

**Pocono Township Board of Commissioners  
Regular Meeting Minutes  
August 7, 2023 | 7:03 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on August 7, 2023 and was opened by President Rich Wielebinski at 7:03 p.m. followed by the Pledge of Allegiance.

**Roll Call:** Jerrod Belvin, present; Ellen Gndt, present; Jerry Lastowski, present; Keith Meeker, present; and Rich Wielebinski, present.

**In Attendance:** Taylor Munoz, Township Manager; Leo DeVito, Township Solicitor; John Tresslar, Engineer; Shawn Goucher, Chief of Police; Patrick Briegel, Public Works Director; Lindsay Scerbo, Zoning; and Jennifer Gambino, Administrative Assistant.

**Public Comment**

Dawn Eilber (Township Resident) – Provided comment on the proposed SBA cell tower. Claimed there are inaccuracies in the application, including setbacks and design, and believes the plans should be re-done or corrected. Stated the identified road is incorrectly identified as a public road, when it is a road owned privately by the adjoining community.

L. DeVito stated the Planning Commission will be reviewing this proposal at their next meeting on August 14.

Cynthia Gregor (Township Resident) – Stated she has lived at her home for 23 years and lives approximately 350 feet from the proposed site. Expressed concern about the proposed tower and legal challenges to new FCC regulations. Shared details regarding health concerns and impact on wildlife.

Kevin Schlier (Township Resident) – Spoke regarding concerns regarding private shooting ranges shared at a previous meeting. Shared information about how firearm discharges work and stated the concerns previously expressed do not align with the reality of firearm usage. Expressed concern over impact of such statements to Second Amendment rights.

**Announcements**

- Please take note of Pocono Township's upcoming summer activities:
  - August 22 at 10:00 a.m. – The Wide World of Bugs at Mountain View Park.

**Hearings** – None

**Presentations** – None

**Resolutions**

Resolution 2023-16 – Motion to pass Resolution 2023-16 granting conditional approval for the Grossi Major Subdivision Plan.

The applicant stated the plan is to subdivide a 17-acre parcel into four parcels. The last of three reviews was completed on July 10. There are some outstanding minor comments. R. Wielebinski asked for clarification regarding the waiver requests. Discussion regarding proposed design.

The BOC expressed concerns with the SALDO waiver requests allowing encroachment into the wetland buffer and no action was taken.

R. Wielebinski made a motion, seconded by J. Belvin, to pass Resolution 2023-17 Authorizing the Submission of a DCED Multimodal Grant Application in an amount not to exceed \$300,000 for the purpose of completing infrastructure upgrades at the intersection of Learn Road and Fish Hill Road in Tannersville. E. Gndt asked for clarification. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to pass Resolution 2023-18 granting a time extension to August 30, 2023 for Swiftwater Solar LLC to satisfy the conditions of plan approval set

forth in Resolution No. 2022-24. E. Gndt asked for clarification. Roll call: J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

### **Consent Agenda**

- Motion to approve a consent agenda of the following items:
  - Old business consisting of the minutes of the July 17, 2023 meeting of the Board of Commissioners.
  - Financial transactions through August 3, 2023 as presented, including ratification of general fund expenditures, sewer operating expenditures and gross payroll; vouchers payable, sewer operating expenditures, construction fund expenditures, capital reserve expenditures and transfers.

R. Wielebinski made a motion, seconded by E. Gndt, to approve the consent agenda. All in favor. Motion carried.

### **NEW BUSINESS**

#### **1. Personnel**

R. Wielebinski made a motion, seconded by J. Lastowski, to appoint Mitch Bartholomew as Assistant Foreman for the Pocono Township Road Crew. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to extend conditional offers of employment to John Schnatter, Michael Stettler, and Josh Angle for the Pocono Township Road Crew. All in favor. Motion carried.

#### **2. Travel/Training Authorizations - None**

### **Report of the President**

R. Wielebinski made a motion, seconded by E. Gndt, to open the agenda for consideration of the Trapasso Hotel project escrow release. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve Construction Escrow Release No. 8 in the amount of \$186,255.30 for the Trapasso Hotel Land Development project, as reviewed and recommended by the Township Engineer letter dated July 26, 2023. All in favor. Motion carried.

### **Commissioner Comments**

Jerrod Belvin – Vice President – None

Ellen Gndt – Commissioner

E. Gndt made a motion, seconded by R. Wielebinski, to have L. DeVito attend ZHB for Tannersville Point. All in favor. Motion carried.

E. Gndt expressed concerns about the SBA towers zoning matter, particularly as it applies to the accuracy of the plans.

E. Gndt made a motion, seconded by J. Lastowski, to have Township Engineer review the SBA towers zoning application to verify lease information, accuracy of the mapping, ownership of the roadway and location of the tower within the lease area. All in favor. Motion carried.

Jerry Lastowski – Commissioner

Discussion regarding Sky View Drive short-term rental. Township has filed a civil complaint for \$12,000.

Asked for update on the trailers on the Butz property. L. DeVito stated, in the absence of a response from the property owner, that a notice of violation will be filed against the property.

Keith Meeker – Commissioner - None

## **Reports**

### **Zoning**

Reviewed July zoning report. Discussion regarding specific outstanding zoning violations, including cleanup of the Birchwood property.

### **Police Report**

- General police updates – Bike4Chai charity bike ride taking part this Wednesday, 8/9.

### **Ambulance Report - None**

### **Public Works Report**

- Current Public Works projects – No update.
- Mountain View Park updates – No update.
- TLC Park updates
  - Splash Pad is now open.
  - Dog Park Status Update – No update.
- 2023 paving projects to commence – Paving projects have started.
- 2023 micro-surfacing projects to commence – Will begin stockpiling stone as of Wednesday of this week.
- Bartonsville Avenue cross pipes replacement – No update.
- Installation of speed tables on Learn Road for speed control – Preparing for microsurfacing.

### **Administration – Manager’s Report – No update.**

### **Township Engineer Report**

- Discussion and possible action regarding the Township’s revised Act 167 stormwater ordinance, incorporating changes to the ordinance as prepared by the Township engineer and as required by PA DEP – No update yet.
- Learn Road Safety Enhancement Project and roundabout survey work – Layout has been given to the Township and next step to have preliminary discussions with the property owners.
- Update – TASA SR 611 sidewalk project – Continuing the design. Completing design of 22 ADA ramps.

### **Township Solicitor Report**

- General legal update – None
- Update – Maintenance and operation escrow requirements for land development projects that require installation of new traffic lights – Draft was sent out to Township engineer and manager. Will need Township and County Planning Commission approvals.
- Zoning Hearing Board updates
  - Discussion and possible action as to the Township solicitor’s representation at the zoning hearing for Chelsea Pocono Finance (Poconos Premium Outlets) on August 31, 2023 – Board consensus to send solicitor to the hearing.
  - Crawford Appeal – Appeal was received, case will proceed.
- Update – Johnson Appeal Commonwealth Court argument – Court has indicated they want to hear oral arguments.

### **Public Comment – None**

### **Adjournment**

R. Wielebinski made a motion, seconded by J. Belvin, to adjourn the meeting at 9:00 p.m. All in favor. Motion carried.