested and MR. Benkoski explained. A discussion was held.

EMA...Mr. Keats stated Fire Department received a grant $9, 491.00 to purchase a basement pump and hopefully they would receive another grant for the same purpose. He during the plan crash the communications was a big problem. He asked the supervisors to consider purchase of additional radios for $2,800.00. A discussion was held. The supervisors would take the request under advisement.

Bonnie Wasilewski

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

2000 ending Balances

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward $_____

_____ Receipts $_____

_____ Adjustments $_____

_____ Disbursements $_____

Balance - General Funds $ 3,303.73

Liquid Fuels – Checking/Savings

Balance Brought Forward $_____

_____ Receipts $_____

_____ Disbursements $_____

Balance – Liquid Fuels $ 84,564.06

Capital Reserve – Checking/Savings

Balance Brought Forward $_____

_____ Receipts $_____

_____ Disbursements $_____

Balance – Capital Reserve $ 424,200.40

TOTAL ALL FUNDS: $ 512,069.19

Audit Report

General Funds
3,304.00

Capital Reserve
+
State Funds
508,994 = 512,298.

01/01

Bear Creek Township Board of Supervisors
Profit and Loss
January through December 2000

	Jan - Dec '00
Income	
300 · Taxes	330,127.94
320.00 · Licenses and Permits	26,630.23
330.00 · Fines and Forfeits	3,391.38
341.00 · Interest Income	5,066.01
342.00 · RENTS AND ROYALTIES	9,050.00
350.00 · Intergovernmental Revenue	9,853.44
360.00 · Charges for Services	9,480.50
380.00 · Miscellaneous Revenue	5,000.00
390 · Interfund Transfers In	0.00
Total Income	398,599.50
Expense	
400 · General Government	61,643.47
410.00 · Public Safety	26,174.23
411.00 · Fire	15,879.10
420.00 · Health and Human Services	294.01
430.00 · Highways	120,262.05
430.201 · OFFICE SUPPLIES	60.16
450.00 · Culture and Recreation	2,969.93
480.00 · Miscellaneous Expenses	55,696.65
490.00 · Transfers	152,605.05
6999 · Uncategorized Expenses	0.67
Total Expense	435,585.32
Net Income	**-36,985.82**

November 13, 2000 Semi Monthly Meeting

The Semi Monthly meeting of the Board of Supervisors of Bear Creek Township was held November 13, 2000 at the Bear Creek Neighborhood Facilities Building Rte 115 at 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Salute to flag followed.

607459

APPROVAL OF MINUTES: Motion was made by Mr. Clymo and seconded by Mr. Benkoski to approve minutes as presented. Vote unanimous.

SWANSON ROAD....The supervisors updated the public regarding the status of the project. They informed the public of all additional cost and gave detail of the cost per feet . The township plans to seek legal action regarding the additional costs in the near future and have put all involved on notice.

Mrs. Koval asked if the minutes have been posted. Mr. Benkoski stated they have been posted. She also discussed the pending sewage complaint adjacent to her property . She was instructed to contact the SEO . She stated she did contact him and he informed her to of the township policy regarding sewage complaints. A discussion was held. The Supervisors would contact the SEO regarding this complaint.

The supervisors informed Mrs. Koval and the public that they have hired Reilly and Associates to review and update the townships 537 . At that point the township will discuss this matter with DEP .

2001 PROPOSED BUDGET. The supervisors discussed the 2001 proposed budget. Mr. Gayeski moved to adopt the 2001 proposed budget as presented. Seconded by Mr. Benkoski. On the vote Mr. Clymo stated he would not vote on the proposed budget because he felt he did not have enough time to review it. He stated he only received the budget this morning. Mr. Benkoski stated the supervisors were given the proposed budget over a week ago. On the vote Mr. Benkoski yes, Mr. Clymo, abstained and Mr. Gayeski Yes. Vote passed. The final budget would be voted on at the next township meeting in December.

Mr. Benkoski stated personnel meeting would follow. A discussion was held regarding what is discussed at personnel meeting. He informed the public that some people call it a workshop and etc. The supervisors would be discussing the issues related to the personnel. Mr. Gayeski stated no decisions are made at the personnel meetings and by law certain matters can be discussed at a personnel meeting. No decisions are made at personnel meeting only at public meeting open to the public.

Mrs. Burridge expressed her concerns regarding her driveway. The supervisors informed her that the driveway would be put back to its original state.

Bonnie J. Wasilewski, Secretary
Bear Creek Township

November 6, 2000 Regular Meeting

The Regular meeting of the Board of Supervisors of Bear Creek Township was held November 6, 2000 at the Bear Creek Neighborhood Facilities Building Rte 115. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Malcolm Limongelli was also present. Salute to flag followed.

MINUTES: Motion was made by Mr. Clymo to accept minutes of October 16, 2000, seconded by Mr. Gayeski. Vote unanimous.
DISBURSEMENTS: Motion was made by Mr. Gayeski and seconded by Mr. Benkoski to approve disbursements as presented. Vote unanimous
RECEIPTS...Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve receipts subject to audit. Vote unanimous.
CODE ENFORCEMENT...Mr. Andrews reported 6 contractor permits, 8 building permits, 1zoning book, and 1 zoning map and 2 certificate of occupancy for a total of $1,206.00.
SOLICITORS REPORT....
LAUREL BROOKS ESTATES...Attorney stated he talked to the solicitor for Laurel Brooks estates regarding the necessary papers and corrections on the pending deed donation of land to the township
COLLERAN COMPLAINT... Received a zoning appeal notice on the Colleran Complaint against the township supervisors filed by Smatcher and Giza . An answer will be filed and end up in court. He wrote a letter to the attorneys to discuss this matter prior to court. A hearing would be scheduled.
TRAILWOOD LAKE...a letter was forwarded to solicitor Elias and she stated she did not want to get involved with this matter. Todate no response from the mayor. The attorney has requested a meeting to discuss this matter, if not it will go to court to be resolved. A discussion was held.
CONOVER..This matter is being appealed. The supervisors have requested to enjoin the City and the solicitor for the insurance company stated it is too late to honor this request. No date has been set.
MAMOLA/OKO COMPLAINTS...Letter have been sent to the to the property owners and todate no action has been taken.

JOHN MCNERNEY COMPLAINT...Notice was received from Attorney Munley on behalf of Mcnerney accident. This matter was forward to the insurance company.

SWANSON ROAD... a copy of letter was received from St Paul Insurance Company, which had been forwarded to American Asphalt regarding a claim on Shirley Burridge, damages to her property and requesting that American Asphalt handle the claim . Mr. Benkoski stated he would contact the insurance company to find out the status. Mrs. Burridge stated she would contact a lawyer . The supervisors instructed he to do whatever she needed to do. A discussion was held. Mr. Clymo stated he has been trying to help them from the beginning and all they are doing is jumping down his throat. The supervisors would investigate this matter further.

MILL CREEK WATERSHED STORM WATER PLAN IMPLEMENTATION. ..Mr. Benkoski read letter received from DEP regarding Mill Creek Watershed requesting the township to pass an ordinance as required by law.

FIRE COMPANY REPORT..Mr. Benkoski read the following report. For the month of October198 hours were expended. The majority of hours were spending on large brush fires. One structure fire, three vehicle fires, six brush forest fires, two medical assists, two debris fires, and a drill at the Bear Creek Health Care Facility. Fire prevention materials were taken to the Bear Creek Elementary school. They requested the residents to be careful during the fall dry season.

Bonnie J Wasilewski, Secretary
Bear Creek Township

October 16, 2000 Semi Monthly Meeting

The Semi Monthly meeting of the Board of Supervisors of Bear Creek Township was held October 16, 2000 at 6PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Salute to flag followed.

Approval of minutes: Mr. Benkoski made correction to the October 2, 2000 to read: Motion made by Mr. Benkoski to approve Landview subdivision as submitted, seconded by Mr. Gayeski. Vote unanimous. Mr. Clymo moved to approve the minutes of October 2, 2000 as corrected. Vote unanimous

FIRE COMPANY REPORT...Mr. Benkoski read the September 30, fire company report. Sixteen calls for help and expended forty-seven and a half man-hours. Responded to one reported structure fire, four motor vehicle fires, seven motor vehicle accidents, one brush fire, four mutual aid, and four miscellaneous calls. The miscellaneous calls consisted of an assist to the Pennsylvania State Police, three medical assists to the ambulance. Reminded the residents of the fall brush fire season and caution regarding burning outside . Also the fire department would be giving a fire prevention presentation at the elementary school. They asked parents with children to review the information.

COLLERAN COMPLAINT...A Certificate of Service was filed with the Luzerne County Prothonotary in connection with Donald Smacher, et ux and Lawrence Giza, et ux vs. Bear Creek Township Board of Supervisors Luzerne County Zoning Appeal No 6505-C of 2000. Mr. Benkoski enlightens the public regarding this matter and why the complaint was filed.

OFFICE OF COMMUNITY DEVLEOPMENT....Mr. Benkoski read letters received from OCD regarding the Action plan funding period informing communities of request for input regarding their concerns. Also a random survey would be mailed throughout various communities and the importance of returning it the OCD.

SWANSON ROAD...Mr. Benkoski stated nothing new to report since last meeting. Todate they are scheduled to return to the project the middle of October. Mr. Clymo has called numerous time to discuss this matter with Mr Jim Sterner and no response was received.

Mr. Benkoski stated all the correspondence Mrs. Burridge gave him recently has been turned over to the township insurance company for review. Mrs.Cheryl Burridge Machecka again expressed her concerns regarding the frost.
Mrs. Suchar expressed her concerns regarding the holes in the roadway, fill for driveways, drainage areas and asked what action the lawyer of the township is taking to resolve this matter. She also expressed her concern regarding the safety of her driveway . She stated she would take legal action should she get hit pulling from her driveway. Mr. Clymo stated we could not control the drivers on the roadway.

October 16, 2000 Semi Monthly Meeting

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Mr. Benkoski stated the township has been upfront from the beginning. We have sent correspondence to all involved informing them of our future intent.

Mrs. Yagiello stated it is not acceptable and asked if the supervisors don't know the answer, who do they go to? She asked who is funding the project. Mr. Benkoski stated the township and Office of Community Development.

Mrs. Novak discussed the penalty issue. Mr. Benkoski explained the status of the issue and where we are regarding the time limitations. Mr. Martin asked about videotape.

Mr. Gayeski explained the project from day one and the history of the roadway. He stated this is the first time we have had a problem with a project. We hired professional people to do the job and a lot of mistakes have been made. Mr. Clymo stated the Engineer should have been at the job site from step one. Mr. Benkoski stated he couldn't understand why the township went with total reconstruction. He stated remarks were made to him regarding the roadway being the worst designed road they have ever seen.

Mrs. Cheryl Burridge Machechka asked for copy of correspondence and release forms. She also asked what the township charges for copies. The secretary informed her of the cost and stated all requests are to be in writing.

Bonnie J. Wasilewski, Secretary
Bear Creek Township

October 2, 2000 Regular Meeting

The Regular Meeting of the Board of Supervisors of Bear Creek Township was held October 2, 2000 at the Bear Creek Neighborhood Facilities Building Rte 115. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Malcolm Limongelli was also present.

MINUTES: Mr. Gayeski addressed the issue of postal address from the September 18, meeting. He asked if Mrs. Koval would put something down in writing regarding her two concerns, one with her husbands concern and the other on the mailing of parcel from Allentown so that we could have it when we meet with the postal department. Mr. Clymo clarified the Swanson Road project 90 guarantee and not the year guarantee. Mr.Benkoski stated 90 were the total days to complete the project and not the actual work guarantee. Motion was made by Mr. Gayeski and seconded by Mr. Benkoski. Vote unanimous.

DISBURSEMENTS...Motion was made to approve disbursements as prepared by Mr.Gayeski and seconded by Mr. Benkoski. Vote unanimous.

RECEIPTS...Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve receipts subject to audit. . Vote unanimous

CODE ENFORCEMENT...Mr. Andrews stated the following for the month of August. Ten contractor licenses, 12 building permits, 2 occupancy permits for a total$1,717.50.

SOLICITOR REPORT..

SWANSON ROAD...Attorney Limongelli stated the project will begin around the middle of the month. Mr. Benkoski stated it may be a week to a week and a half early .The completion date is 90 less the days they have already spent on the project, plus 31/2 rain days.

CONOVER...Mrs. Conover has appealed through her attorney. Our insurance attorney is handling the matter. It will go before a jury trail or judge this time. He will advise the board of any updates as they come.

TRAILWOOD LAKE...Attorney Limongelli stated he has been trying to contact the member of Wilkes Barre City as well the attorney for the Municipal Authority without any acknowledgement todate. They would not return phone calls. At this point he will try again, if not a decision must be made regarding future action. He stated he hesitates to recommend court proceedings. He would like to sit down and talk to them to resolve issue the township has concerning Trailwood Lake. Mr. Benkoski stated he tried to contact the mayor three times already and no response. Mr. Gayeski wanted to send a letter to express the townships concerns regarding the water run off problem. He stated this issue was discussed over 15 years ago and now we have a law suite. by a resident against the township. He also stated it is not the township responsibility to regulate the water run off plan. Todate the Municipal Authority does not have a plan and they may be brought in as a defendant regarding this pending complaint. Mr. Benkoski stated in all the paper work he did not see any plans for water run off. He suggested that the attorney forward a letter to them regarding this pending issue. Attorney Limongelli suggested that we write to our attorney who is handling his matter for our insurance policy and have them brought in as an additional defendant. All were in agreement

MACK SUBDIVISION....Mr. Benkoski stated we would now sign the maps for this subdivision as previously approves at the township meeting. A mylar would be presented to the board in 35 days.

October 2, 2000 Regular Meeting

PLANNING BOARD..The Planning Board is an advisory Board to the Board of Supervisors regarding planning matters.The three supervisors very rarely get to know what is going on with the development unless they ask questions. The Planning Board does all the dirt work and digging, all the questions with the development and developer. They see all the problems and iron them out before final recommendation to our board. We at the present time have an educated board and they are doing one fine job. Without this board, their knowledge and recommendations it would be difficult for our board to make final approvals as we do. Mr. Knorr, Chairman, Mr Cileberto, Mr. Yenchak, Mr. Kresge and Mr. Benkoski are the present members of this board. The five members work very close together.

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LANDVIEW /LAURELBROOKS ESTATES.... Mr. Comes updated the public regarding the progress with the roads and DEP regulations. He thanked the township for all the help they gave him in assisting with his development. Mr. Benkoski stated the developer is donating an 8-acre plot and they will put a retention plot, which will be full of water in the future at which time two dry hydrants will be install for fire protection for the development and also various other areas of the township. He is also donating a $5,000 check for the purpose of maintenance on the retention plots. They are also giving the township a letter of credit for 1.1 million dollar for the roadwork and the line of credit will be depleted as progress continues. Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve subdivision as approved. Vote unanimous.

BEAR CREEK SCHOOL....Mr. Benkoski stated the an inspection of the Bear Creek Elementary school was made by the Township EMA Director, Mr. Keats, Fire Department, Code Enforcement Officer and himself to check emergency statuses and see if everything was in order. Also inspect the new modular that was installed. Mr. Benkoski read letter forwarded by the Bear Creek Volunteer Hose Company to the Bear Creek principal outlining all the violations found. The Occupancy permit was for Nanticoke for 8/1/98 and todate no L&I permit has been issued for this site and this year. No permit would be issued until all paper work was in order. Mrs. Koval stated an emergency plan by law must be kept in all rooms.

BEAR CREEK FUNDING...Mr. Gayeski stated the township received firmness relief check for $12,116.16 and was forwarded to the Hose Company. The liquid fuels check will be 46,373.25 for 2001. This is an increase almost doubled in the past 20 years. We have spent 13, 988.76 for salt for a normal year.

BURRIDGE COMPLAINT...Daughter representing Mrs. Burridge stated in reviewing the minutes of July nothing regarding her mother's complaint was part of the meeting. It was noted in the September 18, 2000 minutes. Mr. Benkoski talked to the township insurance carrier. They suggested the township turn in the estimate of damages Mrs. Burridge received, to them, to see if they could do anything. He would need Mrs. Burridges carrier and phone number. The insurance company was suprised that she was turned down for her claim. He would forward copies of the bids received to our insurance company for review. The township is not sitting by and not doing anything. We are working and have been working on this matter from day one. Mrs. Burridge`.0
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September 18, 2000 Semi Monthly Meeting

The Semi Monthly meeting of the Board of Supervisors of Bear Creek Township was held September 18, 2000 at 6 PM Bear Creek Neighborhood Facilities Building Rte 115. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Salute to Flag followed.

Approval of Minutes: Motion was made by Mr. Clymo and seconded by Mr. Gayeski to approve minutes of September 5, 2000. Vote unanimous.

ACT 537 Sewage Facilities...Mr. Benkoski stated the township receive a letter from DEP about a month and a half-ago concerning the malfunctioning septic tanks. We were instructed to engage with an engineering company in order to do a survey to correct the malfunctioning tanks. This is an on going problem since 1991. DEP has been sending communication to the township, requesting an approved plan. They did receive a plan from Mr. Gayeski in the past, which had been rejected by DEP saying it was insufficient. We are engaging with Reilly and Associates to review the past studies since 1974. They will make suggestions for the board to consider as a resolution to our pending sewage matter. They are not going from door to door doing testing. A public hearing will be schedule for township residence input. The areas in question are Forest Park, Trailwood, Lywellen Corner, and Country Club Estates.

Mr. Gayeski stated he disagrees with DEP technical aspect of what was stated in 1991. We gave them a plan at that time and he felt it was fair. He felt we should go forward with Reilly Associates and see what we can do. Mr. Clymo stated we don't want to put sewer systems in the township and we want to stay with on lot system. Hopefully we can resolve the matter without a big expense to the residence of the township.

Mrs. Suchar stated down her way they have no problem. She felt the people who have a problem should fix it and not put the burden on the residents of the township. A discussion was held on the history of the systems, size of lots and development.

Mr. Gayeski stated the plan that he wrote called for a millage increase of the entire township, which would be $8,000.00 a year. If you did not clean your tank and have a receipt the township would go in and clean the tank and put a lien on the home if necessary. DEP did not approve it because of technicality. A discussion was held **Motion was made by Mr. Benkoski to hire Reilly and Associates to do a management plan, have the supervisors review it and present it to DEP for review and acceptance.** Seconded by Mr. Gayeski. Vote unanimous.

BLACK BEAR ESTATES/MACK...Motion was made by Mr. Benkoski to give final approval for the Mack subdivision located across from the Bear Creek Nursing home on Rte 115. (Occupancy permit was need for this final approval and was presented and site was verified.) seconded by Mr. Gayeski Vote unanimous.

SWANSON ROAD...Mr. Benkoski updated the residents regarding Swanson Road contracting. He stated the contractor called him and stated they may be there next week if they shut down a job they are presently working. If not they would come the middle of October. Mr. Clymo stated he talked to the contractor on the 13th and they told him the middle of October and if they could get there sooner they would. Mr. Benkoski stated a letter was sent to all involved informing them legal action would be taken on this matter in the near future. Mr. Clymo was concerned with the 90-day guarantee. Mr. Benkoski stated we have a year guarantee on the project when it is finally completed.

September 18, 2000 Semi Monthly Meeting

Mrs. Burridge again expressed her concerns regarding the damage to her home and the frost doing additional damage to her property.

Mr. Gayeski stated past supervisors Mr. William Tanski passed away and was buried in Arlington Cemetery on Friday. He noted Mr. Tanski voted for the soccer field development and also the purchase of the Trailwood property.

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911/BEAR CREEK FIRE DEPT...Mr. Benkoski thanked Mr. Christoper Keats for all the assistance He has given him regarding the locations and phone numbers of the township residence in connection with the present 911 project. Also the new policy with availability of all information regarding the fire department open to the general public.

HEALTH ISSUES...Mr. Gayeski discussed the issue of Hepatitis concerns with emergency services. He stated the township would cooperate with them regarding the vaccine purchase and etc.

POSTAL ADDRESS..Mrs. Koval expressed her concerns regarding her postal address. She stated she lives in Bear Creek Township but everyone keeps saying she lives in another county. Mr. Benkoski stated he is presently working with the local post office to correct this matter. He has forwarded maps of Bear Creek Township as per their request.

TOWNSHIP MEETING....Next township meeting October 2, 2000

Bonnie J. Wasilewski, Secretary
Bear Creek Township

September 5, 2000 Regular Meeting

The Regular meeting of the Board of Supervisors of Bear Creek Township was held September 5, 2000 at the Bear Creek Neighborhood Facilities Rte 115 at 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo. Attorney Malcolm Limongelli was also present.

Minutes: Mr. Gayeski stated he did not hear Mr. Benkoskis' comment regarding Old Route 115 and would make a comment later during the meeting. Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve minutes of August 21, 000 as presented. Vote unanimous. unanimous

DISBURSEMENTS...Motion was made by Mr. Gayeski and seconded by Mr. Benkoski to approve disbursements as presented. Vote unanimous

RECEIPTS...Motion was made by Mr. Gayeski and seconded by Mr. Benkoski to approve receipts subject to audit. Vote unanimous.

CODE ENFORCEMENT: Three contractor permits, eight building permits, one zoning hearing and four certificates of occupancies for a total of $1,136.00.

SOLICITORS REPORT

CONOVER...Ruled in favor of the Township.

COLLERAN...Mr. Benkoski instructed our solicitor to drop the case at the magistrate's office as instructed by the solicitor of the Zoning Board due to improper procedures at this point. Attorney Limongelli would contact attorney Terrana to discuss this matter further.

SWANSON ROAD...Attorney Limongelli stated the board had a lengthy meeting with all involved and it is his opinion everyone was blaming everyone else. After hearing everyone's position at the meeting, it is his opinion it is no fault of the township regarding this project. Therefore, a letter went to the designers and engineers explaining to them to put their insurance company on notice that the township intends to sue them for the cost the township will incur to remedy this situation. We felt it was in the best interest of township to outlay the monies at this point to complete the project and then pursue it legally with the engineers and designers. The supervisors will sign a change order with the contractor at this point to complete the roadway.

MACK PROPERTY...The solicitor stated attorney for Thomas and Patricia Mack forwarded a letter to the township wanting to donate land to the township. Attorney Limongelli forwarded a letter to their attorney stating the township would not be willing to accept this property until it has complied with all Penn Dot specifications.

TRAILWOOD LAKE ROAD... Attorney Limongelli also wrote to the mayor and solicitor for Wilkes Barre City requesting a meeting with them to discuss the situation at Trailwood Lake Road. This may be a legal problem in the future. Mr. Benkoski stated he did research this matter and would forward information to Attorney Limongelli in the near future.

FIRE COMPANY REPORT...The Hose Company responded to 25 calls for help and expended roughly 115 man hours during August. One structure fire, two motor vehicle fires, six motor vehicle accidents, four mutual aid calls. Miscellaneous calls consisted of one tree down, one search, two medical assist, and one

traffic assist. At the present time they are drafting specifications for a new engine. They will also need a new garage to house the engine. They will visit the Bear Creek Elementary school in October for fire protection week. Dry Hydrants installation will end very soon so if anyone is interested please contact the fire department.

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ROADWAY...Mr. Gayeski stated four roadways were approved for improvement last year. Old Route 115, Weiss Road, Recreation Road and Swanson Road. Swanson Road was delayed. The cost of 115 was approximately $7,000, which was downgraded. There is one house with a mailbox and two other homes that use the road. The State police use it, the school bus was seen on it, cars are parking during the day and that it why it was paved the present width 1/6th of mile 20 feet wide. The township spent considerable time rebuilding the road and we don't have the capability of rebuilding all the roads in the township and that is why we paved it.

Mr. Clymo stated the engineer doesn't even know his name. In October 99 a letter was sent to the township engineer. Westawski from the present project engineers stating that there was a problem on the right of way on Swanson Road and he was the only one who receipted the letter. Mr. Clymo felt Mr. Westawski was aware of the problems and still continued with the project. Mr. Gayeski stated the Board was never aware of this situation and had no knowledge of the letter October 99.

Mr. Benkoski stated everyone dropped the ball. The township engineer was to follow the project day by day. He really did not know when he was inspecting the project. To Mr. Benkoskis knowledge he was at the site when he was called. The two fellows who that designed the road made the statement they had to redesign the road and at that point they acknowledged the problem at the start. Mr. Bilby felt he did what was asked of him and this is questionable. American Asphalt did admit their mistakes and adjusted it. Once the change order is signed the contractors can begin immediately. A discussion was held regarding the roads and comments were again received from the residents of the area.

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

August 21, 2000 Semi Monthly Meeting

The Semi Monthly meeting of the Board of Supervisors of Bear Creek Township was held August 21, 2000 at 6 PM. Chairman Edward A Benkoski presided with supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Salute to flag followed.

APPROVAL OF MINUTES: Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve minutes of August 7, 2000. Vote unanimous.

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CONOVER COMPLAINT....Mr. Benkoski stated he was informed by the lawyers that a defense verdict was issued, which means it was in favor of the township and all the neighbors involved. Mr. Benkoski expressed his concern regarding Mrs. Conover and stated no one could control the water because of the flooding and it was not the township fault.

SWANSON ROAD...Mr. Benkoski stated he has been in contact with the township engineer for the past two weeks.We have no beginning date because of all the problems with engineering, design, the contractor and the additional cost of the project 32,389.00. The township does not feel we should assume the additional cost because of the way the work was performed and what they did. At this point the township wants the roadway completed and then they will talk about the difference in cost and etc.

Mr. Clymo stated we hired engineers to do the road and the township should not spend anymore money on the roadway. The engineers and etc have insurance to cover their mistakes. He stated the solicitor should review this matter further. Mr. Benkoski explained the additional cost.

FIRE REPORT..Mr. Benkoski read fire report as per last months meeting. Also a list of the personnel from the fire department was submitted to the board and would be forwarded to our insurance carrier for their files.

MEETINGS...Mrs. English asked if the Supervisors would change the meetings to a later time.Mr. Benkoski stated it would be taken under consideration.

SCHOOL BUS/ANDREWS...Mrs. Gale Andrews, Fairway Drive, stated she contacted the school district regarding the busing of her children and other children in her area. They informed her the entire roadway needed to be paved before they would allow the bus to pick up the children and turn around at the cul-de-sac.

Mr. Gayeski stated the cost factor of the road is $24,000.00, he has all the engineering specifications. We have $100,000 in liquid fuels and with the cost factor of Swanson Road and plus we should do Golf Course Road which would cost $7,000.00 which is more than affordable at this jointure. We can not do Loop road because of the cost of $40,000.00 .He so advised the two homeowners who live there and stated he could not vote for this at this time. But he could vote for Golf Course Road and Country Club Estates addition going out on contract and bid. If the bids were over his estimate we could not vote for it. As of right now he is one to vote to do the road this year. So if the vote is there, it is two to one against doing the road this year and that should be on the record.

Mr. Clymo stated this matter was discussed and it was decided to wait to see what Swanson Road would cost and that is what he told Mrs. Andrews. Mr. Clymo stated the township can not spend $40,000.00 to do Loop Road for two families and Mr. Gayeski was in agreement.

Mr. Benkoski stated the Board did discuss Swanson road and the cost involved which came out to $121,000.00 without engineering fees, boring, and etc. At that point it came out to about $144,000.00. Now and additional $32,389.00 plus $5,000.00. He felt this is not economically feasible at this time. Mr. Benkoski asked why Mr. Gayeski paved Old Rte 115 that has no residents actually living on the road. No response was made. Mr. Clymo stated he did advise Mrs. Andrews it would be put on the list for next year. Mr. Benkoski

MEETING...Next township meeting September 5, Tuesday due to the holiday

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

August 7, 2000 Regular Meeting

The Regular Meeting of the Board of Supervisors of Bear Creek Township was held August 7, 2000 at 6 P.M. at Bear Creek Neighborhood Facilities Building Rte 115. Chairman Edward A. Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo. Attorney Malcolm Limongelli was also present. Salute to flag followed.

Approval of Minutes: Motion was made by Mr. Clymo to approve minutes of July 17, 2000. Mr. Gayeski stated letter sent to Soccer did not make it clear enough to remind them that August 26 was also the opening day for soccer. He stated the vehicles (not heavy vehicles) regarding the fields. Motion was seconded by Mr. Gayeski. Vote unanimous.

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DISBURSEMENTS: Motion was made to accept disbursements by Mr. Gayeski and seconded by Mr. Benkoski. Vote unanimous

RECEIPTS: Motion made by Mr. Gayeski and seconded by Mr. Clymo. Vote unanimous

CODE ENFORCEMENT: Mr. Andrews reported eight contractor permits, 14 building permits, three zoning books and one zoning map for a total of $1,828.30 for the month of July.

SOLICITORS REPORT...

KRESGE COMPLAINT...No information has been forwarded since last meeting regarding this matter.
CONOVER COMPLAINT...Scheduled for court on August 17. Insurance attorneys are handing this matter.
COLLERAN...This matter has been continued until August 29, 2000

POSTAL SYSTEM...Mr. Benkoski read letter received from the Postal System stating a ZIP boundary review is in the process as requested and a report and findings will be forwarded. Mr. Benkoski stated he did talk to Mr. Lupas from the Post Office and he request a map of Bear Creek Township. They are in the process of reviewing the entire township.

WILDLAND CONSERVANCY...Mr. Gayeski read letter from the conservancy requesting support.

GPSYMOTH ...Mr. Gayeski updated the residents of the status of the gpsymoth and told residents to call the DEP should they have any questions.

WILLIAMS...Letter received from Mrs. Doris Williams regarding concerns of a driveway on land adjacent to her property. She stated that part of the driveway is on her property and that Mr. Fieldings is trying to subdivide his property to sell it.

FIRE COMPANY REPORT...Mr. Benkoski read fire report for the month of July. Two structure, four vehicle fires, six mutual, two ground cover/brush, and six miscellaneous calls (2 medical assist, 2 washdowns, 1 roadway flooding, and 1 flood control in Trailwood 60 Hrs). Total of 227 man-hours.

EMERGENCY SERVICE FUNDING...Mr. Benkoski informed the Fire and Ambulance Organizations that Representative Tigue is willing to meet with the organizations to fill out applications for funding whenever they want to schedule a meeting. He stated the grants range from $10,000 to $15,000.

911...Mr. Benkoski stated he and the secretary had a meeting with 911 about a month ago. 911 was having a difficult time finding people in the township such as the new residence and people on private roads. They told him it would take approximately a year to two years to canvas the township. They suggested to him if we would take part of the project it would cut the time to almost half. They would need the names, address and phone number. At the present time Mr. Benkoski has a few people helping him in certain areas. He needs help in other areas of the township and explained the plan to complete this project. Once this is done 911 will give us address for home and every empty lot. He asked for help. Mrs. Koval stated she did request maps from various organizations some time ago to try to under take this type of project, because it is very difficult to find residence when responding to call. They ask for the people's names because of the change in property owners. They continually have a problem with response in her area because they say she is in another county. Mr. Benkoski stated he would try to put the word out by contacting the newspaper and etc.

EMERGENCY....Mr. Clymo stated he wanted to thank the road crew and emergency services for the excellent response during the most recent flooding on the roadways in the township this past week.

FIREMANS BAZAAR...Mr. Gayeski stated he wanted to thank everyone for participating in the firemen's bazaar. It was a tremendous turn out.

SWANSON ROAD....Mr. Rodger Burrridge requested copies of the minutes of July 3, 200. He stated his mother's home was damaged due to the roadwork on Swanson Road.

Mrs. Surchar Mrs. Nelsen, and Mr. Lewis discussed the driveways and the roadway. Mr. Benkoski updated the people of the present situation. At the present time the engineers had to redesign the roadway. The road will be fix. He gave percentages of driveway grades as per request. A fax was forwarded to him and the supervisors, solicitor and everyone involved will review the information and make a decision as soon as possible.

TRAILWOOD /FAIRWAY DRIVE...Mr. Charneski expressed his concerns regarding the most recent flooding of his area. Mr. Benkoski stated the supervisors had made an onsite inspection of the area and action will be taken shortly. He did update the residents with a history of the present complaints. Mr. Chris Roberts discussed the bridges at Trailwood Lake. Mr. Benkoski stated the solicitor is presently working with him on this project.

Next township meeting is August 21, 2000. Meeting adjourned at 7:10 PM

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

July 17, 2000 SEMI MONTHLY

The Semi monthly meeting of the Board of Supervisors of Bear Creek Township was held July 17, 2000 at the Bear Creek Neighborhood Facilities Building Rte 115 Bear Creek Township 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Malcolm Limongelli was also present.

MINUTES: Motion was made by Mr. Clymo to approve minutes of July 3, 2000 as presented. Seconded by Mr. Gayeski. Vote unanimous.

SPRINT TOWER...Mr. Benkoski stated that Horizon has bought Sprint out .At the present time papers have been forwarded to the township acknowledging the sale and requesting signatures from the township for the new lease agreement. Also Sprint has the opportunity to gain control in the future if they wish.

BEAR CREEK SOCCER ASSOCIATION...Letter was received from the soccer association requesting use of the fields. Mr. Benkoski updated the public of the past meeting with the organizations. All supervisors were in agreement with them using the fields. Mr. Gayeski requested that a letter be sent to the soccer association and the Knights of Columbus informing them of the firemen's bazaar in August. Mr. Clymo asked why the soccer association has a Blakeslee address. Apparently she has a Blakesless address.

FIRE COMPANY BAZAAR...Mr. Clymo asked if the supervisors were contacted by the Fire Company regarding the request to take down the fence. Mr. Benkoski stated Mr. Gayeski mentioned it to him and he was against it. Also he was against parking the heavy vehicles on the fields should there be any amount of rain. Mr. Gayeski stated he was assured they did not need to take the fence down. They felt the gates were wide enough .A discussion was held. Mr. Clymo felt the matter should have been discussed with all three Supervisors. Mr. Clymo was against vehicle using the fields. Mr. Gayeski felt it is good to park the heavy vehicles on the field because it breaks up the ground and help the grass to grow. Mr. Benkoski asked the roadmaster to keep an eye on the fields and the weather. A decision would be made at that time.

NATTA....Mr. Gayeski stated a new law is being consider regarding regulations on subdivisions. Natta is trying to get enough people to meet with congressmen in every state to stop the new law. He would be attending the Convention in Washington.

COLLERAN COMPLAINT...Mr. Giza asked if he would be notified of the upcoming hearing in August. Mr. Benkoski felt he should be getting a notification of the date and time. Mr. Giza stated at this time there is no smoking and the trailer broke down so it was very quite.

SWANSON ROAD...Mr. Benkoski update the residents of the situation and the meetings held. The road design was being revised. He felt the ball was dropped. Surveyor, designer, engineer and paver are all involved. American is the least to blame. A meeting will be held on Thursday to resolve this matter. Everyone involved will be held responsible. The main priority is to put the road in the proper shape. A discussion was held.

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

July 3, 2000 REGULAR MEETING

The Regular meeting of the Board of Supervisors of Bear Creek Township was held July 3, 2000, at the Neighborhood Facilities Building Rte 115 at 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Malcolm Limongelli was also present . Salute to flag followed.

APPROVAL OF MINUTES: Motion was made by Mr. Gayeski to approve minutes as presented. Seconded by Mr. Benkoski. Vote Unanimous.

DISBURSEMENTS: Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve disbursements as presented. Vote unanimous.

RECEIPTS: Motion was made by Mr.Gayeski and seconded by Mr. Benkoski to approve receipts subject to audit. Vote unanimous.

CODE ENFORCEMENT...Mr. Andrews reported 8 contractor permits, 12 building permits and 2 certificates of occupancies. A total of $1,940.00 was collected for the month of June.

SOLICITOR REPORT

SPRINT TOWER RESOLUTION...Attorney Limongelli reported he has contacted the insurance company who is representing the township regarding pending Conover matter .They have advised him the matter is not settled and is scheduled for court on August 17 at 10 AM. The results will be forwarded to Attorney Limongelli. Mr. Gayeski will be testifying on behalf of the township.

KRESGE....DER is proceeding with this matter. DEP will contact the solicitor should any problems arise

COLLERAN COMPLAINT ..Mr. Benkoski stated he had contact the solicitor regarding this pending matter and todate has no response. The township solicitor has also contacted the zoning solicitor and no response . Mr. Benkoski apologized for the delay and stated he is not making any excuses for the solicitor of the zoning board but meanwhile the solicitor for the township will research the matter.

Mr. Smatcher adjacent property owner presented pictures to the board for their review. A discussion was held. Mr. Smatcher felt this is a manufacturing process of bones. He again explained to the board all his major complaints with the noise and smell.

Mr. Benkoski stated he talked to Mr. Larry Getz, Chairman of the Zoning hearing Board and asked him to research paper work for more information on this matter.

Mr. Giza a resident of the area stated he also made a complaint on this matter. The paper stated Mr. Collerans property is a general business area and not a residential area by the attorney for Collerans. It also stated the code enforcement officer Mr. Andrews stated they did not need a permit and there are no violations at this point. Mr. Benkoski stated Mr. Andrews did not make that statement because he was present when Mr. Andrews was contacted by the paper. Mr. Giza stated if it is a general business then how does he have his home on the same parcel. Mr. Benkoski stated he has the attornies working on this matter. At the time the zoning board made the decision and that is why he has the business. Mr. Giza stated he was never notified when the property was changed. He also stated the smoke alarms are going off at night .

Mr. Giza stated he couldn't resolve the matter with Mr. Colleran and has tried to along time ago. DEP was contacted in the past. A discussion was held. Mr. Benkoski stated he is not satisfied with the zoning board's solicitor at this point and Attorney Limongelli is presently working on the matter.

LANDVIEW ESTATES...Mr. James Comes stated he would like preliminary approval on the pending subdivision as submitted to the planning board last month. Mr. Benkoski update the public of the events todate. A discussion was held . The revised plan presently is the same except for the exception of the removal of the 13 lots that are in the village. They have met all the necessary requirements as per our ordinances and etc. Mr. Benkoski did not see any problem with Mr. Comes request.The Planning Commission has reviewed the subdivision. Mr. Benkoski moved to approve the preliminary approval as per request made motion. Seconded by Mr. Gayeski. Vote unaminous.

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SWANSON ROAD.. Mr. Benkoski stated the biggest problem of the roadway is that profiles were not done on the driveways. Comments were received from: Mrs. Burridge, Mr. Shillabeer, Mr. Fazzi and Mr. Lewis all stated their concerns regarding the roadway and their driveways. A lengthy discussion was held as to the construction and the surveying of the roadway. Mr. Benkoski explained all the situations that came up and how the township plans to resolve the matter. Mr. Clymo informed the residents of all the information he had to this point.

EMPLOYMENT...Mrs. Koval asked if the township is still hiring . Mr. Clymo stated we have hired all the summer help we needed todate. Mrs. Koval stated she sent an application in by mail and wanted to know why her son was not hired. The secretary stated she did not receive an application from Mr. Koval todate.

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

June 19, 2000 Semi Monthly Meeting

The Semi Monthly meeting of the Board of Supervisors of Bear Creek Township was held June 19,2000 at 6PM at the Bear Creek Neighborhood Facilities Building Rte 115. Chairman Edward A Benkoski presided with Supervisor Tyrone G. Gayeski. Mr. Clymo was not present. Salute to Flag followed.

MINUTES: Motion was made by Mr. Gayeski and seconded by Mr. Benkoski to approve minutes of June 5, 2000 as presented. Vote unanimous.

CONOVER COMPLAINT...Mr. Benkoski read correspondence received from Attorney Rinkunas, representing the township on behalf of our insurance company, requesting Mr. Gayeski's presence at the Luzerne County Courthouse on August 17, 2000 at 10 am for Arbitration in this case. Mr. Benkoski gave a brief history of the events that lead up to this point.

SWANSON ROAD....Mr. Benkoski updated the public on the Swanson Road project. Two areas of the roadway would need additional work. He discussed the matter with the contractors and quoted $33 per cubic yard of additional materials, which would increase the cost of the project approximately $5,500.00. A motion was made by Mr. Gayeski to approve the additional funds as per the engineer's review. Motion was seconded by Mr. Benkoski. Vote unanimous.

COLLERAN COMPLAINT...Mr. Donald Smacher of 1900 Pittston Blvd addressed the board regarding the Colleran property. His concern addresses the zoning of the property permits for the business, the smoke from the product and refrigerated trailer. He was concerned for his family health issues. He stated the noise from the premises is daily from 8 am to 10 PM and sometimes later .The smoke from the product prevents him from the use of his property. He stated he must close his windows and cannot sit on his porch because of all the issues.

Mr. Lawrence Giza of 2050 Pittston Blvd stated he talked to the Code Enforcement Officer regarding this matter and wanted to know how they can manufacture in this district. He wanted them shut down until the issue is resolved. He wanted to know why the trailer is allowed when the ordinance says you can not. He also was concerned about his family's health issues.

Mr. Benkoski stated the Colleran's were given a B2 approval in the past for the garage and then for the present business. At the present time the solicitor for the zoning board is working on this matter. He apologized for any delay. The solicitor would contact the Code Enforcement officer tomorrow with an update of the present compliant.

JUNKYARD...Mr. Terry Schatzel of Pittston Blvd stated he received correspondence from the code enforcement officer regarding his property. He stated the property is grandfathered as a junkyard and the supervisors gave permission in 1996.

Mr. Benkoski asked if he had a copy of the correspondence from the board. Mr. Benkoski also stated some of the vehicles on the property were not very old. Mr. Schatzel stated he uses some of the vehicles for replacement part for his present vehicles. Mr. Schatzel would look for the letter. Mr. Benkoski stated the code enforcement officer has received many complaints concerning violations throughout the township. When he site the property owner they in turn point fingers to other violators. Mr. Benkoski thanked Mr. Schatzel for the job he is presently doing on the clean up and asked that he continue doing so. Mr. Schatzel agreed.

SOCCER...Mr. Michael Kinney of Bear Creek Blvd representing the soccer association presented the board with a letter from East Mountain Eagles. The letter request use of the township fields for East Mountain and Wyoming Valley teams which township child participate during the season.

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Mr. Benkoski asked if the two organizations sat down and discussed the scheduling. He felt it was not right for the two organizations to put the township in the middle and would not allow this to happen.

Mr. Kinney apologized for the issue and stated that Mrs. Mary Suchoski resigned at this point. Mr. Naugle and Mrs. Susan Suchoski also participated in the issue. Mr. Kinney asked who would have ownership of the present goals on the fields. Mr. Gayeski stated the township has a policy that anything placed on the fields would become ownership of the township use by all township residents. An example was the bleachers purchased in the past years. Mr. Kinney asked if the board would forward a letter to him giving permission for use of the fields. Letter would be forwarded.

OLSON COMPLAINT...Mrs. Mary Olson of Old East End Blvd expressed her concerns regarding the private road she lives on. She complained about Mr. Romonoski distributing fill received from the township on their roadway and blocking their excess. Mr. Benkoski stated this was a private road and that the township could not get involved. He also stated that the township would stop with the fill.

SWANSON ROAD...Mr. Chris Robert asked about the drilling of Swanson Road. Mr. Benkoski addressed his concerns.

TOWNSHIP MEETING...The next township meeting is scheduled for July 3, 2000 at 6 PM. Meeting adjourned.

BONNIE J WASILEWSKI, SECRETARY

BEAR CREEK TOWNSHP

June 5, 2000 REGULAR MEETING

The Regular meeting of the Board of Supervisors of Bear Creek Township was held June 5, 2000 at 6PM Bear Creek Neighborhood Facilities Building Rte 115 Bear Creek Township. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Limongelli was also present. Salute to flag followed.

PLANE CRASH...Mr. Clymo thanked all persons and organizations who helped with the emergency in supplying the volunteers with food . He also thanked EMA director Mr. Chris Keats, the firemen and women who volunteered many hours and did a great job. Mr. Benkoski thanked all that were involved with the emergency on behalf of the Board. He stated they went beyond their means. Mr. Gayeski thank Mr. Christopher Keats, EMA director, Mr. Edward Jasulevicz, fire chief stating they were in charge and they did a superb job.

MINUTES...Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve minutes of May 15, 2000. Vote unanimous.

DISBURSEMENT...Motion was made to approve disbursements by Mr. Gayeski and seconded by Mr. Benkoski. Vote unanimous.

RECEIPTS...Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve receipts subject to audit. Vote unanimous.

CODE ENFORCEMENT...Twenty contractor permits, twelve building permits and two certificates of occupancies for the month of May. Total collected $3,582.00.

SOLICITORS REPORT....Attorney Limongelli stated:

KRESGE/RECLAMATION...On April 25 a court order was signed directing Mr. Kresge to clean up the property on the Meadow Run Road. It is presently being cleaned up. He would further review this matter.

SPRINT RESOLUTION... A motion was made by Mr. Gayeski to pass resolution and affidavit leasing property to Sprint. Mr. Benkoski verified all the necessary paper work is in order and to date minor paperwork is being completed. The solicitor would verify the pending Conover complaint. Motion was seconded by Mr. Benkoski. Vote unanimous.

RIGHT TO KNOW...a discussion was held regarding the pending accident on Old Route 115. Mr. Keats explained where the accident happened. At this point the solicitor would contact the insurance company to verify location.

ORDINANCE 1-2000. ..Mr. Benkoski read stormwater management ordinance for the Wapwalloopen Creek Watershed . Motion was made by Mr. Gayeski and seconded by Mr. Benkoski. Vote unanimous.

REGULAR MEETING JUNE 5,2000

TRAILWOOD LAKE ROAD...Mr. Benkoski read letter received from Attorney Donald T. Rogers stating they have come to the determination; that is, there is no duty or obligation to maintain or repair said bridges on the part of the General Municipal Authority of the City of Wilkes Barre. Mr. Benkoski state a third letter to the Authority requesting to know who is the owner and who the responsibility of the roads and bridges would be forwarded in the near future.

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DEP OFFICIAL PLAN...Mr. Benkoski read letter received from DEP regarding the official Sewage Facility Plan for Bear Creek Township. They requested the township to either update the Official Sewage Facility Plan or participate in the Department's intensive survey. A discussion was held with comments from the public. A meeting would be schedule to discuss this matter further with DEP.

SANTEY JUNKYARD..Mr. Benkoski stated correspondence was received from DEP regarding this pending matter. At the present time they are in the process of taking the bad material out and solicit for bids to remove it to a legalized landfill. This project should be completed with 2 ½ months. Mr. English asked if they are going to do anything about the well water. Mr. Benkoski stated he did ask and DEP stated they have no intention of exploring the issue any further. They claim the testing is safe as far as the regulations are concerned. He instructed Mrs. English to call DEP should they have any further concerns.

FIRE COMPANY REPORT..Mr. Benkoski read monthly report for the month of May

SOCCER ORGANIZATIONS...Mrs. Mary Suchoski, president of Bear Creek Soccer explained the operation of this organization. Mrs. Susan Suchoski explained the operation of the other league. Mr. Benkoski stated he would not allow the Board of Supervisors to get into a situation of an argument of adults and not kids. He felt they should get together and iron out their differences. A lengthy discussion was held regarding the operation and scheduling of the fields. Mr. Benkoski suggested both persons should go back to their organization and make some decisions to work together. They then can come back to the board and discuss the issue further.

Next township meeting is scheduled for June 19, 2000.

Meeting adjourned at 7 PM.

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

May 15, 2000 SEMI MONTHLY MEETING

The Regular meeting of the Board of Supervisors of Bear Creek Township was held May 15, 2000 at 6 PM at the Bear Creek Neighborhood Facilities Building Rte 115. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Malcolm Limongelli was also present. Salute to flag followed.

MINUTES: Mr. Gayeski moved to approve minutes of May 1,2000 as presented seconded by Mr. Benkoski. Vote unanimous.

TRAILWOOD LAKE ROAD.Mr. Benkoski read letter from Attorney Rogers solicitor for the municipal golf course of Wilkes Barre City stating that the bridges do not belong to the General Municipal Authority, nor is there any duty or obligation to maintain or repair said bridges. Nonetheless, he would research the issue further. Mr. Gayeski congratulated Mr. Benkoski on all the research he has done regarding this particular matter. Mr. Gayeski read letter Mr. Benkoski had prepared in response to Attorney Rodgers letter of May 3, 2000 outlining a complete history of Trailwood Lake development and the plans for future development by Wilkes Barre City Municipal Authority. The letter had been forwarded to Attorney Rodgers and the township is waiting for a response.

SIGNAL MAINTENANCE AGREEMENT....Mr. Benkoski read proposal received from Kuharchik Construction Company for maintenance cost increases on the blinker lights located on Route 115. The agreement was signed.

BAZAAR...Letter was received from Mr. Zingaretti president of the Bear Creek Vol Hose Company requesting the recreation fields August 4 and 5th for their annual bazaar. They also requested use of the building on August 2 for preparation. Supervisors agreed. Fire chef's report for the month of April 2000. Two vehicle fires, two motor vehicle accidents, three brush or ground cover fires, one wires down, and three mutual aid calls to Laurel Run, Plymouth Township and Shades Creek.

SWANSON ROAD... Letter was forwarded to American Asphalt Paving Co. from the township engineer stating the work is to be completed 60 days after commencement of the project date. Mr. Clymo stated the project was to begin on May 22. He would contact them to see what the hold up is at this point.

BASEBALL SCORE BOARDS...Mr. Gayeski stated we need to decide where the score boards will go because they are electric. They will be disconnected so no one can get electrocuted when they are not in use. Mr. Benkoski stated he wanted to be sure they used a certified electrician to ground the complete system. Mr. Clymo stated he talked to Mr. Hagy president of Baseball organization, and he asked if we could help them out with the installation. Mr. Benkoski asked for a cost figure to complete this project. A discussion was held. A meeting would be scheduled to further discuss this matter with Mr. Hagy.

DEP...Mr. Chris Roberts stated he spoke with Mr. Stanley Lehman of DEP who was working in our township recently and he informed Mr. Roberts he was doing a sewage study of the township to put sewers in. Mr. Gayeski stated he was told DEP was doing a twelve county fly over for the Poconos of maps specifically for sewers. Mr. Benkoski stated they are looking for historical sites in the areas.

POST SYSTEM...Mr. Michael Gober asked for an update. Mr. Benkoski stated we are presently working on the mailing systems and trying to get everyone on the Earned Income Tax list.

May 15, 2000 Semi Monthly Meeting

SOCCER..Mrs. Susie Suchoski read letter to the Board requesting use of the Bear Creek Recreational fields for the upcoming soccer season (Fall of 2000 and spring of 2001). Mr. Benkoski asked if anyone playing on the fields lives in the township. The answer was yes. A discussion was held regarding the use of the fields. Mr. Kinney stated he lives in Forest Park, his son does not have a home field and the majority of the children live in Bear Creek. The present time Back Mountain Travel lets them use their fields as their home fields. Mr. Gayeski asked why don't they use our fields? Mrs. Suchoski stated they wouldn't share the goals. Mrs. Suchoski gave an explanation of the teams and how they operated .Mr. Benkoski asked for a list of participants. A discussion was held.

ROUTE 115/MEADOW RUN ROAD...Mr. Clymo stated Penn Dot is presently looking at the roadway in the area of Meadow Run and Route 115. Hopefully something would be done to correct the situation.

Next township meeting is scheduled for June 5, 2000

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

607459

May 1, 2000 Regular Meeting

The Regular meeting of the Board of Supervisors of Bear Creek Township was held May 1,2000 at 6 PM at the Bear Creek Neighborhood Facilities Building Rte 115. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Malcolm Limongelli was also present. Salute to flag followed.

MINUTES: April 17,2000, Mr. Gayeski stated he asked Mr. Clymo if he was against paying for any of the materials regarding the installation of the batting cage. Mr.Clymo stated he talked to Mr. Hagy recently and Mr. Hagy asked if the township would donate four poles and six bags of concrete. This cost would come from the recreational funds as Mr. Gayeski stated. Mr. Clymo moved to approve minutes as modified. Seconded by Mr. Gayeski. Vote unanimous.

TREASURER REPORT... DISBURSEMENTS: Motion was made to approve disbursements as presented by Mr. Gayeski and seconded by Mr. Benkoski. Vote unanimous. RECEIPTS: Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve receipts subject to audit. Vote unanimous.

CODE ENFORCEMENT...Mr. Andrews reported the following for the month of April. Six contractor permits, 13 building permits, one zoning book, two zoning maps, and two occupancy permits for a total of $1,068.50.

SOLICITOR REPORT

CARL KRESGE ...Attorney Limongelli stated that Mr. Kresge has 45 days to reclaim property located on Meadow run Road and that he is not to remove anything from the project but could bring materials in to comply with the commonwealth court order. Bear Creek Township has no objections to this fact. Mr. Gayeski asked about the bankruptcy matter and how it will relate to the results of this pending matter. Attorney Limongelli stated the order would be watched closely and enforced.

CURATIVE AMENDMENT...Attorney Limongelli stated he has discussed this matter with the Department of Community and Economical Development in Harrisburg and the proper way to handle this matter would be to amend the zoning map. We are going to work with the township engineer, research the maps and hopefully have answers in the near future.

INSURANCE...Mr. Benkoski read letter forwarded to insurance regarding the batting cages. At this point the township would need a certificate of insurance from the baseball organization.

TAX COLLECTOR...Mr. Benkoski read letter to Tax Collector regarding new additions and list of parcels paid each month todate. Mr. Benkoski stated this would help us with our addresses and also with the 1% earned income tax collection.

TRAILWOOD LAKE ROAD...Mr. Benkoski read letter forwarded to Mr. John Brislin chairman of Municipal Authority stating the townships' concerns regarding the bridges at Trailwood Lake road and the Townships fire safety concerns for the residents of that area.

EMERGENCY EVACUATION SITE Mr. Benkoski stated a letter was received from Wilkes Barre Area School District granting the townships' request to use the Bear Creek Elementary school as an emergency evacuation site.

May 1, 2000 Regular Meeting

WINDMILLS... Mr. Benkoski read letter received from Mr. Ingo Stuckmann 67 Putnam Ave Cambridge, Ma, and his interest in exploring the feasibility of bringing a wind park to Bear Creek Township. A discussion was held regarding the construction of the windmills, benefits, and income such as lower electrical bills and recreational facilities. Also the environmental impact and how much power each windmill would produce. The supervisors expressed their concerns for safety, environmental impact, income and benefits.

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Next township meeting May 15, 2000

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

April 3, 2000 Regular Meeting

The Regular meeting of the Board of Supervisors of Bear Creek Township was held April 3, 2000 at the Bear Creek Facilities Building on Route 115 at 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Malcolm Limongelli was also present. Salute to flag followed.

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Minutes: Mr. Gayeski made correct to the minutes regarding Pa Route 115/481/457 (possible solution) and on the topic of the tractor Mr. Gayeski (**disagreed**)with the decision of the board. Motion was made by Mr. Clymo and seconded by Mr. Gayeski. Vote unanimous

Disbursements...Motion was made by Mr. Gayeski and seconded by Mr. Benkoski to approve disbursements as presented. Vote unanimous

Receipts...Motion was made by Mr. Benkoski and seconded by Mr. Gayeski to approve receipts subject to audit. Vote unanimous.

Code Enforcement...Mr. Andrews reported 11 contractor permits, 5 building permits, one zoning map and one certificate of occupancy for the month of March.

Solicitors report...Attorney Limongelli prepared the release forms for the Swanson Road project and submitted them for review. He also informed the board that he is working with the township secretary on the pending curative amendment and is obtaining additional information. Hopefully this matter will be resolved shortly.

DEP...Attorney Limongelli informed the Board he received a letter from DEP council Charles Haas regarding theCarl Kresge complaint to reclaim property on the Meadow Run Road. They want the Board to give approval if they had no objections to Mr. Kresge reclaiming the site.. Mr. Gayeski asked if Mr. Kresge had a pile of gravel can he remove it from the site or does he spread it around. Can we authorize him to remove the pile from the site? Mr. Gayeski would go along with the reclamation of the land other than the pending question. Attorney Limongelli stated he would research Mr. Gayeski question. Mr. Benkoski asked if Mr. Kresge exceeded his deadline . Yes. Hearing is April 25 Commonwealth Court . Board was in agreement with Attorney Limongelli. Mr. Gayeski stated Mr. Kresge may have had a contract agreement with someone in Easton for the shell, if he could remove it maybe the financial status would help do whatever he needs to do up there. The Attorney would research the matter further and contact DEP as per their request for verification on reclamation of the land.

LANDVIEW....DETENTION PONDS.....Attorney Limongelli explained the issue at hand and correspondence received by him regarding the pending subdivision. The pending subdivision has been approved by the Planning Board and the Board of Supervisors. Mr. James stated this step was taken prior to the closing of the purchase of the property. This matter only addresses the land in Bear Creek Township.

RETENTION PONDS...This matter was discussed in detail regarding the construction and maintenance of the ponds. An explanation was given regarding the township responsibility regarding the maintenance of the retention ponds. Mr. James suggested a donation of $5,000 would be given to the township to maintain the pond areas. This would be in a separate account as per Mr. Benkoskis request. Mr. Comes also discussed the issue of fire protection and the land that would be donated for this purpose. Mr. Clymo was concerned regarding any liability of the ponds. A discussion was held.

AUDIT 99...Motion was made by Gayeski to approve audit as presented seconded by Mr. Benkoski. Vote unanimous. Mr. Gayeski congratulated the auditors on a find job. Over 100 hours was spent to complete the audit. He also gave detail information regarding the money expended on the road system in Bear Creek Township.

CENSUS.... The Census department would be using the township building for training in April. If interested in applying for a jobs contact the census department. Mr. Gayeski explained the zip code system, the problems we have regarding the PO BOX number and how the mapping system was being used to locate residents.

TRAILWOOD LAKE...Mr. Benkoski stated a letter was received from the Bear Creek Vol Fire Company expressing there concerns on the safety of the bridges at Trailwood Lake. The Fire Department could not provide fire protection to that area because of the bridges. Mr. Benkoski responded with a letter to the mayor expressing the townships concerns for the resident's safety. No respond was received to date.

EMERGENCY STATUS ...Mr. Benkoski stated a letter was forwarded to Mrs. Ellen smith President of the Wilkes Barre Area School District regarding permission to use the Elementary school as a point of emergency status . Mr. Benkoski read letter aloud. Mr. Benkoski stated Mrs. Smith did not see a problem and would forward a written response.

PLANNING BOARD...Mr. Benkoski stated we do have an opening on the Planning Board and presented a motion to appoint Mr. Richard Kresge Jr. Mr. Benkoski read his qualifications. He felt Mr. Kresge would be a big asset to the Planning Commission. Motion was made by Mr. Benkoski and seconded by Mr. Gayeski. Mr. Gayeski informed the public that Mr. Richard Kresge would be taking the place of Mr. Ray Kresge. Vote unanimous.

COMMENTS

ROAD SIGNS...Mr. Lee Wasilewski asked what is the correct sign for Suscon Road? It is located in Dupont. This matter would be researched by Mr. Gayeski.

POSTAL SYSTEM...Mr. Wasilewski stated he expected to speak with someone tonight regarding the mailing system. The secretary updated the public regarding this pending issue and no one was able to attend the township meeting. Mr. Wasilewski stated this matter has been going on since 1985. He gave a history of the complete project. A lenghty discussion was held. Mr. Benkoski stated we are presently working on this project with the county. Mrs. Koval expressed her concerns regarding emergency . services. Mr. Salata also expressed his concerns regarding the mailing system. Mr. Gatcha stated he sat with Kanjorski in the past and discussed this matter when he was supervisor. Mr. William Scutt also stated his concern on the postal system. The above residents were from the Meadow Run –Mountain Lake Area.

DEP RECLAMATION.. Mr. Andrews expressed her concerns regarding this topic and asked for clarification . She stated she has a problem with Mr. Kresge removing shell from the property. This matter would be researched by the solicitor.

RECREATION FIELDS..Mr. Clymo stated the township has three qualified workers at the township garage that can handle the recreation fields. He felt it is a waste of money. If they need equipment rent it. Mr. Gayeski stated Mr. Mitchell is a resident of the township and we have been doing this since 1982. Mr. Gayeski gave a detail explanation of the cost factors and presented to the board and residents. Mr. Benkoski asked why the employees did not do the ditches . Mr. Gayeski explained why contractors did the ditches. A discussion was held . Mr. Clymo felt if the employees are not doing their jobs then we should get rid of them. Mr. Gayeski felt the roadwork is their priority and we should initially start the recreation work with the contractors and they should maintain it for the rest of the year. Mr. Clymo stated they have job descriptions and they should be able to do the work. Mr. Clymo and Mr. Benkoski felt the township crew should do the work themselves.

EMPLOYEES...Mrs. Koval stated the township had three employees last year and not three. Mr. Gayeski stated CDL people. A discussion was held.

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

607459

March 20,2000 Semi Monthly Meeting

The Semi monthly meeting of the Board of Supervisors of Bear Creek Township was held March 20, 2000 at the Bear Creek Facilities Building at 6PM. Chairman Edward A. Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Salute to flag followed.

MINUTES: Motion was made by Mr. Gayeski and seconded by Mr. Benkoski to approve minutes of March 7, 2000 as prepared. Vote Unanimous.

BLACK BEAR PASS SUBDIVISION...Mrs. Patricia Mack, developer stated she came tonight to ask final approval of her subdivision. She updated the supervisors of the step taken to get to this point. She stated she has been given final approval from the Planning Board with the stipulation of her having a highway occupancy permit from Penn Dot. She is having a problem with an individual who would not give her a release to pass near his property if she did not give him money or land. This road is already an approved subdivision in 1992. The roads needed to be paved before dedication to the township. Atty Michael Racashiski representing Mrs. Mack explained the steps he had taken and the people he had contacted at Penn Dot in order to resolve this matter. Mr. Benkoski asked how long would it take for Penn Dot to issue an occupancy permit. No extended period of time. Mr. Clymo asked for clarification of the entrance road. Mr. Benkoski questioned the approval of the original subdivision in 1992 and why a permit was not issued at that time. No one could explain. Mrs. Mack stated that once all the lots were sold she would then petition the township for dedication of roads. A lengthy discussion was held. **Motion was made by Mr. Gayeski to approve Black Bear Pass Subdivision based on the approval from Penn Dot of a highway occupancy permit providing no liability to the township with a 60-day time limit. Motion seconded by Mr. Clymo. Vote Unanimous.** The subdivision would be signed at a public meeting with Penn Dot approval.

LANDVIEW PROPERTIES (Laurel Brooks Estates)...Mr. Benkoski read letter received from Luzerne Conservation District stating the Erosion & Sediment Pollution Control plan has been reviewed and is adequate to meet the requirement of Pa Title 25, Chapter 102 which is Phase I of this project.

PA ROUTE 115 /481/457.....Mr. Gayeski read letter received from Penn Dot regarding our letter of February 29, 2000. Penn Dot stated they felt posting no left turns signs is an adequate permanent solution. Mr. Gayeski would research this matter further.

TRACTOR....Mr. Gayeski presented his findings on a John Deer tractor he felt would address the townships needs. Mr. Benkoski presented his finds on various tractors. He stated he talked to the foreman of the road department and felt at this point the present tractor does not need to be replaced. He also asked the Roadmaster not to use the tractor on the brims of the road because they were not made for that and they could use the other equipment available. Mr. Gayeski explained his use of the present tractor and he is making his recommendation to purchase a new one. Mr. Clymo stated he also talked to the Roads and Grounds foreman and at this point the present tractor did not need to be replaced. He also felt that if it needed repair then we would repair it. Also the tractors would be moved from the salt barn to another area. Comments were received from Mr Chris Robets and Ronald Knorr regarding the tractor.

Motion to adjourn....meeting adjourn at 6:50 PM

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

March 7, 2000 Regular Meeting

The Regular meeting of the Board of Supervisors was held March 7, 2000 at the Bear Creek Facilities Building Rte 115 at 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Limongelli was also present. Salute to flag followed.

APPROVAL OF MINUTES: Motion was made by Mr.Clymo and seconded by Mr. Benkoski to approve minutes of February 22, 2000 as prepared. Vote unanimous.

TREASURER REPORT.... ...Mr. Gayeski made Motion DISBURSEMENTS and seconded by Mr. Benkoski to approve disbursements as presented. Vote unanimous.

RECEIPTS...Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve receipts subject to the audit. Vote unanimous.

CODE ENFORCEMENT...Mr. Andrews code enforcement officer reported 1 contractor permit and 1certificate of occupancy for the month of February. Also miscellaneous complaints.

WINCEK SUBDIVISION....Mr. John Wincek came before the board for a signature on his pending subdivision . Mr. Benkoski explained the subdivision was presented to the Planning Board and the Supervisors, time lapsed on the approval, and it ended in court with a deemed approval At this point signatures are needed for registration at the courthouse.

LANDVIEW ESTATES...Mr. James Comes representing Landview stated at this point maintenance of drainage area would be put on hold until the attorney's research the matter further. Mr. Comes at this point presented the revised planning module for review and consideration. Mr. Comes explained that Bear Creek Village Borough would not be part of this development and that those parcel previously consider are no longer part of this subdivision. This would be subdivision only in Bear Creek Township.

Mr. Benkoski asked would the developer give the township a bond or letter of credit for this project. Mr. Comes stated usually a letter of credit for one year and could be expended if the roadwork was not completed on time. Road would be completed in approximately 6 months. The bond would be 110% of the cost of the roads. Mr. Gayeski asked the present length of the roads at this point. Mr. Clymo asked about the retention ponds. Mr. Benkoski asked for a donation from the developer for maintenance of the retention ponds due to the cost. This matter would be discussed at a later point. This money would be put aside in a separate account for the sole purpose of retention ponds. Also land would be donated to the township at some future point for municipal purposes.

Mr. Comes also stated he needs a letter from the Board stating they revised the planning module resolution as per the present review. Supervisors were in approval.

March 7, 2000 Regular Meeting

SOCCER... Letter was received from Mrs. Susan Suchoski representing the Wyoming Valley Soccer Club requesting the Board of Supervisors approval for Super Bears Complex Facilities Building Rte 115 at 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Limongelli was also present. Salute to flag followed.

CONOVER COMPLAINT...Mr. Gayeski stated this matter is scheduled for court on March 15, 2000.

APPROVAL OF MINUTES...Motion was made by Mr. Clymo and seconded by Mr. Benkoski to approve minutes of February 22, 2000 as prepared. Vote unanimous.

PIKE ROAD... Letter was received from engineers working on the emergency exit requesting information on Broadway.

TREASURER REPORT.... ...Mr. Gayeski made Motion DISBURSEMENTS and seconded by Mr. Benkoski to approve disbursements as presented. Vote unanimous.

MARCH 20, 2000 NEXT TOWNSHIP MEETING

RECEIPTS...Motion was made by Mr. Gayeski and seconded by Mr. Clymo to approve receipts subject to audit. Vote unanimous.

REZONING...Mr. Gayeski asked for an update. Mr. Benkoski stated the attorney is reviewing the history at this point.

CODE ENFORCEMENT...Mr. Andrews code enforcement officer reported 1 contractor permit and 1 building permit issued for the month of February. Also miscellaneous complaints.

Mr. Benkoski declared the meeting adjourned.

WINCEK SUBDIVISION....Mr. John Wincek came before the board for a signature on his pending subdivision . Mr. Benkoski explained the subdivision was presented to the Planning Board and the Supervisors, time lapse was in between, and it ended in court with a deemed approval At this point signature was needed for registration at the courthouse.

BONNIE L. WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

LANDVIEW ESTATES...Mr. James Comes representing Landview stated at this point maintenance of drainage area would be put on hold until the attorney's research the matter further. Mr. Comes at this point presented the revised planning module for review and consideration. Mr. Comes explained that Bear Creek Village Borough would not be part of this development and that those parcel previously consider are no longer part of this subdivision. This would be subdivision only in Bear Creek Township.

Mr. Benkoski asked would the developer give the township a bond or letter of credit for this project. Mr. Comes stated usually a letter of credit for one year and could be expended if the roadwork was not completed on time. Road would be completed in approximately 6 months. The bond would be 110% of the cost of the roads. Mr. Gayeski asked the present length of the roads at this point. Mr. Clymo asked about the retention ponds. Mr. Benkoski asked for a donation from the developer for maintenance of the retention ponds due to the cost. This matter would be discussed at a later point. This money would be put aside in a separate account for the sole purpose of retention ponds. Also land would be donated to the township at some future point for municipal purposes.

Mr. Comes also stated he needs a letter from the Board stating they revised the planning module resolution as per the present review. Supervisors were in approval.

SOCCER... Letter was received from Mrs. Susan Suchoski representing the Wyoming Valley Soccer Club requesting use of the Trailwood field for the upcoming spring soccer season. Supervisors approved the request.

CONOVER COMPLAINT...Mr. Gayeski stated this matter is scheduled for court on March 15, 2000. This complaint addresses a water run off concern at Country Club Estates roadway.

PIKE ROAD,.. Letter was received from engineers working on the emergency exit requesting information on roadway.

MARCH 20, 2000 NEXT TOWNSHIP MEETING

REZONING .. Mr. Carl Kresge asked for an update. Mr. Benkoski stated the attorney is reviewing the history at this point.

Mr. Benkoski declared the meeting adjourned.

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP

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FEBRUARY 7, 2000 REGULAR MEETING

The regular meeting of the Board of Supervisors of Bear Creek Township was held February 7,2000 at the Bear Creek Neighborhood Facilities building Rte 115 at 6 PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Attorney Malcolm Limongelli was also present.

APPROVAL OF MINUTES: Motion was made by Mr. Benkoski and seconded by Mr. Gayeski to approve minutes as presented. Vote unanimous.

SOLICITOR TO THE BOARD....Mr. Benkoski introduce Attorney Malcolm M. Limongelli as the new solicitor for the Board of Supervisors of Bear Creek Township.

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DISBURSEMENTS....Motion was made by Mr. Benkoski and seconded by Mr. Gayeski to approve disbursements as presented. Vote unanimous.

RECEIPTS....Motion was made by Mr. Clymo and seconded by Mr. Gayeski to approve receipts subject to audit. Vote unanimous.

Chairman Benkoski informed the public that the minutes,receipts and disbursement are posted on the bulletin board for public inspection.

CODE ENFORCEMENT OFFICER.....Total receipts of $1,380.00 was received from the Code Enforcement Officer for the month of January.

The following correspondence was received for the month of January.

Letter from Penn Dot regarding the townships request for review Pa 115 and Township road 481 (Old Route 115/Southern End) Pa 115 and Township road 157 Old East End Blvd/Southern End). The report reviewed the engineering and traffic study they performed on these locations. They also provided several options to resolve the problems. The supervisors would take their advice under consideration. Discussion was held.

Letter from Penn Dot regarding Stop Sign Maintenance SR 115. Penn Dot would be responsible for maintenance of the four T intersection stop signs. Also the township would be responsible for maintenance of stop signs on all other township roads that connect to SR115 within Bear Creek Township. Discussion was held

Letter from Penn Dot regarding Pa 115 Edwards Hill/Chevrons/Road Widening. Penn Dot reviewed the Chevron alignment installation and has determined that some adjustments must be made. Passing lane on Edwards Hill would be very expensive and if the township wishes to pursue it they should contact Adrian Merrill of the Lucerne County Planning Commission. Discussion was held.

Crashes and fatalities that occurred near pole #55271 indicate no significant occurrence or any fatalities.Discussion was held.

WATER TESTING...Mr. Benkoski stated the township received the results of PCB testing of the spring located by Santey's JunkYard and no PCB was detected. Mr. Gayeski informed the public of DEP participation. Mr. Benkoski stated DEP have taken test and they would forward result to the board.

BEAR CREEK FIRE DEPARTMENT...Letter was received from the fire department listing the officers. Mr. Edward Jasulevicz is the fire chief for 2000. Assistance chief is frank Litchman and also a list of other offficers. Also a yearly report was forwarded for 1999.

CONTRACT....Mr. Benkoski stated the contract for 2000 has been forwarded to the fire department for review. Mr Gayeski discussed the mutual agreement section. Mr. Clymo was concerned of the time limit in which the contract was being reviewed.

RETTEW....Letter was received from Rettew Engineering firm requesting a copy of our Comprehensive plan. They would be working on a project access road in the Pike road area off the turnpike.

WAPWALLOPEN WATER SHED...Memorandum was received from Luzerne County Planning Commission regarding adoption of the stormwater management plan. This proposed ordinance would be forward to our solicitor for review.

5KRUN...Letter was received from Penn Dot regarding stating they accept submission as notified on the 5K Run for 2000.

LANDVIEW ESTATES....A discussion was held regarding the retention ponds that would be located in the new development. Mr. James Comes stated he came to the meeting to ask the township to maintain the retention ponds that would be located in his new development. There would be a total of 6 retention ponds. He informed the supervisors along with the general public the purpose and structures of the ponds. Mr. Benkoski was concerned of the liability the township may encounter. A lengthy discussion was held. Mr. Benkoski stated the Supervisors would take this request under advisement and have the solicitor review the matter in the near future.

Chris Keats...discussed the fire safety concerns.
Dave Salata...concerns regarding maintenance of the ponds.
Carl Kresge...felt no concerns regarding the maintenance of the ponds. Increase of revenue for township.

CURRATIVE AMENDMENT...Mr. Kresge asked the supervisors for an update on his curative amendment. A discussion was held. Mr. Benkoski stated this matter would be researched. Mr. Salata expressed his concerns regarding the zoning of his property. Mr. Gayeski stated the township followed the rules regarding the adoption of the township ordinance and codebook.

Mrs. Andrews asked how the rezoning would effect the larger parcels of land and property taxes.

TOWER SITE...Mr. Benkoski updated the board regarding the pending issue of right of ways with Bell Atlantic.

MEETING ADJOURNED AT 7 P M.

BONNIE J WASILEWSKI, SECRETRAY
BEAR CREEK TOWNSHIP

February 21, 2000

SEMI MONTHLY MEETING

607459

The Semi Monthly meeting of the Board of Supervisors of Bear Creek Township was held February 21, 2000 at the Bear Creek Facilities Building at 6PM. Chairman Edward A Benkoski presided with Supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Salute to flag followed.

MINUTES: Motion was made by Mr. Clymo and seconded by Mr. Gayeski to approve minutes as presented. Vote unanimous. Minutes were posted on the bulletin board for review by township residents.

FIRE DEPARTMENT...Mr. Benkoski stated a letter was sent to the Bear Creek Fire Company requesting a list of active firefighters for insurance purposes.

SWANSON ROAD PROJECT....Mr. Benkoski stated the township would hold a preconstruction meeting on Wednesday March 1, 2000 at 12 noon at the Neighborhood Facilities Building.

STATE CONVENTION....Mr. Clymo would be attending the state convention in Harrisburg in April.

Mr. Benkoski informed the public this was a work session. No comments were received from the public. Personnel meeting followed.

Meeting adjourned at 6:10 PM.

Bonnie J. Wasilewski, Secretary
Bear Creek Township

January 17, 2000 Semi Monthly

The Semi Monthly meeting of the board of Supervisors of Bear Creek Township was held January 17, 2000 at the Bear Creek Neighborhood Facilities Building Route 115 at 6 PM. Chairman Edward A. Benkoski presided with supervisors Tyrone G. Gayeski and Arthur Clymo Jr. Salute to flag followed.

Approval of Minutes: Motion was made by Mr. Clymo and seconded by Mr. Gayeski to approve minutes of January 3, 2000 as prepared. Vote unanimous.

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SWANSON ROAD PROJECT....Letter was received from the township engineer Mr. Westawski regarding instructions to sign pending contract. Mr. Westawski had reviewed the contract and bonds received from the bidder. Mr. Gayeski asked if the engineer gave his approval for the supervisors to sign the contract. Mr. Benkoski stated it is up to the supervisors to sign the contract. Mr. Gayeski expressed his concerns regarding the notification of owners along the road. Mr. Benkoski stated it is the townships responsibility to acquire the releases from the property owners as per the contract and instructed the secretary to contact the solicitor to draw up a legal form to forward to the residents involved in this project. The warranty is 12 months after the first day. If the job is not completed in the time frame, a $500 a day fine will be enforced for every day thereafter.

STATE CONVENTION...Mr. Benkoski, Mr. Gayeski and the secretary would be attending the stated convention in Harrisburg this year.

TOWNSHIP AUDITOR VACANCY....Mr. Benkoski moved to appoint Roxanne Landmesser as auditor for Bear Creek Township to fill the vacancy of Mrs. Oldershaw who resigned recently . Seconded by Mr. Clymo. Vote unanimous. Mr. Benkoski read Mrs. Landmesser qualifications.

ZONING HEARING BOARD....Motion was made by Mr. Benkoski to appoint Mr. Drew Peregrim from Forest Park to fill the position on the Zoning Hearing Board, seconded by Mr. Clymo. Vote unanimous. Mr. Benkoski read the qualifications of Mr. Perigrim .

Mr. Benkoski thanked all who applied for the positions. He also informed the public that he would be resigning from the Planning Board in the near future because he felt he should not take a double role in the Township. Anyone interested in the position should forward letter to the township office.

SECRETARY ZONING HEARING BOARD...Motion was made by Mr. Benkoski and seconded by Mr. Clymo to appoint Mr. Helen Novak as secretary of the Zoning Hearing Board. Vote unanimous.

HOURLY INCREASE...Mr. Benkoski read letter the township supervisors forwarded to the auditors requesting consideration for increase in hourly wage from eight dollars to ten dollars per hour as passed by a recent bill for the auditors be considered for township supervisors when working for the benefits of the township. The auditors reviewed the request and approved an increase of fifty cents an hour beginning January to June and another fifty cents July 1 to December .

A discussion was held on pay raises. Mr. Benkoski stated the auditors set the township supervisors salaries or pay scales. The Auditors only recommend to the supervisors and they don't set policies. The pay raises for the employees are set in December of each year by the board in charge.

January 17, 2000 **Semi Monthly**

PUBLIC IMPUT

ROAD DEPARTMENT...Mr. Clymo stated he is the new roadmaster as of January . He updated the public on the procedures and operation of the road department. Mr. Clymo stated he is only following the policies of the township. He stated recently the township laid off a township employee Mr. Eric Koval who was hired as a part time employee due to lack of work.

At the present time the Township hired Mr. Danny Harkenreader as a full time CDL employee. This position was advertised and Mr. Koval was given every opportunity to apply for this position but was not qualified because he had no CDL license and did not attempt to acquire one.

Mrs. Koval, (mother) was upset due to the manner in which her sons release was handled and asked why her son was the only one told he needed to be observed by Mr. Clymo . She also stated that Eric was told Not to use the machines and ect until he was observed by Mr. Clymo. Mr. Clymo stated he never made that statement. Mr. Clymo said that Eric informed the supervisors he could not run the big trucks. Mr. Koval was kept on the employment role due to the mild weather.

PLANNING BOARD APPOINTMENT...Mr. Gober asked why he was not reappointed to the Planning Board for the year 2000. He requested an explanation in writing. Mr. Benkoski stated a decision was made by the Board and no explanation is needed. Mr. Gobers term was up and he was not reappointed. Mr. Benkoski stated it was no reflection on Mr. Gober. The board felt it was time for a change and they wanted new ideas and new faces. Mr. Benkoski would review Mr. Gobers request. He thanked Mr. Gober for many years of service on the planning board.

POLITICAL SIGNS...Mrs. Belcastro asked for an update on the damages to Mr. Benkoski's political signs He gave her an update.

REQUEST FOR INFORMATIO...Mrs. Koval informed the board that she did not get the information she requested at the last meeting. Mr. Benkoski would look into the request.

Meeting adjourned at 6:30 PM

Bonnie J Wasilewski, Secretary
Board of Supervisors

January 3, 2000 REORGANIZATION MEETING

The Reorganization meeting of the Board of Supervisors of Bear Creek Township was held January 3, 2000 at the Bear Creek Facilities Building Route 115 Bear Creek Township. Supervisors Tyrone G. Gayeski, Arthur Clymo Jr. and Edward A Benkoski were present..

Mr. Gayeski called to order the Reorganization meeting stating the newly elected official Mr. Edward A Benkoski had already been sworn in office. Mr. Benkoski verified that statement. Salute to flag followed.

The following motions were made:

Temporary Chairman...Mr. Benkoski motion to appoint Mr. Gayeski, seconded by Mr. Gayeski Vote Unanimous.
Temporary Secretary...Mr. Benkoski motion to appoint Bonnie J. Wasilewski, seconded by Mr. Gayeski .vote unanimous.

CHAIRMAN....Mr.Clymo motion to appoint Mr. Benkoski Chairman, seconded by Mr. Benkoski Vote Mr. Benkoski yes, Mr. Gayeski abstained, Mr. Clymo yes. Vote passed.
VICE CHAIRMAN...Mr. Benkoski motion to appoint Mr. Gayeski, seconded by Mr. Gayeski. Vote Unanimous.
SECRETARY TREASURER...Mr. Gayeski motion to appoint Bonnie J Wasilewski, seconded by Mr. Benkoski, Vote unanimous.
CODE ENFORCEMENT OFFICER...Mr. Benkoski motion to appoint Joseph Andrews, seconded by Mr. Gayeski. Vote unanimous.
SOLICITOR PLANNING BOARD...Mr. Benkoski motion to appoint Attorney Malcolm Limongelli , seconded by Mr. Clymo, Vote Mr.Clymo yes, Mr. Gayeski abstained, Mr. Benkoski yes, vote passed.
SOLICITOR FOR BOARD OF SUPERVISORS...Mr. Clymo motion to appoint Attorney Malcolm Limongelli, seconded by Mr. Benkoski, Vote Mr. Benkoski yes, Mr. Gayeski abstained, Mr. Clymo yes. Passed.
SEWAGE ENFORCEMENT OFFICER...Mr.Gayeski motion to appoint Frank Egenski, SEO and Alternates Brian Egenski and Robert Johnson. Seconded by Mr. Benkoski, vote unanimous.
SOLICITOR ZONING HEARING BOARD...Mr. Benkoski motion to appoint Attorney Angelo Terrana, seconded by Mr. Clymo. Vote unanimous.
DEPOSITORY FOR GENERAL FUNDS CHECKING AND SAVINGS...Mr. Gayeski motion to appoint PNC BANK seconded by Mr. Benkoski. Vote unanimous.
SUPERVISOR INDIVIDUAL MOTIONS TO DO LABOR WORK WHEN NEEDED...Mr. Gayeski motion to appoint Arthur Clymo, Mr.Gayeski motion to appoint Edward Benkoski, Mr. Benkoski motion to appoint Mr. Gayeski, all votes were seconded and all unanimous.
TOWNSHIP MEETINGS...Mr. Benkoski motion to hold regular meetings on the First Monday of each month at 6 PM, seconded by Mr. Clymo. Vote unanimous.
SEMI MONTHLY MEETINGS...Mr. Clymo motion to hold semi monthly on the third Monday of each month at 6PM seconded by Mr. Benkoski, vote unanimous.
SUPERVISORS SIGN CHECKS AND TOWNSHIP PAPERS...Mr. Gayeski motion, seconded by Mr. Benkoski. Vote unanimous
VOTING DELEGATE...Mr. Benkoski motion to appoint Mr. Gayeski, seconded by Mr. Clymo, Vote unanimous.
PLANNING BOARD SECRETARY...Mr. Benkoski motion to appoint Mrs. Helen Novak, seconded by Mr. Gayeski. Vote unanimous.
ZONING BOARD...Mr. Gayeski motion to appoint Mr. David Salata , seconded by Mr. Benkoski, Vote unanimous. Mr. Benkoski motion to appoint Mr. Michael Gatcha, seconded by Mr. Gayeski. Vote unanimous.

PLANNING BOARD....Mr. Gayeski motion to appoint Mr. Anthony Cilberto, seconded by Mr. Benkoski, Vote unanimous. Mr. Benkoski motion to appoint Mr. Ronald Knorr , seconded Mr. Gayeski. Vote unanimous.
VACANCY BOARD...Mr. Gayeski motion to appoint Mr. Robert Orbin, seconded by Mr. Clymo. Vote unanimous.
MILEAGE PER STATE REQUIREMENT....Mr. Benkoski motion to pay seconded by Mr. Gayeski. Vote unanimous.
ROADMASTER...Mr. Benkoski motion to appoint Mr. Clymo as roadmaster, seconded by Mr. Clymo.Mr. Gayeski motion to appoint Mr. Benkoski as alternate Roadmaster, seconded by Mr. Benkoski, Mr. Benkoski motion to appoint Mr. Gayeski as alternate Roadmaster, seconded by Mr. Clymo. All votes unanimous.

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APPROVAL MINUTES...Motion was made by Mr. Gayeski to approve minutes of December 27, 1999 as presented, seconded by Clymo. Vote unanimous.

CODE ENFORCEMENT....The following permits were issued for December 1999: five contractors, four building, two occupancy for a total of $767.50. 1999 yearly report: 131 building permits, 112 contractors, certificate of occupancy 19, zoning books 14, zoning maps 6 and 2 zoning hearings. Total income $27,716.40.

WATER TESTING BURRIDGE....Report was received from Kirby Health Center on the testing of water located on the Burridge property Old East End Blvd. The test results show unsafe for drinking. Mr.Benkoski asked Mrs. English if she received a copy, she did not. No results were received from DEP as of yet but the results would be forwarded to the township. Mr. Benkoski stated DEP would test the water of the residents in that area if they contact them.

5K-RUN....Mr. Benkoski read letter from Rev Thomas on the pending 5K Run project. Mr. Gayeski stated the township secretary would handle this project.

BLACK BEAR PASS...Mr. Benkoski stated the township received a letter from Attorney McCall who represents Patrica Mack subdivision. They want the township to submit a letter to the Planning commission to get an ok for overhead wiring. He stated the planning board has already review this request and feels the Board of Supervisors should not deviate from the ordinance. Reasoning being future development. Mr. Gayeski asked if we should notify them of our decision made tonight. Mr. Benkoski stated we should notify him of our decision and he can make his own decision as to his next step.

FIRE HOUSE WHITE HAVE POCONOS....Letter was received from White Haven Poconos requesting continued use of the build during the period of January until May to the remaining period of insurance coverage. Mr. Gayeski stated same policy as the Neighborhood Facilities building. After May we would close the building. Secretary stated the township employees informed her that the bathroom has been damaged and it is their responsibility to repair it. They would be notifying of the board's decision.

PENN DOT SIGNING...Mr. Gayeski stated that Penn Dot feels they are no longer required to take care of the stop signs abutting state roads. A letter had been forwarded to them addressing this issue. Mr. Gayeski updated the board and felt we should express our concerns.

AUDITOR RESIGNATION....Letter was received from Mrs. Arline Oldershaw resigning as auditor for Bear Creek Township. Mr. Benkoski asked the public if they are interested in this position please contact the township secretary.

SEMI MONTHLY MEETING...January 17, 2000 at 6 PM

JANUARY 3, 2000 REGULAR MEETING

MEETING PROCEDURE...Mr. Benkoski informed the public of the new procedures that would take place regarding citizen comments. Individuals would pick up a Speaker Registration Form from the township secretary and fill it out. The form must be returned to the township secretary one week prior to the township meeting in order to be put on the agenda for the upcoming meeting.

Pending legal issues must be reviewed and updated by the board and this will take some time. New solicitor and board members and maybe we can correct some of the bad things that is in this township.

WINCEK COMPLAINT...Mr. Benkoski updated the public on this issue and what steps must be taken to correct this issue.

TOWNSHIP EMPLOYEE...Mrs. Koval asked why the appointment of the new employee to the township road department was not mentioned. Mr. Gayeski stated as of today Mr. Harkenreader has been hired and we are checking with legal and PSATS regarding the pending issue. She was concerned about the increase of salary as per advertisement. Mr. Gayeski stated the board raised the starting hourly wage due to the fact that no one was applying for the job. Several people have called and applications received some could not wait for the job and some were not qualified. She was concerned that part time/full time employees are still working for minimum wage. Mr. Gayeski felt that Mrs. Koval has threatened the township with a lawsuit, she stated she did not. Mr. Benkoski stated as of today we are going to follow some old policies of the township but we are going to change some of the policies. He stated Mrs. Kovals son's employment is presently being reviewed. Mr. Clymo stated he review Kovals application. Mr. Benkoski stated new job descriptions would be coming out for township employees. This will not be put on the back burner. A discussion was held. Mrs. English was concerned that the advertisement should have been readvertised due to the fact people were interesed in the job but the starting salary was to low and then the supervisors raised it two dollars more. Mr. Gayeski stated we don't need to advertise the jobs . Mr. Clymo felt it should not have been put in the paper for the 6.50 per hour . Mr. Benkoski felt that the people should be paid for what they are worth. A discussion was held.

CURATIVE AMENDMENT....
Mr. Kresge commented on the meeting. He asked about the pending curative amendment. A discussion was held. The township would review it as soon as possible.

SPEAKER REGISTRATION FORM.....Mr. Benkoski stated the process of this form and the reasoning for it. It must not be reproduced and individuals will speak at the platform in the front of the meeting. There are exceptions and also must be submitted to the township secretary prior to the meeting. A discussion was held.

Dave Salata stated Mr. Clymo has been a resident almost his and he wanted the public to know this. Mr. Benkoski stated he also has been a resident since the 50's and due to certain things such as job and etc left the area and now he is back.

Motion was made to adjourn.

Bonnie J Wasilewski

BONNIE J WASILEWSKI, SECRETARY
BEAR CREEK TOWNSHIP