

The regular meeting of the Bear Creek Township Board of Supervisors was held at the Municipal Building at 3333 Bear Creek Blvd. in Bear Creek Township, Chairman Zingaretti called the meeting to order at 7:00 PM. Roll was called; Mr. Slusser, Mr. Masi, Ms Wasilewski and Mr. Zingaretti were present. Mrs. Koval was absent. The salute to the flag followed.

MINUTES: Minutes from the February 2, 2009 meeting were reviewed and a motion was made by Ms Wasilewski to accept, seconded by Mr. Masi. Vote: unanimous yes.

Mr. Zingaretti announced that two prior executive sessions were held in the month of February. One was held on February 16th and the other on February 25th. Both meetings addressed matters of litigation and real estate.

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

RECEIPTS: Income for the month of February was \$60,060.14. Motion to approve the February receipts, subject to audit was made by Ms Wasilewski, seconded by Mr. Slusser. Vote: unanimous yes.

DISBURSEMENTS: Expenses for the month of February were \$32,317.39. Motion to approve the disbursements was made by Ms Wasilewski, seconded by Mr. Masi. Vote: unanimous yes.

FIRE DEPT REPORT: 9 Calls for the month of February 2009 were reported: 6 motor vehicle accidents, 2 fire alarms and 1 structure fire.

WIND FARM: Mr. Zingaretti read the report for the Bald Mountain Wind Farm. For the month of February 2009 net production was 8457MWh, site availability was 99.4%.

ZONING OFFICER'S REPORT: Mr. Zingaretti read the Zoning Officer's report for the month of February. There were 5 contractor's licenses, 1 building permit, 1 occupancy permit and 1 permit for demolition for a total of \$750.00.

ACT 537 REPORT: There are two primary updates. First we are in discussion with Plains Township to connect with their system and discussion is needed concerning the review of the capacity of their system and also the charges that they want to assess to us to evaluate that capacity. Secondly we had sent out letters to certain residents asking permission to access their property for soil studies. We have not received enough affirmative responses to allow us to so. We will contact those that did not respond the first time in an attempt to gain access for the soil testing.

ROAD MASTER REPORT: Ms Wasilewski read the monthly road master's report. Recycling bins were emptied, roads treated, repaired vehicles, monthly maintenance on buildings and grounds, swept streets, welded backhoe forks, checked roads, ditches and pipes and removed branches and residue from township roads.

PLANNING BOARD RECOMMENDATIONS:

Kresge Reverse Subdivision- Mr. Kresge presented his information concerning the combining of 2 lots on which he built his home. Mr. Kresge filed a deed at the Luzerne County Courthouse which combined 2 different parcels into a single 2 acre parcel. Mr. Kresge completed construction only to find out that a reverse subdivision application should have been filed and approved before construction began. The reverse subdivision plan has been approved by the planning board and all permits are in place, except the Occupancy Permit which the applicant cannot apply for until the Board rules on his reverse subdivision. A motion was made by Mr. Slusser to approve the Kresge reverse subdivision, seconded by Mr. Masi. Ms Wasilewski stated that she did not care for the manner in which this was all handled and therefore would be abstaining from the vote. Vote: Mr. Slusser: yes, Mr. Masi: yes, Ms Wasilewski: abstain, Mr. Zingaretti: yes.

Aqua PA-Doug Berg from Entech Engineering was present to discuss Aqua PA's plans for the Forest Park Well Station, the water storage tank and the Trailwood Development road openings. A lengthy discussion ensued.

Mr. Zingaretti questioned if the plans showed the fire hydrant that was to be placed at the fire station. Mr. Berg did not think the maps reflected the placement of the hydrant, but it is on the record that this is to be done.

Mr. Slusser asked if a layout was available of the streets in Trailwood where the piping was to be placed. Mr. Berg stated that they filed a Road Opening permit with the township and has not yet received a response. Attorney Vinsko stated that once this plan is approved, we will move forward with that permit.

Ms Wasilewski stated that she is concerned with the location of the water tower and that it may be a nuisance or distraction to motorists. She also commented on the light atop of the tower being a nuisance and stating that the light is not necessary.

Pat Moore commented that the roads in the Trailwood Development are in very good condition and wanted to know what guarantees would be made that the roads would be restored to their original condition. She also stated that she has a problem with the placement of the water tower. She was concerned that not only could it be a nuisance but also wanted to know what would happen if it should fall down.

Attorney Vinsko addressed the issue of bonds. He stated that they are required to follow the ordinance regarding pave cuts.

Doug Berg said that the location of the mains would be on the shoulder of the roads. All roads would be restored to PennDOT standards. Mr. Slusser stated that there are ditches, not shoulders. He questioned if they would put them on the right of way. Mr. Berg stated he was not sure. The discussion continued and residents spoke regarding the safety of the water tower and the location. Residents also questioned how many people have signed up to connect to the water service and if others would be able to connect later. Representatives for PennDOT and Aqua agreed to a 2 year warranty regarding the condition of the roads involved in this project.

Mr. Vinsko stated that PennDOT will pay for the connections now, but if residents are not signed up by time construction begins, the property owner will then be responsible to pay for the connection. Property owners will be contacted one more time with an opportunity to sign on before construction begins.

Mr. Slusser questioned what the pressure in the mains would be. Mr. Berg said on an average it would be 40 lbs. Mr. Slusser stated that 40 lbs would not be sufficient. Aqua indicated that the state only requires a minimum of 25 lbs. The discussion concerning lbs of pressure, pipe sizes and mains continued.

A motion was made by Mr. Slusser to approve the Forest Park Well, FP2 Submission as presented and recommended for approval by the Bear Creek Twp. Planning Board. This includes a 2 year warranty on all road work that may occur from FP2, seconded by Mr. Masi. Vote: Mr. Slusser: yes, Mr. Masi: yes, Ms Wasilewski: abstain, Mr. Zingaretti: yes.

A motion was made by Mr. Masi to approve the submission of the Water Tower plans which include a fire hydrant at the firehouse, road openings, a 2 year warranty on all roads involved in the project, agreement that all ordinances will be followed relative to pave cuts and repaving, and that if the light atop of the water tower should become an issue or nuisance, it can be eliminated, seconded by Mr. Zingaretti. Vote: Mr. Slusser: yes, Mr. Masi: yes, Ms Wasilewski: abstain, Mr. Zingaretti: yes.

SOLICITOR'S REPORT: Attorney Vinsko reported:

Energy Unlimited-in final discovery phase.

Concini Lawsuit- waiting on a global resolution from their counsel.

OLD BUSINESS:

Zoning Map Changes- The township engineer is now preparing a cost estimate.

CORRESPONDENCE:

Gypsy Moth Spraying- Luzerne County will now be billing residents directly for the gypsy moth spraying service.

Stimulus Package Projects-Rep. Yudichak is coordinating for this district projects for the stimulus package.

Gaming Grant Funds- No funds were awarded to Bear Creek Township. An open records request was made to review how fund requests were processed.

PUBLIC COMMENT:

A request was made by a resident for a sign warning motorists of the approaching traffic light at the turnpike while traveling north.

Pat Moore- Questioned why we did not participate in the REACH recycling program. Mr. Zingaretti responded that it was too costly and the plan that we are using is

more cost efficient. He also stated that we may add a day to recycling once the summer help starts. Ms Moore also had questions regarding the ambulance and fire companies.

Gerald Rusinko- questioned if Jim Coombs had ever been contacted concerning the conditions of the roads in Laurel Brook. Mr. Zingaretti responded that we have no recourse because the roads were accepted as is.

Roger Southward- had concerns about the damage done to the roads in Laurel Brook by construction vehicles. Mr. Vinsko and Mr. Zingaretti responded to his concerns.

Motion was made to adjourn by Mr. Slusser, seconded by Ms Wasilewski, all were in favor.

Respectfully submitted,

Paula Weihbrecht, Secretary