

POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 1st, 2018

The regular meeting of the Pocono Township Commissioners was held on Monday, 10/01/2018 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 J. Lastowski, present; Robert M. DeYoung, absent; Harold Werkheiser, absent; Richard Wielebinski, present; and Jerrod Belvin, present.

IN ATTENDANCE:

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer, Boucher & James, Inc.; Donna Asure, Township Manager; and Pamela Tripus, Township Secretary, were present.

PUBLIC COMMENT: None

ANNOUNCEMENTS:

Pocono Township Community Day will be held on Saturday, 10/20/2018 from 11:00 a.m. to 4:00 p.m.

An executive session was held on September 26th to discuss acquisition of real property.

HEARING:

Ordinance 2018-15- Amending Code of Ordinance, Chapter 470, Zoning, Article III, Zoning Map and Zoning Districts - 2806-2812 Bartonsville Ave. G. Lastowski opened the hearing. L. DeVito, Twp. Solicitor, explained it is for request to rezone a residential property located within a Commercial zone. G. Lastowski commented the impact of the proposed right turn lane off Rt. 611. Todd Weitzmann, Solicitor representing the applicant, noted it did not impact the request. Discussion followed. Hearing no other comments. G. Lastowski made a motion, seconded by R. Wielebinski, to close the Hearing for Ordinance 2018-15. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

J. Belvin made a motion, seconded by R. Wielebinski, to adopt Ordinance 2018-15, amending the Pocono Township Code of Ordinances, Chapter 470, Zoning, Article III, Zoning Map and Zoning Districts, to change the zoning district classification of the parcel of land at 2806-2812 Bartonville Avenue from R-2 to C and to revise the Official Zoning Map. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Township Engineer to revise the Zoning Map to show the change in zoning. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

OLD BUSINESS:Minutes -

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 09/17/2018 Board of Commissioner minutes. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 09/19/2018 Budget work session of the Board of Commissioners. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

NEW BUSINESS:

Seasonal Park Employee - D.ASURE, Twp. Manager, noted several park staff members have left and Mr. Kofron was a previous employee who is available until the end of the season.

R. Wielebinski made a motion, seconded by G. Lastowski, to ratify the rehiring of Ryan Kofron as seasonal park employee at \$12.00 per hour until the end of the 2018 season, effective 09/29/2018. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Road Supervisor - D.ASURE, Twp. Manager, noted it is part of the promotion offer of Mr. Sargent. J. Belvin made a motion, seconded by R. Wielebinski, to ratify the pay increase of Robert Sargent, Road Supervisor, to \$30.00 per hour effective 09/26/2018 per the motion at the time of promotion and the completion of six months. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

FINANCIAL TRANSACTIONS:Ratify Vouchers Payables -

G. Lastowski made a motion, seconded by R. Wielebinski, to ratify vouchers payable for the period ending 09/27/2018 in the amount of \$97,805.01. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Ratify Gross Payroll -

G. Lastowski made a motion, seconded by R. Wielebinski, to ratify gross payroll for the pay period ending 09/23/2018 in the amount of \$109,925.89. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Voucher Payables -

G. Lastowski made a motion, seconded by J. Belvin, to approve vouchers payables received through 09/27/2018 in the amount of \$336,107.33. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

FINANCIAL TRANSACTIONS CONT:Travel/Training Authorization

G. Lastowski made a motion, seconded by R. Wielebinski, to approve travel expenses for J. Belvin, Commissioner, from approved travel totaling \$205.46. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, abstained due to potential benefit. Motion carried.

REPORT OF THE PRESIDENT:

Gerald Lastowski, President

Amusement Tax

G. Lastowski made a motion, seconded by R. Wielebinski, to extend the onset date to 11/01/2018 to allow staff to work out the mechanisms of the amusement tax. G. Lastowski explained it will require additional time for the staff to implement. He was contacted by PA State Senator Mario Scavello's office to hold a meeting with businesses impacted by the Amusement Tax to discuss. Discussion followed. G. Lastowski will reach out to Scavello's office to confirm a date before the next meeting. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

PennDOT permit for Turning Lanes - G. Lastowski explained PA Senator Mario Scavello is requesting the Township apply for the PennDOT permit. J. Tresslar, Twp. Engineer, noted he is meeting with Melissa Maulphin, PennDOT, and will discuss the project and permitting. J. Tresslar did not believe a permit can be submitted without plans. Discussion followed on grant funding, timing of project, and Township's responsibility.

Robert DeYoung, Vice-President

Harold Werkheiser, Commissioner

Richard Wielebinski, Commissioner

Regional Comprehensive Plan Discussion - R. Wielebinski noted a meeting was held in Stroud Twp. with Monroe County Planning Commission, representative of Penn State, Stroud Township, Stroudsburg Borough, Hamilton Township, and Middle Smithfield Township. He explained Monroe County Commissioners will provide 75% of the cost. L. DeVito, Twp. Solicitor, explained a Comprehensive Plan gives an overall view of the Township and is used to guide the Township on Zoning regulations for the area. Discussion followed.

3305 Route 611

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Zoning Officer to send a Notice of Violation for a dangerous structure to the owner of record for 3305 Route 611 based on the findings of the inspection conducted. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

COMMISSIONER WIELEBINSKI CONT:

Purchase of Ice Rink - R. Wielebinski noted he met with the Park Board and toured the TLC site. He asked if the Twp. Engineer could investigate grant funding for the dam repair. Discussion followed. R. Wielebinski noted the Park Board has requested to purchase an ice rink for TLC.

R. Wielebinski made a motion, seconded by J. Belvin, to allot \$15,000.00 from Park Board funds and to authorize the Twp. Manager to work with the Park Board to purchase and install an ice skating rink. G. Lastowski opened the motion to public comment. Annabella Lastowski, Twp. Resident, spoke on the liability for the ice rink. Discussion followed. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Pension reimbursement to General Fund - R. Wielebinski explained last year, former Commissioner Ellen Gndt found the Police overpaid into the pension plan. At that time, the police were reimbursed with interest. When he asked former Commissioner Gndt if they reimbursed the general fund, former Commissioner Gndt noted it was not necessary. In January, he spoke to Laura Prego, actuary for the Pension plan, and asked if those funds should be reimbursed to the general fund. L. Prego noted it would be a Board of Commissioners decision. R. Wielebinski also asked L. Prego if it would reduce the Township's required contribution. She confirmed it would not. He questioned to the Auditor when he presented the audit, and the auditor stated the Township should be reimbursed including interest.

R. Wielebinski made a motion, seconded by G. Lastowski, to authorize the Twp. Manager to work with the Pension to reimburse the Township to the General Fund with interest. G. Lastowski opened the motion to public comment. No public comment was heard. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Jerrod Belvin, Commissioner

MOU's for Mutual Aid - J. Belvin explained the Township's Mutual Aid agreements are outdated and need to be updated.

J. Belvin made a motion, seconded by R. Wielebinski, to authorize the Township Manager and Township Solicitor to rewrite and implement, within 120 days, new MOU's for mutual aid with the following Municipalities - Stroud, Hamilton, Paradise, Mt. Pocono Borough, Jackson, Tunkhannock, and Tobyhanna Townships. L. DeVito, Twp. Solicitor, noted the MOU will require review by the other Townships and additional time may be required before approval. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

REPORTS:

Finance Committee

REPORTS CONT:

Administration - Manager's Report

Pick up the Poconos- D.ASURE, Twp. Manager, explained the road crew did pick up bags on exit 299 and Rt. 715. She explained Pocono Township was part of Pick-up the Poconos and the Belvin Family Cleanup and others have taken part in road side cleanups each spring for several years.

State Aid received for pension funds in the amount of \$233,651.51 - D.ASURE, Twp. Manager, noted the State aid was received.

MMO certified and provided to Board as required by Act 205 by last business day of September- The MMO was certified and provided to the Actuary. The pension plan obligation estimated for 2019 is Police - \$174,333.00 and Non-Uniform - \$83,869.00.

MVP Violation- D.ASURE, Twp. Manager, noted the water fountains and sinks have been closed off. The park is going through a level 1 and level 2 assessment. Discussion followed on the safety of the well and causes.

Green Light Go Grant #2 - D.ASURE, Twp. Manager, noted this is a request to submit a letter to PennDOT to accept and commit the 20% share of cost. R. WIELEBINSKI made a motion, seconded by G. LASTOWSKI, to submit a letter to PennDOT accepting the Green-Light-Go award in the amount of \$359,658.00 and acknowledging the Township's commitment to 20% cost from general fund which is approximately \$89,914.50. G. LASTOWSKI noted this is the grant to coordinate the lights. Roll call vote: R. WIELEBINSKI, yes; G. LASTOWSKI, yes; and J. BELVIN, yes. Motion carried.

Creative Works - D.ASURE, Twp. Manager, explained the agreement is for a new Township Website. They believe the new website will be up and running by mid-January. D.ASURE noted it will be paid under 2018 Capital funds. J. BELVIN made a motion, seconded by G. LASTOWSKI, to enter into agreement with Creative Works for creation of a new Township website for \$11,760.0 and contingent upon review by the Township Solicitor. R. WIELEBINSKI questioned if newsletters can be sent through the website. D.ASURE, Twp. Manager, noted it has capability to send newsletters and alerts. Roll call vote: R. WIELEBINSKI, yes; G. LASTOWSKI, yes; and J. BELVIN, yes. Motion carried.

Halloween date and times - D.ASURE, Twp. Manager, noted COG will not do a County wide announcement. Kent Werkheiser, Pocono Township Police Chief, noted the Police Department participates with the Crossings Annual Trunk or Treat and requested Board opinion if they should continue. The Board concurred to support Trunk or Treat 2018. G. LASTOWSKI made a motion, seconded by R. WIELEBINSKI, to set 10/31/2018 between the hours of 6:00 p.m. and 8:00 p.m. as Halloween Trick or Treat Times. Roll call vote: R. WIELEBINSKI, yes; G. LASTOWSKI, yes; and J. BELVIN, yes. Motion carried.

ADMINISTRATION REPORT CONT:

Change in Meeting Date and Time - D. Asure, Twp. Manager, noted there will not be a quorum for the next regular meeting on 10/15/2018. She suggested moving the meeting until 10/22/2018 at 5:00 p.m. G. Lastowski made a motion, seconded by R. Wielebinski, to reschedule the 10/15/2018 Regular BOC meeting until 10/22/2018 at 5:00 p.m. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Public Works - No report

Township Engineer Report

Update on White Oak Culver replacement project - R. Wielebinski questioned how traffic will be directed during construction. J. Tresslar, Twp. Engineer, explained two options, one to detour traffic to Cedar Lane onto Owl Hollow road if possible, or replace one side at a time which is more costly. R. Wielebinski questioned the use of private property on a private road to utilize a detour. L. DeVito, Twp. Solicitor, noted if it the only way to comply with a DEP order it may be possible. J. Belvin noted an incident where emergency services were unable to get into the development due the only entrance being blocked. Discussion followed on options.

Update on Fish Hill Road Storm System Notice of Violation from MCCD - J. Tresslar, Twp. Engineer, noted it has been determined that a pipe anchored at both ends, will be required. Discussion followed on the installation of the pipe and if the road department will be able to do the work.

Learn Road Culvert Cleaning- J. Tresslar, Twp. Engineer, explained two bids were received, one for \$28,885.00 and the second for \$71,300. Discussion followed on the cost. J. Tresslar noted they held a pre-bid meeting with a lump sum contract. G. Lastowski made a motion, seconded by J. Belvin, to accept the bid from Environmental Services Corporation for the Learn Road Inlet and Pipe Cleaning project, as the lowest bid received, in the amount of \$28,885.00 base bid and a daily rate of \$1,800.00 per day additional days required above base bid as recommended by Boucher & James, Inc., with the approval of the Township Manager for any additional days. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

MS-4 Permit - J. Tresslar, Twp. Engineer, explained he provide a draft for comments for the MS-4 permit. No action is required at this time. He noted by next year, the Township will have to start implementing action near the Cranberry Bog. D. Asure, Twp. Manager, requested J. Tresslar provide budgeting information for the project. Discussion followed. J. Tresslar noted if grants can be found they will offset the costs.

Township Solicitor Report

Update on Exxon Monitoring Wells Agreement- No report.

Zoning Hearing Board - L. DeVito, Twp. Solicitor explained he received a variance application for a shed but he did not feel the Township would require his involvement. No action taken.

Blasting Ordinance - L. DeVito, Twp. Solicitor, explained he prepared a draft ordinance for the Board. G. Lastowski questioned the 1,350 feet and the notification of residents to be by certified mail.

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Township Solicitor to advertise for a hearing concerning a Blasting Ordinance for 10/22/2018. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Alternative Constable to serve warrant - L. DeVito, Twp. Solicitor, noted he spoke to their Constable and he recommended Richard L. Prevoznik to serve the warrant.

R. Wielebinski made a motion, seconded by G. Lastowski, to obtain the services of Richard L. Prevoznik at a cost of \$83.50 plus mileage (54.5 cents per mile) to serve a warrant. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Fire Works Ordinance

L. DeVito, Twp. Solicitor, explained he had a conference call with J. Belvin and M. Tripus, ZO, concerning the ordinance. If a Fire Works Company has more than 125 pounds of explosives the building is required to be sprinkled. It is possible before holidays there may be over 125 pounds. He will include a way to have the Fire Chief authorized to inspect receipts. They also discussed including tent sales of fireworks. L. DeVito will provide a redline draft for the Board's review. G. Lastowski questioned the Fire Company's use of fireworks and the impact to them for their event.

RESOLUTIONS:Resolution 2018-54

G. Lastowski made a motion, seconded by R. Wielebinski, to adopt Resolution 2018-54 Green Light Go - and authorize the Township Manager to execute any and all associated documents with the project. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

PUBLIC COMMENT

Michael Tripus, Zoning Officer, asked if the Brookdale Overlay can be added to the updated Zoning Map.

PUBLIC COMMENT CONT:

Chad Kilby, Planning Commission, commented on the blocked road between Castle Hill Development and Oak Hill Court.

ADJOURNMENT: L. DeVito, Twp. Solicitor, requested an executive session to discuss a real estate matter.

G. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting into executive session to discuss a real estate matter at 8:35 p.m. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Respectfully Submitted
Pamela Tripus
Township Secretary