

**Pocono Township Board of Commissioners
Regular Meeting Minutes
November 6, 2023 | 6:16 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on November 6, 2023 and was opened by President Rich Wielebinski at 6:16 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; Patrick Briegel, Public Works Director; Lindsay Scerbo, Zoning Officer; and Jennifer Gambino, Administrative Assistant.

Public Comment

Lawrence Lippert (181 Black Cherry Lane) – Has lived at his home for 36 years. Over last seven years, newer neighbors have begun shooting their guns nonstop. Stated shooting has been nonstop and represents a constant disturbance.

Announcements

- An executive session was held prior to this meeting at 4:00 p.m. for personnel matters.
- The Pocono Township Annual Tree Lighting will take place at TLC Park on Friday, December 1 at 7:00 p.m. Join us as we welcome the Christmas season with hot chocolate, s'mores, carols and more. Please park in the Township parking lot and take the provided Santa's Sleigh shuttle to TLC Park!
- An executive session was held on Thursday 11/2 to discuss personnel matters and potential real estate acquisition.

Hearings

R. Wielebinski made a motion, seconded by J. Belvin, to open a public hearing for consideration of Ordinance 2023-07 Amending SALDO Section 390-38 and Establishing Traffic Signalization Requirements. All in favor. Motion carried.

L. DeVito stated there has been much conversation about new developments necessitating a new traffic signal or substantial signalization improvements. Discussion that the cost of the ongoing maintenance should be borne by the developer. Ordinance tonight provides that a developer shall cover the maintenance costs for a new traffic signal. No public comment.

R. Wielebinski made a motion, seconded by J. Belvin, to close the public hearing. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to pass Ordinance 2023-07 Amending SALDO Chapter 390; Amending Article V Performance Guarantees and Open Land, Section 390-38 Continued Ownership and Maintenance Improvements; and Establishing Traffic Signalization Responsibilities and Repealing All Ordinances or Parts of Ordinances Inconsistent Herewith. All in favor. Motion carried.

Presentations

- Presentation of Township 2022 Audit – Jeff Weiss, Zelenkofske Axelrod LLC.

Rachel Gougher presented as the auditor who completed the Township audit. Thanked Township staff for work to prepare all reviewed materials for the audit. Reviewed basis upon which the audit was conducted. Reviewed overall audit provisions.

E. Gndt asked questions, including details included on page 14 of the audit. She stated she believed there was a typo regarding restricted cash. R. Gougher provided clarification. E. Gndt asked about loss to municipal police pension and asked whether the auditor felt this was typical.

- Presentation of Architectural Plans for Proposed New Municipal Complex – Matthew McQuaide, Kimmel-Bogrette

M. McQuaide provided an overview of proposed plans for the former Northampton Community College campus on Old Mill Road.

- Vassallo Estate Subdivision Plan – Request for extension of time for plan recordation.

Jerry Hanna, attorney for the applicant, presented on behalf of the applicant. Discussed the complexity of the property and need for an extension to allow for plan recordation. E. Gndt expressed concern about the granting of extensions and need for enforcing the Township's standards. Further discussion about conditional approval extensions.

R. Wielebinski made a motion, seconded by J. Lastowski, to grant extension of time to January 31, 2024. All in favor. Motion carried.

Resolutions

Resolution 2023-30 – Motion to pass Resolution 2023-30 Granting Conditional Approval for the Grossi Major Subdivision Plan.

Applicant's engineer provided a recap of the proposed plan. The wetland buffer was the main point of contention the last time. The septic system has been resized for a three-bedroom system to remove the secondary septic area out of the wetland buffer. Reviewed overall waivers being requested.

The Board recessed the meeting for an executive session.

Discussion regarding the resolution as prepared needing to have 365-10.I.(6)(b) removed.

R. Wielebinski made a motion, seconded by E. Gndt, to pass Resolution 2023-30 Granting Conditional Approval for the Grossi Major Subdivision Plan subject to changes made removing SMO Section 365-10-5-(6)(2). Roll call: J. Belvin, nay; E. Gndt, yay; J. Lastowski, yay; K. Meeker, nay; R. Wielebinski, yay. Motion carried.

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the October 16, 2023 meeting of the Board of Commissioners.
 - Financial transactions through November 2, 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 J. Belvin, to approve the consent agenda. All in favor. Motion carried.

NEW BUSINESS - None

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by E. Gndt, to cancel the planned November 20, 2023 public hearing of a debt ordinance for the purchase of a new municipal complex. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve a construction escrow reduction for Cherry Lane Development Partners in the amount of \$686,102.65, as reviewed and approved by the Township engineer, conditioned on the receipt of a standby letter of credit from Wawa, Inc. in the amount of \$686,102.65 and review/approval by the Township solicitor. Discussion regarding clarification. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to formally commit \$535,000 appropriated in the 2023 Township Budget to be used solely for the purpose of new municipal complex debt service and renovation costs. All in favor. Motion carried.

- Motion to approve an easement agreement with the Brodhead Creek Regional Authority for the re-location of a public water line along the property line of TLC Park, as required by the PennDOT SR 715 project and reviewed by the Township engineer and professional staff, and to authorize the (Vice) Chair of the Board of Commissioners as signatory.

This will be delayed until the second meeting in November.

R. Wielebinski made a motion, seconded by J. Lastowski, to amend the agenda for advertising the sale of dump trucks on Muncibid. No comment. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to place three dump trucks on Muncibid for bidding purposes and to authorize manager or public works director to award to the highest bidder. E. Gndt asked the age of the trucks. No public comment. All in favor. Motion carried.

Commissioner Comments

Jerrold Belvin – Vice President - None

Ellen Gndt – Commissioner - None

Jerry Lastowski – Commissioner - None

Keith Meeker – Commissioner - None

Reports

Zoning

175 Laurel Lake Road & 1231 Skyview – Property maintenance civil service enforcement actions taken, and both appealed to Court of Common Pleas.

Birchwood is beginning work on demolition of their structures and obtained permits.

123 Archer Lane – Has made some improvements, but significant items are remaining.

Police Report - None

Ambulance Report - None

Public Works Report

- Current Public Works Projects - Completing leaf cleanup and drainage repairs on various roadways. Completing pipe replacement. Conducted flagger training for road crew employees. Getting prepared for snow season.

- Mountain View Park Updates - Zipline is complete and mulch installed. Crew completed demolition and prep work to get obstacle course installed. Installation to begin tomorrow.
- TLC Park Updates - Sound garden is complete at TLC Park. Preparing TLC Park for Christmas season/tree lighting.
- Old Learn Farm parking access – No update.

Administration – Manager’s Report

J. Lastowski made a motion, seconded by E. Gndt, to authorize the transfer of Township operating and reserve funds to First Northern Bank and PLGIT to leverage higher interest rates offered. All in favor. Motion carried.

Township Engineer Report

- Learn Road safety enhancement project and roundabout survey work - Met with appraiser this week who will be starting scope of work.
- Update – TASA SR 611 sidewalk project - Waiting on remaining comments from PennDOT on handicapped ramps.
- In Progress – 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 – Being reviewed.

Just received information from Turkey Hill regarding their sidewalk installation.

Township Solicitor Report

- Zoning Hearing Board updates
 - 585 Railroad Drive Appeal – Pocono Logistics. Scheduled for 11/28.
 - Grossi Appeal – Appeal of enforcement notice for his advertising signs.
 - Camelback Small Cell Telecommunications Facilities – Proposing two small cellular devices mounted on utility poles on Camelback property.
 - Bartonsville Wawa (Ertle) – Application just received. Nothing scheduled.
- Update – Crawford Appeal – Appeal has been withdrawn by the Crawfords. They sold their property.
- Update – Johnson Appeal Commonwealth Court argument – Appeared in Court this morning and presented oral argument. Overall went well.

R. Wielebinski made a motion, seconded by E. Gndt, to amend the agenda for acceptance of Township audit. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to accept the 2022 Pocono Township Audit completed by Zelenkofske Axelrod. No public comment. Roll call: J. Belvin, aye; E. Gndt, nay; J. Lastowski, aye; K. Meeker, aye; R. Wielebinski, aye. Motion carried.

J. Lastowski asked how the cell tower hearing went with the ZHB. They received conditional use approval from ZHB with conditions.

Public Comment - None

Adjournment

R. Wielebinski made a motion, seconded by E. Gndt, to adjourn the meeting at 8:52 p.m. All in favor. Motion carried.