

**Pocono Township Board of Commissioners
Regular Meeting Minutes
February 5, 2024 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on February 5, 2024 and was opened by President Rich Wielebinski at 6:00 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; Ellen Gndt, present; Natasha Leap, present; Mike Velardi, present; and Rich Wielebinski, present.

In Attendance: Taylor Munoz, Township Manager; Leo DeVito, Township Solicitor; Jon Tresslar, Engineer; Pat Briegel, Public Works Director; James Wagner, Detective Sergeant; Lindsay Scerbo, Zoning Officer, and Jennifer Gambino, Administrative Assistant.

Public Comment

Donald Karpovich (Hawthorne Representative) – Will defer comments until Paradise Township request under President’s report.

Announcements

- An executive session was held on Monday, January 29 for the purpose of discussing personnel matters and potential real estate acquisition.

Presentations

R. Wielebinski made a motion, seconded by M. Velardi, to approve the promotion of Officer Eric Rath to the position of Patrol Sergeant for the Pocono Township Police Department. All in favor. Motion carried.

Hearings – None

Resolutions – None

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the January 16, 2024 regular meeting and reorganizational meeting of the Board of Commissioners.
 - Financial transactions through January 25, 2024 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 N. Leap, to approve the consent agenda. All in favor. Motion carried.

NEW BUSINESS

1. Personnel

R. Wielebinski made a motion, seconded by N. Leap, to extend a conditional offer of employment to Det. Sgt. James Wagner for the position of Pocono Township Police Chief. All in favor. Motion carried.

2. Travel/Training Authorizations - None

Commissioner Comments

Richard Wielebinski – President

R. Wielebinski made a motion, seconded by N. Leap, to execute an agreement of sale with Northampton Community College for the purchase of their former Old Mill Road Campus in Tannersville. Discussion – E. Gnadtt would like to discuss under executive session. Motion withdrawn.

R. Wielebinski made a motion, seconded by E. Gnadtt, to amend agenda to move action on the NCC agreement to end of the president report. All in favor. Motion carried.

- Zoning Hearing Board Candidate Interviews
 - Mike Savage – Financial advisor since 1989. Has been married for 43 years with four kids and is looking to give back to the community. Family has lived in the Township for 30 years. Stated he will look at each issue with honesty and fairness.
 - Brian Winot – R. Wielebinski commented on Brian’s experience and what he brings to the table and asked about Brian’s experience with zoning matters.
 - Matthew Lentz – Member of fire department and works for the family remodeling business. Industrial maintenance mechanic by trade.

R. Wielebinski made a motion, seconded by M. Velardi, to appoint Mike Savage as a Zoning Hearing Board alternate. J. Belvin, yes; E. Gnadtt, nay; N. Leap, yes; M. Velardi, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by M. Velardi, to authorize a COSTARS purchase order for a new Peterbilt 548 tandem dump truck in the amount of \$159,353 as provided for in the 2024 Capital Budget. Discussion – E. Gnadtt inquired about pricing of entire truck and would like further information. E. Gnadtt made a motion, seconded by N. Leap, to table the original motion. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by N. Leap, to close the Township’s ESSA account ending in 0106, which was opened for the purpose of receiving DCNR grant funds for the TLC Park splash pad construction that has now concluded. E. Gnadtt asked whether this account should be kept open. All in favor. Motion carried.

Discussion regarding Paradise Township request for sewage capacity. Donald Karpovich spoke on behalf of the Hawthorne resort request for sewage capacity. The developer asked, through Paradise Township, for consideration of the expansion of the service district. A letter has also been sent to the BCRA for consideration of exploring public water. E. Gnadtt stated she would like to sit down with Paradise Township. Discussion regarding next steps with Paradise Township and fees charged to sewer users.

R. Wielebinski made a motion, seconded by M. Velardi, to authorize work to begin to form a draft intermunicipal agreement with Paradise Township, with the condition that Paradise Township establishes an escrow account with Pocono Township to cover professional fees associated with the process. Discussion – E. Gnadtt inquired about the motion. Motion was withdrawn.

R. Wielebinski made a motion, seconded by M. Velardi, to authorize the Township representatives to schedule a meeting with Paradise Township to discuss the framework for a potential intermunicipal agreement to provide sewage to a portion of Paradise Township, conditioned upon Paradise Township posting adequate security for the Township’s cost and time. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to open up the agenda for discussion and possible action pertaining to Running Lane LLC. All in favor. Motion carried.

Attorney Bob Kidwell, on behalf of the applicant, discussed completion of geotechnical investigations for finalization of building plans; renewal of NPDES permit; engagement with First Northern Bank & Trust for financing; and ongoing work to finalize an agreement with Marriott for operation of the hotel. Asked for consideration of an extension.

R. Wielebinski made a motion, seconded by J. Belvin, to extend the project for an additional 12 months. E. Gnadtt asked whether financing has been obtained. Applicant stated they have an application with

First Northern for financing. Discussion regarding what process would look like if an extension were not granted. J. Belvin, yes; E. Gandt, nay; N. Leap, yes; M. Velardi, yes; R. Wielebinski, yes. Motion carried.

Board recessed into executive session at 6:50 p.m.

Board returned from executive session at 7:38 p.m.

R. Wielebinski made a motion, seconded by N. Leap, to enter into a sales agreement with NCC in the amount of \$2,920,000 for the purchase of 205 Old Mill Road, the former site of Northampton Community College. All in favor. Motion carried.

Jerrod Belvin – Vice President

- Update – Continued issues with washout and flooding on Archer Lane. L. DeVito indicated three enforcement notices were sent out – a SALDO violation, SMO violation and Zoning violation. Zoning received certified mail verification that the violation notices were received. Discussion regarding ongoing steps and confirmation that the business on the premises ceased as of December 31, 2023.
- Update – Laurel Lake Dam meeting – No update.
- Barton Court Utility Lines – No update.

Asked for update regarding the installation of Turkey Hill sidewalks.

Expressed concerns about unauthorized signage popping up in Pocono Township. Discussion regarding regular sweep of the Township for unauthorized signage.

Ellen Gandt – Commissioner

Asked for clarification of whether the funds for the new building were being put aside.

Asked that the Board consider work sessions to discuss extensions of land development projects, zoning variances and other issues as they arise.

Asked whether it has been confirmed that Swiftwater Solar is abiding by their required setbacks. Discussion regarding ordinance requirements; access restrictions from Sullivan Trail where they are prohibited; frequency of inspections; and conservation district inspects every two weeks on the site.

Natasha Leap – Commissioner

103 Kenny's Way – The 5.35 acre property is on the market and is one of the last historic sites in the Township. Met with the listing agent and sourced an appraiser who would complete an appraisal of the property within 10 days. Board consensus is to move forward with the appraisal.

Mike Velardi – Commissioner

Absentee ballots are available in the lobby for anyone interested.

The Tall Cedars, located on Rimrock Road, will host a fundraiser for muscular dystrophy on March 2, 2024.

Reports

Zoning

L. Scerbo discussed Birchwood violations. Inspections were conducted which found more violations and will file civil complaint. T. Muñoz to report next meeting regarding 229 Hemlock and whether the Monroe County Land Bank is interested in the property.

Police Report

J. Wagner gave update. Over \$1,100 raised by the Department through their No Shave November fundraiser. New body cameras and dash cameras are live, which were funded through Township grant funding.

Public Works Report

- Sewer Updates
 - General sewer update – Reported on accounts receivable for sewer. Reduction in outstanding sewer fees of about 26% over last 16 months.
 - Bioxide pilot program – Reported on outcome of H2O pilot project.
- Current Public Works Projects – Working on resolution of drainage issues at Bartion Court and Mountain View Drive.
- Mountain View Park Updates – Starting to coordinate park projects for the upcoming season, including park equipment installation and resurfacing of basketball courts.
- TLC Park Updates – New picnic tables and benches will be delivered soon.
- Old Learn Farm parking access – Making progress on clearing of trees and will finish in the spring.

R. Wielebinski asked about drainage issues on upper Mountain View Park baseball fields.

E. Gndt asked about the detail and dollar amount of outstanding sewer liens. Asked for aging report.

Administration – Manager’s Report

Township Engineer Report

- Sewer engineering issues (if any). No new issues.
- Learn Road safety enhancement project and roundabout survey work. Waiting for completed appraisals.
- Update – TASA SR 611 sidewalk project.
- 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.

Further discussion of Lindenmere water system design.

Township Solicitor Report

- Sewer matters
 - Tobyhanna Act 537 & EQ Tank Installation – Had administrative meeting attended by Tobyhanna, their sewer consultants/engineer, Pocono Township representatives and Kalahari representatives. Felt it was a productive meeting. Planning modules are close to being submitted. Everyone left feeling positive about a potential resolution.
- Motion to advertise a liquor license transfer hearing for Wawa, Inc. at their 2977 Route 611 location – As required by the PLCB, the Township is required to have a hearing for the transfer of a liquor license purchased by Wawa to Pocono Township.

R. Wielebinski made a motion, seconded by J. Belvin, to advertise the hearing. Discussion regarding timeline for hearing. All in favor. Motion carried.

- Zoning Hearing Board updates
 - Solicitor attendance for PoconoPlaces LLC zoning hearing. This hearing is regarding a property owner who owns several contiguous parcels in Swiftwater. Significant junk is present on one parcel of property and, after the violation notice went out, he shifted the junk onto a different parcel. Spoke with the applicant’s attorney. Would like authorization from the Board to attend.

R. Wielebinski made a motion, seconded by N. Leap, to send the Township Solicitor to the PoconoPlaces LLC Zoning Hearing. All in favor. Motion carried.

- Update – Johnson Appeal Commonwealth Court argument. No update at this time.

E. Gndt asked about timeline regarding the Tobyhanna/Kalahari resolution. L. DeVito confirmed progress is being made and pressure is being kept on a resolution. Next benchmark date of February 29.

Public Comment – None.

Adjournment

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