

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

MINUTES: Minutes from the November 9, 2009 meeting were reviewed and a motion was made by Mrs. Koval to accept, seconded by Mr. Masi. Vote: unanimous yes.

MINUTES: Minutes from the September 29, 2009 Special meeting were reviewed and a motion was made by Mr. Slusser to accept, seconded by Mr. Masi. Vote: unanimous yes.

The treasurer's report for November 2009 was read by Mr. Zingaretti.

RECEIPTS: Income for the month of November was \$88,235.43. Motion to approve the November receipts, subject to audit was made by Mr. Slusser, seconded by Mrs. Koval. Vote: unanimous yes.

DISBURSEMENTS: Expenses for the month of November were \$291,324.10. Motion to approve was made by Mr. Masi, seconded by Mrs. Koval. Vote: unanimous yes.

Mr. Zingaretti reminded everyone that the Receipts and Disbursements were on hold from the previous meeting because the Monthly Check Report was missing from the meeting handouts. The receipts and disbursements for October were then presented.

RECEIPTS: Income for the month of October was \$32,121.86. Motion to approve the October receipts, subject to audit was made by Mr. Slusser, seconded by Mr. Masi. Vote: unanimous yes.

DISBURSEMENTS: Expenses for the month of October were \$50,540.84. Motion to approve the disbursements was made by Mr. Slusser, seconded by Mrs. Koval. Vote: unanimous yes.

FIRE DEPT REPORT: 12 Calls for the month of November 2009 were reported: 5 motor vehicle accidents, 1 tree/wire down, 2 activated alarms, 3 vehicle fires and 1 assist.

WIND FARM: Mr. Zingaretti read the report for the Bald Mountain Wind Farm. For the month of November 2009 production was 5323M Wh, site availability was 93%.

ZONING OFFICER'S REPORT: Mr. Andrews' reported for the month of November that there were 3 contractor's licenses, 3 building permits, 2 occupancy/demolition permits, and 2 zoning permits for a total of \$1,020.00. BIU fees collected for the month were \$2,823.62.

ROAD MASTER REPORT: Mrs. Koval reported the road crew took care of the recycling, set up for election day, winterized the pavilion and firehouse at White Haven Pocono, removed picnic tables from Trailwood, shop work done, trees and branches were

removed from the roads as needed, work was done on ditches and culverts, downed stop signs were fixed and the Christmas lights hung on the Municipal Building.

Mrs. Koval also reported on GEO COMM seeking more help in addressing some properties and she is continuing to work with Slusser Brothers in getting the paving project completed.

OPEN RECORDS REPORT: Mr. Masi reported that the request from last month is still open. All requested records are ready but the party requesting the information has not yet paid the fee for processing and copying the documents. Once the fee is received, the information will be released.

PLANNING BOARD RECOMMENDATIONS: None.

Mr. Zingaretti announced that the Board has received the resignations of Joe Yenchik, chairman of the Planning Board and Denise Clark, secretary of the Planning Board. Mr. Zingaretti also stated that another Planning Board member had resigned earlier in the year and that all three positions would need to be filled. Mrs. Koval and Rose Andrews both expressed what a loss this is for the township.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Concini litigation- There has been an exchange of correspondence with the insurance company. Insurance counsel is trying to negotiate with Concini's counsel. The township portion is currently in a holding pattern.

Aqua PA- No change. They have not refilled their complaint as of yet.

Development Agreement-Harris family has retained Hourigan, Kluger and Quinn, specifically Attorney Bishop, as counsel. Attorneys Vinsko and Van Loon have met with Attorney Bishop and have his preliminary objections. Responses are due on December 6th. Attorney Vinsko has been in touch with Rosenn, Jenkins and Greenwald to work on a collaborative response. An extension may be sought because of additional information that is needed. Attorney Bishop has sought a second meeting looking to resolve the matter ahead of time. After the preliminary objections are ruled upon, there will be a hearing on the actual case.

OLD BUSINESS:

Multiscape Issue- Discussion was held among the Board members and Attorney Vinsko who advised them of the different options available to resolving this issue. Multiscape is seeking final payment of \$11,500.00 for construction of the pavilion. The Board believes that all the work may finally be completed but wants to know if Multiscape is in violation of the contract since the project was to be completed by the end of 2005. Mr. Zingaretti suggested an executive session be scheduled so this can be discussed further. Attorney Vinsko suggested this matter be discussed with counsel for Multiscape.

Act 537- Mr. Zingaretti again reviewed the options that were presented by Reilly Associates at the November 9th meeting.

Roger Southward questioned if it were a law that a residence that is further than 150 feet from the sewers do not have to hook up to the system. Mr. Zingaretti said that this is stated in second class township code.

ORDINANCES AND RESOLUTIONS:

Resolution 23-2009-A resolution authorizing Reilly associates to proceed with investigating and preparing Option 1 for the Act 537 Plan.

A brief discussion followed.

A motion to approve Resolution 23-2009 was made by Mr. Slusser, seconded by Mr. Masi. Vote: unanimous yes.

2010 Budget Presentation

Mr. Zingaretti read the proposed budget for 2010. (A narrative will be attached to the minutes) Mr. Zingaretti informed the audience that a public meeting will be held on December 21, 2009 at 7:00 PM to receive public comment and vote on the proposed budget.

Mr. Zingaretti also reminded everyone that the first meeting of the year will be held on Monday, January 4, 2010 at 7:00 PM.

PUBLIC COMMENT; None

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

Respectfully submitted,

Paula Weihbrecht, Secretary