SEMI-MONTHLY MEETING DECEMBER 16th, 2002

The December 16th meeting was called to order at 6:00 P.M. by Chairman Ed Benkoski. Supervisors Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes were approved as presented on a motion by Tyrone Gayeski, seconded Ruth Koval.

Ordinance 1-2002 – Communications Towers (no change) was approved and passed on a motion by Tyrone Gayeski, seconded by Ruth Koval.

Ordinance 2-2002 – Stormwater Management, Solomon Creek Watershed (no change) was approved and passed on a motion by Tyrone Gayeski, seconded by Ruth Koval. Copies to be filed with the Luzerne County Law Library.

Ed Benkoski referred to a letter the Township received from the Bear Creek – Buck Township Volunteer Ambulance Company, Inc. informing the Township that measures had to be taken to insure the safety of the Ambulance. They recommended the Township cease using the Ambulance Bay Area for any reason and that only authorized ambulance personnel would have access to that part of the building. There was a lengthy discussion concerning the ambulance bay area. Chairman Benkoski stated that the letter would be reviewed by the township solicitor.

Helene Conover asked when her road would be fixed. Someone from the township would stop at her property to review the situation.

Rose Andrews stated concerns she has at the Cosenza property and his snowplowing habits. It seems he plows the snow toward the front of the building, thereby blocking any vision of the roadway. She had suggested that PennDOT be notified of this dangerous situation. Supervisor Gayeski suggest that she call PennDOT first. PennDOT has been advised every year for the last several years by the township.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 137,436.75
Jan. Receipts	$ 25,130.99	
_____ Adjustments	$ _____	
_____ Disbursements	$ 23,181.25	
Balance - General Funds		$ 139,386.49

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 64,549.82
Int Receipts	$ 97.21	
_____ Disbursements	$ _____	
Balance – Liquid Fuels		$ 64,647.03

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 441,323.66
Int Receipts	$ 634.97	
_____ Disbursements	$ _____	
Balance – Capital Reserve		$ 441,958.63

TOTAL ALL FUNDS: $ 645,992.15

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 139,386.49
Feb. Receipts	$ 35,447.79	
Int. Adjustments	$ 178.65	
Disbursements	$ 24,858.28	
Balance - General Funds		$ 150,154.65

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 64,647.08
Receipts	$ 86.55	
Disbursements	$	
Balance – Liquid Fuels		$ 64,733.58

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 441,958.63
Int. Receipts	$ 541.54	
Disbursements	$	
Balance – Capital Reserve		$ 442,500.17

TOTAL ALL FUNDS: $ 657,388.40

2003

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 150,944.26
Feb. Receipts	$ 37,198.26	
Adjustments	$	
Disbursements	$ 29,960..58	
Balance - General Funds		$ 158,181.94

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 114,854.54
Feb. Receipts Int.	$ 95.12	
Disbursements	$	
Balance – Liquid Fuels		$ 114,949.66

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 448,888.16
Feb. Receipts	$ 412.48	
Disbursements	$	
Balance – Capital Reserve		$ 449,300.64

TOTAL ALL FUNDS: $ 722,442.24

2/1/2003	Deposit	-SPLIT-	1,744.37
2/4/2003	Deposit	310.21 · Earned Income Tax	649.46
2/5/2003	Deposit	310.21 · Earned Income Tax	1,463.10
2/6/2003	Deposit	-SPLIT-	340.51
2/10/2003	Deposit	310.21 · Earned Income Tax	1,349.57
2/12/2003	Deposit	-SPLIT-	4,332.35
2/12/2003	Deposit	310.21 · Earned Income Tax	3,623.10
2/18/2003	Deposit	310.21 · Earned Income Tax	5,210.14
2/20/2003	Deposit	310.21 · Earned Income Tax	9,020.20
2/24/2003	Deposit	310.21 · Earned Income Tax	1,985.97
2/25/2003	Deposit	-SPLIT-	3,651.84
2/26/2003	Deposit	310.21 · Earned Income Tax	3,104.37
2/27/2003	R.Koval	-SPLIT-	577.87
2/28/2003	Interest	341.00 · Interest Income	145.41
Total 100.01 · General Fund Checking/Savings			37,198.26
TAL			**37,198.26**

Date	Num	Name	Amount
100.01 · General Fund Checking/Savings			
2/4/2003	2578	Wingfoot Commercial Tire Syst...	-1,867.62
2/4/2003	2579	RG Group	-75.00
2/4/2003	2580	PPL Electric Utilities	-966.44
2/4/2003	2581	Egenski, Frank	-170.00
2/4/2003	2582	Andrews, J.	-102.20
2/5/2003	2583	Pennsylvania SCDU	
2/5/2003	2584	PNC Bank	-3,875.50
2/5/2003	2585	PA Department of Revenue	-442.78
2/6/2003	2586	Koval, R.A.	-577.87
2/6/2003	2587	Verizon Wireless	-74.63
2/6/2003	2588	PPL Electric Utilities	-547.68
2/6/2003	2589	Trustees Insurance Fund	-84.87
2/6/2003	2590	PSATS CDL Program	-75.00
2/6/2003	2591	Master Chemical Products, Inc.	-127.18
2/6/2003	2592	Lowe's	-112.12
2/6/2003	2593	Apex Waste Services	-45.66
2/6/2003	2594	Koulik's Oil Service	-1,060.64
2/7/2003	2595	Egenski, Frank	-70.00
2/7/2003	2596	Citizens' Voice	-20.25
2/7/2003	2597	Times Leader	-37.60
2/7/2003	2598	Bradco Supply Co.	-549.60
2/7/2003	2599	Medico Industries	-19.50
2/7/2003	2600	Coccia Ford, Inc.	-5.52
2/7/2003	2601	Grainger	-53.96
2/7/2003	2602	Citizens' Voice	-35.10
2/7/2003	2603	Bradco Supply Co.	-140.00
2/7/2003	2604	OfficeMax	-105.67
2/10/2003	2606	Limongelli & Limongelli	-525.00
2/10/2003	2607	English, Joseph R.	
2/10/2003	2608	Martin, Richard E.	
2/10/2003	2609	Williams, Gary G.	
2/10/2003	2610	Berry, Edward J.	
2/10/2003	2611	Novak, Helen L.	
2/10/2003	2612	Benkoski, Edward A.	
2/10/2003	2613	Gayeski, Tyrone G.	
2/10/2003	2614	Koval, Ruth Ann M.	
2/10/2003	2615	Pennsylvania SCDU	
2/11/2003	2616	Wingfoot Commercial Tire Syst...	-67.04
2/11/2003	2617	Koulik's Oil Service	-553.88
2/11/2003	2618	Snap-On Tools	-84.47
2/11/2003	2619	Walker, R.J.	-80.17
2/11/2003	2620	Medico Industries	-19.50
2/11/2003	2621	Walter's Hardware Store	-22.54
2/11/2003	2622	Wingfoot Commercial Tire Syst...	-31.37
2/11/2003	2623	Franconi Auto Parts	-77.35
2/11/2003	2624	Times Leader	-50.64
2/11/2003	2625	Bradco Supply Co.	-784.95
2/11/2003	2626	Circle Bolt & Nut Co., Inc.	-2.32
2/11/2003	2627	RG Group	-159.06
2/11/2003	2628	Berkheimer Tax Administrator	-478.12
2/11/2003	2629	Glen Summit Springs Water Co...	-10.00
2/11/2003	2630	Gayeski, T.G.	-102.40
2/11/2003	2631	Koval, R.A.	-51.56
2/11/2003	2632	Citizens' Voice	-153.90
2/11/2003	2633	Novak, H.L.	-26.52
2/11/2003	2634	Exxon Mobil	-678.35
2/11/2003	2635	PPL Electric Utilities	-533.39
2/11/2003	2636	PPL Electric Utilities	-1,105.76
2/11/2003	2637	Central Clay Products, Inc.	-94.61
2/21/2003	2638	Sears - Commercial One	-244.93
2/21/2003	2639	PPL Electric Utilities	-930.51
2/25/2003	2640	English, Joseph R.	
2/25/2003	2641	Martin, Richard E.	
2/25/2003	2642	Williams, Gary G.	
2/25/2003	2643	Berry, Edward J.	
2/25/2003	2644	Novak, Helen L.	
2/25/2003	2645	Benkoski, Edward A.	
2/25/2003	2646	Gayeski, Tyrone G.	
2/26/2003	2652	Andrews, Joseph	
2/27/2003	2648	Kutz, Inc.	-124.87
2/27/2003	2647	Reilly Associates	-1,091.00
2/27/2003	2649	Koulik's Oil Service	-1,509.33
2/27/2003	2650	PSATS	-20.00
2/27/2003	2651	Pennsylvania SCDU	
Total 100.01 · General Fund Checking/Savings			-29,960.58
TOTAL			**-29,960.58**

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 150,154.65
Mar. Receipts	$ 28,613.01	
_____ Adjustments	$ _____	
_____ Disbursements	$ 30,225.89	
Balance - General Funds		$ 148,541.77

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 64,733.58
Int Receipts	$ 97.25	
_____ Disbursements	$ _____	
Balance – Liquid Fuels		$ 64,830.83

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 442,500.17
Int. Receipts	$ 564.61	
_____ Disbursements	$ _____	
Balance – Capital Reserve		$ 443,064.78

TOTAL ALL FUNDS: $ 656,437.38

2003 2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 148,541.77
Apr. Receipts	$ 37,423.34	
_____ Adjustments	$ _____	
_____ Disbursements	$ 54,931.83	
Balance - General Funds		$ 131,033.28

Liquid Fuels – Checking/Savings

Balance Brought Forward Int. 166.56		$ 64,830.83
Allocation Receipts	$ 54,327.33	
_____ Disbursements	$ _____	
Balance – Liquid Fuels		$ 119,324.70

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 443,064.78
Int. Receipts	$ 639.92	
_____ Disbursements	$ _____	
Balance – Capital Reserve		$ 443,704.70

TOTAL ALL FUNDS: $ 694,062.68

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 124,713.01
June Receipts	$ 46,190.41	
_____ Adjustments	$ _____	
_____ Disbursements	$ 51,793.61	
Balance - General Funds		$ 119,109.81

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 119,493.97
Int. Receipts	$ 164.99	
_____ Disbursements	$ _____	
Balance – Liquid Fuels		$ 119,658.96

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 444,325.50
Int. Receipts	$ 561.47	
_____ Disbursements	$ _____	
Balance – Capital Reserve		$ 444,886.97

TOTAL ALL FUNDS: $ 683,655.74

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 119,109.81
Jul. Receipts	$ 31,535.73	
Adjustments	$ + 20.40	
Disbursements	$ 65,434.36	
Balance - General Funds		$ 85,231.58

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 119,658.96
Jul. Receipts	$ 168.06	
Disbursements	$	
Balance – Liquid Fuels		$ 119,827.02

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 444,886.97
Jul Receipts	$ 662.65	
Disbursements	$	
Balance – Capital Reserve		$ 445,549.62

TOTAL ALL FUNDS: $ 650,608.22

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 131,033.28
May Receipts	$ 63,054.46	
Int. Adjustments	$ 163.01	
_____ Disbursements	$ 69,537.74	
Balance - General Funds		$ 124,713.01

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 119,324.70
Int. Receipts	$ 169.25	
_____ Disbursements	$ _____	
Balance – Liquid Fuels		$ 119,493.97

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 443,704.70
Int. Receipts	$ 620.80	
_____ Disbursements	$ _____	
Balance – Capital Reserve		$ 444,325.50

TOTAL ALL FUNDS: $ 688,562.48

A note for History's sake: May 28th, 2002 - Bear Creek Township, Bear Creek Village Borough and some parts of Buck Township experienced a flood. The Borough experienced the worst damage - losing 2 homes, damaged Community House & Post Office. The Bear Creek Cafe was completely flooded. The main arteries experiencing damage were Route 115, Meadow Run Road, Sugar Run Road, Thornhurst Road, Pittston Boulevard, Laurel Run Road, White Haven Road and Bald Mountain Road. Most creeks over-ran their banks and created damage to township roads. Many homes on the high side of the road experienced damage because of the deluge of rain, hail and severe winds.

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 85,231.58
Aug. Receipts	$ 40,801.86	
Int. Adjustments	$ 125.66	
_____ Disbursements	$ 29,647.98	
Balance - General Funds		$ 96,511.12

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 119,827.02
Int. Receipts	$ 164.62	
_____ Disbursements	$ _____	
Balance – Liquid Fuels		$ 119,991.64

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 445,549.62
Int. Receipts	$ 595.95	
_____ Disbursements	$ _____	
Balance – Capital Reserve		$ 446,145.57

TOTAL ALL FUNDS: $ 662,648.33

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 96,571.12
Sept. Receipts	$ 49,011.38	
_____ Adjustments	$ _____	
_____ Disbursements	$ 26,460.97	
Balance - General Funds		$ 119,061.53

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 119,991.64
Int. Receipts	$ 157.35	
_____ Disbursements	$ _____	
Balance – Liquid Fuels		$ 120,148.99

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 446,145.57
Int. Receipts	$ 605.29	
_____ Disbursements	$ _____	
Balance – Capital Reserve		$ 446,750.86

TOTAL ALL FUNDS: $ 677,961.38

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 119,061.53
Dist. Receipts	$ 39,332.42	
Int. Adjustments	$ 160.31	
_____ Disbursements	$ 53,241.59	
Balance - General Funds		$ 105,312.67

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 120148.90
Int. Receipts	$ 163.42	
_____ Disbursements	$ _____	
Balance – Liquid Fuels		$ 120,312.41

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 446,750.26
Int. Receipts	$ 606.12	
_____ Disbursements	$ _____	
Balance – Capital Reserve		$ 447,356.98

TOTAL ALL FUNDS: $ 672,982.06

2002.

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 105,312.67
Nov. Receipts	$ 108,613.83	
Int. Adjustments	$ 147.25	
_____ Disbursements	$ 103,492.77	
Balance - General Funds		$ 110,680.98

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 120,312.40
Int. Receipts	$ 135.43	
_____ Disbursements	$ 5,260.37	
Balance – Liquid Fuels		$ 115,187.47

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 447,356.98
Int. Receipts	$ 528.58	
_____ Disbursements	$	
Balance – Capital Reserve		$ 447,885.56

TOTAL ALL FUNDS: $ 673,654.01

2002

TREASURER'S REPORT

General Funds – Checking/Savings

Balance Brought Forward		$ 110,580.98
Dec. Receipts	$ 99,394.93	
Adjustments	$ + 327.76	
Disbursements	$ 111,189.92	
Balance - General Funds		$ 99,113.75

Liquid Fuels – Checking/Savings

Balance Brought Forward		$ 115,187.47
Int. Receipts	$ 121.09	
Disbursements	$ 567.72	
Balance – Liquid Fuels		$ 114,740.84

Capital Reserve – Checking/Savings

Balance Brought Forward		$ 447,885.56
Int. Receipts	$ 529.21	
Disbursements	$	
Balance – Capital Reserve		$ 448,414.77

TOTAL ALL FUNDS: $ 662,269.36

SUPERVISORS MEETING DECEMBER 2nd, 2002

The meeting was called to order by Chairman Ed Benkoski. Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes were approved as presented on a motion by Tyrone Gayeski, seconded by Ruth Koval.

November Cash Receipts report of $108,774.14 were approved on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

November Cash Disbursement report of $103,492.77 were approved pending Audit on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

Code Enforcement Report included 7 Contractor Permits, 12 Building Permits, 2 Zoning Book Sales and 4 Occupancy Permits being issued.

Fire Company report listing the officers for the year 2003. Jason Krumsky – President, Frank Dupak – Vice President, Pat Cusick – Treasurer, Chris Keats – Secretary, J.P. Krumsky – Fire Chief.

Solicitor's Report included information on the Crahall Property.

The 3rd reading of the 2003 Proposed Budget was read by Ed Benkoski. A motion was made by Ed Benkoski to adopt the budget. Motion was seconded by Tyrone Gayeski. Motion carried.

A motion made by Tyrone Gayeski to pass Ordinance 1-2002 – Communications Towers was seconded by Ed Benkoski.

Ed Benkoski made a motion to pass Ordinance 2-2002 – Stormwater Management, Solomon Creek Watershed. The motion was seconded by Tyrone Gayeski.

Ruth Koval made a motion to adopt Resolution 1-2003 Fee Schedule. Motion was seconded by Ed Benkoski. Tyrone Gayeski objected to the Occupancy Fee and voted No.

Frank Westawski was in attendance. He addressed the Zoning Maps of 1995. He stated the maps in our possession are the official zoning maps which were properly advertised and citizens had a chance to review. Mike Gatcha also was in attendance and he stated the zoning maps for the most part were worked on by Al Speicher who he felt was more knowledgeable about Zoning but that he and Tyrone Gayeski had reviewed the maps prior to accepting the zoning maps. Tyrone Gayeski also stated that all three Supervisors and the Secretary worked on the maps together.

Bonnie Wasilewski questioned amending the zoning to include an area for such places as group homes. Rose Andrews asked if the group home was changed from an R-1 to a B-1 since it is a business.
There was a question concerning the Wind Mills and the permit which has expired. Since then there has not been any discussion concerning a permit renewal.

Helene Conover was questioning what is going to be done at her property. Ed Benkoski stated the township would have someone stop over to look at it. Tyrone Gayeski stated that he and two members of the road crew recently checked over her complaints and found none to be valid.

607459

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

Semi-Monthly Meeting November 18th, 2002

Chairman Ed Benkoski called the meeting to order at 6 P.M. Supervisors Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes of November 4th, 2002 were approved on a motion by Tyrone Gayeski, seconded by Ruth Koval.

Ed Benkoski read the 2003 Proposed Budget which constituted the 2nd reading. He stated the Budget was on display at the municipal building for anyone to review.

Ed Benkoski referenced Ordinance No. 1-2002 – Communication Towers which was accepted on a motion by Tyrone Gayeski, with all the changes. The Ordinance is simply designed to regulate the communication towers. There was a discussion concerning the towers. In order for a tower to be erected or someone adding to an existing tower, this would have to go before the Planning Board. Ed Benkoski seconded the motion which passed unanimously. A copy of the Ordinance will be on display at the municipal building for inspection.

Ed Benkoski introduced Ordinance 2-2002: Stormwater Management Ordinance for the Solomon Creek Watershed – which will be on display at the municipal building and which was passed by Luzerne County and required the Township pass the same ordinance. Ed Benkoski made the motion to accept, seconded by Tyrone Gayeski. Motion passed unanimously.

Nationwide Insurance sent a letter to the Board concerning F.I.R.E., Inc. seeking payment on vehicle accident calls. The letter stated they refuse to pay these bills because the fire company is reimbursed through a government agency. Chris Keats said fire departments were challenging this decision.

There was a discussion concerning the radios and phones for the fire company and the road crew employees.

Attorney Matt Reinhart and Adam Crahall addressed the Board concerning the Crahall property on Bear Creek Boulevard. This appears to be a legal problem where the properties in question were re-deeded but not through proper channels. They want to combine lots 106 through 109 into one lot in order to sell the home which is located on lots 107 and 108. By doing this the lot would then measure 2.3 acres.

Bonnie Wasilewski questioned the Building Code. The State is supposed to pass some type of ordinance which is not expected to take place until next year.

Chris Keats questioned the Supervisors requesting letters of interest for EMA Director. There was a notice in Community News of both the Citizens' Voice and The Times Leader. He felt since he and Ed Jasulevicz had served in that post over the last 10 years, the Supervisors should not be looking for someone new.

Once again, the subject of Zoning Maps was brought up. There was a lengthy discussion held concerning where the maps were. Chris Keats questioned the validity of the maps in our possession. Again it was explained that once the legal ads were placed and the maps were on display at various locations prior to adoption with no objections at that time – the maps presently on display at the municipal building are the legal zoning maps. Chris Keats stated there should be a mylar available. Bonnie Wasilewski stated that Ed Benkoski received the original maps and she had witnessed Frank Westawski handing said maps to Ed. Tyrone Gayeski stated he could attest to the fact that Frank Westawski took the maps with him and stated to Chris Keats that he was trying to create anarchy.

607459

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SEMI-MONTHLY MEETING OCTOBER 21ST, 2002

The semi-monthly meeting was called to order by Chairman Ed Benkoski. Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes of October 7th, were approved as presented on a motion by Ed Benkoski, seconded by Tyrone Gayeski.

Ed Benkoski announced the township's new employee is Richard Martin. We had 10 applicants – some did not have CDL's so they were not considered.

607459

Ed Benkoski announced we will be receiving a revitalization grant in the amount of $50,000 and that should be arriving shortly.

Ruth Koval asked Chris Keats if he had heard anything concerning the fire company's request for a grant. Chris stated they were notified they would not be getting any (actually in the first round they were notified they would not been getting any). He stated 84 – 87% of those who applied were denied in the first round and they just stated for us to re-apply next year. The fire company's who did receive grants were really distressed.

Tyrone Gayeski read a letter that was drafted concerning a resident on old Route 115 whose driveway is on township right-of-way. He said we would have to review this and the township should write that resident a letter.

Bonnie Wasilewski asked about the grant and what it was for. Ed Benkoski state it was a Revitalization Grant for the damaged we experienced after May 28th.

She also asked about the flashing lights at the school and stated she had called PennDOT and we would be getting a letter shortly.

Chris Keats questioned the water runoff near the Oldershaw property. He said it is wider then it was last year and should be taken care of.

Bonnie Wasilewski asked about the Zoning Maps. Helen Novak explained that Frank Westawski had stopped at the office to review what exactly was in the boxes he had left a few weeks prior – he stated that is all there was. The smaller version of those maps are now the official Zoning Maps – they were displayed at both ends of the township and at Orloski's and were adopted by the Board in 1995. Chris Keats suggested they might be stored at the township garage. Bonnie stated they would not be down there. Ed stated Frank Westawski told him the only thing we needed was the Official Zoning Map that was given to us in 1995. Ed Martin stated his property is not defined on the 1995 map as it is on the 1972 map. Ed Benkoski stated he would be going to Frank's office to check what is there. Bonnie stated Frank Westawski works out of his home. Chris Roberts believe his office is in the old Nachlis Warehouse.

This was a discussion concerning Pasonick Engineering and the role they are playing in the township as well as with Global Winds Harvest.

Bonnie Wasilewski questioned the residency of Richard Martin and his starting salary.

Chris Keats asked about a meeting between the fire company and the supervisors. Ed Benkoski stated no meeting had been set but would probably be set within the next two weeks.

Chris Keats asked about PPL removing the light from the front of their building to the outside pole. PPL stated they would remove the light but the township or fire company would be responsible for removing the pole.

There was a discussion concerning the sewage study. Ed Benkoski explained the final draft has been turned over to DEP and we are awaiting word from them.

Bonnie Wasilewski questioned if anything was being done on the 2003 Proposed Budget. Ed Benkoski assured her it was being taken care of.

There were questions about the Bear Creek School and the items taken out of the school. There was interest in obtaining the school bells. Tyrone Gayeski stated a group of parents are going ahead with plans for a Charter School. There were also questions concerning the upcoming Zoning Hearing and what was being done as far as the Wind Parks are concerned. There were questions concerning the address changes from 18424 and 18661 to 18702.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISORS MEETING NOVEMBER 4TH, 2002

Ed Benkoski called the meeting to order at 6 P.M. Supervisors Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes of October 21st were approved as presented on a motion by Ed Benkoski, seconded by Ruth Koval.

October Receipts of $39,097.42 were approved on a motion by Ed Benkoski, seconded by Tyrone Gayeski.

607459

The October Disbursements were $53,241.59 were approved, pending audit, on a motion by Tyrone Gayeski, seconded by Ruth Koval.

The Code Enforcement Report included 12 contractor licenses, 6 building permits, 1 Zoning Hearing and 5 occupancy permits.

Fire Company's report included 1 brush fire, 8 motor vehicle accidents, 2 vehicle fires, 1 mutual air, 3 miscellaneous calls, 1 public assistance and 1 structure fire.

The Solicitor's Report includes the Spott settlement which was settled for one half the claim.

Ed Benkoski asked for a motion to request payment for the 2002 OCD Paving Project in the amount of $71,417.20. This motion was made by Tyrone Gayeski, seconded by Ruth Koval.

The first reading of the 2003 Proposed Budget was read by Ed Benkoski. Bonnie Wasilewski questioned if there was anything budgeted for recreation. Ed Benkoski stated there was nothing budgeted but we are looking into a Grant for recreation. The amount of which would depend upon what is submitted. He explained we were looking at the possibility of a pavillion, restrooms, perhaps another field -- all of which would have to be looked by the Supervisors in order to come up with any kind of dollar figure.

Ed Benkoski stated we are going to ask for letters of interest for the position of EMA Director for next year.

He also asked for a motion to proceed with the Telecommunication Ordinance. Tyrone Gayeski made the motion, seconded by Ruth Koval. Ed asked for the Solicitor to review and make a summary for the newspaper.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISORS MEETING OCTOBER 7th, 2002

The meeting was called to order by Chairman Ed Benkoski at 6:00 P.M. Board Members present were Tyrone Gayeski and Ruth Koval.

The Secretary's Minutes were approved on a motion by Ed Benkoski, seconded by Tyrone Gayeski providing the following statement was added: The 1988 truck was at the garage 10 days.

Cash Receipts of $49,137.04 for September was accepted on a motion by Ed Benkoski, seconded by Tyrone Gayeski.

Cash Disbursement of $26,460.97 for September was accepted on a motion by Tyrone Gayeski, seconded by Ruth Koval.

607459

The Firemen's Report was read which included 2 structure fires, 7 mutual aid calls, 7 motor vehicle accidents and 6 miscellaneous calls.

Ed Benkoski read a letter the Board had received from the Fire Company stating they would like to schedule a meeting with the entire board to negotiate a "Fire Protection Contract" for the 2003 calendar year.

The Code Enforcement Officer read his report which included: 14 Contractor Licenses, 11 Building Permits and 2 Zoning Book sales for a total of $7,190.50.

The Solicitor advised the Board, if they wanted to continue to use the flashing lights at the school since it is being used as a transfer station for the Jr./Sr. High School Children we would have to secure a new permit from PennDOT.

Mrs. Weitz addressed the Board concerning the 1995 Ordinance. She stated she wanted to clarify rumors she had heard and which she felt were getting more persistant concerning her involvement in the 1995 Zoning Ordinance. She said she had no input at all. She felt it was really a Kingston Township Ordinance and that every place the Kingston Township named appeared, our ordinance was copied by merely changing the wording to Bear Creek Township. All else remained the same. Zoning Board has only 5 things they can do and that is: Appeals of the actions of the zoning officer, challenges to the validity to an ordinance or map, variances, special exceptions and through the right of appeals. That is all the Zoning Board does – they have nothing to do with designing ordinances. She feels this should have been done by the Planning Board who then submits the plan to the Supervisors for approval. She also said to her knowledge this never took place in this township. Mike Gober verified the Planning Board had nothing to do with it either. Tyrone Gayeski took exception to that statement saying Mike Gatcha was chairman of the Planning Board at that time. He also stated that the Planning Board failed to act.

Leo Ellis questioned the zoning ordinances concerning towers. He does not understand how a tower could be put in his neighborhood without even knowing about it. Ed Benkoski explained that an ordinance was being drafted and would be introduced shortly. He explained at the time of the tower agreement at the Swanson Road property, we went house-

to-house and the only two people who objected were Howard Lewis and Gary Mondulak. The original tower was to be bigger and produce more income for the township. Ed explained that telecommunications cannot be stopped. The ordinance would put stringent regulations on the placement of such towers.

Leo Ellis stated the township garage is a disgrace. It is a pig sty and it should be cleaned up. He said there is raw sewage involved. Tyrone Gayeski stated that the garage would be moved to the recreation complex as soon as possible.

Chris Keats wanted to know who gave the tower company permission to go onto the fire company property. He said there were underground cables which is on their property. He again questioned zoning maps. Ed stated the maps that were delivered were not the ones we are looking for and are trying to get the other ones. Chris Keats said he saw a map at the Code Enforcement office. He was told this particular map is not an official map and therefore cannot be used. He felt the zoning as done in 1995 should be rescinded. Tyrone Gayeski disagreed.

Fred Hochreiter asked about a paving schedule for the dirt road in Forest Park known locally as Loop Road. Ed Benkoski stated there was no schedule for that. Tyrone Gayeski said there was PEMA estimated about $88,000.00 worth of damage and we are waiting for the Governor to declare an emergency, in which case we would be receiving money to have that done. He also felt the township is infringing on his property. Tyrone Gayeski stated there is an intersection of two roads with 50' right-of-way and the culvert was put in during the late 1950's. (For the record, Hochreiter recently purchased the land some 50 years after the culvert was put in.)

Ed Benkoski stated the Sewage Study by Reilly Associates has been completed and has been presented to DEP by Reilly Associates after the final draft came out. We have not heard from DEP whether this is acceptable or not. This will be discussed at a public meeting prior to anything being done after we hear from DEP.

Bonnie Wasilewski asked about the balance in the Capital Reserve Account, if a budget had been worked on yet and why the school light permit was cancelled. She also asked about the move of the Code Enforcement Officer to the Municipal Building. She feels his office should be in the back office with a locked door. Tyrone Gayeski stated the school light permit was cancelled by PennDOT because the school was closed and we did not know the parking lot was going to be used as a Transfer Station.

There was a discussion concerning the Windmills and also the Golf Course zoning. There was arguing back and forth concerning the entire zoning of the township.

Chris Keats asked if anything was done concerning the light at the fire company. PPL had been notified and agreed to move the light but the township or fire company would be responsible for removing the pole.

Adam Crahall and Attorney Michael Rinehart addressed the board concerning the Crahall property. This appears to be a legal problem and Attorney Rinehart would look into that.

Respectfully submitted,
Helen L. Novak
Helen L. Novak, Secretary

10/07/02

SUPERVISORS SEMI-MONTHLY MEETING SEPTEMBER 16TH, 2002

The meeting was called to order by Chairman Ed Benkoski at 6 P.M. Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes were approved as presented on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

Truck Bids were received. The following is a listing of companies submitting bids along with the bid amount:

Keystone Freightlines	Bid $73,477. Trade allowance $3,500.	= $69,977.00
W-B Truck Center	Bid $80,675.	= $80,675.00
Pocono Peterbilt	Bid $81,225. Trade allowance $4,500	= $76,725.00

607459

Tyrone Gayeski made a motion to accept Keystone Freightlines Bid of $69,977.00 subject to review by counsel. Ruth Koval stated she need more time to look these over. She stated she had a problem because some of our trucks are not street worthy and that our trucks should be evaluated (one truck was at the welding shop for 2 months and nothing was done). She thought someone other than our road crew should get these trucks road worthy. Ed Benkoski stated he spoke to Gary Williams at 3:10 this afternoon and Gary stated there was nothing mechanically wrong with this truck – that we needed to replace a bar that was broken and needed to be welded. The place the truck was sent to did not have the equipment to do the welding and it needed to be sent someplace where they have the equipment to do this. Also the truck was never evaluated. Tyrone Gayeski stated that a truck should be replaced every 6 to 8 years on the recommendation of professional people. This particular truck is a 1988 and it should be replaced.

Chris Roberts suggested the truck we want to replace should be put up for bid – place an ad in the paper and see what is offered. Tyrone Gayeski disagreed.

Motion did not carry – there was no second.

Pocono/White Haven Roads – Tyrone Gayeski stated he wanted to go forward on the roads in that area which would cost between $36,000. And $40,000. – particularly Ash Road and Fern Ridge Road (the part that was destroyed over the last couple years). Ed Benkoski stated he was there with Tyrone Gayeski some webbing and here-and-there there was a small pot hole beginning to show up.

Joe English stated the problem on Ash Road was taken care of with AC20 but that it needs to be done properly.

Tyrone Gayeski stated the roads should be done every 6 to 8 years (it used to be 8 to 10). We get the money from PennDOT to fix roads and to buy trucks. We have $100,000.00 in the bank to fix roads or to buy trucks or to do improvements.

Ed Benkoski stated the three Supervisors should take a ride out there together and determine if the roads needed to be repaved.

Bonnie Wasilewski questioned her personnel file in our office. She stated her personnel file was discussed and she knows it was discussed because they mentioned something that only she would know. She stated that someone was in our office and that Ed Benkoski told them something that was in that file. Ed Benkoski asked to have the person come forward. Bonnie stated the person would never know what was in that file unless someone told them or showed them. Ed Benkoski stated the only time anything was discussed about her case was when a woman (from the Insurance Co.) came to the office and had questions concerning the job Bonnie had. Present at that meeting were Ed Benkoski, Tyrone Gayeski and Helen Novak.

Chris Keats asked if any information had been received concerning the telephone pole. Ed Benkoski stated he would get in contact with PPL to see what could be done.

Bonnie again questioned the zoning maps. Ed Benkoski said we had received maps but they were not the ones that we want.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

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Void

SUPERVISORS SEMI-MONTHLY MEETING AUGUST 19TH, 2002

Chairman Ed Benkoski called the meeting to order at 6 P.M. Tyrone Gayeski and Ruth Koval were in attendance.

Tyrone Gayeski requested the following sentence be added to the August 5th Minutes: "The residents should have feel free to call the State Police directly". Tyrone Gayeski made a motion to accept the minutes with that sentence being added. Ed Benkoski seconded the motion.

Thomas Fielding presented his Plans for a Minor Subdivision for approval. The Plans were approved by the Planning Board pending legal easement being properly defined on the Plans. Mr. Fielding presented the adjusted Plans and had obtained the proper signatures from the Planning Board. Tyrone Gayeski's motion to accept the Tom Fielding minor subdivision as approved by the Planning Board which included the legal easement as being properly defined, was seconded by Ruth Koval.

607459

There was a discussion concerning the Cable Company for the White Haven/Pocono area. Since there was some clarification needed concerning the contract there was no action taken on the Contract. Ed Benkoski stated we should table any action on the franchise until our solicitor reviews the items in question.

The Bids received for the 2002 OCD Project (which includes Old East End Boulevard, Pittston Road and Swanson Road) were read by Tyrone Gayeski. They were as follows: American Asphalt = $83,656.51; Pikes Creek Site Contractors = $86,426.38; Slusser Brothers T & E Co. = $70,572.50; Kaminski Brothers, Inc. = $71,490.32 and Franzosa Trucking, Inc. = $82,605.60. Tyrone Gayeski made a motion to accept the low bid of Slusser Brothers T & E Co. subject to review by our solicitor. Ruth Koval seconded the motion.

Ed Benkoski announced our next meeting would be Tuesday, September 3rd because of Labor Day.

Pat Cusick asked if there were any long term plans for the recreational area behind the municipal building such as plans for toilets and possibly a pavilion. Ed Benkoski stated there are no immediate plans but it is something we are looking into.

Michael Dobish questioned the work being done on roads in Forest Park. He felt the gravel which was placed after the flooding was creating a problem on the roads. Tyrone Gayeski stated the road crew is working on the Forest Park roads.

Chris Keats questioned the Eagle Scout Project (the flag pole). Ed Benkoski stated PP&L told him it would cost the township approximately $400.00 to move it.

Bonnie Wasilewski questioned the receipt of the Zoning Maps from Frank Westawski. Ed stated we have not received them yet but they would be forthcoming.

Rose Andrews questioned the Cosenza Property and PennDOT. Since that is private property the Township has no knowledge of what transpired at their meeting.

There were questions concerning the school buses and what Wilkes-Barre Area is planning on doing. The last the township heard was there would be direct busing.

There was a discussion concerning the Golf Course and their payment of $850.00 per year in lieu of taxes – it was explained there was a court case concerning this – there is nothing that can be done about the situation.

Chris Keats asked about the roads at Trailwood Lake. Ed Benkoski stated a resident of Trailwood Lake had his attorney check this out and it appears the roads still belong to the Behrens family.

Chris Keats also questioned if the supervisors had any knowledge of development at Crystal Lake. He stated the access to Crystal Lake from the Laurel Run Road has been bulldozed shut.

There was also a discussion of the proposed Charter School. At this point there is an attorney working with the school parents on the subject of a Charter School. Such a school would not be run by the township.

Respectfully submitted,

Helen L. Novak,
Secretary

Void

~~130~~

Void

SUPERVISORS MEETING AUGUST 5TH, 2002

The August 5th, 2002 Supervisors Meeting was called to order by Chairman Ed Benkoski at 6:00 P.M. Supervisors Tyrone Gayeski and Ruth Koval were in attendance.

Ed Benkoski introduced Lieutenant Frank Hacken, Crime Section Commander, Troop P, Wyoming Barracks. Lieutenant Hacken appeared before the Board of Supervisors and a group of community residents to field a question and answer survey on their concerns of public safety. He was well received and residents were favorable on his appearance. He stated the residents should have open communications with the State Police concerning any problems they may have.

607459

The Secretary's Minutes were approved as presented on a motion by Tyrone Gayeski, seconded by Ruth Koval.

The July Receipts of $31,377.64 were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

The July Disbursements of $65,434.36 were approved, pending audit, on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

The Code Enforcement Officer's report includes 7 Contractor Licenses, 11 Building Permits, 1 Zoning Book sales and 1 Transient permit for a total of $2,554.50.

The Firemen's report listed 7 motor vehicle accidents, 3 miscellaneous calls (wires down, traffic control), 2 vehicle fires, 5 mutual calls, 1 trash fire, 3 brush fires and 1 structure fire.

The Solicitor's Report includes the American Asphalt lawsuit. Mr. Bilby and Mr. Westawski have been joined in the litigation -- they have been advised to contact their insurance company. Attorney Limongelli feels there is something wrong with the design and there is something wrong with the engineering project. He stated we have a meeting set with their attorney and we are seeking contribution from them on the monies that are allegedly due American Asphalt. The meeting will be held in the near future.

Ed Benkoski explained we had a meeting with Reilly Associates over the Sewage Survey we are having done. Once the Survey is complete, there will be a public meeting concerning their findings.

Bonnie Wasilewski asked Attorney Limongelli asked why the Zoning Board was not in attendance at the Federal Court Hearing. It was explained that under the Federal Housing Law this procedure was handled properly.

There was a question concerning the Artifacts at the Bear Creek School. The items are supposedly still there and once the school has been cleared of the teachers' personal items, we can enter. The Township has no direct answer from the School Board as to what will or will not be removed from the existing building.

As of this date the Township has no information from the School Board concerning a drop-off point for the students. It was stated the School Board members are considering having an Aide on each of the busses. At this point the Township has not received any information as to what is going to transpire.

Ed Benkoski stated he has requested from Frank Westawski all the Zoning Maps he has since these are the Township's maps.

Respectfully submitted,

Helen L. Novak,
Secretary

Void

SUPERVISORS MEETING SEPTEMBER 3RD, 2002

The meeting was called to order by Chairman Ed Benkoski at 6 P.M. Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes August 19th Minutes were approved on a motion by Tyrone Gayeski, seconded by Ruth Koval.

The August Receipts of $40,801.86 were accepted on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

The August Disbursements of $29,647.98 were accepted, pending audit, on a motion by Ed Benkoski, seconded by Ruth Koval.

607459

The Code Enforcement report includes 12 contractors permits, 7 building permits, 2 zoning books, one zoning map and 4 certificates of occupancy for a total of $5,913.00.

The Fire Company's report included 6 motor vehicle accidents, 1 miscellaneous call, 3 vehicle fires, 4 mutual aid calls and 3 structure fires.

The Solicitor's Report: The Cable TV Franchise Agreement changes were reviewed and everything seems to be in agreement. This Franchise Agreement covers the Pocono/WhiteHaven Area only. Tyrone Gayeski made a motion to approve the contract as stated. Ed Benkoski seconded the motion. All were in agreement.

Attorney Limongelli stated he has scheduled a meeting in his office with all parties concerning the American Asphalt Lawsuit. The meeting will take place in Attorney Limongelli's office on September 26th, 2002 at 11:00 A.M. Mr. Westawski's and Mr. Bilby's insurance representatives will also be in attendance.

He also stated on the Spott's case, which was appealed to the Court of Common Pleas, the settlement is $4,000.00 down from the original figure of $8,000.00.

Ed Benkoski stated we have received communication from Community Energy who is in contact with PPL concerning the windmills. Community Energy is merely a Broker for the sale of energy.

Chris Keats questioned if the township had received the Zoning Maps from 1997. The maps were received at our office at approximately 3:15 P.M. At this point the Supervisors did not have a change to review the maps. Chris also questioned the map that is in Joe Andrews office. Ed explained that is a map that was made by Mike Murphy and is not an official township map.

Chris Keats stated the Fire Company will be filing a Zoning Hearing Application for a hearing on the Swanson Road building.

Ruth Koval requested we change the time of the truck bid opening to be held at the meeting rather than the 12:30 time as listed in the Citizens' Voice. Since the ad will appear on the 9th in the Times Leader – we will be able to change the bid opening to the 6 o'clock meeting.

Joe English questioned the property below their property where they are putting in a driveway. It is Joe's understanding that 2 acres has been sold. Ed Benkoski stated this property was never sub-divided and, therefore, cannot be built on until such a time as the owner files for a subdivision before the Planning Board.

Chris Keats again questioned the ownership of Trailwood Lake Road. There was paperwork given to Ed Benkoski stating the Behrens family maintains ownership of that road.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISORS SEMI-MONTHLY MEETING AUGUST 19TH, 2002

Chairman Ed Benkoski called the meeting to order at 6 P.M. Tyrone Gayeski and Ruth Koval were in attendance.

Tyrone Gayeski requested the following sentence be added to the August 5th Minutes: "The residents should have feel free to call the State Police directly". Tyrone Gayeski made a motion to accept the minutes with that sentence being added. Ed Benkoski seconded the motion.

Thomas Fielding presented his Plans for a Minor Subdivision for approval. The Plans were approved by the Planning Board pending legal easement being properly defined on the Plans. Mr. Fielding presented the adjusted Plans and had obtained the proper signatures from the Planning Board. Tyrone Gayeski's motion to accept the Tom Fielding minor subdivision as approved by the Planning Board which included the legal easement as being properly defined, was seconded by Ruth Koval.

607459

There was a discussion concerning the Cable Company for the White Haven/Pocono area. Since there was some clarification needed concerning the contract there was no action taken on the Contract. Ed Benkoski stated we should table any action on the franchise until our solicitor reviews the items in question.

The Bids received for the 2002 OCD Project (which includes Old East End Boulevard, Pittston Road and Swanson Road) were read by Tyrone Gayeski. They were as follows: American Asphalt = $83,656.51; Pikes Creek Site Contractors = $86,426.38; Slusser Brothers T & E Co. = $70,572.50; Kaminski Brothers, Inc. = $71,490.32 and Franzosa Trucking, Inc. = $82,605.60. Tyrone Gayeski made a motion to accept the low bid of Slusser Brothers T & E Co. subject to review by our solicitor. Ruth Koval seconded the motion.

Ed Benkoski announced our next meeting would be Tuesday, September 3rd because of Labor Day.

Pat Cusick asked if there were any long term plans for the recreational area behind the municipal building such as plans for toilets and possibly a pavilion. Ed Benkoski stated there are no immediate plans but it is something we are looking into.

Michael Dobish questioned the work being done on roads in Forest Park. He felt the gravel which was placed after the flooding was creating a problem on the roads. Tyrone Gayeski stated the road crew is working on the Forest Park roads.

Chris Keats questioned the Eagle Scout Project (the flag pole). Ed Benkoski stated PP&L told him it would cost the township approximately $400.00 to move it.

Bonnie Wasilewski questioned the receipt of the Zoning Maps from Frank Westawski. Ed stated we have not received them yet but they would be forthcoming.

Rose Andrews questioned the Cosenza Property and PennDOT. Since that is private property the Township has no knowledge of what transpired at their meeting.

There were questions concerning the school buses and what Wilkes-Barre Area is planning on doing. The last the township heard was there would be direct busing.

There was a discussion concerning the Golf Course and their payment of $850.00 per year in lieu of taxes – it was explained there was a court case concerning this – there is nothing that can be done about the situation.

Chris Keats asked about the roads at Trailwood Lake. Ed Benkoski stated a resident of Trailwood Lake had his attorney check this out and it appears the roads still belong to the Behrens family.

Chris Keats also questioned if the supervisors had any knowledge of development at Crystal Lake. He stated the access to Crystal Lake from the Laurel Run Road has been bulldozed shut.

There was also a discussion of the proposed Charter School. At this point there is an attorney working with the school parents on the subject of a Charter School. Such a school would not be run by the township.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISORS MEETING AUGUST 5TH, 2002

The August 5th, 2002 Supervisors Meeting was called to order by Chairman Ed Benkoski at 6:00 P.M. Supervisors Tyrone Gayeski and Ruth Koval were in attendance.

Ed Benkoski introduced Lieutenant Frank Hacken, Crime Section Commander, Troop P, Wyoming Barracks. Lieutenant Hacken appeared before the Board of Supervisors and a group of community residents to field a question and answer survey on their concerns of public safety. He was well received and residents were favorable on his appearance. He stated the residents should have open communications with the State Police concerning any problems they may have.

607459

The Secretary's Minutes were approved as presented on a motion by Tyrone Gayeski, seconded by Ruth Koval.

The July Receipts of $31,377.64 were approved on a motion by Ed Benkoski, seconded by Ruth Koval.

The July Disbursements of $65,434.36 were approved, pending audit, on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

The Code Enforcement Officer's report includes 7 Contractor Licenses, 11 Building Permits, 1 Zoning Book sales and 1 Transient permit for a total of $2,554.50.

The Firemen's report listed 7 motor vehicle accidents, 3 miscellaneous calls (wires down, traffic control), 2 vehicle fires, 5 mutual calls, 1 trash fire, 3 brush fires and 1 structure fire.

The Solicitor's Report includes the American Asphalt lawsuit. Mr. Bilby and Mr. Westawski have been joined in the litigation – they have been advised to contact their insurance company. Attorney Limongelli feels there is something wrong with the design and there is something wrong with the engineering project. He stated we have a meeting set with their attorney and we are seeking contribution from them on the monies that are allegedly due American Asphalt. The meeting will be held in the near future.

Ed Benkoski explained we had a meeting with Reilly Associates over the Sewage Survey we are having done. Once the Survey is complete, there will be a public meeting concerning their findings.

Bonnie Wasilewski asked Attorney Limongelli asked why the Zoning Board was not in attendance at the Federal Court Hearing. It was explained that under the Federal Housing Law this procedure was handled properly.

There was a question concerning the Artifacts at the Bear Creek School. The items are supposedly still there and once the school has been cleared of the teachers' personal items, we can enter. The Township has no direct answer from the School Board as to what will or will not be removed from the existing building.

As of this date the Township has no information from the School Board concerning a drop-off point for the students. It was stated the School Board members are considering having an Aide on each of the busses. At this point the Township has not received any information as to what is going to transpire.

Ed Benkoski stated he has requested from Frank Westawski all the Zoning Maps he has since these are the Township's maps.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SEMI-MONTHLY MEETING July 15th, 2002

Chairman Edward Benkoski called the meeting to order at 6:00 P.M. Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes were approved as presented on a motion by Tyrone Gayeski, seconded by Ruth Koval.

Next meeting will be August 5th, 2002 at 6 P.M..

Bonnie Wasilewski question a "Children-at-Play" sign on Pine Road (past the group home).

607459

Pat Cusick questioned a sign being posted at Trailwood Park – Tyrone Gayeski stated two state signs have been order stating "Dogs Must be Leashed". The signs will be posted as soon as they are received.

Bonnie Wasilewski questioned the Re-zoning of the R-3 Area.

Henry D'Amato brought up the accident which occurred this morning. Chris Keats stated the vehicle was travelling at a high rate of speed around 2 A.M. Route 115 was shut down until around 5:30 to 5:45 A.M. Electrical wiring and telephone services were out. Henry discussed the Group Home and he felt the Group Home in that particular area is not very safe for people who would be residing in that home. Ed Benkoski stated we would send a letter to Community Counseling Services expressing our safety concerns for the Group Home. Henry D'Amato also stated his concerns about the Group Home in Kingston where a resident of that home is charged with starting a fire. Henry stated that particular person was in other trouble with the law.

Mrs. Conover asked about the test Frank Egenski performed on her property. Ed Benkoski stated we have not seen a report as of this date. He stated when we receive the results we will forward a copy to her. She also stated it was taken when there was no water in the area and would much prefer to have it done when there is water.

Bonnie Wasilewski asked why there was nothing in the Minutes concerning her statement and Mary Konicki's statement concerning the Group Home yet there was a huge paragraph about StephanieVonderheid's concerns about a home on Trailwood Lake. Ed Benkoski stated we do not have to address all issues that come up on the floor. Bonnie Wasilewski questioned why the Supervisors agreed with the Federal Court concerning the Occupancy Permit. She felt the Supervisors should have voted no to the proposal, stating that if Tyrone Gayeski voted no and Ed Benkoski voted yes – it would go no where since there were only two supervisors at the hearing. Ruth Koval explained there were 3 votes since the Supervisors met with the lawyers the day before and that was the conclusion they came to on the attorneys' advise. Bonnie stated she has been involved with the Township for 26 years and it is not necessarily true when the attorney tells you to do something, you do it. Ed stated that whether we agreed or not, the Federal Judge told us the Federal Government supercedes our zoning ordinance whether we said yes or whether we said no. Ed Benkoski asked what

should be done with our Zoning Book to which the Federal Judge replied "Continue enforcing where you can".

Henry D'Amato stated Attorney Terrana told a group of residents this Township did stand a chance on fighting the issuing of an Occupancy Permit.

Tyrone Gayeski stated as far as townships are concerned the federal government is picking us apart one-by-one.

Chris Keats requested an overview map of the Township for 9-1-1 purposes. Ed Benkoski was told by 9-1-1 was so far behind and they would appreciate our help in securing this type of map. Ed stated he had started working on it supposedly with the help of the fire company but they faltered because they did not have time to do it.

There was a question concerning the upkeep at the school. Ed Benkoski stated he spoke with Jeff Namey who assured him the Wilkes-Barre Area School District, as long as they were in control of Bear Creek Elementary, they would maintain the grass and the grounds. Ed asked to go inside to get some personal effects that we felt the Township should have. Jeff Namely said we could not go in yet because the teachers had personal items in there and we could not go in until those items were cleaned out. August 23rd is the date for the "turn-over" of the building.

There was a discussion concerning our 1995 Zoning Map and the R-3 areas. Tyrone Gayeski feels our R-3 areas are adequate for the purpose of Group Homes in which they can purchase property in those areas. The Golf Course zoning was questioned. Gayeski reminded everyone that we lost 1800 acres of industrial area when the land was sold to the Game Commission and the Lutheran Camp.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISORS MEETING JULY 3RD, 2002

The Supervisors Meeting was called to order at 6:01 P.M. by Chairman Ed Benkoski. Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes were approved on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

Tyrone Gayeski's motion to approve the June Receipts of $36,705.52 was seconded by Ed Benkoski.

The June Disbursements were approved, pending Audit, on a motion by Tyrone Gayeski, seconded by Ruth Koval.

The Code Enforcement Officers report included 12 Contractor's Licenses, 9 Building Permits, 1 Zoning Book Sale and 4 Certificates of Occupancy.

The Fire Company report was read by Ed Benkoski which included 9 Motor Vehicle Accidents, 3 Miscellaneous Calls, 1 Vehicle Fire, 2 Mutual Aid Calls, 1 Trash Fire and 1 Sever Flooding on several parts of Route 115.

Letters to the Board of Supervisors from the Fire Company were also read and included the proposed sale of the Swanson Road Building. A notice was read listing the 2002 Line Officers for the Fire Company: Chief - J.P.Krumsky, Asst. Chief – Bill Sennett, Deputy Chief, Jason Krumsky and Tom McGowan, Sr., Captain – Frank Litchman and Chris McGowan, Lieutenant – Vince Farrell.

Solicitor's Report included Fred Spotts lawsuit which will include Westawski and Bilby as defendants along with Bear Creek Township. Mr. Spotts has provided us with some documents on the Swanson Road Project which have been given to the Supervisors for review. He suggested that we go over them carefully before signing anything.

Attorney Limongelli stated we have received the Franchise Agreement from GMP Cable TV and he feels it is very beneficial to the township since we will be getting a 5% Franchise Fee over a 7 year period. The matter of getting monies from the prior years. Before signing the agreement, the Supervisors should wait until we get word about reimbursement from prior years. This cable TV is providing cable for the White Haven/Pocono area.

Ruth Koval made a motion to change meeting time to 7 P.M. There was no second.

Tyrone Gayeski stated he had been working on specifications for a new truck. He wants to put it out for bid. He stated since we have many road that abut Route 115 or other State Route we have difficulty plowing our roads because PennDOT plows these roads in when they make their pass on Route 115. He stated one of our trucks is 13 years old. Tyrone Gayeski then made a motion to put this possible truck purchase out for bid with minimum specifications. Ruth Koval seconded that motion after questioning that this is just for getting

bids – not for an actual purchase. Ed Benkoski stated we have a truck that Mr. Gayeski claims is 13 years old, it has approximately 33,000 miles on it and feels the maintenance on this vehicle has been neglected, motorwise, etc. We have been trying to do maintenance on this vehicle ourselves and our crew is not capable of it. He feels going out and spending between $70 to $80 thousand for a new vehicle is ridiculous. He stated he does not understand the specs for this truck and feels that Mrs. Koval and Mr. Gayeski do not understand these specs either. Tyrone Gayeski stated the mileage is not properly reflected in that they are forward miles – not back up miles. Ed Benkoski feels the trucks should be evaluated before we go out purchasing a new one. Ruth Koval feels while we are waiting for bids to come in we would have the other trucks evaluated and then see what the best way to go would be. She also stated that she had taken the Specs to someone from another township to check on a few items she had a question on. On the vote – Ruth Koval and Tyrone Gayeski - yes and Ed Benkoski – no.

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Chris Keats questioned the status of the Resolution for the fire company. Ed stated he had signed it after he had Attorney Limongelli review it again in order to be sure it was the same one he had review previously since the township had received several copies of resolutions from Chris Keats.

There was a discussion concerning the Swanson Road Firehouse and it's possible sale. There has been no conclusion to their proposal of selling it for $45,000.00 to the township.

Susan Vonderheid stated the property next to hers on Trailwood Lake Road is extremely messy – 5 or 6 dogs on the property that are constantly barking, an abandoned vehicle which is part way on the property and part way on the road, there is junk, garbage, litter – it is disgusting. The dogs are running loose. All they ever did since 1999 was take out one truck load of garbage. A letter will be sent giving them a 15 day notice to clean up. If it is not done then we will take it before a magistrate. Attorney Terrana state the procedure to follow would be to send the offending party a letter allowing so may days to clean up – if that is not done, they should be taken before the Zoning Hearing Board and then go before a magistrate. Tyrone Gayesi stated that the Township has not been treated well by the courts on these problems.

Attorney Sean McDonough stated he was retained by the insurance company to represent Bear Creek Township. He stated he had met with Attorney Terrana and the Supervisors. He felt with the knowledge he had of the Fair Housing Act, the Township was not in a good position to defend this complaint. The Fair Housing Act states that the people who are physically or mentally challenged to reside in residential single family neighborhoods. That was a policy that Congress wanted to advance. Federal statutes always preempt local statutes.

After review our zoning maps, he determined we did not have any developable lots to accommodate R-3. He felt the township's success of defending this claim would be no better than 5%. He stated when you get sued under the Fair Housing Act, in addition to the injunctive relief (which means the Zoning Board and the Board of Supervisors would have been directed to issue this permit). The thing that was substantial concern of the Board was

the potential jeopardy that would have attached to the township's continuing to secure federal funds with respect to existing projects. If you tend to violate the Act, it would jeopardize your own eligibility to secure federal funds for other projects in the community. He felt, in the final analysis, Community Counseling Services would have been issued the permit – it would not have been favorable to the township.

There were several comments from those in attendance strongly voicing their objections to a settlement being made. Attorney Terrana stated the insurance company does not cover punitive damages. No one knows what the punitive damages would be in this case.

Helene Conover made comments on her water problems. Tyrone Gayeski said that the court ruled in favor of the Township.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

Supervisors Semi-Monthly Meeting June 17th, 2002

The meeting was called to order by Chairman Edward Benkoski at 6 P.M. Tyrone Gayeski and Ruth Ann Koval were in attendance.

The Secretary's Minutes were approved on a motion by on a motion by Tyrone Gayeski, seconded by Ruth Koval.

Ed Benkoski read letter from Attorney Kunec concerning American Asphalt Paving vs. Bear Creek Township. Bear Creek Township's Praecipe to issue Writ of Summons to join Russel L. Bilby and Frank Westawski as additional defendants.

Ed Benkoski read a letter from Attorney Limongelli stating Attorney Sean McDonough would be attending our July 1st, 2002 meeting as well as Attorney Angelo Terrana.

Ed Benkoski read a letter from Attorney Limongelli confirming our Franchise Agreement with GMP Cable TV who covers the White Haven/Pocono area. The agreement is for 5% for a seven year period.

He also read a notice which was left on the door concerning a meeting "To Save Our School" scheduled at this building for 6/18/02 at 7 PM and also a meeting with School Board members on June 20th, 2002 at 6 PM at Bear Creek Elementary School.

Pat Cusick requested, on behalf of Chris Keats, a letter from the Township concerning the fire company's property on Swanson Road listing it is an R-1 Zone.
Pat Cusick, on behalf of
Chris Keats questioned getting residents addresses. He was instructed to go to Data Processing at the Courthouse and they could get labels either listing residents or property owners – before using the labels, the fire company should have copies of the labels made up and they would have the list in their possession for any mailing.

Mary Konnicki questioned the home at 3504 Bear Creek Boulevard but had decided to wait until the attorneys are here at the July 1st, 2002.

Nextel was supposed to have a representative at the meeting, however he was detained. Any information they had will be passed on to Joe Andrews.

Ruth Koval questioned the Summer Hires – if we were going to do anything about them. Ed suggested the Supervisors discuss that after the meeting. Tyrone Gayeski made a motion we hire the 4 who applied for the jobs, Ruth seconded. On the vote Tyrone Gayeski and Ruth Koval voted for the hirings, Ed Benkoski voted against the move. The four are Matthew Nealon, Taylor Kocker, Chris Lauer and Brian Landmesser. Ruth explained there were two summer hires from last meeting – they are Chris McGowan and Ed Kopeck.

Tyrone Gayeski stated the International Lions Club donated $10,000.00 for the residents who were most affected by the recent heavy rains. Since Popple donated gravel to alleviate the

problem on Second Street, he felt the Lions Club should consider using some of that money for a hauler. Ruth Koval stated that PennDOT has been dropping off milling in that area and a resident across from Second Street is helping them spread the milling. However they will still need stone on top of the milling.

Carl Kresge questioned the situation of the Conover Property – he also brought pictures. He stated she had a serious problem. He stated the problem is not the Golf Course. Tyrone Gayeski disagreed with Carl Kresge. Carl Kresge also stated the problem is the first house on the corner. He stated if the problem is not taken care of he plans on enjoining Helene Conover in her lawsuit.

607459

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISORS MEETING JUNE 3rd, 2002

The meeting was called to order by Chairman Ed Benkoski at 6:00 P.M. Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes were approved as presented on a motion by Ed Benkoski, seconded by Tyrone Gayeski.

The May Receipts of $63,054.47 were approved on a motion by Tyrone Gayeski, seconded by Ruth Koval.

The May Disbursements of $96,537.74 were approved, pending audit, on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

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Fire Company (4/29/02 thru 5/28/02) included 9 motor vehicle accidents, 1 structure fire, 1 brush fire, 5 mutual aid calls, 1 vehicle fire, 1 public assist and 2 miscellaneous calls (wires down).

The Code Enforcement Officer's report included 16 Contractor's Permits, 12 Building Permits, 1 Zoning Hearing and 1 Occupancy Permit.

Resolution 4-2002 Recognizing the authority of the Volunteer Fire Company to seek reinbursement for hazardous material, environmental incidents and fire safety rescue responses. Tyrone Gayeski made a motion to pass this resolution after establishing the fact that our solicitor has reviewed it and had no objections, Ruth Koval seconded. A copy of this should be forwarded to the fire company.

Ed Benkoski stated the Supervisors had passed an Emergency Resolution of the Township Board of Supervisors declaring a State of Emergency exists in the Bear Creek Township as of May 28th, 2002 which was sent to the county and accepted by them. Luzerne County also pass an emergency resolution on behalf of the Borough and the Township.

Ed Benkoski called for a motion of the Cooperation Agreement By and Between the County of Luzerne and the Township of Bear Creek for the purpose of community development block grants for the following year. Tyrone Gayeski made the motion which was seconded by Ed Benkoski.

Tyrone Gayeski stated we hired 2 Summer Hires starting today. He also wanted the residents to be aware there may be a problem with West Nile Encephalitis Mosquitoes and advised residents it would be advisable to get rid of any standing water on their properties. He also stated there may be problems with Gypsy Moth and advised "Seven" is now available for purchase and advised residents they should purchase that item to rid their property of gypsy moth and the clusters.

The Solicitor's Report informed the Board we reached a tentative agreement with the Cable Company for the White Haven/Pocono area. We will be receiving 5% of the monies for the next 7 years. They will draft the documents for our review. Ed Benkoski stated the cable company is looking into any monies they may owe us from previous years.

Attorney Limongelli stated he was sure there were a lot of questions concerning the group home and the occupancy permit and all the other matters associated with it. We appeared in Federal Court before Judge Caputto last Wednesday, May 29th, 2002. We were represented by Angelo Terrana in the Zoning matter and the Zoning Hearing Board had a Hearing and denied the permit. After that permit was denied Community Counseling Service sued the Supervisors, the Zoning Hearing Board to issue the permit and alleged in the complaint Attorneys Fees from them, punitive damages (which means a punishment damage) and various other costs to be assessed against the township if they were found in violation of the Fair Housing Act. The insurance company's solicitor was brought into the case and we met with him, discussed the whole case. Attorney Limongelli had requested both our insurance company's lawyer and Attorney Terrana attend this meeting in order to answer any questions the residents may have concerning the Fair Housing Act,, how it implicates our township, why this agreement was reached and what would happen if we were found in violation of that Act. He stated if we were found in violation of that Act, we would lose Liquid Fuels Grants and Luzerne County Grants for at least the next 3 years.

He stated the Judge approved the stipulation and dismissed the complaint against the Supervisors and Bear Creek Township. He also dismissed any type of punishment damages, also dismissed any type of attorneys fees or costs they would claim against us. In exchange we had to agree to give them an Occupancy Permit. Attorney Limongelli felt that in our R-3 district there would be reasonable accommodations; however, there was no room under the R-3 sub-section to make reasonable accommodations. He felt we should have all attorneys present to explain the situation.

Bonnie Wasilewski stated the bottom line was the buck. She stated it is the responsibility of the Supervisors to protect the health and welfare of the residents of this township. The money is not the issue here and she felt the supervisors should have continued with this and they should have notified the residents of when this hearing was scheduled and let us know what was going on. Ed Benkoski explained we did not have accommodations for an R-3 (our R-3's are private entities – when the zoning was re-zoned in 95, there was never any accommodations put in as far as extra acreage for R-3 as there is for other zoned areas. Tyrone Gayeski stated we were told in 1995 that just having an R-3 was correct.

Attorney Limongelli stated the "buck" was not the issue here – the issue was not to be in violation of the Federal Housing Act. He stated he recommended we be in compliance with the law, not violate the law.

Tyrone Gayeski stated he told the judge this is based on the advise of our lawyers (Attorney Limongelli, Attorney Terrana and Attorney McDonough.. Mary Konicki questioned about the residents not being notified of this meeting. She feels the supervisors went behind their back.

After much conversation, Ed Benkoski stated he felt we should have a meeting with all attorneys being present in order to explain what transpired.

There was very much conversation concerning the amount of vehicles at the fire company which Bonnie Wasilewski felt created a hazard during the emergency.

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Bonnie Wasilewski questioned our Worker's Comp. Ed Benkoski explained the insurance companies are very reluctant to cover any municipality who had a volunteer fire company on their policy. Bonnie stated she has not received a penny yet on her Worker's Compensation claim.

Helene Conover stated she was flooded 3 times in the last six years. She stated the supervisors are doing nothing to solve her problem. She stated she wants to Supervisors to buy her out. She stated she does not want a ditch in front of her house and a culvert should be put in.

Bonnie Wasilewski asked why the residents were not notified of the hearing. Mary Konicki stated the residents had a right to be at the hearing and she feels the supervisors when behind the residents backs.

Attorney Limongelli stated the insurance company's attorney, Sean McDonough answered the court papers. After that there was an injunction filed. He explained the original suit would have taken months to be scheduled but the injunction was filed and we only had a day's notice. He explained there was supposed to be releases prepared and signed by Community Counseling (Attorney McDonough will prepare the releases for their signature) wherein they are going to withdraw the suit, withdraw the monetary claims. That has not been done and we have not received the releases. There is no written order from the court.

Attorney Limongelli explained that the Federal Court pre-emps any type of law. Tyrone Gayeski explained the Court found that our Zoning would not uphold in Federal Law.

Respectfully submitted,

Helen L. Novak

Helen L. Novak, Secretary

SUPERVISORS SEMI-MONTHLY MEETING May 20th, 2002

The meeting was called to order by Chairman Ed Benkoski at 6:00 P.M. Tyrone Gayeski and Ruth Koval were in attendance.

The Secretary's Minutes were approved as presented on a motion by Tyrone Gayeski, seconded by Ruth Koval.

Tyrone Gayeski read a letter from the Volunteer Fire Company. New officers for the Relief Association are Patrick Cusick, President; Vince Farrell, Vice President; Mark Sindaco, Secretary and Mike Sennett, Treasurer.

He also read a letter stating the fire company would be at a training session at the Schuylkill County Fire Training Center on June 8th, 2002. They have requested the Laurel Run and Laflin Fire Companies be first responders for June 8th from 7 AM to 6 PM.

Ed Benkoski stated he was checking into the situation at 3504 Bear Creek Boulevard whereby the owners are seeking a temporary injunction to occupy the home. Our Solicitor has been contacted and is checking into this as to what avenue we should take regarding this matter.

Ed Benkoski presented the signed Lake Aleeda Dry Hydrant Easement to Chris Keats for the fire company's records.

Ruth Koval asked about the change in the meeting time until 7 P.M. Tyrone Gayeski felt that since the Planning Board meets on the third Monday of the month after the Supervisors Meeting, if there were to be a change in the Supervisors meeting time, we would have to change the Planning Board meeting date. A discussion will be held at a later date.

Ed Benkoski questioned Chris Keats concerning the For Sale sign on the Swanson Road building. Chris suggested setting up a meeting with the fire officials since the township is concerned about ingress and egress to the garage. Ed stated he was surprised about the decision to place a for sale sign. There was also a question of how this building is zoned.

Chris Keats questioned the Resolution. Ed stated he sent it to our solicitor for his approval.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISORS' MEETING MAY 6TH, 2002

The meeting was called to order by Chairman Ed Benkoski at 6:01 P.M. Vice-Chairman Tyrone Gayeski and Supervisor Ruth Koval were in attendance.

The Secretary's Minutes of April 22nd were approved as presented on a motion by Tyrone Gayeski, seconded by Ruth Koval.

April Receipts of $37,423.34 were approved on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

April Disbursements of $54,931.83 were approved, pending Audit, on a motion by Tyrone Gayeski, seconded by Ed Benkoski.

The Code Enforcement Officer's April report included 25 Contractor Permits, 21 Building Permits and the sale of 2 Zoning Books for a total of $9,821.85.

The Fire Company's report included 3 Mutual Aid Calls, 1 EMS Assistance to Unit 72, 2 Brush Fires, 9 Motor Vehicle Accidents, 1 Garage Fire, 1 Vehicle Fire and 1 Miscellaneous (fuel leaking) responses.

The Postal Survey Response was read by Ed Benkoski. The vote for the 18424 area was 50 Yes, 36 No and 5 Invalid. The 18661 area had 24 Yes, 16 No and 4 Invalid votes. It did pass and everyone in the township can use either Wilkes-Barre 18702 or Bear Creek Township 18702. The White Haven/Pocono area will remain as 18661 since this is still under contract.

Bob Kunec gave the Solicitor's Report: Frederick Spotts is suing Bear Creek Township for approximately $8,000.00 for his design work on the Swanson Road and according to Attorney Limongelli the lawsuit is scheduled for a hearing on May 20th. Before that date Attorney Limongelli is going to see if this could be resolved without going to court. The second lawsuit was filed by American Asphalt Paving Company. They feel they are owed approximately $32,000.00. A complaint has been filed by American Asphalt and Attorney Kunec filed a response to that complaint on behalf of the township. Additionally the lawsuit was filed against the supervisors. The lawyer for American Asphalt was told they cannot file suit against the supervisors – the suit would have to be filed against the township. Other parties may be included in this lawsuit.

Art Clymo stated he was the road supervisor at the time the road was done and he would like to be involved. He stated he was on the job every day (Monday thru Friday). He also stated he had pictures of the project.

There were questions concerning the status of Bonnie Wasilewski as far as her disability claim is concerned. There has been nothing resolved on this.

There was a discussion concerning the Workers' Compensation Insurance. The township has been notified our Compensation Insurance will not be renewed. One reason is because the

Volunteer Fire Company is covered on our insurance. The companies are taking a hard look at this coverage and are shying away from insuring municipalities who have such coverage.

Chris Keats asked about the Resolution for the Fire Company. Chris said he would supply us with a sample copy.

There was mention of the workers from the State Correctional Institute – the comments were very favorable to the work that was completed by them. The work included the stone wall and grading in front of the municipal building, various projects completed both at the recreation area off Route 115 and the Laurel Run Road site.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

607459

SUPERVISORS' SEMI-MONTHLY MEETING APRIL 22ND, 2002

Chairman Edward Benkoski called the meeting to order at 6:00 P.M. Tyrone Gayeski and Ruth Ann Koval were in attendance.

The Secretary's Minutes of April 8th, 2002 were approved as presented on a motion by Tyrone Gayeski, seconded by Ruth Koval.

Bonnie Wasilewski questioned if anything new is going on at 3504 Bear Creek Boulevard. Ed Benkoski stated our insurance company would be defending the case. Tyrone Gayeski stated he spoke with Attorney General Fisher and he said it is pretty rough in the Federal Courts but he understood what we were going through.

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Bonnie also stated there were a group of parents concerned about the Bear Creek Elementary School and its possible closing. She questioned if the Board would be attending the School Board's Meeting. All three Supervisors expressed their concern as well and they would all be attending the work session and regular meeting. She asked if she could borrow a map of the township in order to show the board members just how large the township is.

Ed Benkoski stated there was a group who met with Mr. Namey and he stated there had been no decision made on any school closings. Bonnie questioned Mr. Namey stating a transfer station being considered at the PennDOT lot or the Bear Creek Township property.

Robert Martin asked about Reilly Associates and their maps of the township – he stated they are beautiful maps and we should see if we could get copies. Dawn Webb questioned what they are doing and if the township residents would be informed of their results. Ed Benkoski stated both DEP and Bear Creek Township would receive the results.

There were questions concerning the most recent modular unit which was placed at the school and listed as costing the school district $89,000. This particular unit came from Nanticoke and was in deplorable condition and certainly should not have cost that much money.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISORS' MEETING April 8th, 2002

The Supervisors' Meeting was called to order at 6:00 P.M. by Chairman Ed Benkoski at 6:00 P.M. Supervisors Ruth Koval and Tyrone Gayeski were in attendance.

After the Pledge of Allegiance, Ruth Koval introduced Megan Zingaretti and Elizabeth Andrews who are members of Girl Scout Troop #719 of Bear Creek. Both girls were awarded the Bronze Award for community service. Megan helped at the SPCA and Elizabeth collected food for the local food kitchen. Ruth presented each girl with a letter of congratulations on behalf of the Board of Supervisors, a Certificate of Appreciation and a small floral arrangement.

The Secretary's Minutes of March 18th was approved on a motion by Tyrone Gayeski and seconded by Ruth Koval. Motion passed.

Tyrone Gayeski's motion to accept the March Receipts Report ($28,791.66) was seconded by Ed Benkoski. Motion carried.

The March Disbursement Report (30,225.89) was approved, subject to audit, on a motion by Tyrone Gayeski, seconded by Ed Benkoski. Motion carried.

Joe Andrews' Code Enforcement Report of March included 13 Contractor Permits, 6 Building Permits and 1 Zoning Book sale.

Ed Benkoski read the fire company's report which included 23 calls for the month.

Solicitor's Report: An action has been filed against Bear Creek Township in Federal Court on April 3rd, 2002 by Community Counseling Service for denying them an Occupancy Permit for the property at 3504 Bear Creek Boulevard. He stated the secretary had informed him the insurance company would take over the defense of this suit but he has to confirm this with the insurance agent. The answer must be made within 20 days so Attorney Limongelli will contact the Crossin Agency to get this moving.

The Stavish Subdivision which was approved by the Planning Board on 3/18/02, was approved on a motion by Ed Benkoski, seconded by Ruth Koval. This particular subdivision was to incorporate 3 existing lots into 1 lot in order to put an addition onto the existing building. Motion carried.

Ed Benkoski stated Reilly Associates has received approval from DEP to start their sewage survey study. They will be visiting homes in the designated areas starting in Forest Park. The other areas to be included are in Trailwood near the Golf Course, Swanson Road and Pittston Boulevard

The Liquid Fuels Allocation has been received which total $54,377.00. This is an increase from last year because the township accepted the roads in Laurelbrook Estates.

Ed Benkoski read the letter from the Auditors concerning the 2001 Audit and he referred to a letter from the Auditors about suggestions they had. He requested the Auditors and Supervisors have a meeting to go over the suggestions. The Audit was approved on a motion by Tyrone Gayeski, seconded by Ed Benkoski

There were discussions concerning the proposed address changes which affect the residents who presently have a Gouldsboro, 18424 address and those along Route 115 who are listed as White Haven, 18661. If the proposal is accepted these areas will become Bear Creek Township, 18702 or Wilkes-Barre, PA 18702. Mark Wende expressed his concern about having the mailboxes in the Mountain Lake area where they presently are as compared to being placed by the entranceways to Mountain Lake. He also what the advantages would be in making this change. Ed Benkoski stated the major advantage would be that Bear Creek Township would finally have just one Zip Code thereby eliminating the confusion to everyone. Gouldsboro is actually located in Wayne County plus Mountain Lake is close to the Lackawanna Border. This has caused confusion especially for 911 calls. Tyrone Gayeski stated the area of White Haven/Poconos which is listed as White Haven, 18661 would have to stay the same at this time but is hopeful that too will be changed in the future. Chris Keats stated the fire company and ambulance would fight to keep the mailboxes in front of the homes since this is the best way for emergency personnel to identify locations.

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The Post Office suggested that Circle Drive be changed to Circle Court and Lakeview Road be changed to Lakeview Place since there is a Circle Drive and a Lakeview Road existing in the 18702 Zip Code. This change would be advisable in order to avoid any confusion.

Others voicing their concerns about the proposed changes were Mark Evans, Bill Fusciante, Art Clymo, Bonnie Wasilewski, Rose Andrews and Mike Gatcha.

If all goes in favor of the changes, residents will be able to choose the final line of their address as Bear Creek Township 18702 or Wilkes-Barre 18702.

Ed Benkoski stated every contractor in the Laurelbrook Estates will be given a copy of our open burning ordinance in order to prevent another incident where the contractor was burning at a job site and neglected to stay there until the fire was completely out. The fire company was called and responded – the contractor will be fined.

Gail George asked to the Township's help in keeping Bear Creek Elementary School open. She felt this was not only a PTA concern but a concern to all township residents. Barbara Wende stated the problems encountered the last time this was threatened. She felt a committee should be formed and she would be happy to help that committee. She emphasized that safety appeared to the key factor in preventing the school from closing.

Kyle Hovick addressed the Board and stated he was working on an Eagle Scout Project and proposed to install dugouts at the Little League Field. Anthony Ciliberto is going to be the sponsor for this project. Tyrone Gayeski expressed his concern about the area being kept clean if it were to be enclosed areas. There was some discussion concerning what should or should not be done in the area. Ed Benkoski stated he would be in favor of such a project

and Ruth Koval concurred. Most of the conversation concerned the problem of clean up rather than the project. Ruth Koval made a statement that our youth of today is our future of tomorrow -- give credit where credit is due.

A resident questioned the status of the roads at Trailwood Lake. Since Bear Creek Township does not own these roads, there is nothing the township can do. Ed stated he feels Wilkes-Barre City is the owner and we have tried contacting the city but have not been successful up to this point.

Respectfully submitted,

Helen L. Novak

Helen L. Novak

SUPERVISOR'S SEMI-MONTHLY MEETING March 18th, 2002

The meeting was called to order at 6:01 P.M. by Chairman Ed Benkoski. Supervisors Tyrone Gayeski and Ruth Koval were also in attendance.

The Secretary's Minutes were approved as presented on a motion by Tyrone Gayeski, seconded by Ruth Koval. Motion carried.

Ed Benkoski informed the residents of a meeting with Pamela Benjamin, Manager of the Harrisburg District of the Postal Service. She had informed us they would conduct a survey in the Mountain Lake area who are now addressed as Gouldsboro, 18424 and also the area along Route 115 listed as White Haven 18661. The postal proposal is to change both these areas to Bear Creek Township, 18702. They will be sending survey information to the residents in these areas and, in order for this change to take place, they will need at least 50% plus one to be in agreement. There is a possibility of the postal service setting a pick up box in this area but nothing will be done on this until after the other proposals take place.

607459

Ed Benkoski notified the people that the April 1st and 15th Supervisors meetings have been changed to April 8th and 22nd.

There was a discussion concerning Bear Creek Borough and the Fire Company. We will be looking for any information the township may have.

Bob Martin questioned the zoning of his property. There will be a review of the questionable changes which occurred in the 1995 Zoning review.

There was also a review of the Golf Course area as well as Trailwood Lake area with Tyrone Gayeski and Jerry Snyder an Engineering Consultant who was hired by the Legal Firm representing the township in the Helene Conover Case. Information concerning both will be forthcoming in the next several weeks.

Ed Benkoski state he had gotten in touch with PennDOT concerning the road work to be done on the corner of Route 115 and the Meadow Run Road. It is presently scheduled for a September start.

Respectfully submitted,

Helen K. Novak

Helen L. Novak,
Secretary

Supervisors Meeting March 4th, 2002

The Supervisors Meeting was called to order at 6:01 P.M. by Chairman Ed Benkoski. All Supervisors were present.

Prior to the February 18th Minutes being accepted, Ruth Koval stated she had approved the February 4th Minutes with changes and that the changes were not made. She stated she felt some of the points by Chris Keats and Chris Roberts was just as important as what was in the minutes and wants that so noted. Tyrone Gayeski made a motion to accept the minutes with a notation that Ruth Koval wants her vote for the February 4th, 2002 Minutes reflect a No vote. Tyrone Gayeski wants it recorded as follows: Ed Benkoski – Yes; Tyrone Gayeski – Yes; Ruth Koval – No. Ed Benkoski seconded the motion to accept the February 18th, minutes. On the vote: Ed Benkoski – Yes; Tyrone Gayeski – Yes; Ruth Koval – Yes.

607459

Receipts for February were $35,447.79 – Ed Benkoski's motion to accept the receipts was seconded by Ruth Koval. Motion carried.

Disbursements for February were $24,859.08 – Tyrone Gayeski made a motion to accepted the Disbursements Report subject to Audit – the motion was seconded by Ruth Koval. Motion carried.

Code Enforcements was read by Ed Benkoski – there were 11 Contractor Permits, 4 Building Permits, 1 Zoning Hearing and one certificate of occupancy.

Fire Company report included 3 structure fires, 1 loud explosion in Forest Park, 2 reports of downed trees, 8 motor vehicle accidents, 5 brush fires and 1 vehicle fire as well as some auto alarms that were false trips.

The Solicitor's Report included the discussions with the Cable TV at White Haven Poconos stating the terms of the contract were for 10 years and they have agreed to lessen that to 7 years. They said they would not go less than that because it would not be profitable for them. The other matter is Spotts vs. Westawski and Bear Creek Township. The Arbitration Hearing is scheduled for March 25th in Lackawanna County.

Ed Benkoski stated we had received a letter from the PA Treasury Departments wanting to attend a meeting to inform residents of what may be available to them thru the Treasury Department. A represented is scheduled to appear at the March 18th, 2002 meeting.

Chris Keats asked about the possibility of contacting the Post Office to place a mail receptacle outside of the UniMart store. Tyrone Gayeski stated the Township had been in contact with the Post Office about placing such a container but we have not gotten any response. There was a discussion concerning the number of Post Offices involved with Bear Creek Township.

Chris Keats requested a "no burn ban" be put into effect. Lack of rain and lack of snow has puts us in a very vulnerable position. Ed Benkoski and Ty Gayeski stated we would follow the county lead.

Bob Martin asked about the changing of the time of the meetings. Tyrone Gayeski stated we have to take into consideration the fact that the Planning Board is scheduled to meet at 7 P.M. or when the Supervisors meeting is over on the 3rd Monday of each month. We would have to consider changing the date of their meetings before we could make any changes to the Supervisors Meetings.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

SUPERVISOR'S SEMI-MONTHLY MEETING February 18th, 2002

The meeting was called to order at 6:01 P.M. by Chairman Ed Benkoski. Supervisors Tyrone Gayeski and Ruth Ann Koval were in attendance.

The Minutes were approved on a motion by Ed Benkoski, seconded by Tyrone Gayeski. Ruth Koval stated she felt there were a few other things that were more important at the meeting that should have been in than some of the stuff that was in. Ed Benkoski explained that anyone speaking at a meeting without an application technically we do not have to put any of that in the minutes. The vote was unanimous.

Ed Benkoski informed the residents we are looking at a Health Insurance increase of almost $6,800/ year over and above what we are paying now. He stated we had checked into an HMO but that was more expensive than the one we presently have.

A letter was read from the Volunteer Hose Company requesting the use of the recreation fields and snack bar for their 2002 Bazaar which is scheduled for August 1, 2 and 3. They will also need to use the area several days prior to the Bazaar for set up and afterwards for clean up.

Ed Benkoski stated we received a complaint from DEP concerning the dumping at the recreation field. DEP stated they had received a complaint from a passerby stating there was illegal dumping going on. We were aware of some shingles, building materials and some tires. He stated we would probably get a dumpster rather than using our own vehicles for the removal. He stated we will be getting a letter to the effect that we should monitor the dumping more closely and put a sign up there for Clean Fill Only. Gary Williams stated we cannot take tires to the landfill and they would probably have to be taken to Jack Williams for them to be disposed of properly.

In order to control the illegal dumping, no one will be allowed to dump anything without stopping at the Municipal Building first. The township will be receiving a letter from DEP concerning this problem. Tyrone Gayeski stated the chains had been cut twice in the last two weeks and a police report had been made.

Joann English asked about the time change for the meetings. She was informed that we had not discussed it.

Joe English questioned about PennDOT when they were removing tanks – they dumped illegal items and dumping those items across from the Ambulance Bay. He said not to strike a match in that area. Ty Gayeski stated the township was unaware of any illegal PennDOT dumping. Joe English also was asking to get the water tested at 511 Old East End Boulevard. DEP tested the area twice and he said he received results of those tests. Ed Benkoski stated he would follow up on the DEP results.

Respectfully submitted,

Helen L. Novak

Helen L. Novak, Secretary

Supervisors Regular Monthly Meeting February 4th, 2002

The meeting was called to order at 6 P.M. by Chairman Ed Benkoski. Tyrone Gayeski was also in attendance. Ruth Koval arrived at the meeting at approximately 6:05.

The Secretary's Minutes were approved on a motion by Ed Benkoski, seconded by Tyrone Gayeski. Motion carried.

The Treasurer's Receipts Report of $23,181.25 was approved on a motion by Tyrone Gayeski and seconded by Ed Benkoski. The Disbursements Report of $23,181.25 pending audit was approved on a motion by Tyrone Gayeski and seconded by Ed Benkoski.

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Code Enforcement Report included 34 Contractors Licenses and the sale of 1 Zoning Book for a total of $3,415.00.

Ed Benkoski read the Firemen's Report listing 6 motor vehicle accidents, 1 structure fire, 1 carbon monoxide detectors and 1 Public Assistance call.

The Solicitor reported there was no agreement reached with the cable company for White Haven/Poconos. He was negotiating back monies due. He expects a hearing date to be set shortly concerning the Spotts/Swanson Road project.

Bonnie Wasilewski asked about correspondence from Atty. Teranna to Atty. Buffalino and she was informed there was not such correspondence. They only letter from Bear Creek Township was a letter from Joe Andrews denying an occupancy certificate.

Mary Konnicki asked Ruth Koval what her opinion was concerning the house on Balsam Road. She stated she has worked with "these" type of people. She said some of the stuff stated at meetings is totally outrageous. Even with the tape, the part that was chosen, that was shown at the last meeting was that of being totally against the mentally ill and after reviewing most of the tape there was a lot in there that was totally for the group home but she has been told she cannot give her opinion. She stated she wanted to set the record straight that some of the things that are being stated concerning the mentally ill or the mentally retarded is not true. Some of the statement that were made were totally outrageous and that is what she was trying to get across – she has worked with the mentally ill, mentally handicapped for 28 years.

She was asked if there would be any conflict with her being a supervisor. She stated she did not believe so. Ruth Koval stated she hasn't been privy to the meetings with the lawyers or some of the other meetings that have been happening and that she doesn't even know the full extent of the information and she wants to get copies of transcripts from Mr. Limongelli and that she knows meetings have been held but she just wasn't invited.

Attorney Limongelli stated he did not understand what she was talking about. Ed Benkoski stated the only meetings that were held on the group home were public meetings, that there was never a private meeting held on this home. Attorney Limongelli stated there are no

transcript. Ruth Koval asked that when the supervisors met with met with Attorney Limongelli that there were transcripts or something that would give her information. Ed stated there were no such meetings. She stated that Mr. Gayeski and Mr. Andrews met with Attorney Limongelli concerning the group home. Joe Andrews stated there was no such meeting however he had met with Mr. Teranna. It was explained that Mr. Andrews met with Attorney Teranna in response to receiving the letter from Community Counseling Services requesting a Certificate of Occupancy and it was stated she had a copy of that letter.

Ruth stated that because of the Privacy Act that even your neighbors or friends could be mentally ill and you would not know it. The only way you would know if they want you to know. Ruth emphasized that some of the things that were said at some of these meetings she does not believe to be true and only through experience.

Tyrone Gayeski stated that he viewed the entire tape and he disagrees with Ruth Koval on her opinion of the tape. He stated that some jobs depended on that testimony and some people were shaky in their testimony and there are a lot of problems in Southeastern PA and in Philadelphia with the criminal system. The part that he showed at the last meeting was shown strictly because it was not transcribed on the copy of the testimony he received. He stated that Senator Schwartz asked the question "What are the failings of this system?" Ed Benkoski stated he had not seen the tape but would be interested in seeing it.

There was much more conversation and/or questions concerning the home on Balsam Road.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

Senator Allyson Schwartz

Gerald Radke, Deputy Secretary Department of Public Welfare

Senator: Could you speak to what more could be done that is not adequately being done?

Radke: I would like to raise 2 points that I covered in my written testimony and that the doctor covered in his testimony. One is that the newer medications to treat serious mental illness have only been available to us since the late 1980's, the early 1990's. And as a system we need to learn how to use these medications and we also need to make sure that our system adopts changes to reflect the promise of these new medications. Before these medications we often had very low expectations of outcomes in terms of our treatments for persons with serious mental illness and I think too often we continue to have low expectations instead of having much higher expectations that can come with recovery from mental illness. We need to talk openly about the fact that when people with serious mental illness live in the community they not only need a portable safe housing, they want jobs, they have relationships, they need to be able to get around so transportation is important and all the things that the larger community sees as is important, persons with serious mental illness living in a community in recovery seems important. So I think we just need to continue to raise our expectations in terms of outcomes.

The second area that we need to do more work in and we are recognizing that as we move into the managed care programs is, we do have too many of our people, persons with serious mental illness, interacting with law enforcement and getting caught up in a criminal justice system. And we on the mental health side have to do a much better job of diverting those folks from the criminal justice system and bringing them back into the mental health system. So I would say those are two areas where we need to do more work

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Semi-Monthly Meeting January 21st, 2002

The meeting was called to order by Chairman Ed Benkoski at 6:00 P.M. Tyrone Gayeski and Ruth Ann Koval were also in attendance.

Prior to the Secretary's Minutes being approved, Ruth Koval wanted the following be added to the January 7th minutes "Mr. D'Amato asked the meeting time be changed to 7:00 P.M.". Tyrone Gayeski made a motion to accept the minutes with that change noted, Ruth Koval seconded the motion. Motion carried.

Ed Benkoski read a letter sent by Joseph Andrews, Code Enforcement Officer, to Mr. Joseph H. Knecht, President/CEO, Behavioral Health Services which was a reply to his request for an Occupancy Permit for the property at 3504 Bear Creek Boulevard. He stated he was unable to issue such a permit and cited 3 Zoning Ordinances which he felt disallowed the requested usage.

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Ed Benkoski read the listing of 2002 Elected Officers of Bear Creek Township Volunteer Hose Company. They are: President – Jason Krumsky; Vice President – Vince Farrell; Secretary – Christopher Keats; Treasurer – Thomas Austin and Fire Chief J.P. Krumsky.

Ed Benkoski made a motion to accept Bear Creek Township's Emergency Operation Plan that was submitted by Chris Keats who is our EMA Director and to include some additions which was added to the rear of the plan to include available equipment of the township's road department and also equipment available through the fire co and we also put a map of what we felt was the evacuation routes that were necessary for anything that would happen within the community and we also designated the emergency ramps on the turnpike at White Haven and at Pike Road. Tyrone Gayeski seconded. Motion carried. A copy will be sent to Chris Keats and the County EMA.

Resolution 3-2002: Small Flow Treatment Facility for the Peter and Gail Andrews property in Forest Park. Ed Benkoski stated it was necessary for Bear Creek Township would have to pass such a resolution in order to have DEP review and perhaps approve. Tyrone Gayeski made a motion to pass this resolution as presented. Prior to Ruth Koval's second, she questioned if this type facility would be allowed for other properties. Ty Gayeski stated each one would have to be taken individually. Ed stated this could not be done without the approval of DEP. Ruth Koval questioned if the residents downstream knew about this sewage treatment plan. It was stated that it was advertised for 30 days. Ruth Koval then seconded the motion since it is for a particular location. This resolution is for a correction of a malfunctioning system. Art Clymo asked how this system would be monitored. It was explained it would be monitored by a Certified Sewage Enforcement Officer which is Frank Egenski. Motion carried.

Ed stated there was an article in the Times Leader concerning the Wind Mills which had some misinformation in the article and there will be a retraction in the paper. The article stated the project was put on hold. This project is not on hold.

Joanne English questioned changing the time of the meeting and asked if it had been discussed. Ed stated they had not talked about it yet but would be discussing it tonight. She also questioned at the reorganization meeting Helen Novak was appointed Secretary, who was appointed Treasurer. Ed stated Helen Novak was appointed Secretary/Treasurer.

Next meeting is scheduled for February 4th, 2002.

Henry D'Amato brought up the situation of the recent murder in Meshoppen where a boy and 2 of his friends killed his father, raped the mother - that one boy who was responsible was staying at Vision and was sleeping and being fed at a church which opened its doors to Vision. He stated there were many problems with the people staying there. Ruth Koval stated that was a Homeless Shelter.

Mr. D'Amato asked if these were the type of people scheduled to reside at the house on Balsam Road. He emphasis we must know the type of people who may be moving up here, what is their character and where are they from. He emphasized that it is important for us to know who would be moving up here. Tyrone Gayeski referred to a December 2001 hearing concerning mental health. He played a tape of the testimony of Gerald Radke, Deputy Secretary, Department of Public Welfare. An addendum is added to the minutes which is a transcript of Mr. Radke's testimony. There are some problems with this program.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary

095

Reorganization Meeting January 7th, 2002

The Reorganization Meeting was called to order at 6:00 P.M. by Chairman Edward Benkoski. Tyrone Gayeski and newly elected Ruth Koval were also in attendance.

All positions were declared open. Ed Benkoski made a motion to appoint Tyrone Gayeski as Temporary Chairman and Ruth Koval as Temporary Secretary. The motion was seconded by Tyrone Gayeski. Motion carried.

Tyrone Gayeski's motion was seconded by Ruth Koval to appoint Edward Benkoski as Chairman; Edward Benkoski's motion to appoint Tyrone Gayeski as Vice-Chairman was seconded by Ruth Koval; and Edward Benkoski's motion to appoint Ruth Koval, Tyrone Gayeski and Edward Benkoski, Roadmaster was seconded by Tyrone Gayeski – the votes on these motions were unanimous.

Ed Benkoski's motion to appoint Helen Novak as Part-time, Temporary Secretary/Treasurer was seconded by Ty Gayeski; Ed Benkoski's motion to appoint Joseph Andrews, Code Enforcement Officer for the year was seconded by Ty Gayeski and Ed Benkoski's motion to appoint Frank Egenski Sewage Enforcement Office, Brian Egenski and Robert Johnson as Alternate Sewage Enforcement Officer was second by Ty Gayeski. All motions carried unaminously.

The following three motions were made by Ed Benkoski, seconded by Ty Gayeski: Malcolm Limongelli, Solicitor/Board of Supervisors; Malcolm Limongelli, Solicitor/Planning Board and Angelo Terrana Solicitor/Zoning Hearing Board. These motions also carried unanimously.

Regular Monthly and Semi-Monthly meetings were set for the 1st and 3rd Monday each month at 6 P.M. on a motion by Ed Benkoski, seconded by Ty Gayeski. Ruth Koval agreed to the Monday part of the motion but felt the meetings should be held a 7 P.M. rather than 6 P.M. The vote was unanimous for the 1st & 3rd Monday with Ed Benkoski and Tyrone Gayeski voting for the 6 P.M. time and Ruth Koval stating she would prefer 7 P.M.

Ed Benkoski made 2 motions – 1) appoint Helen Novak Planning Board Secretary and 2) appoint Helen Novak Zoning Hearing Board – these motions were seconded by Ty Gayeski. Both motions carried.

The following appointments were made by Ed Benkoski, seconded by Ty Gayeski: Richard Kresge to the Planning Board; Jeffery Stewart to Zoning Hearing Board and Robert Orbin for the Vacancy Board. All motions carried.

Ed Benkoski made a motion to appoint Ty Gayeski as the Voting Delegate at the annual convention in Hershey, Ty Gayeski seconded the motion. Motion carried.

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Ed Benkoski made a motion to maintain PNC Bank as the Depository for General Funds Checking/Savings Accounts and allow all Supervisors to sign checks and necessary bank papers – this was seconded by Ty Gayeski. Motions carried.

A motion to appoint each supervisor individually to do labor work when needed was made by Ed Benkoski, seconded by Ty Gayeski and a motion to pay mileage rate per IRS requirement for township business was seconded by Ty Gayeski – both motions carried.

Ty Gayeski made a motion to pay all 2001 remaining bills was seconded by Ed Benkoski. Ruth Koval abstained since she was not a Supervisor at that time.

Tyrone Gayeski's motion to approved the Minutes of December 17th, was seconded by Ed Benkoski. On the vote, Ruth Koval abstained.

The Treasurer's Report was read listing balance in General Funds of $137,436.75, Liquid Fuels balance of $65,549.82 and Capital Reserve as $441,323.66. Tyrone Gayeski made a motion to approve Receipts for the month of December of $49,790.38 and Disbursements of $28,807.12 with the adjustment of $20.60 pending Audit – Ed Benkoski seconded. The vote was unanimous.

The Code Enforcement Officer's report included 9 Contractor Permits, 10 Building Permits and 1 Zoning Book listing at total of $5,728.00 for the month.

The Solicitor was unable to attend due to the inclement weather, therefore no report.

Ed Benkoski thanked Chris Keats for submitting the Emergency Operation Plan for Bear Creek Township. He stated he dropped a copy for the County to review it and he has not received that back from the County plus Mr. Gayeski nor Mrs. Koval had a chance to review it – He said we would have that ready for the next meeting.

Residents were questioning a letter which Attorney Terrana was supposed to sent in response to Attorney Buffalino's letter concerning the home at the corner of Balsam Road and Route 115. Ed Benkoski stated he would request a copy of that letter.

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Mr. D'Amato asked the status of that house and it was explained that a permit had been issued for installation of new sliding glass doors, to do something on the well and they wanted to change the electrical box within the house. As far as we can determine there is no one living at the house. There were questions concerning work being done if an occupancy permit was not being issued.

It was explained that Community Counseling Service did ask for a Zoning Application but that has not been returned therefore no action can be taken. The residents expressed concern about the house and they do not want a group home to be located there and they feel very frustrated that nothing is being done to stop it.

Ty Gayeski stated the duty of the Board of Supervisors is to defend our Zoning Ordinances – he stated we cannot be against the house we can simply defend our Zoning Ordinances.

Mary Konnicki stated Nello Augustine said he didn't think it was a Zoning issue. Ed Benkoski stated that if they do move in we can challenge it. Community Counseling Services stated they do not need any zoning change. The owner of the building is Luzerne/Wyoming County Mental Health, Center No. 1, a Pennsylvania Non-Profit Corporation.

There was much discussion concerning this home but until some action is taken by the Owner of the home, there is nothing the Township can be done.

Ray Wasilewski stated he never got a response concerning his complaint about the fire company – it is a non-conforming use. He stated he wanted a response in writing. He wants a response on paper. Ed Benkoski told the Code Enforcement Officer to give Ray a copy of the set backs, give him a copy of the map of the building and put it down specifically what is there, what footages and the Deeds, book number and send it to him – have paper notarized.

Carl Kresge questioned about the map of his property and Ed stated it was registered (the entire plot) and a copy would be sent to Carl.

Respectfully submitted,

Helen L. Novak

Helen L. Novak,
Secretary