The reorganization meeting of the Bear Creek Township Board of Supervisors was held at 6:00 PM January 7, 2013 at the Municipal Building located at 3333 Bear Creek Blvd. Mr. Zingaretti called the meeting to order. Roll was called. Mr. Smith, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti were present. The salute to the flag followed.

Mr. Zingaretti reminded everyone that no public comment would be taken during the reorganization meeting.

Mr. Zingaretti declared all positions vacant.

The following motions were made and seconded as follows:

Temporary Chairman: motion made by Mr. Smith to appoint Mr. Masi-seconded by Mr. Popple. Vote: unanimous yes.
Temporary Secretary: motion made by Mr. Smith to appoint Paula Weihbrecht-seconded by Mrs. Koval. Vote: unanimous yes.
Chairman: motion made by Mr. Masi to appoint Mr. Zingaretti-seconded by Mr. Popple. Vote: unanimous yes.
Vice Chairperson: motion made by Mr. Popple to appoint Mr. Masi -seconded by Mr. Smith. Vote: unanimous yes.
Roadmaster: No motion made
Secretary/Treasurer: motion made by Mr. Popple to appoint Paula Weihbrecht-seconded by Mr. Masi. Vote: unanimous yes.
Open Records Officer: motion made by Mr. Zingaretti to appoint Mr. Popple-seconded by Mr. Smith. Vote: unanimous yes.
Zoning/Code Reports to: A motion was made by Mr. Zingaretti to appoint Mr. Masi to oversee the Zoning and Code Enforcement Officer, seconded by Mr. Smith. Vote: unanimous yes.
Zoning Officer: A motion was made by Mr. Masi to appoint Fred Pape, seconded by Mr. Popple. Vote: unanimous yes.
UCC Code Enforcement: motion made by Mr. Zingaretti to appoint Building Inspection Underwriters- seconded by Mr. Popple. Vote: Mr. Smith abstained, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti, yes.
Sewage Enforcement Officer: motion made by Mr. Popple to appoint Frank Egenski– seconded by Mr. Masi. Vote: unanimous yes.
Sewage Enforcement Officer Alternate: motion made by Mr. Popple to appoint Steve Egenski– seconded by Mr. Masi. Vote: unanimous yes.
Engineer (includes Planning and Zoning): motion made by Mr. Popple to appoint Pennoni Associates – seconded by Mr. Masi. Vote: unanimous yes.
Solicitor (Board of Supervisors): motion made by Mr. Popple to appoint William Vinsko-seconded by Mr. Masi. Vote: unanimous yes.
Solicitor (Planning Board): motion made by Mr. Popple to appoint William Vinsko-seconded by Mr. Masi. Vote: unanimous yes.
Solicitor-(Zoning Hearing Board): motion made by Mr. Popple to appoint Angelo Terrana –seconded by Mr. Smith. Vote: unanimous yes.
EMA-Primary: motion made by Mr. Zingaretti to appoint Chris Keats -seconded by Mr. Masi. Vote: unanimous yes.

EMA-Secondary: motion made by Mr. Popple to appoint Ed Jasulevicz - seconded by Mr. Masi. Vote: unanimous yes.
Regular Meeting Day: motion made by Mr. Zingaretti to retain the first Monday of each month– seconded by Mr. Popple. Vote: unanimous yes.
Regular Meeting Time: motion made by Mr. Popple to retain 6:00 PM – seconded by Mr. Masi. Vote: unanimous yes.
Secretary-Planning Board: motion made by Mr. Popple to appoint Karen Kollar – seconded by Mr. Masi. Vote: unanimous yes.
Secretary-Zoning Board: motion made by Mr. Popple to appoint Paula Weihbrecht – seconded by Mr. Masi. Vote: unanimous yes.
Planning Board Member: motion made by Mr. Zingaretti to appoint Anthony Ciliberto- seconded by Mr. Popple. Vote: unanimous yes.
Planning Board Member: Rose Andrews has retired from the Planning Board and the Board of Supervisors asks that if anyone is interested in filling this position they should send a written request to the Township.
Zoning Hearing Board Member: motion made by Mrs. Zingaretti to appoint Mike Rebovich – seconded by Mr. Masi. Vote: Mr. Smith, Mr. Masi, Mrs. Koval, Mr. Zingaretti; yes, Mr. Popple abstains.
Vacancy Board Member: motion made by Mr. Smith to appoint Gary Slusser – seconded by Mr. Popple. Vote: Unanimous yes.
Convention Voting Delegate: motion made by Mr. Zingaretti to appoint Mrs. Koval- seconded by Mr. Smith. Vote: unanimous yes.
Depository General Funds: motion made by Mr. Zingaretti to retain PNC Bank – seconded by Mr. Popple. Vote: unanimous yes.
Administrator of Pension Plan: motion made by Mr. Zingaretti to appoint the Township Secretary/Treasurer – seconded by Mr. Popple. Vote: unanimous yes.
Signature Requirements: motion made by Mr. Smith that 2 Supervisor signatures plus the signature of the Treasurer required on all checks and necessary bank papers – seconded by Mr. Popple. Vote: unanimous yes.
Mileage Rate: a motion was made by Mr. Popple to pay mileage at the IRS approved rate for travel on Township business –seconded by Mr. Masi. Vote: unanimous yes.
Supervisors Labor: a motion was made by Mr. Popple to appoint each supervisor to do labor as needed to the extent permitted by second class township code- seconded by Mr. Masi. Vote: unanimous yes.

Resolution 1-2013: A motion was made by Mr. Masi to approve the resolution establishing the Township Fee Schedule, seconded by Mr. Popple. Vote: unanimous yes.

Resolution 2-2013: A motion was made by Mr. Masi to approve the resolution establishing the UCC Fee Schedule, seconded by Mr. Popple. Vote: Mr. Smith abstains, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti, yes.

Resolution 3-2013: A motion was made by Mr. Masi to approve the resolution authorizing the advertisement for a CPA to prepare the 2012 audit, seconded by Mr. Popple. Vote: unanimous yes.

Resolution 4-2013: A motion was made by Mr. Popple to approve the resolution to extend the contract with BIU for code enforcement until 12/31/2013, seconded by Mr. Masi. Vote: Mr. Smith abstains, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti, yes.

Resolution 5-2013: A motion was made by Mr. Smith to approve the millage rate for the township at 0.4412 or 4.412 cents per $100 of assessed value, seconded by Mr. Masi. Vote: unanimous yes.

A motion was made by Mr. Zingaretti to have the road foreman report to Mr. Smith for the time being since no Roadmaster was appointed, seconded by Mr. Masi. Vote: Mr. Smith and Mrs. Koval abstained, Mr. Masi, Mr. Popple and Mr. Zingaretti voted yes.

A motion to adjourn the reorganization meeting was made by Mr. Zingaretti, seconded by Mr. Smith. Vote: unanimous yes.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

A motion was made by Mr. Smith and seconded by Mr. Zingaretti and agreed upon unanimously by the Board to rescind Resolution 5-2013 passed at the Reorganization meeting. The millage rate for 2013 was stated incorrectly.

A motion was made by Mr. Zingaretti and seconded by Mr. Masi to restate the millage rate correctly for the record and pass as revised Resolution 5-2013. The millage rate for 2013 is 0.4412 or 4.412 cents per $100 of assessed value. Vote: unanimous yes.

To avoid any confusion in the future, the 2013 reorganization minutes reflect the correct millage information.

MINUTES: Minutes from the December 3, 2012 regular meeting were reviewed. A motion was made by Mr. Masi to approve the minutes, seconded by Mr. Popple. Vote: Mr. Smith abstained. Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

MINUTES: Minutes from the December 17, 2012 special meeting were reviewed. A motion was made by Mr. Smith to approve the minutes, seconded by Mr. Masi. Vote: Unanimous yes.

The treasurer's report for December 2012 was read by Mr. Zingaretti. The township took in $213,341.00, budget only expected $42,310.00. We obtained a grant from the Luzerne Foundation in the amount of $141,140.74 which is to be used to pay for the truck we purchased in November. Year to date: finished under budget in revenues by $97,000. That's the difference between the culvert grant that won't be received until this year and the grant we just received for the truck. That difference would be $134,000.00. Earned income taxes were about $25,000.00 over.

Year to date on expenses: we were $516,000.00 under our budgeted number. $420,000.00 was capital projects that were included in the budget and either not paid for or not yet undertaken during the calendar year. Some of those projects will flow through to next year.

RECEIPTS: Income for the month of December 2012 was $213,427.18. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

Mark Petlock asked the Board if the township funds were protected by FDIC since all funds are in PNC. Mr. Smith said FDIC limits are by depository and not by accounts. He would look into the matter and report back to the Board.

Mr. Zingaretti announced that the Township has exceeded $1,000,000.00 in the bank. He said this is due to the hard work of the Board, seeking grants at every opportunity and sticking to their Capital spending plan.

DISBURSEMENTS: Expenses for the month of December 2012 were $35,622.33. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Zingaretti read the Zoning Officer's report for December. There were 3 building permits and 1 contactors license issued for a total of $200.00. BIU fees collected for the month were $1606.00. Mr. Zingaretti also announced Fred Pape as our new Zoning and Code Enforcement Officer.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of December 2012; 10 motor vehicle accidents, 4 activated alarms, 1 vehicle fire and 1 water rescue. There were 154 total calls for the year.

STATE POLICE REPORT: Not available.

ACT 537 REPORT: No update. A quarterly report will be submitted and will be discussed at the next meeting.

ROADMASTER REPORT:

ROADMASTER FINANCIAL REPORT: Mr. Zingaretti reported total expenditures for the month of December at $18,189.00; expected budgeted amount was $15,000.00. The difference being the timing of the expenses. There was no overtime in December. For the year, we were significantly under budget due to capital projects that weren't undertaken and the light winter last year and so far this year. Overtime for 2012 was budgeted at 6.5%, actual was only 1%.

Laurel Brook Tarring: Project set for the Spring.

OPEN RECORDS REPORT: None

RESOLUTIONS AND ORDINANCES:

Resolution 6-2013: A motion was made by Mr. Popple to award the heating fuel contract in a cooperative agreement with the Charter School and Bear Creek Foundation to Button Oil at a rate of $3.319 per gallon, seconded by Mr. Masi. Vote: Mr. Smith abstained, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

Plowing in Bear Creek Village: The Board discussed passing a resolution to enter into an Intergovernmental Cooperation agreement with Bear Creek Village Borough to plow certain cul de sacs and portions of roads in Laurel Brook Estates. A motion to approve this agreement was made by Mr. Smith and seconded by Mr. Popple.

Joanne English: expressed her concern with the Township getting involved in an agreement with another municipality, reminding them of the problems that resulted from the agreement with Dennison Township.

Roger Southward: asked if these portions of roads had been dedicated and believes some portions of these roads may still belong to the contractor.

Mrs. Koval: said that after speaking with a representative from PennDOT, it is believed that not all of the parts of the roads involved in this agreement have been properly dedicated.

After a lengthy discussion was held, the Board decided to wait to vote on the resolution. Attorney Vinsko said he would contact the solicitor for the Borough to get information from their engineer concerning the safety of the area to plow and he will also get the information regarding the dedication of roads.

A motion was made by Mr. Popple to table the pending motion (Resolution 7-2013), seconded by Mr. Masi. Vote: unanimous yes.

PLANNING BOARD RECCOMENDATIONS: None

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: No update.

Aqua PA: No update.

Weiss Road Acquisition: Attorney Vinsko reported that we will most likely do a joint petition with Dennison Twp to move forward. The commissioner board will convene tomorrow and report to the Judge within 60 days to confirm township boundaries. From there a hearing will be scheduled and there will not be any exceptions filed by Dennison Twp.

Liem Litigation: This matter has been assumed by legal counsel Patrick Murphy who is now counsel for the township insurance defense.

SBA Proposal: Attorney Vinsko is waiting on information from Mr. Zingaretti.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

CORRESPONDENCE/NEW BUSINESS:

Annual Easter Egg Hunt: A letter has been received from the Bear Creek Foundation requesting use of the township facilities for their annual Easter Egg Hunt to be held on Saturday, March 23, 3013.

Messiah PM Church: A letter was received from the Church requesting approval of their annual 5k run/walk in the township. This request is made in seeking assistance with securing permission from PennDOT to use the road and receiving assistance with traffic control from the State Police.

A motion was made by Mr. Smith to approve the request from Messiah PM Church, seconded by Mr. Popple. Vote: unanimous yes.

Mr. Zingaretti announced the Auditor's annual reorganization meeting would be held the following day. The duties of the auditor are mainly to set pay rates for the Board of Supervisors and audit the books when a CPA has not been hired to do so.

PUBLIC COMMENT:

Joanne English: asked why a Roadmaster was not appointed tonight. Mr. Zingaretti explained that Mr. Fazzi will report to Mr. Smith and any road problems should be reported to the township office and from there the message will be forwarded to Mr. Smith and the township road crew. Mrs. English asked if the position was being done away with. Mr. Zingaretti said they had not made a firm decision on what they were going to do with the position and township code does not require a Roadmaster.

Mrs. Koval: Thanked the road crew for all their cooperation, this crew and past crews, and thanked them for the opportunity to work with them.

A motion was made by Mr. Popple to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

MINUTES: Minutes from the January 7, 2013 Reorganization Meeting were reviewed. A motion was made by Mr. Masi to approve the minutes, seconded by Mr. Popple. Vote: Unanimous yes.

MINUTES: Minutes from the January 7, 2013 Regular Meeting were reviewed. A motion was made by Mr. Masi to approve the minutes, seconded by Mr. Popple. Vote: Unanimous yes.

The treasurer's report for January 2013 was read by Mr. Zingaretti. Income for the month was $65,500.00, approximately $8000.00 more than anticipated, mainly due to the Earned Income Tax coming in higher than expected. Expenses for the month were about $7000.00 under budget due to legal and engineering bills not being received yet.

RECEIPTS: Income for the month of January 2013 was $65,503.75. A motion to approve the receipts, subject to audit was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of January 2013 were $29,732.36. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: unanimous yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the January 2013 zoning report, which included 1 contractor's license, 2 building permits and 1certificate of occupancy for a total of $270.00. There were no BIU fees collected for January.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of January 2012; 9 motor vehicle accidents, 1 tree/wire down, 2 assist & searches, 1 fire investigation, and 1 water rescue for a total of 14 calls.

STATE POLICE REPORT: 2012 final report received showing 213 calls for the year. January 2013 report listed 16 calls for the month.

ACT 537 REPORT: No update.

RECYCLING REPORT: Recycling income for the year was $4,285.00; expenses were $4,955.00 making the net cost for the year just under $700.00. Last year 55,000 lbs. of newspapers were recycled.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported total expenditures for the month of January were $15,130.00; budget was $15,100.00. There was less payroll than expected but higher on fuel and heating oil.

There were three separate storms in January, plowing multiple days; generally the crew was out by 5:00 AM. When not plowing the crew was doing routine maintenance, started building picnic tables and repaired the water heater at the garage. There was one road complaint that came through the township office and it turned out to be a private road so there was no issue.

Laurel Brook Tarring: Project set for the Spring.

2010 Gaming Grant: Mr. Zingaretti received an email stating that we may pay the invoice for the work done on the culvert project. We will withhold 10% until the paving issue is addressed.

OPEN RECORDS REPORT: None

RESOLUTIONS AND ORDINANCES:

Franchise Agreement: Still waiting on a change in the language of the agreement before Resolution will be voted on.

BC Village Plowing Agreement: There are issues still pending concerning the dedication of the roads and if Bear Creek Village has approved the agreement. Once these issues are resolved the Board will move forward with this agreement.

PLANNING BOARD RECCOMENDATIONS: None

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Legal counsel for Concini's have withdrawn from the case citing no basis to proceed. Mr. Masi asked what happens when they come to us with problems after this is closed. Attorney Vinsko stated that we will be talking to insurance counsel on how to formally close the case so this cannot happen again. It has been determined that the problems that they are experiencing are not the result of actions by Bear Creek Township.

Aqua PA: Attorney Vinsko has been in touch with Tom Geroulo, the insurance litigation counsel. The issues were the interrogatories and there was a motion for summary

judgment filed by Aqua. There will be an executive session in the next few weeks to decide how to proceed.

Weiss Road Acquisition: The Board of View will inspect the road and set a date for the hearing.

Liem Litigation: We have received the Answer to New Matter and Attorney Vinsko has approved it with Attorney Murphy.

SBA Proposal: Attorney Vinsko will work with Mr. Zingaretti on this matter.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

Banking Issue: We have received information from Franklin Security Bank to see what options are available concerning the Township funds. We will gather more info from other institutions before making a decision.

CORRESPONDENCE/NEW BUSINESS:

PSATS Convention request: Mr. Zingaretti asked for a motion to approve the request to have Mrs. Koval attend the annual Convention. A motion was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

PUBLIC COMMENT:

Mr. Rusinko: asked about the details of the SBA proposal and the Liem litigation issue. Mr. Zingaretti explained SBA manages two of the township's cell towers. They get carriers to attach and pay us a monthly fee. They send letters regularly offering a lump sum payment in lieu of the monthly payments. Most offers have been too low to consider. Mr. Zingaretti said if we were a cash strapped township, these offers may look attractive.

Attorney Vinsko explained that the Liem matter has to do with the outdoor wood burner issue. It went to the commonwealth court. The issue was not whether he could have it but if he could burn in the summer since the Zoning Ordinance put a time frame on it. The commonwealth court upheld the decision saying he could have it and could burn all summer because he was grandfathered since he had it before the ordinance.

The resident is still burning and the Liems say his burning is affecting them. In December the Liems filed a lawsuit against the neighbor burning and the township. The nature of the litigation is when the initial wood burning stove was placed, the township zoning officer received an application and permit request for a shed, allegedly. A wood burning stove goes in. No one appeals it or challenges it but in December they said we have to

revoke that permit. We don't believe we need to revoke it. This will probably end up a neighbor against neighbor issue and we will stay out of it.

A motion was made by Mr. Popple to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

MINUTES: Minutes from the February 4, 2013 Regular Meeting were reviewed. A motion was made by Mr. Masi to approve the minutes, seconded by Mrs. Koval. Vote: Unanimous yes.

The treasurer's report for February 2013 was read by Mr. Zingaretti. Income for the month was $65,315.00. Expenses for the month were $111,899.74. The culvert project payment was the largest part of the disbursements.

RECEIPTS: Income for the month of February 2013 was $66,677.69. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of February 2013 were $108,255.81. A motion was made by Mr. Smith to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: unanimous yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the February 2013 zoning report, which included 1 building permit and 3 certificate of occupancy for a total of $175.00. There were no BIU fees collected for January.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of February 2013; 10 motor vehicle accidents.

STATE POLICE REPORT: February 2013 report listed 19 calls for the month.

ACT 537 REPORT: No update.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported total expenditures for the month of February were $92,000.00; budget was $17,000.00. This included the culvert project and the metal structure. Without these items we were slightly under budget.

Mr. Smith reported that the road crew will work on an inventory and age of township equipment, the backhoe structure is done, and we are waiting on the new truck to be delivered to Bradco where the Tony Fazzi will inspect it before the work on it begins.

2010 Gaming Grant: First payment has been made to Popple. Grant paperwork has been filled out and forwarded to Gary for review to submit for reimbursement. We are still waiting on permission to reallocate and we also have 2 grant requests pending. Those are usually addressed in April.

OPEN RECORDS REPORT: None

RESOLUTIONS AND ORDINANCES:

Franchise Agreement: Still waiting on a change in the language of the agreement before Resolution will be voted on. SECTV is waiting on a list of buildings. Attorney Vinsko will take care of this.

BC Village Plowing Agreement: Bear Creek Village has rejected our offer. This item will be removed from the agenda.
Mr. Southward asked if we would be taking possession of the stretch of road that has not yet been dedicated to the township in Laurel Brook. Attorney Vinsko responded that there has been dedication in April 2012 to Bear Creek Borough and he is waiting on a conversation with Jim Coombs. Attorney Vinsko said our requirements for the roads are through PennDOT specifications. We must first review maps to see exactly how big the road is and we will then wait on guidance for Pennoni Associates.

Resolution 12-2013: A resolution appointing Bonita Rainey to perform the 2012 audit, at a cost not to exceed $1900.00. A motion to approve was made by Mr. Masi, seconded by Mr. Smith. Vote: unanimous yes.

Resolution 13-2013: A resolution authorizing Township officials to assist with Luzerne County's 5- year Hazard Mitigation Plan Update. A motion to approve was made by Mr. Masi, seconded by Mrs. Koval. Vote: unanimous yes.

Resolution 14-2013: A resolution appointing Paula Weihbrecht as a liaison between the township and Berkheimer. A motion to approve was made by Mr. Smith, seconded by Mr. Masi. Vote: unanimous yes.

PLANNING BOARD RECCOMENDATIONS: None

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Motions have been prepared for dismissal of the case. It has been our understanding that Concini's counsel has formally filed to withdraw from the case.

Aqua PA: Attorney Vinsko has been notified that they would like to take his depositions. He will be deposed some time in late March or early April.

Weiss Road Acquisition: The tentative date for the Board of View to go out and inspect the property is March 27, 2013. From there they will submit a recommendation to the court and a formal date for a hearing for anyone to object

Liem Litigation: We have received a request for some documents. They will be submitted to insurance counsel.

SBA Proposal: Attorney Vinsko will work with Mr. Zingaretti on this matter. Mr. Zingaretti has emailed the contact from SBA and has asked for some information that we could use to evaluate their potential offers.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

CORRESPONDENCE/NEW BUSINESS:

Flood Plain Coordinator: This will be someone who will coordinate flood plain work with our zoning rules. We have not assigned anyone yet and have reached out to Laurel Run, Bear Creek Village and Buck Twp. to see if it is something they would like to collectively participate in so costs can be shared.

Bear Creek Soccer: Has requested assistance in purchasing two full sized soccer goals for the Rec field.

Resolution 15-2013: A resolution authorizing the township to donate an amount not to exceed $3000.00 including shipping and handling for soccer goals for the Bear Creek Soccer Organization. A motion to approve was made by Mr. Masi, seconded by Mr. Smith. Vote: unanimous yes.

Resolution 16-2013: A resolution allowing Pennoni to prepare two bid packages. One for resurfacing of Trailwood Basketball courts and equipment and one for improvements to access to the park, i.e. steps or ramp etc. A motion to approve was made by Mr. Masi, seconded by Mr. Smith. Vote: unanimous yes.

Mr. Smith has offered to plow for the township at no charge, using the School's vehicle when necessary, i.e. the township has a vehicle out of commission etc. The township would reimburse for the cost of fuel.

Resolution 17-2013: A resolution approving intergovernmental cooperation agreement with the Carter School for providing municipal services. A motion to approve was made by Mr. Masi, seconded by Mrs. Koval. Vote: Mr. Smith abstained. Mr. Masi, Mrs. Koval and Mr. Zingaretti, yes.

PUBLIC COMMENT: None

Mr. Zingaretti announced that Bear Creek Township is now on Facebook.

A motion was made by Mr. Zingaretti to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Municipal Building, 3333 Bear Creek Blvd. Chairman Zingaretti called the meeting to order. Roll was called. Mr. Smith, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti were present. A moment of silence was held in remembrance of Ted Carl who had recently passed. Pledge to the flag followed.

MINUTES: Minutes from the March 4, 2013 Regular Meeting were reviewed. A motion was made by Mr. Smith to approve the minutes, seconded by Mr. Masi. Vote: Unanimous yes.

The treasurer's report for March 2013 was read by Mr. Zingaretti. Income for the month was $64,039.28. Budget for the month was $34,350.00. Differences are due to Earned Income Taxes and Real Estate Taxes. Expenses for the month were $5000.00 under budget mostly due to timing issues.

RECEIPTS: Income for the month of March 2013 was $64,289.93. A motion to approve the receipts, subject to audit was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of March 2013 were $28,547.89. A motion was made by Mr. Masi to approve the disbursements, subject to audit, seconded by Mr. Popple. Vote: Mr. Smith abstained, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the March 2013 zoning report, which included 2 building permit and 1 Planning Board fee for a total of $375.00. There were no BIU fees collected for January. There were also 2 complaints received.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of March 2013; 17 calls for the month, 14 of which were motor vehicle accidents.

STATE POLICE REPORT: March 2013 report listed 34 calls for the month, 13 which were motor vehicle accidents.

ACT 537 REPORT: No update. Mr. Zingaretti gave a brief overview of why this remains at a standstill.

ROAD DEPARTMENT REPORT: Mr. Smith provided a summary of the road crew activities and resident complaints received for the month.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported that overall road expenses were in line with the budget.

OPEN RECORDS REPORT: None

PLANNING BOARD RECCOMENDATIONS:

Resolution 18-2013: A Resolution approving the Gilmore Minor Subdivision. A motion to approve was made by Mr. Masi, seconded by Mr. Popple. Vote: unanimous yes.

Resolution 19-2013: A Resolution approving the Lewin Minor Subdivision. A motion to approve was made by Mr. Smith, seconded by Mr. Popple. Vote: unanimous yes.

RESOLUTIONS AND ORDINANCES:

Mr. Masi reported on meeting with the Township engineer to discuss enhancements to Trailwood Park. Improvements included an asphalt walking path, resurfacing the basketball court, addition of a small pavilion, handicapped parking connected to walking path and enhancements to hill behind backstop, possibly steps. The resolution will be for soliciting bids on each aspect of the enhancements.

Resolution 20-2013: A Resolution authorizing the solicitation of bids for improvements at Trailwood Park. This resolution supersedes Resolution 16-2013. A motion to approve was made by Mr. Popple, seconded by Mr. Masi. Vote: unanimous yes.

Mr. Zingaretti announced the township was recently notified of a grant award of $175,000.00 earmarked for the reconstruction and repaving of Weiss Road.

Resolution 21-2013: A Resolution authorizing the solicitation of bids for reconstruction and repaving of Weiss Road. A motion was made by Mr. Popple, seconded by Mrs. Koval. Vote: unanimous yes.

Resolution 22-2013: A Resolution authorizing the solicitation of bids for the reconstruction and repaving of roads in Laurelbrook Estates. A motion to approve was made by Mr. Popple, seconded by Mrs. Smith

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Aqua has settled. We are waiting

Aqua PA: Attorney Vinsko will be deposed on April 15th.

Weiss Road Acquisition: No update

Liem Litigation: No update.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: No update.

CORRESPONDENCE/NEW BUSINESS:

LC Recycling Event: Luzerne County will hold its annual electronic recycling event at Butler Township Fire Hall on June 8th and at Hanover Area H.S. on June 15th.

Weiss Road Grant Award: Received information that the Township was awarded $175,000.00 for reconstruction and paving of Weiss Road.

Laurelbrook Paving Grant: Notification was received that the Township was denied any grant monies sought for repaving of Laurelbrook.

Martz Trailways: Bob Chepalonis spoke about creating a stop at the Bear Creek Township Municipal building for bus service to Philadelphia, Atlantic City and New York City. Starting date for this service would be the end of April, beginning of May. A long discussion followed concerning the parking and collection of fees. It was decided that the parking fees would be collected by Martz and then paid by Martz to Bear Creek Township.

Resolution 23-2013: A Resolution authorizing Frank Martz Coach Co. doing business as Martz Trailways, to use Bear Creek Township property as a pickup/drop off point for NYC, Philadelphia and Atlantic City subject to the conditions of insurance, parking logistics and feasibility between the two entities for. A motion to approve was made by Mr. Masi, seconded by Mr. Smith. Vote: unanimous yes.

PUBLIC COMMENT: None

A motion was made by Mr. Popple to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

Mr. Zingaretti announced that an executive session was held on April 30, 2013 to discuss personnel and legal matters.

MINUTES: Minutes from the April 1, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mrs. Koval. Vote: Unanimous yes.

The treasurer's report for April 2013 was read by Mr. Zingaretti. Income for the month was $209,430.59; expenses were $43,862.90 for a net of $165,000.00. Grant money totaling $89,890.00 for the Old East End Blvd culvert project was received during the month. Cash at the end of the period was $1,277,877.44.

RECEIPTS: Income for the month of April 2013 was $209,430.59. A motion to approve the receipts, subject to audit was made by Mrs. Koval, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of April 2013 were $45,862.90. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the April 2013 zoning report, which included 2 building permits, 2 zoning permits and 2 zoning hearing fee for a total of $885.00. BIU fees collected for April were $2169.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of April 2013; 11 calls for the month, 7 of which were motor vehicle accidents.

STATE POLICE REPORT: April 2013 report listed 24 calls for the month, 7 which were motor vehicle accidents.

ACT 537 REPORT: No update.

ROAD DEPARTMENT REPORT:

ROAD FINANCIAL REPORT: Mr. Zingaretti reported that overall road expenses were $16,459.00 for the month of April.

OPEN RECORDS REPORT: One request was received during the month and was fulfilled within the required time frame.

PLANNING BOARD RECCOMENDATIONS: None

RESOLUTIONS AND ORDINANCES:

Ordinance 1-2013: A renewal of the Cable Franchise agreement between Bear Creek Township and Service Electric Cable TV. The agreement includes cable and internet hookup for three locations at no charge. A motion was made by Mr. Popple to approve the ordinance, seconded by Mr. Masi. Vote: Mr. Masi, Mr. Popple and Mrs. Koval voted yes. Mr. Zingaretti abstained. Motion approved.

Resolution 24-2013: A Resolution authorizing the Board of Supervisors and its solicitor to pursue the acquisition of blighted park property from the Forest Park Association. A motion to approve the resolution was made by Mr. Masi, seconded by Mr. Popple. Vote: unanimous yes.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: There has been additional discovery.

Aqua PA: Aqua Pa has fired their counsel. There is now new counsel and they want to explore settlement.

Weiss Road Acquisition: Property was inspected, now a date needs to be set to get all parties together to finalize matter.

Liem Litigation: A potential settlement offer was received and circulated.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: Mr. Zingaretti spoke with a representative from SBA. They would like to either purchase the towers out right or extend our contract with them. A package outlining the different options offered will be emailed to Mr. Zingaretti.

Weiss Road and Trailwood Park: No update.

Laurel Brook Road Repairs: No update.

CORRESPONDENCE/NEW BUSINESS:

Mrs. Koval extended a thank you to the Board from the Lions Club for allowing them to once again use the Community Room for their breakfast. Also a reminder of the monthly Lions Club Bingo held the second Wednesday of each month.

PUBLIC COMMENT:

A resident from the corner of Swanson and Pittston Blvd asked if it is possible to get stop signs at the intersection, making it a three way stop. Since Pittston Blvd is a state road, a request will have to be made with PennDOT.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

MINUTES: Minutes from the May 6, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mrs. Koval. Vote: Mr. Smith abstained. Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

The treasurer's report for May 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of May 2013 was $118,349.85. A motion to approve the receipts, subject to audit was made by Mrs. Koval, seconded by Mr. Smith. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of May 2013 were $29,297.53. A motion was made by Mr. Smith to approve the disbursements, subject to audit, seconded by Mr. Popple. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the May 2013 zoning report, which included 6 building permits, 1 zoning permits and 3 contractor's licenses for a total of $630.00. BIU fees collected for April were $1046.00.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of May 2013; 10 calls for the month, 7 of which were motor vehicle accidents.

STATE POLICE REPORT: May 2013 report listed 34 calls for the month. Mr. Smith informed the Board that a representative from the State Police will be at the July meeting to address any concerns of the Board and the residents of Bear Creek Township.

ACT 537 REPORT: No update.

ROAD DEPARTMENT REPORT: Mr. Smith reported that the majority of activity by the road crew was maintaining the berms of the roads and the fields at the Rec area.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported a $4200.00 expense overrun.

OPEN RECORDS REPORT: One request was received during the month and was fulfilled within the required time frame.

PLANNING BOARD RECCOMENDATIONS: Lewin Subdivision: was previously approved by the Supervisors and Planning Board. Bill Bolton from Borton Lawson was present for signatures only.

RESOLUTIONS AND ORDINANCES:

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: A certificate of trial readiness has been filed. A judge will be assigned to the case and there will be a pre-trial conference. Mr. Smith asked if the township was the only defendant currently in this case. Attorney Vinsko confirmed this. Mr. Zingaretti asked in PennDOT was ever brought in as an additional party to this case. Attorney Vinsko responded no, but said if PennDOT is liable they are still liable, they don't need to be a party to the case.

Aqua PA: No update.

Weiss Road Acquisition: Waiting on final court date.

Liem Litigation: Settlement on the table, the township not having any liability.

Forest Park: Issue will go before the Orphans Court as a reapplication for a public purpose.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: No update.

Trailwood Park: No update.

CORRESPONDENCE/NEW BUSINESS:

Weiss Road Repair/Repave Bids: The township received a $175,000.00 grant reallocation that is to be used for the repair and paving of Weiss Road. Sealed bids were received and are as follows:

Popple Construction -	$170,540.00
Barletta Construction -	209,999.00
American Asphalt -	229,516.00
Pennsy Supply-	194,390.00
Pikes Creek -	218,333.93

Resolution 26-2013: A resolution awarding the Weiss Road repair/repave project to Popple Construction, at a cost not to exceed $170,540.00. A motion to approve was made by Mrs. Koval, seconded by Mr. Smith. Vote: Mr. Smith, Mrs. Koval and Mr. Zingaretti, yes. Mr. Popple abstained.

Laurelbrook Paving Project: Bids were sought for repaving of 3.6 miles of township road in Laurelbrook Estates. The bids included Laurelbrook Base (Laurelbrook Drive in and out and the entire length of Sandspring Rd) and 5 alternatives. Alternative 1 Twinbrook, Alternative 2 Wedgewood, Alternative 3 Fernwood, Alternative 4 Springbrook and Alternative 5 Hillbrook. Sealed bids were received and the base bids were as follows:

Popple Construction -	$358,048.00
American Asphalt -	339,883.85
Pennsy Supply -	313,451.15
Pikes Creek -	368,613.40

Lowest bidder for the Alternatives:

Twinbrook –	Pennsy Supply-	$79,148.20
Wedgewood –	Pennsy Supply-	74,644.60
Fernwood –	American Asphalt-	13,841.25
Springbrook –	American Asphalt-	8,454.50
Hillbrook –	Pennsy Supply-	16,469.65

Mr. Zingaretti reminded the Board that there is a little over a million dollars in the bank and we will need to pay for the truck that has been ordered. The Weiss Road paving project will need to be paid for up front and then we will be reimbursed through the grant we received. Mr. Zingaretti also noted that it has been the Board's intention since laying out the capital budget five years ago to repave the roads in Laurelbrook sometime between 2012 and 2014.

Resolution 25-2013: A resolution awarding the Laurelbrook paving project including the base and all alternatives to Pennsy Supply at a cost not to exceed $506,076.00. A motion to approve was made by Mr. Smith, seconded by Mrs. Koval. Vote: unanimous yes.

Mr. Petlock questioned whether we should have also included the project as a whole in the bidding process and would the prices have been lower. Mr. Popple addressed the question and said he felt the prices would probably not have been much different and at this point it could not be put back out for bid since the original bids have been released.

Mr. Southward asked what the results were of the engineering study on the core samples from Laurelbrook. Mr. Zingaretti responded that the samples were not as bad as had been described but were not what was promised when the township took the roads over.

Blood Drive: A blood drive will be held at the community room Saturday June 8th from 9:00 am until 2:00 pm.

Alternative Energy Based Vehicles: There is a grant opportunity to match funds by 50% for the purchase of alternative energy based vehicles. There is a five vehicle minimum but the township could combine efforts with another municipality to pursue the opportunity.

Mr. Smith thanked a young man named Jimmy Konicki, an Eagle Scout, from Trailwood for assisting in directing traffic at the scene of a bad accident recently.

PUBLIC COMMENT:

Will Kresge: Mr. Kresge brought to the Board's attention that there are two street signs missing from Golf Course Road as well as one of the speed bumps. Mr. Smith said he will inform the road crew about the signs. He also stated that a new speed bump will be ordered because the missing one was damaged when the road crew attempted to remove them for the winter. The resolution for the removable speed bumps also needs to be revised to state that they are *permanent* speed bumps.

Mr. Kresge also addressed the lane restrictions on 115. He feels that two lanes are needed coming up the mountain. Discussion followed.

Roger Southward: Mr. Southward thanked Jim Smith and the road crew for the work that has been done in Laurelbrook on the pothole patching.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

Trooper Tom Kelly from the Pennsylvania State Police spoke about crime in Bear Creek Township. He gave a breakdown of different incidents that were reported in the Township and gave tips on keeping homes safe from crime.

MINUTES: Minutes from the June 3, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mrs. Koval. Vote: Mr. Masi abstained. Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

The treasurer's report for June 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of June 2013 was $50,853.99. A motion to approve the receipts, subject to audit was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of June 2013 were $62,271.69. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Zingaretti read the Zoning and Code Enforcement report for June 2013. Issued were 3 building permits, 1 zoning permit and 2 certificates of occupancy for a total of $350.00. BIU fees collected for June were $471.00.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of June 2013; 12 calls for the month, 10 of which were motor vehicle accidents.

STATE POLICE REPORT: June 2013 report listed 37 calls for the month.

ACT 537 REPORT: No update

GAMING GRANT: Culvert repair grant final step is to have an audit of the project done. Up to $1000.00 is reimbursable. Bonita Rainey will be contacted to conduct the audit.

WEISS ROAD PROJECT: Paving project is basically done. We are waiting on the official from Pennoni to approve what has been done and give the ok to release funds.

LAURELBROOK PAVING PROJECT: The contract with Pennsy has been signed and the pre-construction meeting will be scheduled with the vendor and our engineer. Drainage problems have been identified and pipe and drain work will be included in some areas.

ROAD DEPARTMENT REPORT: No update.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported we are approximately $3000.00 under budget. This shows mainly in payroll due to being one man down. On the expense side we are showing $80,000.00 over, that is due to the culvert project that was included in last year's budget and flowed into this year.

OPEN RECORDS REPORT: No requests received during June.

PLANNING BOARD RECCOMENDATIONS: None

RESOLUTIONS AND ORDINANCES:

Resolution 27-2013: The authorization the reinstallation of permanent speed bumps on Golf Course Road. A motion to approve was made by Mr. Popple, seconded by Mrs. Koval. Vote: Unanimous yes.

Mr. Masi asked Attorney Vinsko if this resolution means that there will always be speed bumps on this road. Attorney Vinsko confirmed this. Mr. Zingaretti added that if there should be a reason down the road that these speed bumps would need to be removed, we could pass another resolution to do so.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Counsel for the Concini's filed a certificate of trial readiness. Attorney Vinsko will be meeting with insurance company to discuss.

Aqua PA: Waiting on response from our insurance counsel.

Weiss Road Acquisition: We should have an order on this shortly. The matter should be done in July.

Liem Litigation: Matter for executive session.

Forest Park: Hearing scheduled for July 30th. It will be advertised and anyone can attend.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: Will be discussed in executive session.

Trailwood Park: No update.

CORRESPONDENCE/NEW BUSINESS:

PUBLIC COMMENT:

Will Kresge: asked if the Board gave any consideration to approaching PennDOT about the lane restrictions on Route 115. Mr. Zingaretti said we will arrange to have a representative from PennDOT here for the September meeting to discuss options.

Frank Martino: Mr. Martino thanked the Board for the work that was done recently on Weiss Road.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Firehouse in White Haven Pocono. Chairman Zingaretti called the meeting to order. Roll was called. Mr. Smith, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti were present. Pledge to the flag followed.

MINUTES: Minutes from the July 1, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mr. Masi. Vote: Mr. Smith abstained. Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

The treasurer's report for July 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of July 2013 reflects $198,818.01. This includes a transfer of funds for the new truck in the amount of $141,147.74. True deposit is $57,677.27. A motion to approve the net receipts, subject to audit was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

Mr. Popple asked Attorney Vinsko if he should abstain from the vote on the Disbursements when materials are purchased from Pioneer Aggregates, a company he is involved in. Attorney Vinsko advised Mr. Popple that he could still vote but he should identify the portions of the disbursements that pertain to his company before voting.

DISBURSEMENTS: Expenses for the month of July 2013 reflects $310,217.37. This includes the transfer of funds for the new truck in the amount of $141,147.74. True disbursements are $169,076.63. A motion was made by Mr. Popple to approve the net disbursements, subject to audit, noting that Pioneer Aggregates (a company he is involved in) was included in the disbursements for $64.03, seconded by Mr. Masi. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Pape read the Zoning and Code Enforcement report for July 2013. Issued were 1 Contractors license, 2 building permits, 1 subdivision application and 1 certificate of occupancy for a total of $500.00. BIU fees collected for July were $553.10. Mr. Pape also reported 3 complaints were made regarding high grass and weeds.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of July 2013; 7 calls for the month, 6 of which were motor vehicle accidents.

STATE POLICE REPORT: July 2013 report listed 33 calls for the month.

ACT 537 REPORT: No update

ROAD DEPARTMENT: Mr. Smith reported that the new truck has not been delivered yet. There was some minor paint damage that needed to be repaired as well as an issue with the wiring. The township will not take possession of the vehicle until all issues have been corrected.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported total expenses on the road department for July was 149,734.00 which included the purchase of the new truck.

OPEN RECORDS REPORT: One request received and completed.

PLANNING BOARD RECCOMENDATIONS:

Resolution 28-2013: The Twig Cottage/Haas Minor Subdivision- A Resolution approving the minor subdivision involving 3 lots in Bear Creek Village Borough and 1 lot in Bear Creek Township. The result will be two lots; one lot will be 2.92 acres in Bear Creek Borough and the other lot will be 1745.22 acres in Bear Creek Township. Motion to approve was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Forest Park Acquisition: The draft order has been circulated. The order was drafted and the township has been awarded the property. The matter is now complete. Attorney Vinsko will have this time stamped and signed by the Prothonotary's office. The property will be surveyed. Mr. Smith solicited proposals for the survey.

Resolution 29-2013: A Resolution awarding the surveying of the newly acquired Forest Park property to Sight Pro Survey, not to exceed $1200.00. A motion to approve was made by Mr. Popple, seconded by Mr. Smith. Vote: Unanimous yes.

Grant Audit: Mr. Zingaretti explained that anytime we receive grant monies in excess of $100,000.00 we must have an audit performed. Since the original amount awarded for the culvert project was over $100,000.00 we must have an audit for this project as well as the Weiss Road repair project.

Resolution 30-2013: A Resolution awarding the Gaming Grant Audits for the Culvert project and the Weiss Road repair to JH Williams, not to exceed $1000.00 for each audit. A motion to approve was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

Concini matters: A pre-trial conference is scheduled for August 12th. Attorney Vinsko will attend with the insurance counsel. If a trial date is set, Attorney Vinsko will let the Board know through executive session what the strategy will be. Mr. Masi asked if there was an offer on the table. Attorney Vinsko said they requested $35,000 and wanted a pipe put through their yard and the neighbor's yard.

Aqua PA: No change.

Weiss Road Acquisition: Waiting to hear on final issues.

Liem Litigation: Will be settled without any payment by Bear Creek Township. Liems wanted the permit that was issued in 2006 to be revoked; Attorney Vinsko refused. They will settle without us.

Laurelbrook Road Acquisition: Attorney Vinsko received the tax bills from Landview properties for the sections of road that have not yet been dedicated to the township. Attorney Vinsko stated that dedication is an option; the township does not have to accept the roads. Discussion followed. Mr. Zingaretti said the Board would look towards Attorney Vinsko and Joe Mullen from Pennoni for a process.

Trailwood Lake Gate: Attorney Vinsko received notice from DCNR that the Trailwood Lake gate needs to be removed immediately. Wilkes-Barre city owns most of the land back there and will be addressing this in the near future and posting it. Bear Creek Township is not involved in this matter. The gate was installed by the Trailwood Lake Association.

RESOLUTIONS AND ORDINANCES:

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: Will be discussed in executive session.

Pittston Blvd./Swanson Rd. request: A township resident had requested at a meeting earlier in the year that the Swanson Rd/Pittston Blvd intersection be changed to a three way stop. A PennDOT review was requested by the Board. PennDOT looked at the area in question and rejected the request.

Weiss Road speed limit: Mr. Smith spoke with Attorney Vinsko on the procedure to set speed limits on township road. We will seek PennDot's assistance

Roof repairs of Township Buildings: Mr. Smith addressed the Board concerning needed roof repairs on some of the township buildings. Mr. Smith will put together formal bid specs for these repairs and will present to the Board at a later date.

Mulch donation: Mr. Smith said a large quantity of mulch has been donated and it will be spread around the playground area at the Rec field.

Laurelbrook roads: Mr. Smith reported that overall the project is complete. The edging needs to be done yet. Mr. Zingaretti said additional money was built into the budget for some additional base repairs because problems were expected. Between bad drainage design and poor quality of the original roads we will be dealing with a $45,000.00 additional bill beyond the original bid.

Trailwood Park: We will be advertising soon for bids for Trailwood Park on Laurel Run Road. Plans include a walking trail and small pavilion.

CORRESPONDENCE/NEW BUSINESS:

UCC Audit: Uniform Construction Code audit was performed and no issues were found.

New Area Code: Starting in September everyone will be required to dial the area code before all numbers, including local numbers. In October a new area code, 272, will be added to the area served by 570.

PUBLIC COMMENT:

Joanne English: Expressed concerns about people driving around the township offering different services such as blacktopping and carpet cleaning. She wanted to know if they needed permits. Mr. Zingaretti reminded residents to be careful that these people are not always on the level. He advised that everyone should get a description of these people and their vehicle if they should encounter them.
Mrs. English also asked about the company that is doing spraying in the township that is killing the trees. She wanted to know what they were actually spraying and if the spray is harmful, who gave them permission and do they have permits. Mr. Zingaretti responded that this is governed by the PUC. The areas being sprayed are considered utility right of way. PP&L is paying a subcontractor to do the spraying. There is a hotline that people can call to complain and the township will post the number for the residents.

Roger Southward: Asked if the median area between the two roads of Laurelbrook drive would be included in the paving. Mr. Zingaretti said it was in the original plans to do this but the engineer advised that it was not in the best interest of the township to do this. The engineer advised that we try to deter people from using the median as a crossover into their driveways. The Board will look at other alternatives to enhance the median area.

Discussion followed including whether the Board would want to consider and ordinance instituting construction bonds to protect township roads.

Frank Martino: Stated that bushes and branches are growing out into the roads in the WHP development. Mr. Smith said they would look into the matter and see if the work was something the road crew could handle.

A resident asked if the Board plans on having a stripe painted on Weiss Road. Mr. Zingaretti responded that the township has no legal obligation to stripe the road.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Municipal Building. Vice Chairman Masi called the meeting to order. Roll was called. Mr. Smith, Mr. Masi, Mr. Popple and Mrs. Koval were present; Mr. Zingaretti was absent. Pledge to the flag followed.

Mr. Masi explained that Attorney Vinsko had another commitment that evening and the meeting would start with the Solicitor's report, allowing Attorney Vinsko to leave early.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: A pre-trial conference was held and it is scheduled to go to trial the second week of May 2014. The judge is looking at potential mediation. We will wait to see how we want to proceed.

Aqua PA: Attorney Vinsko and Mr. Zingaretti are waiting on information from the new legal counsel for Aqua PA.

Weiss Road Acquisition: Judge Burke will wrap it up after he receives recommendation from the Board of View. There were no objections so everything is just formality.

Liem Litigation: We gave them our position on settlement. There will be depositions.

Laurelbrook Road Acquisition: No update.

Weiss Road line painting: Mr. Masi said a letter was received requesting that the WHP Association be allowed to hire a professional to do line painting on Weiss Road. Attorney Vinsko suggested that the township be the contracting agency with an agreement with WHP Association that they will cover the costs for it but the township will be the conduit by which it is addressed so we can oversee it. Attorney Vinsko will create the tentative agreement for this and circulate it to the Board for approval before sending off to the WHP Association.

Trailwood Lake Gate: Attorney Vinsko reported that this is not a Bear Creek Township or Board of Supervisors issue. The city of Wilkes-Barre received a letter from DCNR. Trailwood was created under project 70 which states the area is for public purposes. The gate violates this agreement and the city has been directed to remove the gate immediately. The city will give the Association and the property owner involved 30 days to remove the gate.

115 Safety Concerns: Keith Williams and Bob Wasilchak from Penndot spoke about the issues concerning Route 115. Some residents have recently voiced their concerns about traffic being slowed going South up 115 by slow moving vehicles and trucks that cannot keep the 45mph speed. Other residents were concerned that if the road is changed back to the way it was before or if passing lanes were added there would be an increase in accidents. The Penndot representatives gave 115 accident statistics for both before and after the changes to the road were made. A lengthy discussion followed and Penndot

agreed to at least take another look at the road and see if there was a way to alleviate some of the congestion at the bottom of the mountain due to slower moving traffic

MINUTES: Minutes from the August 5, 2013 Regular Meeting were reviewed. A motion was made by Mr. Smith to approve the minutes, seconded by Mrs. Koval. Vote: Unanimous yes.

The treasurer's report for August 2013 was read by Mr. Masi:

RECEIPTS: Income for the month of August 2013 was $53,696.32. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mrs. Koval. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of August 2013 were $217,784.87. A motion was made by Mr. Smith to approve the disbursements, subject to audit, seconded by Mrs. Koval. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Pape read the Zoning and Code Enforcement report for August 2013. Issued were 1 Contractors license, 5 building permits, and 2 certificates of occupancy for a total of $435.00. BIU fees collected for August were $64.00. Mr. Pape also reported complaint was investigated.

FIRE DEPT REPORT: Mr. Masi read the report for the month of August 2013; 9 calls for the month, 4 of which were motor vehicle accidents.

STATE POLICE REPORT: August 2013 report listed 44 calls for the month.

ACT 537 REPORT: No update

ROAD DEPARTMENT: Mr. Smith reported that the Forest Park property has been surveyed, the structure on the property torn down and the grass has been cut. A collapsed pipe on West Parkway has been replaced. In WHP the road crew has begun to cut back trees that are hanging into the roadways and signage has been ordered for Weiss Road. Mr. Smith also reported the fuel joint bid opportunity went out and is due back on September 12th. It was also reported that the roof on the garage needs to be sealed and the roof on the pole barn and community needs to be replaced. The new truck should be delivered this week. Salt will be ordered for the winter. A donation of modified wood fiber was received and will be used at the recreation area.

ROAD FINANCIAL REPORT:

OPEN RECORDS REPORT: No new requests.

PLANNING BOARD RECCOMENDATIONS: None

RESOLUTIONS AND ORDINANCES: None

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: Will be discussed in executive session.

CORRESPONDENCE/NEW BUSINESS:

Employee Pension Plan: Mr. Masi reported that notice was received of the Minimum Municipal Obligation for 2014. The obligation is $10,531.00.

Recycling Grant: Mr. Masi announced that the township has received a recycling grant for $630.00 from the Department of Environmental Protection. The grant reflects 106.9 tons of residential and commercial material recycled by our township residents at our recycling center.

Tire Recycling: Luzerne County will hold a tire recycling event on October 5th at the Butler Firehouse and on October 12th at Hanover Area HS.

PUBLIC COMMENT:

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

Mr. Zingaretti announced that there were two items on the agenda pertaining to the building of the new charter school. The first was a conditional use hearing pertaining to the lands to be used for the new school. Mr. Vinsko reported that the Conditional Use application was submitted by the Bear Creek Foundation Inc. to the Board of Supervisors for the conditional use for the proposed school. The Bear Creek Twp. Planning Commission received copies of this application on September 16, 2013. The hearing was to be scheduled for this evening but due to an advertising error the hearing will now be held on November 4, 2013 at 5:00 PM here at the municipal building. This is open to the public and everyone is invited to attend. A court stenographer will be present to record the hearing. Mr. Brobst was present for the school and foundation and agreed with Attorney Vinsko in his explanation why there was a delay in the public hearing.

MINUTES: Minutes from the September 9, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mrs. Koval. Vote: Mr. Smith, Mr. Masi, Mr. Popple and Mrs. Koval; yes. Mr. Zingaretti abstained.

The treasurer's report for September 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of September 2013 was $290,185.22. This includes $200,000.00 that was transferred from the Capital Account. The actual receipts for September are $90,185.22. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of September 2013 were $840,258.51. This includes a transfer of $200,000.00 from the Capital Account. The actual expenses for September were $640,258.51. The largest portion of the disbursements was for the paving project in Laurelbrook. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Smith. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Pape read the Zoning and Code Enforcement report for September 2013. Issued were 2 Contractors licenses, 2 building permits, 1 driveway permit, 1 certificate of demolition, 1 timber permit and 1 reverse subdivision for a total of $750.00. There were no BIU fees collected for September.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of September 2013; 11 calls for the month, 8 of which were motor vehicle accidents.

STATE POLICE REPORT: September 2013 report listed 32 calls for the month.

ACT 537 REPORT: No update. Mr. Masi asked if the Board should revisit the topic since it's been at a standstill for so long. There are residents waiting to make decisions about their property based on what is going to happen with the Act 537. Attorney Vinsko said this will be discussed in an executive session.

ROAD DEPARTMENT: Mr. Smith reported the roof on the township garage was sealed, maintenance work on vehicles was done, road salt was received, the light in Laurelbrook is being addressed by PPL, the water issue at Old East End Blvd is being addressed and the crew is continuing to work on trimming trees back in White Haven Pocono.

ROAD FINANCIAL REPORT: The expenses for were $572,000.00 for September, $560,000.00 of that was for paving bringing the regular expenses $1500 under budget.

OPEN RECORDS REPORT: No new requests.

RESOLUTIONS AND ORDINANCES

PLANNING BOARD RECCOMENDATIONS:

Resolution 32-2013: A resolution approving the Jacobson reverse subdivision. Two lots on Aleeda Blvd will be combined to create one single lot. A motion to approve was made by Mr. Smith, seconded by Mr. Masi. Vote: unanimous yes.

Charter School Sewage Module: Mr. Smith recused himself from this portion of the meeting. Mr. Zingaretti explained that one of the first steps for the new charter school is to get a sewage treatment module prepared and submitted to the Township and approved. From there it is submitted to DEP. Attorney Vinsko added that because of the time frame it takes for approval from DEP, they are asking for this to be the first thing to be reviewed by Planning, the engineers and the Supervisors. The Planning Board approval was conditional upon engineering recommendations. Joe Mullen from Pennoni Associates has since given it the green light to be considered by the Board of Supervisors.

Joe Stachokus, PE from SM Design Group and Tom Gercak , project architect, from Hemmler Camayd gave a brief presentation explaining the proposed plans for the new charter school project. Discussion followed.

Resolution 31-2013: A resolution authorizing the Township officials to execute wastewater operation, maintenance, oversight agreement, and PA DEP sewage modules for the Bear Creek Foundation. A motion to approve the resolution was made by Mrs. Koval, seconded by Mr. Masi. Vote: Mr. Smith had recused himself from this portion of the meeting, Mr. Masi; yes, Mr. Popple; abstained, Mrs. Koval; yes, Mr. Zingaretti; yes.

:

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Matter will be addressed at trial scheduled for May 2014.

Aqua PA: Attorney Vinsko and Mr. Zingaretti will discuss the matter with Attorney Geroulo. Attorney Vinsko will be deposed concerning what Mr. McMillan said during a meeting held here.

Weiss Road Acquisition: No update.

Liem Litigation: Deposition stage. The township is not involved at this point.

Laurelbrook Road Acquisition: No update.

Weiss Road line painting: Attorney Vinsko is working to finalize the acquisition of Weiss Road. Once this is done he will work with the WHP Association in creating the agreement for line painting. Mr. Masi reported that the Association has not yet discussed funding the line painting. Once they do we can move forward.

Trailwood Lake Gate: No update

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: No update.

Trailwood Park Proposals: The concept centers on a walking trail that runs around the perimeter of the park and down to the lake. It will not interfere with the baseball and soccer fields. The plan will include improvements to the parking lot, making it ADA compliant, the replacement of one of the footbridges, replacement of the basketball court, a small pavilion, an access trail and relocation of signs. The bids were:

Chilewski -	$130,047.00
Kolbalt -	$164,250.00
Popple -	$162,510.00

The bids do not include the pavilion and footbridge. The Board felt these items could be purchased at a lower cost through co-stars.

Resolution 33-2013: A motion was made by Mr. Popple approving the appointment of Chilewski Enterprises to complete all aspects of the Trailwood Park improvement project at a cost not to exceed $130,047.00 with the Township supplying the pavilion and foot bridge, seconded by Mr. Masi. Vote: unanimous yes.

CORRESPONDENCE/NEW BUSINESS:

Fuel Oil Bids: Quarterly bids are done in conjunction with the Charter School to secure the best possible pricing on heating oil. Bids were solicited and two were received. One was from Newell Oil at $3.348 per gallon, the second from Button Oil at $3.189 per gallon.

Resolution 34-2013: Mr. Popple made a motion to approve the award of the heating oil contract for Bear Creek Township to Button Oil at a cost of $3.189 per gallon, seconded by Mr. Masi. Vote: unanimous yes.

PUBLIC COMMENT:

Joanne English: asked for an update on the Trailwood gate issue and also asked if a permit was needed for the timbering project that is planned for the 35 acres in Trailwood by the W-B municipal authority. Attorney Vinsko said he would check into the timbering issue. As far as the gate, Bear Creek Twp. has nothing to do with the situation.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

A Conditional Use Hearing was held prior to this evening's regular meeting. The Board of Supervisors (Mr. Smith recused himself) heard testimony related to the Conditional Use Application filed by the Bear Creek Foundation for property located at 4498 Bear Creek Blvd, Bear Creek Township for the construction and use of the land for the new Bear Creek Community Charter School.

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

Attorney Vinsko informed the Board and the audience that on October 21st the Planning Commission made a formal recommendation to the Board of Supervisors to approve the conditional use application submitted by the Bear Creek Foundation for the new charter school.

Resolution 35-2013: A motion was made by Mr. Masi to approve the Conditional Use application as filed with the exception of approval of a daycare use, seconded by Mr. Popple. Vote: Mr. Smith abstained; Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti, yes. Motion carried.

Resolution 36-2013: A motion was made by Mr. Smith to approve the Maulick reverse subdivision. Three lots will be consolidated into one lot in White Haven Poconos. The motion was seconded by Mr. Popple. Vote: Unanimous yes.

MINUTES: Minutes from the October 7, 2013 Regular Meeting were reviewed. A motion was made by Mrs. Koval to approve the minutes, seconded by Mr. Masi. Vote: Unanimous yes.

The treasurer's report for October 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of October 2013 was $41,916.66. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of October 2013 were $54,215.25. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Pape read the Zoning and Code Enforcement report for October 2013. Issued were 4 building permits, 1 certificate of occupancy, 1 zoning permit, 1 conditional use application and 1 major land development application for a total of $3275.00. There were no BIU fees collected for October. One complaint was investigated.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of October 2013; 11 calls for the month, 7 of which were motor vehicle accidents.

STATE POLICE REPORT: October 2013 report was not yet available.

ACT 537 REPORT: No update.

ROAD DEPARTMENT: No report available.

ROAD FINANCIAL REPORT: The expenses for October were $39,715.00.

OPEN RECORDS REPORT: No new requests.

RECYCLING REPORT: Mr. Zingaretti said almost 40,000lbs of newspaper was recycled in the first three quarters of the year. He also announced that after the new year Bear Creek Village will not be participating in our recycling program.

RESOLUTIONS AND ORDINANCES

PLANNING BOARD RECCOMENDATIONS:

:

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: No update.

Aqua PA: Attorney Vinsko received a call from Aqua Pa counsel to setup a time for discussion.

Weiss Road Acquisition: No update.

Liem Litigation: No update.

Laurelbrook Road Acquisition: No update.

Weiss Road line painting: No update.

Trailwood Lake Gate: No update

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: No update.

Trailwood Park project: Project was approved at the last meeting. Mr. Masi updated the Board on the 24' x 28' pavilion that was purchased for the park. He also said the park project should take about one month to complete.

CORRESPONDENCE/NEW BUSINESS:

Proposed 2014 Operating Budget: Mr. Zingaretti presented the proposed budget, noting that revenue is projected at $725,100.00 and expenses at $660,500.00 of which $150,000.00 of that is capital projects. There will be no increase in taxes for 2014 and all non-supervisor employees will receive a 2% cost of living increase with the exception of the recycling center employees whose rate will remain at minimum wage. An overtime rate of 6.6% is projected for the road crew. There are no plans for road paving in 2014. Buildings and equipment will be focused on this year as well as improvements to the Forest Park park that was acquired in 2013 and improvements and repairs to existing township buildings.

A complete copy of the proposed budget is available at the municipal building as well as on the township website. The proposed budget will be considered at the December 2, 2013 Board of Supervisors meeting.

PUBLIC COMMENT:

A motion was made by Mr. Popple to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

The reorganization meeting of the Bear Creek Township Board of Supervisors was held at 6:00 PM January 7, 2013 at the Municipal Building located at 3333 Bear Creek Blvd. Mr. Zingaretti called the meeting to order. Roll was called. Mr. Smith, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti were present. The salute to the flag followed.

Mr. Zingaretti reminded everyone that no public comment would be taken during the reorganization meeting.

Mr. Zingaretti declared all positions vacant.

The following motions were made and seconded as follows:

Temporary Chairman: motion made by Mr. Smith to appoint Mr. Masi-seconded by Mr. Popple. Vote: unanimous yes.
Temporary Secretary: motion made by Mr. Smith to appoint Paula Weihbrecht-seconded by Mrs. Koval. Vote: unanimous yes.
Chairman: motion made by Mr. Masi to appoint Mr. Zingaretti-seconded by Mr. Popple. Vote: unanimous yes.
Vice Chairperson: motion made by Mr. Popple to appoint Mr. Masi -seconded by Mr. Smith. Vote: unanimous yes.
Roadmaster: No motion made
Secretary/Treasurer: motion made by Mr. Popple to appoint Paula Weihbrecht-seconded by Mr. Masi. Vote: unanimous yes.
Open Records Officer: motion made by Mr. Zingaretti to appoint Mr. Popple-seconded by Mr. Smith. Vote: unanimous yes.
Zoning/Code Reports to: A motion was made by Mr. Zingaretti to appoint Mr. Masi to oversee the Zoning and Code Enforcement Officer, seconded by Mr. Smith. Vote: unanimous yes.
Zoning Officer: A motion was made by Mr. Masi to appoint Fred Pape, seconded by Mr. Popple. Vote: unanimous yes.
UCC Code Enforcement: motion made by Mr. Zingaretti to appoint Building Inspection Underwriters- seconded by Mr. Popple. Vote: Mr. Smith abstained, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti, yes.
Sewage Enforcement Officer: motion made by Mr. Popple to appoint Frank Egenski– seconded by Mr. Masi. Vote: unanimous yes.
Sewage Enforcement Officer Alternate: motion made by Mr. Popple to appoint Steve Egenski– seconded by Mr. Masi. Vote: unanimous yes.
Engineer (includes Planning and Zoning): motion made by Mr. Popple to appoint Pennoni Associates – seconded by Mr. Masi. Vote: unanimous yes.
Solicitor (Board of Supervisors): motion made by Mr. Popple to appoint William Vinsko-seconded by Mr. Masi. Vote: unanimous yes.
Solicitor (Planning Board): motion made by Mr. Popple to appoint William Vinsko-seconded by Mr. Masi. Vote: unanimous yes.
Solicitor-(Zoning Hearing Board): motion made by Mr. Popple to appoint Angelo Terrana –seconded by Mr. Smith. Vote: unanimous yes.
EMA-Primary: motion made by Mr. Zingaretti to appoint Chris Keats -seconded by Mr. Masi. Vote: unanimous yes.

EMA-Secondary: motion made by Mr. Popple to appoint Ed Jasulevicz - seconded by Mr. Masi. Vote: unanimous yes.
Regular Meeting Day: motion made by Mr. Zingaretti to retain the first Monday of each month– seconded by Mr. Popple. Vote: unanimous yes.
Regular Meeting Time: motion made by Mr. Popple to retain 6:00 PM – seconded by Mr. Masi. Vote: unanimous yes.
Secretary-Planning Board: motion made by Mr. Popple to appoint Karen Kollar – seconded by Mr. Masi. Vote: unanimous yes.
Secretary-Zoning Board: motion made by Mr. Popple to appoint Paula Weihbrecht – seconded by Mr. Masi. Vote: unanimous yes.
Planning Board Member: motion made by Mr. Zingaretti to appoint Anthony Ciliberto- seconded by Mr. Popple. Vote: unanimous yes.
Planning Board Member: Rose Andrews has retired from the Planning Board and the Board of Supervisors asks that if anyone is interested in filling this position they should send a written request to the Township.
Zoning Hearing Board Member: motion made by Mrs. Zingaretti to appoint Mike Rebovich – seconded by Mr. Masi. Vote: Mr. Smith, Mr. Masi, Mrs. Koval, Mr. Zingaretti; yes, Mr. Popple abstains.
Vacancy Board Member: motion made by Mr. Smith to appoint Gary Slusser – seconded by Mr. Popple. Vote: Unanimous yes.
Convention Voting Delegate: motion made by Mr. Zingaretti to appoint Mrs. Koval- seconded by Mr. Smith. Vote: unanimous yes.
Depository General Funds: motion made by Mr. Zingaretti to retain PNC Bank – seconded by Mr. Popple. Vote: unanimous yes.
Administrator of Pension Plan: motion made by Mr. Zingaretti to appoint the Township Secretary/Treasurer – seconded by Mr. Popple. Vote: unanimous yes.
Signature Requirements: motion made by Mr. Smith that 2 Supervisor signatures plus the signature of the Treasurer required on all checks and necessary bank papers – seconded by Mr. Popple. Vote: unanimous yes.
Mileage Rate: a motion was made by Mr. Popple to pay mileage at the IRS approved rate for travel on Township business –seconded by Mr. Masi. Vote: unanimous yes.
Supervisors Labor: a motion was made by Mr. Popple to appoint each supervisor to do labor as needed to the extent permitted by second class township code- seconded by Mr. Masi. Vote: unanimous yes.

Resolution 1-2013: A motion was made by Mr. Masi to approve the resolution establishing the Township Fee Schedule, seconded by Mr. Popple. Vote: unanimous yes.

Resolution 2-2013: A motion was made by Mr. Masi to approve the resolution establishing the UCC Fee Schedule, seconded by Mr. Popple. Vote: Mr. Smith abstains, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti, yes.

Resolution 3-2013: A motion was made by Mr. Masi to approve the resolution authorizing the advertisement for a CPA to prepare the 2012 audit, seconded by Mr. Popple. Vote: unanimous yes.

Resolution 4-2013: A motion was made by Mr. Popple to approve the resolution to extend the contract with BIU for code enforcement until 12/31/2013, seconded by Mr. Masi. Vote: Mr. Smith abstains, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti, yes.

Resolution 5-2013: A motion was made by Mr. Smith to approve the millage rate for the township at 0.4412 or 4.412 cents per $100 of assessed value, seconded by Mr. Masi. Vote: unanimous yes.

A motion was made by Mr. Zingaretti to have the road foreman report to Mr. Smith for the time being since no Roadmaster was appointed, seconded by Mr. Masi. Vote: Mr. Smith and Mrs. Koval abstained, Mr. Masi, Mr. Popple and Mr. Zingaretti voted yes.

A motion to adjourn the reorganization meeting was made by Mr. Zingaretti, seconded by Mr. Smith. Vote: unanimous yes.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

A motion was made by Mr. Smith and seconded by Mr. Zingaretti and agreed upon unanimously by the Board to rescind Resolution 5-2013 passed at the Reorganization meeting. The millage rate for 2013 was stated incorrectly.

A motion was made by Mr. Zingaretti and seconded by Mr. Masi to restate the millage rate correctly for the record and pass as revised Resolution 5-2013. The millage rate for 2013 is 0.4412 or 4.412 cents per $100 of assessed value. Vote: unanimous yes.

To avoid any confusion in the future, the 2013 reorganization minutes reflect the correct millage information.

MINUTES: Minutes from the December 3, 2012 regular meeting were reviewed. A motion was made by Mr. Masi to approve the minutes, seconded by Mr. Popple. Vote: Mr. Smith abstained. Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

MINUTES: Minutes from the December 17, 2012 special meeting were reviewed. A motion was made by Mr. Smith to approve the minutes, seconded by Mr. Masi. Vote: Unanimous yes.

The treasurer's report for December 2012 was read by Mr. Zingaretti. The township took in $213,341.00, budget only expected $42,310.00. We obtained a grant from the Luzerne Foundation in the amount of $141,140.74 which is to be used to pay for the truck we purchased in November. Year to date: finished under budget in revenues by $97,000. That's the difference between the culvert grant that won't be received until this year and the grant we just received for the truck. That difference would be $134,000.00. Earned income taxes were about $25,000.00 over.

Year to date on expenses: we were $516,000.00 under our budgeted number. $420,000.00 was capital projects that were included in the budget and either not paid for or not yet undertaken during the calendar year. Some of those projects will flow through to next year.

RECEIPTS: Income for the month of December 2012 was $213,427.18. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

Mark Petlock asked the Board if the township funds were protected by FDIC since all funds are in PNC. Mr. Smith said FDIC limits are by depository and not by accounts. He would look into the matter and report back to the Board.

Mr. Zingaretti announced that the Township has exceeded $1,000,000.00 in the bank. He said this is due to the hard work of the Board, seeking grants at every opportunity and sticking to their Capital spending plan.

DISBURSEMENTS: Expenses for the month of December 2012 were $35,622.33. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Zingaretti read the Zoning Officer's report for December. There were 3 building permits and 1 contactors license issued for a total of $200.00. BIU fees collected for the month were $1606.00. Mr. Zingaretti also announced Fred Pape as our new Zoning and Code Enforcement Officer.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of December 2012; 10 motor vehicle accidents, 4 activated alarms, 1 vehicle fire and 1 water rescue. There were 154 total calls for the year.

STATE POLICE REPORT: Not available.

ACT 537 REPORT: No update. A quarterly report will be submitted and will be discussed at the next meeting.

ROADMASTER REPORT:

ROADMASTER FINANCIAL REPORT: Mr. Zingaretti reported total expenditures for the month of December at $18,189.00; expected budgeted amount was $15,000.00. The difference being the timing of the expenses. There was no overtime in December. For the year, we were significantly under budget due to capital projects that weren't undertaken and the light winter last year and so far this year. Overtime for 2012 was budgeted at 6.5%, actual was only 1%.

Laurel Brook Tarring: Project set for the Spring.

OPEN RECORDS REPORT: None

RESOLUTIONS AND ORDINANCES:

Resolution 6-2013: A motion was made by Mr. Popple to award the heating fuel contract in a cooperative agreement with the Charter School and Bear Creek Foundation to Button Oil at a rate of $3.319 per gallon, seconded by Mr. Masi. Vote: Mr. Smith abstained, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

Plowing in Bear Creek Village: The Board discussed passing a resolution to enter into an Intergovernmental Cooperation agreement with Bear Creek Village Borough to plow certain cul de sacs and portions of roads in Laurel Brook Estates. A motion to approve this agreement was made by Mr. Smith and seconded by Mr. Popple.

Joanne English: expressed her concern with the Township getting involved in an agreement with another municipality, reminding them of the problems that resulted from the agreement with Dennison Township.

Roger Southward: asked if these portions of roads had been dedicated and believes some portions of these roads may still belong to the contractor.

Mrs. Koval: said that after speaking with a representative from PennDOT, it is believed that not all of the parts of the roads involved in this agreement have been properly dedicated.

After a lengthy discussion was held, the Board decided to wait to vote on the resolution. Attorney Vinsko said he would contact the solicitor for the Borough to get information from their engineer concerning the safety of the area to plow and he will also get the information regarding the dedication of roads.

A motion was made by Mr. Popple to table the pending motion (Resolution 7-2013), seconded by Mr. Masi. Vote: unanimous yes.

PLANNING BOARD RECCOMENDATIONS: None

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: No update.

Aqua PA: No update.

Weiss Road Acquisition: Attorney Vinsko reported that we will most likely do a joint petition with Dennison Twp to move forward. The commissioner board will convene tomorrow and report to the Judge within 60 days to confirm township boundaries. From there a hearing will be scheduled and there will not be any exceptions filed by Dennison Twp.

Liem Litigation: This matter has been assumed by legal counsel Patrick Murphy who is now counsel for the township insurance defense.

SBA Proposal: Attorney Vinsko is waiting on information from Mr. Zingaretti.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

CORRESPONDENCE/NEW BUSINESS:

Annual Easter Egg Hunt: A letter has been received from the Bear Creek Foundation requesting use of the township facilities for their annual Easter Egg Hunt to be held on Saturday, March 23, 3013.

Messiah PM Church: A letter was received from the Church requesting approval of their annual 5k run/walk in the township. This request is made in seeking assistance with securing permission from PennDOT to use the road and receiving assistance with traffic control from the State Police.

A motion was made by Mr. Smith to approve the request from Messiah PM Church, seconded by Mr. Popple. Vote: unanimous yes.

Mr. Zingaretti announced the Auditor's annual reorganization meeting would be held the following day. The duties of the auditor are mainly to set pay rates for the Board of Supervisors and audit the books when a CPA has not been hired to do so.

PUBLIC COMMENT:

Joanne English: asked why a Roadmaster was not appointed tonight. Mr. Zingaretti explained that Mr. Fazzi will report to Mr. Smith and any road problems should be reported to the township office and from there the message will be forwarded to Mr. Smith and the township road crew. Mrs. English asked if the position was being done away with. Mr. Zingaretti said they had not made a firm decision on what they were going to do with the position and township code does not require a Roadmaster.

Mrs. Koval: Thanked the road crew for all their cooperation, this crew and past crews, and thanked them for the opportunity to work with them.

A motion was made by Mr. Popple to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

MINUTES: Minutes from the January 7, 2013 Reorganization Meeting were reviewed. A motion was made by Mr. Masi to approve the minutes, seconded by Mr. Popple. Vote: Unanimous yes.

MINUTES: Minutes from the January 7, 2013 Regular Meeting were reviewed. A motion was made by Mr. Masi to approve the minutes, seconded by Mr. Popple. Vote: Unanimous yes.

The treasurer's report for January 2013 was read by Mr. Zingaretti. Income for the month was $65,500.00, approximately $8000.00 more than anticipated, mainly due to the Earned Income Tax coming in higher than expected. Expenses for the month were about $7000.00 under budget due to legal and engineering bills not being received yet.

RECEIPTS: Income for the month of January 2013 was $65,503.75. A motion to approve the receipts, subject to audit was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of January 2013 were $29,732.36. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: unanimous yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the January 2013 zoning report, which included 1 contractor's license, 2 building permits and 1certificate of occupancy for a total of $270.00. There were no BIU fees collected for January.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of January 2012; 9 motor vehicle accidents, 1 tree/wire down, 2 assist & searches, 1 fire investigation, and 1 water rescue for a total of 14 calls.

STATE POLICE REPORT: 2012 final report received showing 213 calls for the year. January 2013 report listed 16 calls for the month.

ACT 537 REPORT: No update.

RECYCLING REPORT: Recycling income for the year was $4,285.00; expenses were $4,955.00 making the net cost for the year just under $700.00. Last year 55,000 lbs. of newspapers were recycled.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported total expenditures for the month of January were $15,130.00; budget was $15,100.00. There was less payroll than expected but higher on fuel and heating oil.

There were three separate storms in January, plowing multiple days; generally the crew was out by 5:00 AM. When not plowing the crew was doing routine maintenance, started building picnic tables and repaired the water heater at the garage. There was one road complaint that came through the township office and it turned out to be a private road so there was no issue.

Laurel Brook Tarring: Project set for the Spring.

2010 Gaming Grant: Mr. Zingaretti received an email stating that we may pay the invoice for the work done on the culvert project. We will withhold 10% until the paving issue is addressed.

OPEN RECORDS REPORT: None

RESOLUTIONS AND ORDINANCES:

Franchise Agreement: Still waiting on a change in the language of the agreement before Resolution will be voted on.

BC Village Plowing Agreement: There are issues still pending concerning the dedication of the roads and if Bear Creek Village has approved the agreement. Once these issues are resolved the Board will move forward with this agreement.

PLANNING BOARD RECCOMENDATIONS: None

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Legal counsel for Concini's have withdrawn from the case citing no basis to proceed. Mr. Masi asked what happens when they come to us with problems after this is closed. Attorney Vinsko stated that we will be talking to insurance counsel on how to formally close the case so this cannot happen again. It has been determined that the problems that they are experiencing are not the result of actions by Bear Creek Township.

Aqua PA: Attorney Vinsko has been in touch with Tom Geroulo, the insurance litigation counsel. The issues were the interrogatories and there was a motion for summary

judgment filed by Aqua. There will be an executive session in the next few weeks to decide how to proceed.

Weiss Road Acquisition: The Board of View will inspect the road and set a date for the hearing.

Liem Litigation: We have received the Answer to New Matter and Attorney Vinsko has approved it with Attorney Murphy.

SBA Proposal: Attorney Vinsko will work with Mr. Zingaretti on this matter.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

Banking Issue: We have received information from Franklin Security Bank to see what options are available concerning the Township funds. We will gather more info from other institutions before making a decision.

CORRESPONDENCE/NEW BUSINESS:

PSATS Convention request: Mr. Zingaretti asked for a motion to approve the request to have Mrs. Koval attend the annual Convention. A motion was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

PUBLIC COMMENT:

Mr. Rusinko: asked about the details of the SBA proposal and the Liem litigation issue. Mr. Zingaretti explained SBA manages two of the township's cell towers. They get carriers to attach and pay us a monthly fee. They send letters regularly offering a lump sum payment in lieu of the monthly payments. Most offers have been too low to consider. Mr. Zingaretti said if we were a cash strapped township, these offers may look attractive.

Attorney Vinsko explained that the Liem matter has to do with the outdoor wood burner issue. It went to the commonwealth court. The issue was not whether he could have it but if he could burn in the summer since the Zoning Ordinance put a time frame on it. The commonwealth court upheld the decision saying he could have it and could burn all summer because he was grandfathered since he had it before the ordinance.

The resident is still burning and the Liems say his burning is affecting them. In December the Liems filed a lawsuit against the neighbor burning and the township. The nature of the litigation is when the initial wood burning stove was placed, the township zoning officer received an application and permit request for a shed, allegedly. A wood burning stove goes in. No one appeals it or challenges it but in December they said we have to

revoke that permit. We don't believe we need to revoke it. This will probably end up a neighbor against neighbor issue and we will stay out of it.

A motion was made by Mr. Popple to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

MINUTES: Minutes from the February 4, 2013 Regular Meeting were reviewed. A motion was made by Mr. Masi to approve the minutes, seconded by Mrs. Koval. Vote: Unanimous yes.

The treasurer's report for February 2013 was read by Mr. Zingaretti. Income for the month was $65,315.00. Expenses for the month were $111,899.74. The culvert project payment was the largest part of the disbursements.

RECEIPTS: Income for the month of February 2013 was $66,677.69. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of February 2013 were $108,255.81. A motion was made by Mr. Smith to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: unanimous yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the February 2013 zoning report, which included 1 building permit and 3 certificate of occupancy for a total of $175.00. There were no BIU fees collected for January.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of February 2013; 10 motor vehicle accidents.

STATE POLICE REPORT: February 2013 report listed 19 calls for the month.

ACT 537 REPORT: No update.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported total expenditures for the month of February were $92,000.00; budget was $17,000.00. This included the culvert project and the metal structure. Without these items we were slightly under budget.

Mr. Smith reported that the road crew will work on an inventory and age of township equipment, the backhoe structure is done, and we are waiting on the new truck to be delivered to Bradco where the Tony Fazzi will inspect it before the work on it begins.

2010 Gaming Grant: First payment has been made to Popple. Grant paperwork has been filled out and forwarded to Gary for review to submit for reimbursement. We are still waiting on permission to reallocate and we also have 2 grant requests pending. Those are usually addressed in April.

OPEN RECORDS REPORT: None

RESOLUTIONS AND ORDINANCES:

Franchise Agreement: Still waiting on a change in the language of the agreement before Resolution will be voted on. SECTV is waiting on a list of buildings. Attorney Vinsko will take care of this.

BC Village Plowing Agreement: Bear Creek Village has rejected our offer. This item will be removed from the agenda.
Mr. Southward asked if we would be taking possession of the stretch of road that has not yet been dedicated to the township in Laurel Brook. Attorney Vinsko responded that there has been dedication in April 2012 to Bear Creek Borough and he is waiting on a conversation with Jim Coombs. Attorney Vinsko said our requirements for the roads are through PennDOT specifications. We must first review maps to see exactly how big the road is and we will then wait on guidance for Pennoni Associates.

Resolution 12-2013: A resolution appointing Bonita Rainey to perform the 2012 audit, at a cost not to exceed $1900.00. A motion to approve was made by Mr. Masi, seconded by Mr. Smith. Vote: unanimous yes.

Resolution 13-2013: A resolution authorizing Township officials to assist with Luzerne County's 5- year Hazard Mitigation Plan Update. A motion to approve was made by Mr. Masi, seconded by Mrs. Koval. Vote: unanimous yes.

Resolution 14-2013: A resolution appointing Paula Weihbrecht as a liaison between the township and Berkheimer. A motion to approve was made by Mr. Smith, seconded by Mr. Masi. Vote: unanimous yes.

PLANNING BOARD RECCOMENDATIONS: None

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Motions have been prepared for dismissal of the case. It has been our understanding that Concini's counsel has formally filed to withdraw from the case.

Aqua PA: Attorney Vinsko has been notified that they would like to take his depositions. He will be deposed some time in late March or early April.

Weiss Road Acquisition: The tentative date for the Board of View to go out and inspect the property is March 27, 2013. From there they will submit a recommendation to the court and a formal date for a hearing for anyone to object

Liem Litigation: We have received a request for some documents. They will be submitted to insurance counsel.

SBA Proposal: Attorney Vinsko will work with Mr. Zingaretti on this matter. Mr. Zingaretti has emailed the contact from SBA and has asked for some information that we could use to evaluate their potential offers.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

CORRESPONDENCE/NEW BUSINESS:

Flood Plain Coordinator: This will be someone who will coordinate flood plain work with our zoning rules. We have not assigned anyone yet and have reached out to Laurel Run, Bear Creek Village and Buck Twp. to see if it is something they would like to collectively participate in so costs can be shared.

Bear Creek Soccer: Has requested assistance in purchasing two full sized soccer goals for the Rec field.

Resolution 15-2013: A resolution authorizing the township to donate an amount not to exceed $3000.00 including shipping and handling for soccer goals for the Bear Creek Soccer Organization. A motion to approve was made by Mr. Masi, seconded by Mr. Smith. Vote: unanimous yes.

Resolution 16-2013: A resolution allowing Pennoni to prepare two bid packages. One for resurfacing of Trailwood Basketball courts and equipment and one for improvements to access to the park, i.e. steps or ramp etc. A motion to approve was made by Mr. Masi, seconded by Mr. Smith. Vote: unanimous yes.

Mr. Smith has offered to plow for the township at no charge, using the School's vehicle when necessary, i.e. the township has a vehicle out of commission etc. The township would reimburse for the cost of fuel.

Resolution 17-2013: A resolution approving intergovernmental cooperation agreement with the Carter School for providing municipal services. A motion to approve was made by Mr. Masi, seconded by Mrs. Koval. Vote: Mr. Smith abstained. Mr. Masi, Mrs. Koval and Mr. Zingaretti, yes.

PUBLIC COMMENT: None

Mr. Zingaretti announced that Bear Creek Township is now on Facebook.

A motion was made by Mr. Zingaretti to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Municipal Building, 3333 Bear Creek Blvd. Chairman Zingaretti called the meeting to order. Roll was called. Mr. Smith, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti were present. A moment of silence was held in remembrance of Ted Carl who had recently passed. Pledge to the flag followed.

MINUTES: Minutes from the March 4, 2013 Regular Meeting were reviewed. A motion was made by Mr. Smith to approve the minutes, seconded by Mr. Masi. Vote: Unanimous yes.

The treasurer's report for March 2013 was read by Mr. Zingaretti. Income for the month was $64,039.28. Budget for the month was $34,350.00. Differences are due to Earned Income Taxes and Real Estate Taxes. Expenses for the month were $5000.00 under budget mostly due to timing issues.

RECEIPTS: Income for the month of March 2013 was $64,289.93. A motion to approve the receipts, subject to audit was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of March 2013 were $28,547.89. A motion was made by Mr. Masi to approve the disbursements, subject to audit, seconded by Mr. Popple. Vote: Mr. Smith abstained, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the March 2013 zoning report, which included 2 building permit and 1 Planning Board fee for a total of $375.00. There were no BIU fees collected for January. There were also 2 complaints received.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of March 2013; 17 calls for the month, 14 of which were motor vehicle accidents.

STATE POLICE REPORT: March 2013 report listed 34 calls for the month, 13 which were motor vehicle accidents.

ACT 537 REPORT: No update. Mr. Zingaretti gave a brief overview of why this remains at a standstill.

ROAD DEPARTMENT REPORT: Mr. Smith provided a summary of the road crew activities and resident complaints received for the month.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported that overall road expenses were in line with the budget.

OPEN RECORDS REPORT: None

PLANNING BOARD RECCOMENDATIONS:

Resolution 18-2013: A Resolution approving the Gilmore Minor Subdivision. A motion to approve was made by Mr. Masi, seconded by Mr. Popple. Vote: unanimous yes.

Resolution 19-2013: A Resolution approving the Lewin Minor Subdivision. A motion to approve was made by Mr. Smith, seconded by Mr. Popple. Vote: unanimous yes.

RESOLUTIONS AND ORDINANCES:

Mr. Masi reported on meeting with the Township engineer to discuss enhancements to Trailwood Park. Improvements included an asphalt walking path, resurfacing the basketball court, addition of a small pavilion, handicapped parking connected to walking path and enhancements to hill behind backstop, possibly steps. The resolution will be for soliciting bids on each aspect of the enhancements.

Resolution 20-2013: A Resolution authorizing the solicitation of bids for improvements at Trailwood Park. This resolution supersedes Resolution 16-2013. A motion to approve was made by Mr. Popple, seconded by Mr. Masi. Vote: unanimous yes.

Mr. Zingaretti announced the township was recently notified of a grant award of $175,000.00 earmarked for the reconstruction and repaving of Weiss Road.

Resolution 21-2013: A Resolution authorizing the solicitation of bids for reconstruction and repaving of Weiss Road. A motion was made by Mr. Popple, seconded by Mrs. Koval. Vote: unanimous yes.

Resolution 22-2013: A Resolution authorizing the solicitation of bids for the reconstruction and repaving of roads in Laurelbrook Estates. A motion to approve was made by Mr. Popple, seconded by Mrs. Smith

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Aqua has settled. We are waiting

Aqua PA: Attorney Vinsko will be deposed on April 15th.

Weiss Road Acquisition: No update

Liem Litigation: No update.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: No update.

CORRESPONDENCE/NEW BUSINESS:

LC Recycling Event: Luzerne County will hold its annual electronic recycling event at Butler Township Fire Hall on June 8th and at Hanover Area H.S. on June 15th.

Weiss Road Grant Award: Received information that the Township was awarded $175,000.00 for reconstruction and paving of Weiss Road.

Laurelbrook Paving Grant: Notification was received that the Township was denied any grant monies sought for repaving of Laurelbrook.

Martz Trailways: Bob Chepalonis spoke about creating a stop at the Bear Creek Township Municipal building for bus service to Philadelphia, Atlantic City and New York City. Starting date for this service would be the end of April, beginning of May. A long discussion followed concerning the parking and collection of fees. It was decided that the parking fees would be collected by Martz and then paid by Martz to Bear Creek Township.

Resolution 23-2013: A Resolution authorizing Frank Martz Coach Co. doing business as Martz Trailways, to use Bear Creek Township property as a pickup/drop off point for NYC, Philadelphia and Atlantic City subject to the conditions of insurance, parking logistics and feasibility between the two entities for. A motion to approve was made by Mr. Masi, seconded by Mr. Smith. Vote: unanimous yes.

PUBLIC COMMENT: None

A motion was made by Mr. Popple to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

Mr. Zingaretti announced that an executive session was held on April 30, 2013 to discuss personnel and legal matters.

MINUTES: Minutes from the April 1, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mrs. Koval. Vote: Unanimous yes.

The treasurer's report for April 2013 was read by Mr. Zingaretti. Income for the month was $209,430.59; expenses were $43,862.90 for a net of $165,000.00. Grant money totaling $89,890.00 for the Old East End Blvd culvert project was received during the month. Cash at the end of the period was $1,277,877.44.

RECEIPTS: Income for the month of April 2013 was $209,430.59. A motion to approve the receipts, subject to audit was made by Mrs. Koval, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of April 2013 were $45,862.90. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the April 2013 zoning report, which included 2 building permits, 2 zoning permits and 2 zoning hearing fee for a total of $885.00. BIU fees collected for April were $2169.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of April 2013; 11 calls for the month, 7 of which were motor vehicle accidents.

STATE POLICE REPORT: April 2013 report listed 24 calls for the month, 7 which were motor vehicle accidents.

ACT 537 REPORT: No update.

ROAD DEPARTMENT REPORT:

ROAD FINANCIAL REPORT: Mr. Zingaretti reported that overall road expenses were $16,459.00 for the month of April.

OPEN RECORDS REPORT: One request was received during the month and was fulfilled within the required time frame.

PLANNING BOARD RECCOMENDATIONS: None

RESOLUTIONS AND ORDINANCES:

Ordinance 1-2013: A renewal of the Cable Franchise agreement between Bear Creek Township and Service Electric Cable TV. The agreement includes cable and internet hookup for three locations at no charge. A motion was made by Mr. Popple to approve the ordinance, seconded by Mr. Masi. Vote: Mr. Masi, Mr. Popple and Mrs. Koval voted yes. Mr. Zingaretti abstained. Motion approved.

Resolution 24-2013: A Resolution authorizing the Board of Supervisors and its solicitor to pursue the acquisition of blighted park property from the Forest Park Association. A motion to approve the resolution was made by Mr. Masi, seconded by Mr. Popple. Vote: unanimous yes.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: There has been additional discovery.

Aqua PA: Aqua Pa has fired their counsel. There is now new counsel and they want to explore settlement.

Weiss Road Acquisition: Property was inspected, now a date needs to be set to get all parties together to finalize matter.

Liem Litigation: A potential settlement offer was received and circulated.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: Mr. Zingaretti spoke with a representative from SBA. They would like to either purchase the towers out right or extend our contract with them. A package outlining the different options offered will be emailed to Mr. Zingaretti.

Weiss Road and Trailwood Park: No update.

Laurel Brook Road Repairs: No update.

CORRESPONDENCE/NEW BUSINESS:

Mrs. Koval extended a thank you to the Board from the Lions Club for allowing them to once again use the Community Room for their breakfast. Also a reminder of the monthly Lions Club Bingo held the second Wednesday of each month.

PUBLIC COMMENT:

A resident from the corner of Swanson and Pittston Blvd asked if it is possible to get stop signs at the intersection, making it a three way stop. Since Pittston Blvd is a state road, a request will have to be made with PennDOT.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

MINUTES: Minutes from the May 6, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mrs. Koval. Vote: Mr. Smith abstained. Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

The treasurer's report for May 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of May 2013 was $118,349.85. A motion to approve the receipts, subject to audit was made by Mrs. Koval, seconded by Mr. Smith. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of May 2013 were $29,297.53. A motion was made by Mr. Smith to approve the disbursements, subject to audit, seconded by Mr. Popple. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Zoning and Code Enforcement Officer Fred Pape read the May 2013 zoning report, which included 6 building permits, 1 zoning permits and 3 contractor's licenses for a total of $630.00. BIU fees collected for April were $1046.00.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of May 2013; 10 calls for the month, 7 of which were motor vehicle accidents.

STATE POLICE REPORT: May 2013 report listed 34 calls for the month. Mr. Smith informed the Board that a representative from the State Police will be at the July meeting to address any concerns of the Board and the residents of Bear Creek Township.

ACT 537 REPORT: No update.

ROAD DEPARTMENT REPORT: Mr. Smith reported that the majority of activity by the road crew was maintaining the berms of the roads and the fields at the Rec area.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported a $4200.00 expense overrun.

OPEN RECORDS REPORT: One request was received during the month and was fulfilled within the required time frame.

PLANNING BOARD RECCOMENDATIONS: Lewin Subdivision: was previously approved by the Supervisors and Planning Board. Bill Bolton from Borton Lawson was present for signatures only.

RESOLUTIONS AND ORDINANCES:

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: A certificate of trial readiness has been filed. A judge will be assigned to the case and there will be a pre-trial conference. Mr. Smith asked if the township was the only defendant currently in this case. Attorney Vinsko confirmed this. Mr. Zingaretti asked in PennDOT was ever brought in as an additional party to this case. Attorney Vinsko responded no, but said if PennDOT is liable they are still liable, they don't need to be a party to the case.

Aqua PA: No update.

Weiss Road Acquisition: Waiting on final court date.

Liem Litigation: Settlement on the table, the township not having any liability.

Forest Park: Issue will go before the Orphans Court as a reapplication for a public purpose.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: No update.

Trailwood Park: No update.

CORRESPONDENCE/NEW BUSINESS:

Weiss Road Repair/Repave Bids: The township received a $175,000.00 grant reallocation that is to be used for the repair and paving of Weiss Road. Sealed bids were received and are as follows:

Popple Construction -	$170,540.00
Barletta Construction -	209,999.00
American Asphalt -	229,516.00
Pennsy Supply-	194,390.00
Pikes Creek -	218,333.93

Resolution 26-2013: A resolution awarding the Weiss Road repair/repave project to Popple Construction, at a cost not to exceed $170,540.00. A motion to approve was made by Mrs. Koval, seconded by Mr. Smith. Vote: Mr. Smith, Mrs. Koval and Mr. Zingaretti, yes. Mr. Popple abstained.

Laurelbrook Paving Project: Bids were sought for repaving of 3.6 miles of township road in Laurelbrook Estates. The bids included Laurelbrook Base (Laurelbrook Drive in and out and the entire length of Sandspring Rd) and 5 alternatives. Alternative 1 Twinbrook, Alternative 2 Wedgewood, Alternative 3 Fernwood, Alternative 4 Springbrook and Alternative 5 Hillbrook. Sealed bids were received and the base bids were as follows:

Popple Construction -	$358,048.00
American Asphalt -	339,883.85
Pennsy Supply -	313,451.15
Pikes Creek -	368,613.40

Lowest bidder for the Alternatives:

Twinbrook –	Pennsy Supply-	$79,148.20
Wedgewood –	Pennsy Supply-	74,644.60
Fernwood –	American Asphalt-	13,841.25
Springbrook –	American Asphalt-	8,454.50
Hillbrook –	Pennsy Supply-	16,469.65

Mr. Zingaretti reminded the Board that there is a little over a million dollars in the bank and we will need to pay for the truck that has been ordered. The Weiss Road paving project will need to be paid for up front and then we will be reimbursed through the grant we received. Mr. Zingaretti also noted that it has been the Board's intention since laying out the capital budget five years ago to repave the roads in Laurelbrook sometime between 2012 and 2014.

Resolution 25-2013: A resolution awarding the Laurelbrook paving project including the base and all alternatives to Pennsy Supply at a cost not to exceed $506,076.00. A motion to approve was made by Mr. Smith, seconded by Mrs. Koval. Vote: unanimous yes.

Mr. Petlock questioned whether we should have also included the project as a whole in the bidding process and would the prices have been lower. Mr. Popple addressed the question and said he felt the prices would probably not have been much different and at this point it could not be put back out for bid since the original bids have been released.

Mr. Southward asked what the results were of the engineering study on the core samples from Laurelbrook. Mr. Zingaretti responded that the samples were not as bad as had been described but were not what was promised when the township took the roads over.

Blood Drive: A blood drive will be held at the community room Saturday June 8th from 9:00 am until 2:00 pm.

Alternative Energy Based Vehicles: There is a grant opportunity to match funds by 50% for the purchase of alternative energy based vehicles. There is a five vehicle minimum but the township could combine efforts with another municipality to pursue the opportunity.

Mr. Smith thanked a young man named Jimmy Konicki, an Eagle Scout, from Trailwood for assisting in directing traffic at the scene of a bad accident recently.

PUBLIC COMMENT:

Will Kresge: Mr. Kresge brought to the Board's attention that there are two street signs missing from Golf Course Road as well as one of the speed bumps. Mr. Smith said he will inform the road crew about the signs. He also stated that a new speed bump will be ordered because the missing one was damaged when the road crew attempted to remove them for the winter. The resolution for the removable speed bumps also needs to be revised to state that they are *permanent* speed bumps.

Mr. Kresge also addressed the lane restrictions on 115. He feels that two lanes are needed coming up the mountain. Discussion followed.

Roger Southward: Mr. Southward thanked Jim Smith and the road crew for the work that has been done in Laurelbrook on the pothole patching.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

Trooper Tom Kelly from the Pennsylvania State Police spoke about crime in Bear Creek Township. He gave a breakdown of different incidents that were reported in the Township and gave tips on keeping homes safe from crime.

MINUTES: Minutes from the June 3, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mrs. Koval. Vote: Mr. Masi abstained. Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

The treasurer's report for June 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of June 2013 was $50,853.99. A motion to approve the receipts, subject to audit was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of June 2013 were $62,271.69. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Zingaretti read the Zoning and Code Enforcement report for June 2013. Issued were 3 building permits, 1 zoning permit and 2 certificates of occupancy for a total of $350.00. BIU fees collected for June were $471.00.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of June 2013; 12 calls for the month, 10 of which were motor vehicle accidents.

STATE POLICE REPORT: June 2013 report listed 37 calls for the month.

ACT 537 REPORT: No update

GAMING GRANT: Culvert repair grant final step is to have an audit of the project done. Up to $1000.00 is reimbursable. Bonita Rainey will be contacted to conduct the audit.

WEISS ROAD PROJECT: Paving project is basically done. We are waiting on the official from Pennoni to approve what has been done and give the ok to release funds.

LAURELBROOK PAVING PROJECT: The contract with Pennsy has been signed and the pre-construction meeting will be scheduled with the vendor and our engineer. Drainage problems have been identified and pipe and drain work will be included in some areas.

ROAD DEPARTMENT REPORT: No update.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported we are approximately $3000.00 under budget. This shows mainly in payroll due to being one man down. On the expense side we are showing $80,000.00 over, that is due to the culvert project that was included in last year's budget and flowed into this year.

OPEN RECORDS REPORT: No requests received during June.

PLANNING BOARD RECCOMENDATIONS: None

RESOLUTIONS AND ORDINANCES:

Resolution 27-2013: The authorization the reinstallation of permanent speed bumps on Golf Course Road. A motion to approve was made by Mr. Popple, seconded by Mrs. Koval. Vote: Unanimous yes.

Mr. Masi asked Attorney Vinsko if this resolution means that there will always be speed bumps on this road. Attorney Vinsko confirmed this. Mr. Zingaretti added that if there should be a reason down the road that these speed bumps would need to be removed, we could pass another resolution to do so.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Counsel for the Concini's filed a certificate of trial readiness. Attorney Vinsko will be meeting with insurance company to discuss.

Aqua PA: Waiting on response from our insurance counsel.

Weiss Road Acquisition: We should have an order on this shortly. The matter should be done in July.

Liem Litigation: Matter for executive session.

Forest Park: Hearing scheduled for July 30th. It will be advertised and anyone can attend.

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: Will be discussed in executive session.

Trailwood Park: No update.

CORRESPONDENCE/NEW BUSINESS:

PUBLIC COMMENT:

Will Kresge: asked if the Board gave any consideration to approaching PennDOT about the lane restrictions on Route 115. Mr. Zingaretti said we will arrange to have a representative from PennDOT here for the September meeting to discuss options.

Frank Martino: Mr. Martino thanked the Board for the work that was done recently on Weiss Road.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Firehouse in White Haven Pocono. Chairman Zingaretti called the meeting to order. Roll was called. Mr. Smith, Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti were present. Pledge to the flag followed.

MINUTES: Minutes from the July 1, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mr. Masi. Vote: Mr. Smith abstained. Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti voted yes.

The treasurer's report for July 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of July 2013 reflects $198,818.01. This includes a transfer of funds for the new truck in the amount of $141,147.74. True deposit is $57,677.27. A motion to approve the net receipts, subject to audit was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

Mr. Popple asked Attorney Vinsko if he should abstain from the vote on the Disbursements when materials are purchased from Pioneer Aggregates, a company he is involved in. Attorney Vinsko advised Mr. Popple that he could still vote but he should identify the portions of the disbursements that pertain to his company before voting.

DISBURSEMENTS: Expenses for the month of July 2013 reflects $310,217.37. This includes the transfer of funds for the new truck in the amount of $141,147.74. True disbursements are $169,076.63. A motion was made by Mr. Popple to approve the net disbursements, subject to audit, noting that Pioneer Aggregates (a company he is involved in) was included in the disbursements for $64.03, seconded by Mr. Masi. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Pape read the Zoning and Code Enforcement report for July 2013. Issued were 1 Contractors license, 2 building permits, 1 subdivision application and 1 certificate of occupancy for a total of $500.00. BIU fees collected for July were $553.10. Mr. Pape also reported 3 complaints were made regarding high grass and weeds.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of July 2013; 7 calls for the month, 6 of which were motor vehicle accidents.

STATE POLICE REPORT: July 2013 report listed 33 calls for the month.

ACT 537 REPORT: No update

ROAD DEPARTMENT: Mr. Smith reported that the new truck has not been delivered yet. There was some minor paint damage that needed to be repaired as well as an issue with the wiring. The township will not take possession of the vehicle until all issues have been corrected.

ROAD FINANCIAL REPORT: Mr. Zingaretti reported total expenses on the road department for July was 149,734.00 which included the purchase of the new truck.

OPEN RECORDS REPORT: One request received and completed.

PLANNING BOARD RECCOMENDATIONS:

Resolution 28-2013: The Twig Cottage/Haas Minor Subdivision- A Resolution approving the minor subdivision involving 3 lots in Bear Creek Village Borough and 1 lot in Bear Creek Township. The result will be two lots; one lot will be 2.92 acres in Bear Creek Borough and the other lot will be 1745.22 acres in Bear Creek Township. Motion to approve was made by Mr. Popple, seconded by Mr. Masi. Vote: Unanimous yes.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Forest Park Acquisition: The draft order has been circulated. The order was drafted and the township has been awarded the property. The matter is now complete. Attorney Vinsko will have this time stamped and signed by the Prothonotary's office. The property will be surveyed. Mr. Smith solicited proposals for the survey.

Resolution 29-2013: A Resolution awarding the surveying of the newly acquired Forest Park property to Sight Pro Survey, not to exceed $1200.00. A motion to approve was made by Mr. Popple, seconded by Mr. Smith. Vote: Unanimous yes.

Grant Audit: Mr. Zingaretti explained that anytime we receive grant monies in excess of $100,000.00 we must have an audit performed. Since the original amount awarded for the culvert project was over $100,000.00 we must have an audit for this project as well as the Weiss Road repair project.

Resolution 30-2013: A Resolution awarding the Gaming Grant Audits for the Culvert project and the Weiss Road repair to JH Williams, not to exceed $1000.00 for each audit. A motion to approve was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

Concini matters: A pre-trial conference is scheduled for August 12th. Attorney Vinsko will attend with the insurance counsel. If a trial date is set, Attorney Vinsko will let the Board know through executive session what the strategy will be. Mr. Masi asked if there was an offer on the table. Attorney Vinsko said they requested $35,000 and wanted a pipe put through their yard and the neighbor's yard.

Aqua PA: No change.

Weiss Road Acquisition: Waiting to hear on final issues.

Liem Litigation: Will be settled without any payment by Bear Creek Township. Liems wanted the permit that was issued in 2006 to be revoked; Attorney Vinsko refused. They will settle without us.

Laurelbrook Road Acquisition: Attorney Vinsko received the tax bills from Landview properties for the sections of road that have not yet been dedicated to the township. Attorney Vinsko stated that dedication is an option; the township does not have to accept the roads. Discussion followed. Mr. Zingaretti said the Board would look towards Attorney Vinsko and Joe Mullen from Pennoni for a process.

Trailwood Lake Gate: Attorney Vinsko received notice from DCNR that the Trailwood Lake gate needs to be removed immediately. Wilkes-Barre city owns most of the land back there and will be addressing this in the near future and posting it. Bear Creek Township is not involved in this matter. The gate was installed by the Trailwood Lake Association.

RESOLUTIONS AND ORDINANCES:

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: Will be discussed in executive session.

Pittston Blvd./Swanson Rd. request: A township resident had requested at a meeting earlier in the year that the Swanson Rd/Pittston Blvd intersection be changed to a three way stop. A PennDOT review was requested by the Board. PennDOT looked at the area in question and rejected the request.

Weiss Road speed limit: Mr. Smith spoke with Attorney Vinsko on the procedure to set speed limits on township road. We will seek PennDot's assistance

Roof repairs of Township Buildings: Mr. Smith addressed the Board concerning needed roof repairs on some of the township buildings. Mr. Smith will put together formal bid specs for these repairs and will present to the Board at a later date.

Mulch donation: Mr. Smith said a large quantity of mulch has been donated and it will be spread around the playground area at the Rec field.

Laurelbrook roads: Mr. Smith reported that overall the project is complete. The edging needs to be done yet. Mr. Zingaretti said additional money was built into the budget for some additional base repairs because problems were expected. Between bad drainage design and poor quality of the original roads we will be dealing with a $45,000.00 additional bill beyond the original bid.

Trailwood Park: We will be advertising soon for bids for Trailwood Park on Laurel Run Road. Plans include a walking trail and small pavilion.

CORRESPONDENCE/NEW BUSINESS:

UCC Audit: Uniform Construction Code audit was performed and no issues were found.

New Area Code: Starting in September everyone will be required to dial the area code before all numbers, including local numbers. In October a new area code, 272, will be added to the area served by 570.

PUBLIC COMMENT:

Joanne English: Expressed concerns about people driving around the township offering different services such as blacktopping and carpet cleaning. She wanted to know if they needed permits. Mr. Zingaretti reminded residents to be careful that these people are not always on the level. He advised that everyone should get a description of these people and their vehicle if they should encounter them.
Mrs. English also asked about the company that is doing spraying in the township that is killing the trees. She wanted to know what they were actually spraying and if the spray is harmful, who gave them permission and do they have permits. Mr. Zingaretti responded that this is governed by the PUC. The areas being sprayed are considered utility right of way. PP&L is paying a subcontractor to do the spraying. There is a hotline that people can call to complain and the township will post the number for the residents.

Roger Southward: Asked if the median area between the two roads of Laurelbrook drive would be included in the paving. Mr. Zingaretti said it was in the original plans to do this but the engineer advised that it was not in the best interest of the township to do this. The engineer advised that we try to deter people from using the median as a crossover into their driveways. The Board will look at other alternatives to enhance the median area.

Discussion followed including whether the Board would want to consider and ordinance instituting construction bonds to protect township roads.

Frank Martino: Stated that bushes and branches are growing out into the roads in the WHP development. Mr. Smith said they would look into the matter and see if the work was something the road crew could handle.

A resident asked if the Board plans on having a stripe painted on Weiss Road. Mr. Zingaretti responded that the township has no legal obligation to stripe the road.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Municipal Building. Vice Chairman Masi called the meeting to order. Roll was called. Mr. Smith, Mr. Masi, Mr. Popple and Mrs. Koval were present; Mr. Zingaretti was absent. Pledge to the flag followed.

Mr. Masi explained that Attorney Vinsko had another commitment that evening and the meeting would start with the Solicitor's report, allowing Attorney Vinsko to leave early.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: A pre-trial conference was held and it is scheduled to go to trial the second week of May 2014. The judge is looking at potential mediation. We will wait to see how we want to proceed.

Aqua PA: Attorney Vinsko and Mr. Zingaretti are waiting on information from the new legal counsel for Aqua PA.

Weiss Road Acquisition: Judge Burke will wrap it up after he receives recommendation from the Board of View. There were no objections so everything is just formality.

Liem Litigation: We gave them our position on settlement. There will be depositions.

Laurelbrook Road Acquisition: No update.

Weiss Road line painting: Mr. Masi said a letter was received requesting that the WHP Association be allowed to hire a professional to do line painting on Weiss Road. Attorney Vinsko suggested that the township be the contracting agency with an agreement with WHP Association that they will cover the costs for it but the township will be the conduit by which it is addressed so we can oversee it. Attorney Vinsko will create the tentative agreement for this and circulate it to the Board for approval before sending off to the WHP Association.

Trailwood Lake Gate: Attorney Vinsko reported that this is not a Bear Creek Township or Board of Supervisors issue. The city of Wilkes-Barre received a letter from DCNR. Trailwood was created under project 70 which states the area is for public purposes. The gate violates this agreement and the city has been directed to remove the gate immediately. The city will give the Association and the property owner involved 30 days to remove the gate.

115 Safety Concerns: Keith Williams and Bob Wasilchak from Penndot spoke about the issues concerning Route 115. Some residents have recently voiced their concerns about traffic being slowed going South up 115 by slow moving vehicles and trucks that cannot keep the 45mph speed. Other residents were concerned that if the road is changed back to the way it was before or if passing lanes were added there would be an increase in accidents. The Penndot representatives gave 115 accident statistics for both before and after the changes to the road were made. A lengthy discussion followed and Penndot

agreed to at least take another look at the road and see if there was a way to alleviate some of the congestion at the bottom of the mountain due to slower moving traffic

MINUTES: Minutes from the August 5, 2013 Regular Meeting were reviewed. A motion was made by Mr. Smith to approve the minutes, seconded by Mrs. Koval. Vote: Unanimous yes.

The treasurer's report for August 2013 was read by Mr. Masi:

RECEIPTS: Income for the month of August 2013 was $53,696.32. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mrs. Koval. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of August 2013 were $217,784.87. A motion was made by Mr. Smith to approve the disbursements, subject to audit, seconded by Mrs. Koval. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Pape read the Zoning and Code Enforcement report for August 2013. Issued were 1 Contractors license, 5 building permits, and 2 certificates of occupancy for a total of $435.00. BIU fees collected for August were $64.00. Mr. Pape also reported complaint was investigated.

FIRE DEPT REPORT: Mr. Masi read the report for the month of August 2013; 9 calls for the month, 4 of which were motor vehicle accidents.

STATE POLICE REPORT: August 2013 report listed 44 calls for the month.

ACT 537 REPORT: No update

ROAD DEPARTMENT: Mr. Smith reported that the Forest Park property has been surveyed, the structure on the property torn down and the grass has been cut. A collapsed pipe on West Parkway has been replaced. In WHP the road crew has begun to cut back trees that are hanging into the roadways and signage has been ordered for Weiss Road. Mr. Smith also reported the fuel joint bid opportunity went out and is due back on September 12th. It was also reported that the roof on the garage needs to be sealed and the roof on the pole barn and community needs to be replaced. The new truck should be delivered this week. Salt will be ordered for the winter. A donation of modified wood fiber was received and will be used at the recreation area.

ROAD FINANCIAL REPORT:

OPEN RECORDS REPORT: No new requests.

PLANNING BOARD RECCOMENDATIONS: None

RESOLUTIONS AND ORDINANCES: None

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: Will be discussed in executive session.

CORRESPONDENCE/NEW BUSINESS:

Employee Pension Plan: Mr. Masi reported that notice was received of the Minimum Municipal Obligation for 2014. The obligation is $10,531.00.

Recycling Grant: Mr. Masi announced that the township has received a recycling grant for $630.00 from the Department of Environmental Protection. The grant reflects 106.9 tons of residential and commercial material recycled by our township residents at our recycling center.

Tire Recycling: Luzerne County will hold a tire recycling event on October 5th at the Butler Firehouse and on October 12th at Hanover Area HS.

PUBLIC COMMENT:

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Popple. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

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

Mr. Zingaretti announced that there were two items on the agenda pertaining to the building of the new charter school. The first was a conditional use hearing pertaining to the lands to be used for the new school. Mr. Vinsko reported that the Conditional Use application was submitted by the Bear Creek Foundation Inc. to the Board of Supervisors for the conditional use for the proposed school. The Bear Creek Twp. Planning Commission received copies of this application on September 16, 2013. The hearing was to be scheduled for this evening but due to an advertising error the hearing will now be held on November 4, 2013 at 5:00 PM here at the municipal building. This is open to the public and everyone is invited to attend. A court stenographer will be present to record the hearing. Mr. Brobst was present for the school and foundation and agreed with Attorney Vinsko in his explanation why there was a delay in the public hearing.

MINUTES: Minutes from the September 9, 2013 Regular Meeting were reviewed. A motion was made by Mr. Popple to approve the minutes, seconded by Mrs. Koval. Vote: Mr. Smith, Mr. Masi, Mr. Popple and Mrs. Koval; yes. Mr. Zingaretti abstained.

The treasurer's report for September 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of September 2013 was $290,185.22. This includes $200,000.00 that was transferred from the Capital Account. The actual receipts for September are $90,185.22. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of September 2013 were $840,258.51. This includes a transfer of $200,000.00 from the Capital Account. The actual expenses for September were $640,258.51. The largest portion of the disbursements was for the paving project in Laurelbrook. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Smith. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Pape read the Zoning and Code Enforcement report for September 2013. Issued were 2 Contractors licenses, 2 building permits, 1 driveway permit, 1 certificate of demolition, 1 timber permit and 1 reverse subdivision for a total of $750.00. There were no BIU fees collected for September.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of September 2013; 11 calls for the month, 8 of which were motor vehicle accidents.

STATE POLICE REPORT: September 2013 report listed 32 calls for the month.

ACT 537 REPORT: No update. Mr. Masi asked if the Board should revisit the topic since it's been at a standstill for so long. There are residents waiting to make decisions about their property based on what is going to happen with the Act 537. Attorney Vinsko said this will be discussed in an executive session.

ROAD DEPARTMENT: Mr. Smith reported the roof on the township garage was sealed, maintenance work on vehicles was done, road salt was received, the light in Laurelbrook is being addressed by PPL, the water issue at Old East End Blvd is being addressed and the crew is continuing to work on trimming trees back in White Haven Pocono.

ROAD FINANCIAL REPORT: The expenses for were $572,000.00 for September, $560,000.00 of that was for paving bringing the regular expenses $1500 under budget.

OPEN RECORDS REPORT: No new requests.

RESOLUTIONS AND ORDINANCES

PLANNING BOARD RECCOMENDATIONS:

Resolution 32-2013: A resolution approving the Jacobson reverse subdivision. Two lots on Aleeda Blvd will be combined to create one single lot. A motion to approve was made by Mr. Smith, seconded by Mr. Masi. Vote: unanimous yes.

Charter School Sewage Module: Mr. Smith recused himself from this portion of the meeting. Mr. Zingaretti explained that one of the first steps for the new charter school is to get a sewage treatment module prepared and submitted to the Township and approved. From there it is submitted to DEP. Attorney Vinsko added that because of the time frame it takes for approval from DEP, they are asking for this to be the first thing to be reviewed by Planning, the engineers and the Supervisors. The Planning Board approval was conditional upon engineering recommendations. Joe Mullen from Pennoni Associates has since given it the green light to be considered by the Board of Supervisors.

Joe Stachokus, PE from SM Design Group and Tom Gercak , project architect, from Hemmler Camayd gave a brief presentation explaining the proposed plans for the new charter school project. Discussion followed.

Resolution 31-2013: A resolution authorizing the Township officials to execute wastewater operation, maintenance, oversight agreement, and PA DEP sewage modules for the Bear Creek Foundation. A motion to approve the resolution was made by Mrs. Koval, seconded by Mr. Masi. Vote: Mr. Smith had recused himself from this portion of the meeting, Mr. Masi; yes, Mr. Popple; abstained, Mrs. Koval; yes, Mr. Zingaretti; yes.

:

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: Matter will be addressed at trial scheduled for May 2014.

Aqua PA: Attorney Vinsko and Mr. Zingaretti will discuss the matter with Attorney Geroulo. Attorney Vinsko will be deposed concerning what Mr. McMillan said during a meeting held here.

Weiss Road Acquisition: No update.

Liem Litigation: Deposition stage. The township is not involved at this point.

Laurelbrook Road Acquisition: No update.

Weiss Road line painting: Attorney Vinsko is working to finalize the acquisition of Weiss Road. Once this is done he will work with the WHP Association in creating the agreement for line painting. Mr. Masi reported that the Association has not yet discussed funding the line painting. Once they do we can move forward.

Trailwood Lake Gate: No update

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: No update.

Trailwood Park Proposals: The concept centers on a walking trail that runs around the perimeter of the park and down to the lake. It will not interfere with the baseball and soccer fields. The plan will include improvements to the parking lot, making it ADA compliant, the replacement of one of the footbridges, replacement of the basketball court, a small pavilion, an access trail and relocation of signs. The bids were:

Chilewski -	$130,047.00
Kolbalt -	$164,250.00
Popple -	$162,510.00

The bids do not include the pavilion and footbridge. The Board felt these items could be purchased at a lower cost through co-stars.

Resolution 33-2013: A motion was made by Mr. Popple approving the appointment of Chilewski Enterprises to complete all aspects of the Trailwood Park improvement project at a cost not to exceed $130,047.00 with the Township supplying the pavilion and foot bridge, seconded by Mr. Masi. Vote: unanimous yes.

CORRESPONDENCE/NEW BUSINESS:

Fuel Oil Bids: Quarterly bids are done in conjunction with the Charter School to secure the best possible pricing on heating oil. Bids were solicited and two were received. One was from Newell Oil at $3.348 per gallon, the second from Button Oil at $3.189 per gallon.

Resolution 34-2013: Mr. Popple made a motion to approve the award of the heating oil contract for Bear Creek Township to Button Oil at a cost of $3.189 per gallon, seconded by Mr. Masi. Vote: unanimous yes.

PUBLIC COMMENT:

Joanne English: asked for an update on the Trailwood gate issue and also asked if a permit was needed for the timbering project that is planned for the 35 acres in Trailwood by the W-B municipal authority. Attorney Vinsko said he would check into the timbering issue. As far as the gate, Bear Creek Twp. has nothing to do with the situation.

A motion was made by Mrs. Koval to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary

A Conditional Use Hearing was held prior to this evening's regular meeting. The Board of Supervisors (Mr. Smith recused himself) heard testimony related to the Conditional Use Application filed by the Bear Creek Foundation for property located at 4498 Bear Creek Blvd, Bear Creek Township for the construction and use of the land for the new Bear Creek Community Charter School.

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

Attorney Vinsko informed the Board and the audience that on October 21st the Planning Commission made a formal recommendation to the Board of Supervisors to approve the conditional use application submitted by the Bear Creek Foundation for the new charter school.

Resolution 35-2013: A motion was made by Mr. Masi to approve the Conditional Use application as filed with the exception of approval of a daycare use, seconded by Mr. Popple. Vote: Mr. Smith abstained; Mr. Masi, Mr. Popple, Mrs. Koval and Mr. Zingaretti, yes. Motion carried.

Resolution 36-2013: A motion was made by Mr. Smith to approve the Maulick reverse subdivision. Three lots will be consolidated into one lot in White Haven Poconos. The motion was seconded by Mr. Popple. Vote: Unanimous yes.

MINUTES: Minutes from the October 7, 2013 Regular Meeting were reviewed. A motion was made by Mrs. Koval to approve the minutes, seconded by Mr. Masi. Vote: Unanimous yes.

The treasurer's report for October 2013 was read by Mr. Zingaretti:

RECEIPTS: Income for the month of October 2013 was $41,916.66. A motion to approve the receipts, subject to audit was made by Mr. Smith, seconded by Mr. Popple. Vote: Unanimous yes.

DISBURSEMENTS: Expenses for the month of October 2013 were $54,215.25. A motion was made by Mr. Popple to approve the disbursements, subject to audit, seconded by Mr. Masi. Vote: Unanimous yes.

ZONING OFFICER'S REPORT:
Mr. Pape read the Zoning and Code Enforcement report for October 2013. Issued were 4 building permits, 1 certificate of occupancy, 1 zoning permit, 1 conditional use application and 1 major land development application for a total of $3275.00. There were no BIU fees collected for October. One complaint was investigated.

FIRE DEPT REPORT: Mr. Zingaretti read the report for the month of October 2013; 11 calls for the month, 7 of which were motor vehicle accidents.

STATE POLICE REPORT: October 2013 report was not yet available.

ACT 537 REPORT: No update.

ROAD DEPARTMENT: No report available.

ROAD FINANCIAL REPORT: The expenses for October were $39,715.00.

OPEN RECORDS REPORT: No new requests.

RECYCLING REPORT: Mr. Zingaretti said almost 40,000lbs of newspaper was recycled in the first three quarters of the year. He also announced that after the new year Bear Creek Village will not be participating in our recycling program.

RESOLUTIONS AND ORDINANCES

PLANNING BOARD RECCOMENDATIONS:

:

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini matters: No update.

Aqua PA: Attorney Vinsko received a call from Aqua Pa counsel to setup a time for discussion.

Weiss Road Acquisition: No update.

Liem Litigation: No update.

Laurelbrook Road Acquisition: No update.

Weiss Road line painting: No update.

Trailwood Lake Gate: No update

OLD BUSINESS:

Zoning Map Requests/Changes: No update.

SBA Proposal: No update.

Trailwood Park project: Project was approved at the last meeting. Mr. Masi updated the Board on the 24' x 28' pavilion that was purchased for the park. He also said the park project should take about one month to complete.

CORRESPONDENCE/NEW BUSINESS:

Proposed 2014 Operating Budget: Mr. Zingaretti presented the proposed budget, noting that revenue is projected at $725,100.00 and expenses at $660,500.00 of which $150,000.00 of that is capital projects. There will be no increase in taxes for 2014 and all non-supervisor employees will receive a 2% cost of living increase with the exception of the recycling center employees whose rate will remain at minimum wage. An overtime rate of 6.6% is projected for the road crew. There are no plans for road paving in 2014. Buildings and equipment will be focused on this year as well as improvements to the Forest Park park that was acquired in 2013 and improvements and repairs to existing township buildings.

A complete copy of the proposed budget is available at the municipal building as well as on the township website. The proposed budget will be considered at the December 2, 2013 Board of Supervisors meeting.

PUBLIC COMMENT:

A motion was made by Mr. Popple to adjourn the meeting, seconded by Mr. Masi. All were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary