

CHESTNUTHILL TOWNSHIP SUPERVISORS
ROUTE 715, BRODHEADSVILLE PA 18322
MINUTES OF MEETING – JUNE 1, 2004

A regular meeting of the Chestnuthill Township Board of Supervisors was called to order at 7:00 p.m. on Tuesday, June 1, 2004, at the Municipal Building, Rte 715, Brodheads-ville. Those present were Chuck Gould (Chairman), Maureen Tatu (Vice Chair), Super-visor Leigh Kane and Atty. Joseph P. McDonald, Jr.

The **Pledge of Allegiance** to the Flag was led by Dave Johnson.

Executive Session. Was held on 5/18/04 for pending litigation, Atty. McDonald asked the Board to go into executive session tonight for a further update at 7:05 p.m. At 7:13 p.m., the Board was back out of executive session. At this point Atty. McDonald spoke on the pending litigation of the Witte case. A claim was filed approximately 2 years ago by Crisse Witte against the Township; it was scheduled to go to trial on June 2 in Scranton. Because of several events and a pre-trial conference, the parties involved have agreed to certain terms to settle this matter finally. The settlement is tentative until all the paperwork is filed, and then there is a 60-day window for either party to reinstate the case if settlement terms are not performed. Atty. McDonald recommended to the Board certain terms of settlement and on motion made by Chuck, seconded by Maureen it was voted (3-0) to authorize the following:

1. Authorization of signing of necessary documents to effect settlement of all claims.
2. Authorization of payment not to exceed \$125,000.00 in exchange for the plain-tiff's release of count I and III and withdraw and settlement of the complaint.
3. Authorization for the payment of Atty. Michael Collins who was brought in at the 11th hour to help bring this matter with the insurance company to settlement. Also, Authorization for Atty. Collins to do an assessment of the insurance policies and to recommend to the Board within 60 days a course of action against any liable parties to seek reimbursement of our payment.

Unit Care Agreement. None.

Public Comment. None.

Pocono Mountain Vacation Bureau. Ann Pilcher was present to give the Board a check for \$300.00 for a beautification grant. This money will be used to beautify the front of the Township building. There were 18 grants awarded in the four county areas. Ms. Pilcher thanked the Board for their support in the beautification and litter clean up. The PIC committee was also present to receive this check. Chuck congratulated the PIC committee members and reminded them the Board approved up to \$3000.00 for their beautification project.

Minutes. On motion made by Maureen, seconded by Leigh it was voted to approve the minutes of the May 18, 2004, meeting as distributed. (3-0)

Correspondence.

Monroe County Control Center. The Board of Directors minutes for all to read.

Monroe County Arts Council. A survey request, it was given to Leigh to fill out.

Pleasant Valley School District. Sent a request for the Future Business Leaders of America program whose goal has been to educate its members and prepare them for a business related career. There are two ways we can get involved, first is by donating money to be awarded as a scholarship at the State Leadership Conference to the top finisher in each event. Second, by being a professional division member who as a business professional can help teach and encourage the rising generation of business leaders. On motion made by Chuck, seconded by Leigh it was voted to donate \$500.00. (3-0)

Monroe County Youth Field Day. They are asking for a donation to help finance all the equipment and food for this one-day event held on September 18, 2004. On motion made by Leigh, seconded by Chuck it was voted to donate \$500.00. (3-0)

Roadmaster. None.

Planning Director.

Emerson Chase Subdivision – waiver requests. Bill Hopkins and Richard Frantz were present on behalf of the following waiver requests:

1. One Way Loops -- To be allowed one-way loops that exceed 500 feet on Arcadia Ridge, Covenant Court, Legacy Court and Sentinel Court. This request was recommended for approval to the Board of Supervisors by the Planning Commission on 5/19/04. After a brief discussion, on motion made by Maureen, seconded by Leigh it was voted to grant this waiver request. (3-0)
2. Mature Trees -- Not to be required to locate “individual mature trees of greater than 18” trunk diameter”. This request was recommended for approval to the Board of Supervisors by the Planning Commission on 5/19/04. After a brief discussion, on motion made by Chuck, seconded by Leigh it was voted to grant this waiver request. (3-0)

Old Business.

Overtime Approval. Authorize overtime after 8 hours for Dave Albright on 3/15, 3/16, 3/17 and 3/22 for a total of 11 hours. On motion made by Chuck, seconded by Maureen it was voted to approve this overtime request. (3-0)

LTS extension. LTS has asked the Board for a 30-day extension on their previous performance dates in the second amendment to the Whispering Woods Development agreement dated May 4, 2004 for the following reasons:

1. The Township Engineer has not yet provided definitive recommendations with regard to the solution for the Lot 63 drainage issue.
2. LTS has not received the consent of the owner of Lot 63 to enter upon the lot for the purposes of remediating the drainage condition in question on that Lot.

After a brief discussion, on motion made by Chuck, seconded by Leigh it was voted to grant a 30-day approval until June 30, 2004. (3-0)

Underground Utilities Bid – Decision. This bid was previously opened but further information was needed to make a decision. After a brief discussion, on motion made by Leigh, seconded by Chuck it was voted (3-0) to accept the following:

Water	\$4000.00
BB court lights & sign	\$3750.00
Pavilion #2 electric	\$3000.00
Spare Condit	\$ 600.00
Rec in woods	<u>\$6000.00</u>
TOTAL	<u>\$17350.00</u>

Excluded were trenching with sand & stone.

Air Conditioning Proposal Price Adjustment. After further research, the air conditioning condenser is \$600.00 more than the original Board approval of \$2000.00. Therefore, on motion made by Maureen, seconded by Leigh it was voted to adjust the proposal to \$2600.00. (3-0)

Senior Housing Advisory Group. Maureen mentioned that there is a sign up sheet at the front desk for those who are interested in getting on a waiting list for the senior housing. There is no obligation to sign up.

New Business.

Traffic Studies. It was suggested that two separate traffic studies be done, one on Ash and Forest in Sherwood Forest Development to see if it warrants stop signs and one on Hypsie Gap Road to see if it

is economically feasible to maintain the road. On motion made by Chuck, seconded by Maureen it was voted to approve both of these studies. (3-0)

Zoning Map Change. Arlington, Amelia and Wanda Martin have requested a Zoning Map Change on their property located on Rte 115 between Barney Road & Martin Lane from R-1 to GC. On motion made by Chuck, seconded by Maureen it was voted to hold the hearing on July 6, 2004 at 6:30 p.m. with the Supervisors meeting immediately following. (3-0)

Vehicle Bids. There was one vehicle bid from Abeloff in Stroudsburg. It is for a 2004 GMC Safari AWD Passenger Van. Price \$18,400.00. On motion made by Leigh, seconded by Maureen it was voted to accept this bid pending further information on the exact mileage and the existing warranty. (3-0)

Bills. On motion made by Maureen, seconded by Leigh it was voted to pay the General and State fund bills. (3-0)

Public Comment.

Linda Van Husen. Questioned if there is an ordinance on mowing grass in your yard. She said some neighbors have unsightly yards. A brief discussion ensued regarding nuisance ordinances.

ATV Nuisances. There seems to be a lot of ATV traffic on Rocky Mountain North and South in Sierra View.

Steven Marino. Asked the Board to check into burying stumps on properties. He has a hole forming in his yard from his builder burying stumps. We will look into the solid waste ordinance to see if this is covered.

Art Overby. Asked the Board if there is an Ordinance on having a dumpster at a construction site. There is a house on Whispering Hills Ct in Birch Brier Estates and the debris is thrown all over the yard. We will have the Zoning Officer check on this.

Dave Johnson & Residents. A lengthy discussion ensued on tire disposal.

Thank You to the PIC committee for their efforts.

Adjournment. There being no further business, on motion made by Maureen, seconded by Chuck it was voted to adjourn at 8:40 p.m. (3-0)

Respectfully submitted,

Cathy A. Baker
Recording Secretary