

**POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
SEPTEMBER 4, 2018**

The regular meeting of the Pocono Township Commissioners was held on Tuesday, 09/04/2018 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, present; 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: Jake Singer, Twp. Resident, commented on the Scotrun Estate sign and other signage removed by the contractors working on Rt. 611. Discussion followed. G. Lastowski requested J. Tresslar to inspect.

ANNOUNCEMENTS:

Pocono Township Community Day will be held on Sunday, September 9th, 2018. 11:00 a.m. to 4:00 p.m., rain or shine.

An executive session was held on 09/04/2018 to discuss litigation and acquisition of real property.

HEARINGS -

Electronic Device Ordinance 2018-12

Tammy Panko, Court Reporter, in attendance.

L. DeVito, Twp. Solicitor, explained the Ordinance is for electronic gaming devices. G. Lastowski made a motion, seconded by B. DeYoung, to open the hearing for Electronic Device Ordinance 2018-12. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried. G. Lastowski opened the hearing to public comment. Hearing no comments. G. Lastowski made a motion, seconded by R. Wielebinski, to close the hearing. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Belvin made a motion, seconded by R. Wielebinski, to adopt the Electronic Device Ordinance #2018-12. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

PRESENTATIONS - None

OLD BUSINESS:

MINUTES-

G. Lastowski made a motion, seconded by J. Belvin, to approve the minutes of the 08/20/2018 Board of Commissioners Regular Meeting. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 08/22/2018 Board of Commissioners work session meeting. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, abstained due to absence; and J. Belvin, yes. Motion carried.

NEW BUSINESS:

PERSONNEL - None

Ratify Vouchers Payable - G. Lastowski made a motion, seconded by J. Belvin, to ratify vouchers payable received through 08/31/2018 in the amount of \$112,844.06. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

Ratify Gross Payroll - G. Lastowski made a motion, seconded by R. Wielebinski, to ratify gross payroll for pay period ending 08/26/2018 in the amount of \$103,949.18. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

Vouchers Payables - G. Lastowski made a motion, seconded by R. Wielebinski, to approve vouchers payables received through 08/31/2018 in the amount of \$77,041.70. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

Capital Expenditures - G. Lastowski made a motion, seconded by J. Belvin, to approve Capital expenditures received through 08/31/2018 in the amount of \$329,962.13. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

TRAVEL/TRAINING AUTHORIZATIONS

Regional Fall Forum - G. Lastowski made a motion, seconded by R. Wielebinski, to authorize Commissioner Jerrod Belvin to travel to the Regional Fall Forum on 10/09 and 10/10/2018 at the Woodlands, Wilkes-Barre, PA hosted by PSATS for a registration fee of \$135.00 plus travel expenses including mileage. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

2018 Fall TEMA Exercise Forum - G. Lastowski made a motion, seconded by R. Wielebinski, to authorize Commissioner Jerrod Belvin to travel to the 2018 Fall TEMA Exercise Forum on 11/08/2018 at the Radisson Hotel Valley Forge, King of Prussia for a registration fee of \$99.00 plus travel expenses including mileage. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

PEMA G289 Public Information Officer Awareness Training - G. Lastowski made a motion, seconded by R. Wielebinski, to authorize Commissioner Jerrod Belvin and Township Manager Donna Asure to attend the PEMA G289 Public Information Officers Awareness Training on 09/15/2018 at the Northampton County EOC and pay expenses including mileage. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

PSATS Human Resources and Labor Management Institute - G. Lastowski made a motion, seconded by J. Belvin, to authorize the Township Manager Donna Asure to attend the PSATS Human Resources and Labor Management Institute on 09/13/2018 in Cumberland County for a registration fee of \$99.00 plus mileage. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

PHRC - G. Lastowski made a motion, seconded by R. Wielebinski, to ratify travel by Donna Asure, Township Manager, to a hearing at the PHRC office in Harrisburg on 08/23/2018 and to pay mileage. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

REPORT OF THE PRESIDENT:

Township Newsletter - G. Lastowski, President, directed the Township Manager to investigate publishing a Township newsletter.

Evaluations -

Township Manager - G. Lastowski requested the Board to complete the evaluation of the Township Manager and return it to the Township office in a sealed envelope by the 10th at 8:00 a.m.

Chief of Police - G. Lastowski explained after discussion with the Board and suggestion by Commissioner Wielebinski, it was determined that the Township Manager conduct the evaluation of the Chief of Police. D.ASURE, Twp. Manager noted she has spoken to Chief of Police Kent Werkheiser concerning setting measurables for future evaluations.

COMMISSIONERS COMMENTS:

Robert M. DeYoung, Commissioner, no comment.

Harold Werkheiser, Commissioner, absent.

Richard Wielebinski, Commissioner, no comment.

Jerrod Belvin, Commissioner -

Commissioners Compensation - J. Belvin explained they have reached out to the State and Solicitor concerning actions that can be taken when a Commissioner, does not attend meetings and doesn't respond to emails or calls. J. Belvin made a motion, seconded by R. Wielebinski, to authorize the Township Solicitor to amend the requirements for Commissioners to receive compensation by requiring attendance at meetings. Discussion followed on percentage of attendance for compensation, authorized absences, by-laws, Compensation payments, and the requirements of passage by Ordinance. J. Belvin amended the motion, seconded by R. Wielebinski, to authorize the Township Solicitor to amend the requirements the Commissioner Compensation Ordinance for receiving compensation base on attendance at meetings. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

REPORTS:

Finance Committee - R. Wielebinski requested the status of the audit. D.ASURE, Twp. Manager, explained the Manager's report was completed and the Audit is scheduled to be on the agenda on the 09/17/2018.

Administration - Manager's Report

ESSA Bank Letter of Credit #555 - J. Belvin made a motion, seconded by R. Wielebinski, to authorize the release of ESSA Bank & Trust's letter of credit #555 as recommended by Boucher & James's letter dated 08/17/2018 Project #04-30-84C. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

Board of Commissioners By-Laws - D.ASURE, Twp. Manager, explained the changes to the by-laws. R. DeYoung made a motion, seconded by R. Wielebinski, to adopt the changes to the Pocono Township Board of Commissioners Bylaws. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

Public Works Report - No report.

Township Engineer Report

Update on White Oak Culvert replacement project (DEP has until October 2018 to review and respond). J. Tresslar, Twp. Engineer, explained he had received minor comments from DEP that will be addressed. Discussion followed timing of the culvert project and if the project should be postponed until next spring. The Board concurred to bid the project this year with a spring date for completion. J. Tresslar explained if the bids were unacceptable, it can be rebid next year.

Update on Fish Hill Road Storm System Notice of Violation from MCCD - J. Tresslar, Twp. Engineer, reported they are working with MCCD and will provide MCCD with a solution for the Fish Hill Swale.

Smithfield & Middle Smithfield Green-Light-Go Grant - J. Tresslar, Twp. Engineer, explained Smithfield & Middle Smithfield Townships have requested to work with Pocono Township and Stroud Township to utilize the same traffic consultant for the Green-Light-Go grants. Discussion followed on costs. J. Tresslar will obtain prices for the work for all Townships together.

Township Solicitor's Report

Update on Exxon Monitoring Wells Agreement - No report.

Settlement Agreement with Leo F. Stock - L. DeVito, Twp. Solicitor, explained an agreement was reached which includes the delineation of area of business, hours of operations, and provision for any current and future owners not to enlarge. He noted the agreement has been signed by the Stocks.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the settlement agreement with Leo F. Stock, Dale M. Stock, and Leo J. Stock and authorize the President of the Board of Commissioners to execute the necessary documents. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

Yard Sales Ordinance - L. DeVito, Twp. Solicitor, explained a proposed yard sale ordinance was presented to the Board. As part of moving things forward, the Board will need to determine the fees. Discussion followed on weekend enforcement, fees, fines for failing to remove signs, time allowed to remove signs, etc. The Board will revisit the Ordinance. No action taken.

Northridge at Camelback Variance Request - L. DeVito, Twp. Solicitor, explained there were questions on the variance request. They will meet next week to discuss the parking concerns and time share usage.

PUBLIC COMMENT:

ADJOURNMENT: G. Lastowski made a motion, seconded by J. Belvin, to adjourn the meeting at 8:10 p.m. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; R. DeYoung, yes; and J. Belvin, yes. Motion carried.

Respectfully Submitted
Pamela Tripus
Township Secretary