

**REGULAR MEETING
MINUTES
September 16, 2019 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on Tuesday, September 16, 2019 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: Keith Meeker, present; Rich Wielebinski, present; Gerald Lastowski, present; Chad Kilby, present; Jerrod Belvin, present by phone;

IN ATTENDANCE:

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer, Boucher & James, Inc.; Donna M.ASURE, Township Manager; and Dee Ackerman, Administrative Assistant.

PUBLIC COMMENT:

Kevin Fabiano, Twp. Resident, spoke to the board about difficulties in obtaining information on applying for a sign permit. The township manager was instructed to work with Mr. Fabiano and arrange a meeting with zoning officials. Ellen Gndt, Twp. Resident asked about the status of the audit. She was told the auditors were unavailable to attend this meeting. She asked if the audit had been received.

Ms. Gndt questioned the status of the retention pond on the property. It was reported this project is complete. Ms. Gndt questioned the board about parliamentary procedure and commented that the Hometown Heroes project was a great idea.

ANNOUNCEMENTS:

J. Lastowski announced that the following –

- An executive session was held on August 29, 2019 to discuss negotiations and personnel
- An executive session was held this evening, September 16th to discuss negotiations and personnel
- Please remember to sign in as you enter the meeting room

HEARINGS:

J. Lastowski opened the hearing to consider the Conditional Use Application of Barth Rubin. Solicitor DeVito explained the hearing process for a conditional use application. Attorney Wolf, representing the applicant began the testimony.

K. Meeker made a motion, seconded by R. Wielebinski, to approve the Conditional Use application of Barth Rubin for Conditional Use to allow the construction of a billboard on the property located at Stadden Road and I-80 East with the following conditions as set forth by the township solicitor – 1) PennDot permit is obtained; 2) all necessary Pocono Township permits are obtained; 3) the billboard must comply with all Pocono Township conditions under the sign ordinance. Under discussion the manager was asked if the planning commission had approved this application. The Board was informed that they had. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried. L. DeVito stated he has 45 days to write the opinion of conclusion.

J. Lastowski made a motion, seconded by C. Kilby, to close the hearing for the Conditional Use Application of Barth Rubin. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski opened the hearing to consider Ordinance 2019-06, amending the code of Ordinances of Pocono Township by adopting a new Chapter 220, Grading; Erosion and Sedimentation Control, controlling soil erosion, sedimentation and grading.

Solicitor DeVito explained the ordinance had been advertised and reviewed. He advised the board that comments had been received late this afternoon from the Monroe County Conservation District (MCCD) which they wanted as part of the record. J. Tresslar stated he did not have much time to review the many comments received. L. DeVito advised the board they had two options as to how to proceed – 1) consider the adoption of the ordinance tonight and amend the ordinance in the future if the board so chooses to do so OR 2) the Board can provide time for review of the comments by the engineer and depending upon the recommendations, possibly amend the draft ordinance and re-

advertise for a future hearing.

R. Wielebinski made a motion, seconded by C. Kilby to have the township engineer review the comments by the MCCD on or before September 27th and provide comments to the Board of Commissioners. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by C. Kilby, to close the hearing for Ordinance 2019-06. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski opened the hearing to consider Ordinance 2019-07, to amend the Code of Ordinances by Creating a new chapter 302, Transient Dwelling Use of Single-Family Dwellings.

R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Ordinance 2019-07, amending the Code of Ordinances by Creating a new chapter 302, Transient Dwelling Use of Single-Family Dwellings. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to close the hearing for Ordinance 2019-07. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

PRESENTATIONS: none

RESOLUTIONS:

C. Kilby made a motion, seconded by R. Wielebinski, to adopt Resolution 2019-17, authorizing the submittal of an LSA grant application in the amount of \$365,866.00 for the repair of the dam at TLC park and authorize the President of the Board of Commissioners and the Township Manager to execute all necessary documents associated with this grant. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

D. Asure reported that the next Resolution was added late this afternoon concerning the Multi-modal grant submitted for the Right-Hand Turn Lanes onto Rimrock Road and Bartonsville Avenue. The grant writer has stated that based upon an updated estimate of project costs the township needs to request an additional \$800,000.00 increasing the original request of \$750,000.00 to \$1,400,000.00. J. Tresslar stated that the increase is due to the additional requirements from PennDot for this project. The grant writer has also stated that the engineering costs exceed the allotted 5% permitted by the grant so either the township must guarantee those additional funds, or the engineer could review his costs and see if there could be some savings. Discussion followed. J. Tresslar informed the board that he could reduce the engineering costs by \$49,145.00.

J. Lastowski made a motion, seconded by C. Kilby to adopt Resolution 2019-18 as follows -

Be it **RESOLVED**, that the Township of Pocono, Monroe County Pennsylvania hereby requests a Multimodal Transportation Fund grant in the amount of \$1,400,000.00 from the Commonwealth Financing Authority to be used to complete the PA SR 0611/Rimrock Road and Bartonsville Avenue Intersection, Turning Lane Project.

Be it **FURTHER RESOLVED**, that the Applicant does hereby designate the President of the Board of Commissioners and the Township Manager as the officials to execute all documents and agreements between the Township of Pocono and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 16th day of September 2019.

Public Comment – Ellen Gndt, Twp. Resident asked what the match is for this grant. D. Asure reported that the LSA grant in the amount of \$450,000.00 received for this project is being used as the match.

Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

MINUTES:

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 09/3/2019 regular meeting of the Board of Commissioners. Roll call Vote: K. Meeker, abstain; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

NEW BUSINESS:Personnel -

J. Lastowski made a motion, seconded by J. Belvin, and amended to approve the hiring of the following public works employees, as recommended by Bob Sargent – Robert Rasely and Connor McCue contingent upon them passing a pre-employment drug test. D. Asure was asked if the two hires were budgeted. The Board was informed they were. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to require Ryan Huey to undergo a return to work evaluation by a doctor chosen by the township before coming back to work. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Financial Transactions –Ratify vouchers payable

J. Lastowski a motion, seconded by R. Wielebinski, to ratify vouchers payable for a period ending September 12, 2019 in the amount of \$ 709.67. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Ratify gross payroll -

J. Lastowski made a motion, seconded by K. Meeker, to approve to ratify the gross payroll for the pay period ending September 8, 2019 in the amount of \$ 107,733.27. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Vouchers Payable

J. Lastowski made a motion, seconded by J. Belvin, to approve vouchers payable received through September 12, 2019 in the amount of \$ 302,379.61. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Capital Expenditures

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the capital expenditures received through September 12, 2019 in the amount of \$ 2,636.00. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

Travel/Training Authorizations –

R. Wielebinski made a motion, seconded by C. Kilby to authorize Donna M. Asure to attend the Human Resources and Labor Management Institute on Thursday, September 19, 2019 at PSATS Offices, Cumberland County at a cost of \$99.00 registration fee plus mileage. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

C. Kilby made a motion, seconded by J. Lastowski, to authorize the enrollment of Donna M. Asure in PMGA (PSATS Municipal government Academy) for a cost of \$75.00. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

REPORT OF THE PRESIDENT:

Gerald Lastowski, President

J. Lastowski reported that he met with Senator Scavello and Representative Rader concerning the Flood Mitigation Grant that was submitted. They are both very supportive.

COMMISSIONERS COMMENTSRich Wielebinski - Vice President -

Commissioner Wielebinski discussed his conversation with BCRA engineers concerning their current work at TLC park and the township's future need for water in this area. During the current process a saddle and water line could be installed less expensively than waiting for a later date and then performing the work.

R. Wielebinski made a motion, seconded by K. Meeker, to contract with BCRA to install a water saddle with shut off valve during the current work being done at TLC Park and while the water vault is open for future use by the township for a cost of approximately \$6200.00. The township manager was asked if there was money in the budget for this project. D. Asure reported that there was. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by C. Kilby, to enter into a contract with Patrick Briegel for his services, asking P. Briegel to provide a contract to the solicitor for review. Discussion – E. Gnant, Twp. Resident commented that she believes it is a good idea for Patrick Briegel to have a contract. The length of contract was also discussed. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Keith Meeker – Commissioner -

Commissioner Meeker spoke about the concerns of the stumps remaining at TLC park after trees have been removed. K. Meeker made a motion, seconded by R. Wielebinski, to rent a stump grinder for work at TLC Park. R. Sargent reported that he had a stump grinder to rent from a company for \$650.00 per week but by the time he called to arrange a date that worked for the department they no longer have the machine. He has since received another quote for \$795.00 per week to rent. He stated it will take two weeks to complete the project. The motion was amended to include MVP. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Chad Kilby - Commissioner

Intersection Lighting Update – C. Kilby reported that light project is completed until the Board moves forward with the next phase.

TLC Park Fencing – C. Kilby reported the fencing will be arriving on Wednesday, September 18, 2019.

Survey of TLC Park – survey is being conducted by Boucher & James

Park Structures – Commissioner Kilby discussed the possibility of the township demolishing structures over the dam. J. Tresslar thought that DEP would be involved with a permit due to the waterway.

Mulch – C. Kilby discussed the possibility of getting mulch from Stroud Township

Lighting at TLC Park – Discussion followed on installing lighting in the parking lot of TLC park for safety and to light up the ice rink. There are transformers on site to work with.

Pond at TLC Park – Discussion followed on the damage being done to the edges of the pond by the ducks. Permits may be needed to correct this issue.

Jerrod Belvin – Commissioner –

J. Belvin made a motion, seconded by C. Kilby, to authorize the Civil Service Commission to proceed with filling the vacant corporal position. Discussion followed on the length of the process. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

J. Belvin made a motion, seconded by R. Wielebinski, to authorize the zoning officer to proceed with Notice of Violations for dangerous structures at 2477 Clubhouse Road based on inspection conducted. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

J. Belvin made a motion, seconded by R. Wielebinski, to authorize the zoning officer to conduct an inspection at the property of the former Birchwood Resort for possible dangerous structure violations. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

REPORTS:**Emergency Services –**

Police – The Board was provided a report of police activity for August 2019 which totaled 1146 incidents

EMS – St. Luke's provided a detailed report of activities for the month of August 2019

Fire – No report

Public Works

Road Crew Projects - R. Sargent reported everything is going well

Park Operations - R. Sargent reported the park is slowing down as far as usage and operations

Fish Hill Road - project has been completed

Lighting from Heritage Center to Basketball Courts – R. Sargent reported he is running into timer issues with this project

Line Stripping – R. Sargent reported this is scheduled to be done on 9-17-19

Woodlands road issues – Commissioner Wielebinski asked R. Sargent to drive through this development and report back as to what needs to be done.

Mowing Shoulders – R. Sargent stated he should be able to start scheduling this work to be done.

R. Wielebinski made a motion, seconded by K. Meeker, to ratify the installation of a driveway pipe at 235 Dyson Road and approve a payment plan of \$50.00 per month until the cost of \$258.50 has been paid in total as recommended by R Sargent. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

R. Wielebinski made a motion, seconded by K. Meeker, to install a driveway pipe at 7180 Moss Drive for a cost of \$251.30 as recommended by R Sargent. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

Maxine Turboski, Twp. Resident stated that Hanson Paving did a wonderful job.

Administration - Manager's Report

Regional Comprehensive Plan – Two consulting firms are being interviewed on September 18, 2019.

Traffic Task Force - An observation traffic count rather than a mechanical count was discussed.

Pocono Business Association – An email was sent but to date only one response.

Green Light Go 2015 – No update has been received from PennDot.

Green Light Go 2017 – No update.

TOWNSHIP ENGINEER REPORT:

White Oak Culvert replacement project – grant to be considered on September 18, 2019 at CFA meeting

Right Hand Turn Lanes - Information provided to grant writer

TLC Bridge- Preconstruction meeting with contractor being scheduled.

TLC Dam – information due to grant writer by 9/23/19

Culvert Cleaning Maintenance - No report

Master Sidewalk Plan - Everything has been submitted to grant writer on behalf of the township

Erosion and Sedimentation Ordinance – Discussed earlier in meeting.

Well at Mountain View Park - J. Tresslar reported the design has been completed and has been submitted to DEP for their review.

MS4 – J. Tresslar reported the annual report is being prepared and will be submitted to DEP.

Generator – J. Tresslar reported that the contract documents were sent on 9/16/19 to Crowder who was awarded the bid, and once executed they have twenty (20) days to complete.

To Fish Hill Road - J. Tresslar provided the board with more information on the ramifications of closing “To Fish Hill Road”. Discussion followed on being able to plow with a pickup truck the portion of the road that must remain open due to two dwellings. The board discussed the various options of closing the road, the amount of time needed to notify residents and travelers of that roadway and the process by which the township must follow to close this road. C. Kilby made a motion, seconded by J. Belvin, to close a section of Learn Road by Turkey Hill by mid-November and change the name of Pigeon Way back to Learn Road. Discussion followed on using the police sign boards to close the road to through traffic and to give travelers thirty (30) to forty-five (45) days notice of this road closure. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

TOWNSHIP SOLICITOR REPORT

Exxon Monitoring Wells - no report

White Oak Culvert easements - no report

Breezewood Drive Easements – no report

Feeling Good LLC ZHB –

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the township solicitor to represent the township at the ZHB to be scheduled to hear appeal filed by Feeling Good, LLC. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

Monroe County Constable Task Force – The Board discussed the request of Chief Werkheiser to enter into an agreement with the District Attorney’s office to utilize the Constable Task Force for such things as prisoner transports. C. Kilby made a motion, seconded by K. Meeker, to enter into agreement for the Monroe County Constable Task Force and Accreditation Program as requested by Chief Werkheiser. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried

Road Vacation – This item was added to the agenda to discuss the request from Running Lane LLC for the board to consider a possible road vacation. R. Wielebinski made a motion, seconded by K. Meeker, to authorize the solicitor to create and advertise an ordinance for a public hearing to consider the road vacation of a portion of Wiscasset Road to Running Lane, LLC. No public comment. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

PPL Grant of Right of Way - Solicitor DeVito spoke to an easement right of way that PPL is requesting from the township for the BCRA project and laying of electric lines. Discussion took place on working with PPL to provide lighting to the park area in exchange for the easement. The township manager was asked to contact PPL to discuss.

PUBLIC COMMENT: none

Ellen Gndt, Twp, resident questioned whether traffic barriers as discussed would hinder emergency vehicles. Ms. Gndt also requested that Savvy Citizen be used to alert the public on the cancellation of meetings.

ADJOURNMENT:

J. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting at 8:20pm. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.