

**POCONO TOWNSHIP BOARD OF COMMISSIONERS**

**REGULAR MEETING MINUTES**

**June 18<sup>TH</sup>, 2018 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on Monday, 06/18/2018 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Gerald Lastowski at 7:00 p.m., followed by the Pledge of Allegiance.

**ROLL CALL:** Gerald Lastowski, present; Bob M. DeYoung, present; Harold Werkheiser, absent; Richard Wielebinski, present; and Jerrod Belvin, present.

**IN ATTENDANCE:**

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Melissa Prugar, Twp. Engineer, Boucher & James, Inc.; DonnaASURE, Township Manager; and Pamela Tripus, Township Secretary, were present.

J. Lastowski explained Summit Health requested to be moved to the beginning of the agenda, due to their engineer's need to attend another meeting.

J. Belvin made a motion, seconded by R. Wielebinski, to suspend the agenda to take Summit Health Campus out of order, due to Nate Oiler, applicant's engineer, need to leave at 7:30 p.m.. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Nate Oiler, RKR Hess Associates, explained they are working on meeting the conditions of the Resolution 2017-26 - Conditional approval of Summit Heights and requested an extension of the required time until 07/03/2019.

R. Wielebinski made a motion, seconded by J. Lastowski, to grant a one-year extension as requested by Summit Health Campus and to authorize the execution of a resolution setting forth the decision. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

**PUBLIC COMMENT:**

Ellen Gndt, Twp. resident, commented on 05/21/2018 minutes changes; announcements of executive session items to include the name of the person; disclosure of the reason why a Commissioner abstains; and her comments on 06/04/2018 meeting minutes - definitions.

**ANNOUNCEMENTS:**

J. Lastowski announced the Post Office Box will be closed 07/01/2018.

**INTERVIEW - PARK AND RECREATION BOARD**

Erik Battle, Twp. resident, gave a brief overview of his experience.

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Erik Battle to the Park and Recreation Board for a term expiring 12/31/2019.

B. DeYoung questioned the position he replaced. D. ASURE, Twp. Manager, noted Erik is replacing Nate Laubach who resigned. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

**MINUTES:**

J. Belvin made a motion, seconded by R. Wielebinski, to approve the minutes of the 06/04/2018 regular meeting. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

**NEW BUSINESS:**Personnel -

J. Belvin made a motion, seconded by B. DeYoung, to ratify the hiring of Reecha Patel for a summer internship, at a rate of \$7.25 per hour, up to 40 hours per week, beginning 06/18/2018. D.ASURE, Twp. Manager, explained Reecha is a political science major from Lehigh University and the internship will be for the summer. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Financial Transactions -Ratify vouchers payable

J. Lastowski made a motion, seconded by R. Wielebinski, to ratify vouchers payable for a period ending 06/15/2018 in the amount of \$13,259.98. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Ratify gross payroll -

B. DeYoung made a motion, seconded by J. Lastowski, to ratify gross payroll for the pay period ending 06/03/2018 in the amount of \$116,044.99. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Vouchers Payable

J. Lastowski made a motion, seconded by R. Wielebinski, to approve vouchers payable received through 06/15/2018 in the amount of \$241,307.34. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Capital Expenditures

R. Wielebinski made a motion, seconded by J. Lastowski, to approve capital expenditures received through 06/15/2018 in the amount of \$31,991.80. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Travel/Training Authorization -

R. Wielebinski made a motion, seconded by J. Lastowski, to approve the following travel including registration fees, lodging, and travel costs for Commissioner Jerrod Belvin as listed:

- 1) Change of date - previously approved. May 16<sup>th</sup> & 17<sup>th</sup>, G400 Advanced ICS, Bucks County, moved to July 10<sup>th</sup> and 11<sup>th</sup>, in Montgomery County, PA - Free
- 2) June 19<sup>th</sup> and 20<sup>th</sup>, PEMA Eastern Area Conference - Breinigsville, PA - Free

J. Lastowski opened the meeting to public comment. Hearing none - Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

**REPORT OF THE PRESIDENT:**

Gerald Lastowski, President

J. Lastowski thanked Paola Razzaq, Bookkeeper, and D.ASURE, Twp. Manager, for reviewing the sewer costs incurred for employee times. D.ASURE, Twp. Manager, spoke to Attorney Tim McManus, Leo DeVito, Twp. Solicitor, and the auditors to confirm.

J. Lastowski made a motion, seconded by J. Belvin, to reimburse the general fund from the sewer operating fund for time spent by administrative staff as documented through time sheets. R. Wielebinski questioned how it would be tracked. D.ASURE noted new time sheets have been created to include the employee's time. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Lastowski noted at the NIMS training he was approached by Jackson Township concerning Camelback's evacuation plan during an emergency. J. Lastowski made a motion, seconded by J. Belvin, to authorize the Twp. Manager to write a letter to Camelback to request their evacuation plan. Discussion followed. R. Wielebinski requested the motion be amended to request they develop an evacuation plan if Camelback does not have one in place. J. Lastowski amended to motion, agreed upon by J. Belvin, to amend the motion to include the request to develop an evacuation plan if Camelback does not currently have one. Rodney Wolfe, St. Luke's EMS, asked if Northridge would be included. Discussion followed. J. Lastowski opened the meeting to public comment. Maxine Turbolski, Twp. resident, suggested a time line for Camelback to comply. Ellen Ghandt, Twp. resident, thanked the Board for taking EMC training. Christopher Ortolan, Twp. resident, asked who would determine if Camelback's evacuation plan was adequate. J. Belvin explained it is reviewed under Title 35. Discussion followed. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Lastowski explained he had received correspondence from a neighbor concerning UGI's extension of the gas line up Upper Swiftwater Road. J. Lastowski noted the Twp. was not notified. Discussion followed. D.ASURE, Twp. Manager, will reach out to Mike Gable, Twp. Engineer, to discuss UGI's plans.

J. Lastowski opened the meeting to public comment since it was not an agenda item. No comments were made.

**COMMISSIONERS COMMENTS**

Robert DeYoung - Vice President - None

Harold Werkheiser - Commissioner - Absent

Rich Wielebinski - Commissioner

R. Wielebinski explained the ZO officer has inspected the properties and found the structures to be in dangerous.

Lot 1, Route 314 Pocono Manor

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the Zoning Officer to send a notice of violation based on his investigation of the dangerous structure at Lot 1, Route 314, Pocono Manor. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

248 Shine Hill Road

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Zoning Officer to send a notice of violation based on his investigation for the dangerous structures at 248 Shine Hill Road, Henryville. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

1104 Sullivan Trail

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Zoning Officer to investigate 110 Sullivan Trail. J. Lastowski opened the meeting to public comment. Christopher Ortolan, Twp. resident questioned the cost if the owner does not comply. L. DeVito, Twp. Solicitor, explained the Township's options - 1) to take the property owner to the magistrate and 2) for the Township to take action to clean up the property. L. DeVito noted the Township is taking step 1 and so far has received positive responses. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Jerrod Belvin - Commissioner

St. Luke's request for former police vehicle.

J. Belvin made a motion, seconded by R. Wielebinski to donate former #98 2011 Ford Expedition to St. Luke's Ambulance Services. J. Belvin noted St. Luke's has been a good neighbor, offering CPR Training for staff, opening its doors during the winter storms, allowing AARP to use their building, etc. J. Lastowski opened the floor to public comment. Hearing none - Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

**REPORTS :**

Pocono Township Police - Chief Kent Werkheiser gave his report for April and May. He noted the new vehicles have arrived on site. He explained the body cameras are being upgraded and should be in use soon. The upgrade was paid in part from trading in the older ones and from funds from the Monroe County District Attorney's office.

R. Wielebinski questioned who made the decision to make it one way only out of the Crossings Outlets during holidays. K. Werkheiser explained it was the Crossings determination for their parking lot.

**REPORTS CONT:**

Pocono Township Fire Company - Brad Harrison, Fire Chief had to leave to respond to a call. J. Lastowski read his report in his absence. He noted the Carnival will be held 07/16/2018 to 07/21/2018.

EMS - Rodney Wolfe, Director of Operations St. Luke's Emergency & Transport Serves, thanked the Board for the donation of the car. He read his report for April and May.

Park Board - A report on pavilion usage was submitted to the Commissioners.

Finance Committee - No Report.

Administration - Manager's ReportCamelback's Fireworks Display -

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the application of Camelback Resort for a firework's display at Camelback Mountain on 07/03/2018 with a rain date of 07/06/2018 waiving the 30-day application requirement. Discussion followed. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

PFM Financial Advisors -

R. Wielebinski made a motion, seconded by J. Belvin, to execute an engagement letter with PFM Financial Advisors for financial services and authorize the President of the Board of Commissioners to execute the document. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Closing of Wayne Bank Accounts - D.ASURE, Twp. Manager, explained Paola Razzaq and herself met with representatives of Wayne Bank and ESSA. She noted ESSA offered 1.5% interest for all accounts. Discussion followed. J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the closing of all four checking accounts at Wayne Bank and open the accounts at ESSA at 1.5% interest with authorized signers as the Board of Commissioners, Treasurer, and Township Manager, and requesting a letter confirming accounts are insured as per Act 72. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Sale of 2014 Ford Explorer -

J. Belvin made a motion, seconded by J. Lastowski, to award the sale of the 2014 Ford Explorer (damaged in accident) to Kevin Wiley in the amount of \$1,750.00 as the highest bidder on Municibid. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

MCTI rate for MOU - Police Services

D.ASURE, Twp. Manager, explained the agreement is for police presence approximately 2 hours per day while school is in session at a rate of \$78.00 per hour.

1079 Sullivan Trail Inspection - D. Asure explained property was not found to have dangerous structures. She noted the Zoning officer is addressing other violations on the property.

MRM Trust - D. Asure noted the Township has received the \$10,340.81 Liability Dividend.

Public Works Department - Update on hiring - 07/2/2018 is the interview date. Recommendations will be on the 07/16/2018 Mtg.

Resignation of Park Board member - Esme Felins - D. Asure explained a thank you note will be sent.

Generator Repair update - D. Asure, Twp. Manager updated the status of the generator repair.

**PUBLIC WORKS REPORT**

Paving Project update- Pocono Spray Patch should complete the work by the end of the week and Hanson is on schedule to start on the 25<sup>th</sup>.

Park Lawn Mower - We have taken delivery of the new mower and the other mower is being repaired.

**TOWNSHIP ENGINEER REPORT:**

Status Report on Sewer Redesign - M. Prugar, Twp. Engineer, explained all items were complete except for the fence around the valve station. L. DeVito, Twp. Solicitor noted he is working with Stroud Township concerning amending their Zoning ordinance to allow the fence. Stroud Twp. has agreed to waive the fees.

Route 611 Sewer Line Relocation Work Update - M. Prugar, Twp. Engineer, has reviewed the plans for the UGI gas line and have requested the gas line not be placed in location of sewerline. M. Prugar noted they have been in discussion with UGI and UGI is reluctant to move their line. M. Prugar requested the Boards direction. J. Lastowski expressed the Board's opinion that the sewer line is to be protected and directed Boucher & James, Inc. to continue to work with UGI to move their lines.

Sanofi Sanitary Sewer Easement - No update.

Enclosure for Valve Station #5 - M. Prugar noted only one bid was received for the stick built enclosure. Bids for a pre-fab enclosure will be read on 06/19/2018.

White Oak Culvert replacement project - M. Prugar, Twp. Engineer, noted they have met with property owners. R. Wielebinski questioned the start date. M. Prugar noted DEP will issue the permit in October, and work will start after the permit is received. D. Asure, Twp. Manager, noted that due to the scope of the project, bidding would be required.

Fish Hill Road Storm System Notice of Violation from MCCD - M. Prugar, Twp. Engineer, explained the work was awarded to Environmental Services, Corporation. She noted they are waiting on the insurance certificate before work can start.

TLC Bridge - M. Prugar, Twp. Engineer, explained the application was in order.

MCTA Drive - D.ASURE, Twp. Manager, noted MCTA plans to attend the next meeting to discuss the road dedication. R. Wielebinski suggested the Township Manager contact MCTA to inform them the roads and drainage shall be brought up to Township specification before the Board considers discussing the dedication. Discussion followed.

R. Wielebinski made a motion, seconded by J. Lastowski, before the Board of Commissioners enter into discussion of accepting MCTA drive, MCTA Board of Directors agree to bring the MCTA roads and drainage up to Township specifications, and the Board of Commissioner is not committing to the dedication of the road for acceptance. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

MS4 - M. Prugar, Twp. Engineer, noted they have received the response from DEP. She noted Swiftwater Lake is no longer in the plan and they are investigating technical deficiencies, noted by DEP. She noted the annual report is due September 2109.

#### **TOWNSHIP SOLICITOR REPORT**

Amusement Tax Ordinance - L. DeVito, Twp. Solicitor, explained the Ordinance can exempt charitable, religious, and non-profits if the Board requests. Discussion followed on the types of non-profits, which would be exempt. L. DeVito will prepare a draft exemption for the Board's review.

Summit Health Campus time extension -

R. Wielebinski made a motion, seconded by J. Lastowski, to grant a one-year extension as requested by Summit Health Campus and to authorize the execution of a resolution setting forth the decision. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Trap Enterprises, LLC Hotel Project - time extension- Marc Wolfe, Newman, Williams, Mishkin, Corveleyn, Wolfe, & Fareri, P.C., explained due to the 611 project it caused delays in meeting the conditions of the Resolution. Vincent Trapasso, owner, commented on the Rt. 611 construction. Discussion followed. V. Trapasso requested the Township consider a two-year extension. Discussion followed.

J. Lastowski made a motion, seconded by J. Belvin, to grant a one-year time extension as requested by Trap Enterprises, LLC Hotel Project and to authorize the execution of a resolution setting forth the decision. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Vincent and Charlie Lynn Trapasso Route 611 Project - time extension- J. Lastowski made a motion, seconded by J. Belvin, to grant a one-year time extension as requested by Vincent and Charlie Lynn Trapasso Route 611 Project and to authorize the execution of a resolution setting forth the decision. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

**RESOLUTIONS:**

Resolution 2018-42 - L. DeVito, Twp. Solicitor, explained the Resolution is to correct the address for the previously approved Ordinance.

J. Belvin made a motion, seconded by J. Lastowski, to adopt Resolution 2018-42 correcting the name and acknowledging the precise physical address of Dhanvi Corporation, for liquor license transfer originally approved by Ordinance 2018-04. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Resolution 2018-43 - D. Asure, Twp. Manager, explained it is to allow her to execute the documents for the 2015 Green Light Go Grant, previously submitted by former Manager Gregg Schuster.

J. Lastowski made a motion, seconded by R. Wielebinski, to adopt Resolution 2018-43 authorizing the Township Manager to execute documents associated with the 2015 Green Light GO Grant, which provides for an emergency vehicle preemption system along the Route 611 corridor. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

**PUBLIC COMMENT:**

Christopher Ortolan, Twp. resident, requested an update on Short Term Rentals. Discussion followed. Michael Tripus, ZO, explained he sends his report to the Board and Twp. Manager. J. Lastowski requested the Twp. Manager place it under her report on the agenda, on a quarterly basis.

Maxine Turbolski, Twp. resident, noted the state is stepping in to collect Taxes on Short Term Rentals. M. Tripus, ZO, noted a bill has been introduced to require state registration. Discussion followed.

Maxine Turbolski, Twp. resident, questioned if the Twp. could collect hotel taxes. R. Wielebinski explained only the County has the authority to collect hotel taxes.

Ellen Gndt, Twp. resident, commented on the Fire Company's non-profit status and agreed with Christopher Ortolan's request for a Short Term Rental update.

Ellen Gndt, Twp. resident, commented on the Kopelson time extension previously approved. Discussion followed.

**ADJOURNMENT INTO EXECUTIVE SESSION:**

J. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting into executive session at 8:35 p.m. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Respectfully submitted, Pamela Tripus, Twp. Secretary