

CHESTNUTHILL TOWNSHIP SUPERVISORS  
ROUTE 715, BRODHEADSVILLE, PA 18322  
MINUES OF MEETING – OCTOBER 2, 2007

A regular meeting of the Chestnuthill Township Board of Supervisors was called to order at 7:00 p.m. on Tuesday, October 2, 2007, at the Township Municipal Building, Rte 715, Brodheadsville, Pa. Those present were Chuck Gould (Chairman), Maureen Tatu (Vice-Chairman), Leigh Kane (Supervisor), Atty. Joseph P. McDonald, Jr, Dave Albright (Township Manager) and Cathy Baker (Office Manager).

The **Pledge of Allegiance** to the Flag was led by Helen Beers.

**Executive Session.** None.

**Unit Care Agreement.** This is a unit care agreement with M/M Dunnigan. All the paperwork is in order, on motion made by Leigh, seconded by Maureen it was voted to approve and sign this agreement. (3-0)

**Public Comment.**

**Resident Al Bourke.** Asked about the short fall in the budget for 2007 since things are slowing down. We will be short in realty transfer tax and therefore are looking at a tighter budget for 2008 since revenues will be down.

**Minutes.** On motion made by Maureen, seconded by Leigh it was voted to approve the minutes of the September 18, 2007 meeting, as distributed. (3-0)

**Correspondence.**

**Penn Star Bank.** Sent a letter inviting all to a seminar on intergovernmental loan funds on November 2<sup>nd</sup> at noon.

**Senior Housing.** Maureen had several inquiries and gave updates on the senior housing issue.

**Community Leader Forum.** Was held at Pocono Medical Center and a thank you letter was sent to Maureen for attending from Mr. Richard Henley.

**H.Charles Hoffman.** Sent a letter from his Attorney to Atty. McDonald regarding the easement on his property and weather he would be able to place a telecommunication tower on his property. Atty. McDonald and Dave do not believe this is an allowable use. Dave indicated he would do some additional research in this regard.

**Old Business.**

**Tree Canopy Bids.** Only one bid was received from Pocono Area Tree Service in Kunkletown. The bid was \$220.00 per hour. It was suggested by the Roadmaster to rebid. On motion made by Maureen, seconded by Leigh it was voted to reject this bid and to rebid. (3-0)

Resolution – Designation of 1<sup>st</sup> responder. This was a request from WE Ambulance and WE Advanced Life Support to renew their 1<sup>st</sup> responder designation for the County. Atty. McDonald had brought a resolution for West End Advanced Life Support for the Board's review. On motion made by Leigh, seconded by Maureen it was voted to approve and sign this resolution 2007-10 with the date for renewal changed to read "1<sup>st</sup> reorganization meeting in 2011". (3-0) Atty. McDonald will do a resolution for the WE Ambulance designation as 1<sup>st</sup> responder, also. It will be ready for the November 20<sup>th</sup> meeting.

**New Business.**

Release LOC for Chestnuthill Self Storage. The Zoning Office has issued a certificate of occupancy and our Engineer has inspected the site and recommended to release the letter of credit. On motion made by Leigh, seconded by Maureen it was voted to release the \$149,306.58. (3-0)

Jessica Wentz Agreement. This is an agreement for Ms. Wentz to develop 1 office building instead of 6. The septic area has been disturbed and they only have enough septic area for 1 office space. They will wait 4 years to reestablish the area for additional septic area. A brief discussion ensued and on motion made by Chuck, seconded by Maureen it was voted to approve this agreement conditional upon inserting into the agreement the date the septic area was disturbed and the daily flows. (3-0) Ms. Wentz cannot apply for future office space until she reestablishes reserve septic area.

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

**Parks.**

Executive Director. Mr. Bernie Kozen has begun employment on October 1, 2007.

Trick or Treat. The park event will be held on October 27, 2007 from 5:00pm to 8:00pm for the ages 10 and under.

**Plans.**

Pleasant Valley Middle School. (Land Development Plan) Quad Three. Michael Forte was present on behalf of this plan. They are waiting for the review from Monroe County Conservation District, and their approval from DEP. On motion made by Chuck, seconded by Leigh it was voted to table this plan tonight, and to have PVSD request a special meeting with the Board when they have received all of their approvals. (3-0)

Affordable Comfort Contracting. (Prelim/Final LDP) Effort Associates. Mike Lalli of Effort Associates was present as well as Atty. John Dunn. All the engineering issues have been addressed, still required are developers agreement, letter of credit, any outstanding fees and park and recreation fee. On motion made by Maureen, seconded by Leigh it was voted to give a letter stating contingent approval for the applicant to secure financing and to have the four outstanding requirements stated above be satisfactorily addressed. (3-0)

Regency Plaza. (Prelim/Final LDP) Keystone Consulting. Several issues remain outstanding. There are verbal right of way agreements, however we need signed agreements, the split rail fencing is not shown on the plan, we still need developers agreement, maintenance agreement and letter of credit, as well as all outstanding fees including park and recreation fee. A lengthy discussion ensued. On motion made by Maureen to approve the preliminary plan subject to outstanding conditions. The motion died for lack of a second. The lengthy discussion continued. On motion made by Maureen, seconded by Leigh it was voted to approve this preliminary plan subject to satisfactorily addressing the following: (3-0)

1. All conditions set forth by the Planning Commission are met.
2. Split rail fence is included on the plan.
3. No hookup of the satellite facility as shown on the plan (currently known as the Dunkin Donuts) located in the parking lot, until the SEO gives approval to hookup.
4. Plan to be re-titled "Preliminary Plan"
5. All outstanding fees to date to be paid.
6. Park and recreation fee to be paid.
7. Satisfactorily addressing all Engineering and Attorney comment letters.

Kal-Tac Inc. (Land Development Plan/Reverse Subdivision Plan). In for final approval. It was asked by Mike Lalli to table this plan tonight. On motion made by Maureen seconded by Leigh it was voted to table this plan tonight. (3-0) (**open ended waiver**)

**Into Executive Session.** On motion made by Chuck, seconded by Maureen it was voted to recess into executive session on a legal issue at 9:18 p.m. (3-0)

**Out of Executive Session.** On motion made by Maureen, seconded by Leigh it was voted to go back on the record at 9:25 p.m. (3-0)

**Equity Complaint.** Atty. McDonald explained to the Board the filing of an equity complaint before Monroe County Court asking for an injunction to force M/M Stevenson to clean up their property. We must first serve them by Constable making them aware of this complaint and giving them the opportunity to appeal to the Board of Supervisors within 10 days. On motion made by Leigh, seconded by Maureen it was voted to authorize Atty. McDonald to file an equity complaint, if no appeal is filed within 10 days of M/M Stevenson's receipt of their letter served by a constable. (3-0)

**Adjournment.** There being no further business, on motion made by Chuck, seconded by Maureen it was voted to adjourn into executive session on a personnel issue at 9:30 p.m. (3-0)

Respectfully submitted,

Cathy A. Baker  
Recording Secretary