

**Pocono Township Board of Commissioners
Regular Meeting Minutes
April 23, 2024 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on April 23, 2024 and was opened by Vice President Jerrod Belvin at 6:07 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Patric Briegel, Acting Township Manager & Public Works Director; Leo DeVito, Township Solicitor; Jon Tresslar, Engineer; Lindsay Scerbo, Zoning Officer; Shawn McGlynn, Zoning Officer & Building Codes; and Jennifer Gambino, Administrative Assistant.

Public Comment

S. Jackson (Resident) - Mr. Jackson began to speak of his concerns regarding 205 Lake Dr. when L. Devito explained that he will be able to speak during the Hearing for this matter.

T. Purcel (Resident) - She is extremely disappointed in the handling of the Manager Ordinance. The residents spent so long trying to get this into a first-class Township, and now the Board wants to make changes to the Ordinance. She is particularly disappointed in Commissioner Wielebinski who was here from the beginning and the fact that he voted to approve the changes.

Announcements

- The Pocono Township Spring Cleanup will take place from April 25 through April 27, 2024. For more information, please contact the Township office.
- An Executive session was held Monday, April 1st, Monday, April 8th and Tuesday April 23rd for discussion of personnel matters.

Presentations

- Brian Mentzer: Pocono Township RFP and Timing update; Reviewed the loan documents and explained how the funding works going forward. He also explained Ordinance 2024-3 which would need to be voted on to approve the Wayne Bank proposal.

Hearings

Ordinance 2024-03 – Public hearing for consideration of Ordinance 2024-03, authorizing & securing a \$5,175,000 draw-down, general obligation Note, to be issued to Wayne Bank to provide interim financing for the municipal complex and recreational open space acquisition projects.

J. Belvin made a motion, seconded by M. Velardi, to open the public hearing. All in favor. Motion carried.

L. Devito explained through Township Vice Presidents urging, this ordinance is a Township Borrowing Ordinance to authorize the Township to select Wayne bank as lender to secure funding in the sum of \$5,175,000 to purchase open space alongside TLC park and purchase the old Northampton Community College property for a municipal complex.

J. Belvin made a motion, seconded by R. Wielebinski, to approve Ordinance 2024-03 authorizing & securing the issuance of a general obligation note in the maximum principal amount of \$5,175,000 pursuant to the Pennsylvania local government unit debt act, to purchase and renovate a building to become the township's municipal complex and to purchase property for recreational open space; accepting a bank loan proposal; setting forth the terms & substantial form of the note; pledging the full

faith, credit and taxing power of the township to secure the note; appointing a sinking fund depository; and authorizing related actions and documents. Roll Call Vote: J. Bevin, Aye, M. Velardi, Aye; N. Leap, Aye; E. Gmandt, Nay; R. Wielebinski, Aye. Motion carried.

L. DeVito opened the floor to any public comments or questions; None

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

J. Belvin made a motion, seconded by M. Velardi to enact Ordinance 2024-03 authorizing & securing the issuance of a general obligation note in the maximum principal amount of \$5,175,000 pursuant to the Pennsylvania local government unit debt act, to purchase and renovate a building to become the township's municipal complex and to purchase property for recreational open space; accepting a bank loan proposal; setting forth the terms & substantial form of the note; pledging the full faith, credit and taxing power of the township to secure the note; appointing a sinking fund depository; and authorizing related actions and documents. Roll Call Vote: J. Bevin, Aye, M. Velardi, Aye; N. Leap, Aye; E. Gmandt, Nay; R. Wielebinski, Aye. Motion carried.

L. DeVito called a 4-minute recess in order to get all paperwork signed on the above matter.

L. DeVito asked if the board would entertain a motion to suspend the agenda to address Resolution 2024-07 prior to the next hearing. J. Belvin made a motion, seconded by E. Gmandt, to suspend the agenda. All in favor. Motion carried.

Resolutions

Resolution 2024-07 – Motion to approve Resolution 2024-07 granting conditional approval of the MCTA Lot Line adjustment plan.

J. Tressler explained the MCTA plan and after an in-depth review, recommended it to the board for consideration. E. Gmandt asked if any neighboring property owners were present and objected to the joinder. No one commented. J. Tressler stated that all easements of record remain in place.

J. Belvin made a motion, seconded by N. Leap, to approve Resolution 2024-07 granting conditional approval of the MCTA Lot Line Adjustment Plan. All in favor. Motion carried.

Hearing

Public hearing for consideration of an appeal of the Pocono Township Zoning Officer's denial of a Transient Dwelling Unit License renewal of Pocono Summit Holdings LLC, involving real property known as 205 Lake Dr.; Monroe County Tax Parcel I.D. # 12.14.1.10-1

J. Belvin made a motion, seconded by M. Velardi, to open the public hearing to consider an appeal of a denial for renewal of a Transient Dwelling unit license for Pocono Summit Holdings LLC at 205 Lake Drive. All in favor. Motion carried.

L. DeVito explained the purpose of the hearing.

After lengthy testimony, the hearing was continued to Wednesday, May 15th at 6 P.M.

Five-minute recess

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the April 1, 2024, regular meeting.

- General Fund budget adjustments in the amount of \$103,659.00 for the purpose of providing additional funding for the following line items: To fund the new township complex interest line.
- Capital Fund budget adjustments for the following: To fund the LSA Grant and Police Expenditure.
- Financial transactions through April 16, 2024, as presented, including ratification of general fund expenditures, sewer operating expenditures and gross payroll, vouchers payable, sewer operating expenditures, construction fund expenditures, and capital reserve expenditures.

J. Belvin made a motion, seconded by M. Velardi, to approve the consent agenda. E. Gnandt asked for a few corrections in the minutes pertaining to the SBA Tower submission along with the Aggregate Bid process. After a discussion including L. DeVito and P. Briegel the minutes will be amended to reflect the correction. All in favor. Motion carried.

NEW BUSINESS – None

Travel/Training Authorizations - None

Commissioner Comments

Richard Wielebinski – President

R. Wielebinski made a motion, seconded by M. Velardi, to advertise the hearing for an amendment to the manager ordinance at our May 20th meeting , Roll Call vote: J. Belvin, abstain; E. Gnandt, no; N. Leap, yes; M. Velardi, yes; R. Wielebinski, yes. Motion carried.

Jerrod Belvin – Vice President

- Motion to award 2024 Paving and Sealcoating Bids (Action Item) – No action was taken.

Paving Bid Results:

Wayco Inc – 459,229.40
M&J Excavation - \$475,540.00
James D. Morrissey - \$478,823.00
H & K Group - \$493,264.00
Northeast Site Contractors - \$494,111.75
Bracalente Construction - \$521,116.55

Discussion was had regarding references from all bidders and the award will be made at the next BOC meeting May, 6th.

Seal Coating Bid Results:

Midland Asphalt Materials - \$227,540.00
Asphalt Maintenance Solutions - \$252,822.30
Wayco Inc.- \$311,318.44

- Emergency Management Update – We will continue to work with the County on the 2025 Hazard Mitigation Plan. I attended the TIMA conference this past week that was held at the PSATS conference.
- Update – Archer Lane has attained council. S. McGlynn stated James Archer is in poor health and his son is taking over. Working toward a resolution prior to hearing.
- Green Light Go – Equipment is installed, networking is still in construction phase, extension will be necessary through PennDOT
- Update – Laurel Lake Dam – No new updates.
- Pocono Township’s J. Gambino presented at the PSATS conference on fund raising. She received accolades for her presentation and has been asked to present again next year.

Ellen Gndt – Commissioner

Expressed her thoughts about considering starting the advertisement for a new manager to allow time to vet the applicants. She asked for feedback from the board with no comments.

Natasha Leap – Commissioner – None

Mike Velardi – Commissioner - None

Reports

Zoning

Butz property on 2113 Route 611 – 30-day window ending for compliance has lapsed. Looking to the board for permission to file a second judgement. Zoning will look into the lease of the cell tower to garnish for payment of the first judgement.

Archer Lane- Moving forward toward resolution.

Railroad- Pocono Logistics – the only outstanding item is to close out the Land Development Plan approval which J. Tresslar is staying on top of.

Zoning has many enforcement actions in place.

R. Wielebinski asked for an update on the property off of Birchwood off of Cherry Lane, pending civil complaint regarding Sea castle, expecting list to remediate the problem (possible demolition),

Police Report - None

Ambulance Report - None

Fire Report – Assistant Chief Cory Sayer – 133 calls for the first quarter that were responded to. 294 hours of volunteer services on the calls. 5 people have completed the national registry for vehicle rescue and 6 people have completed the national registry for hazmat calls.

Public Works Report

- We received two additional lean payments on properties.
- TLC park, BCRA got the critical portion of water line installed under our delivery pipe in the upper pond. PSATS – The crew appreciated the support in attending.
- Tasa project forwarded to J. Tressler to review the inspector proposals we received. Now working with A. Montgomery on getting the Appraisers lined up.
- Continuing to look into the aggregate bid questions.
- R. Wielebinski asked if the Axe Throwing venue on 611 is hooked up to the sewer. They are not connected but are being billed. They need to move forward with getting hooked up. L. DeVito will look into addressing the situation. E. Gndt commented on the situation and what the policy is. P. Briegel stated that there was concern regarding the SEO feeling that the on lot may not be able to handle the volume.

Township Engineer Report

- Sewer Business Update. Some maintenance items and reviews are being done on new submissions.
- Learn Road safety enhancement project and roundabout survey work. Still Working to get files released.
- Turkey hill has finalized their sidewalk plans, and we should have them soon.

Township Solicitor Report

- Sewer Business Update. P. Briegel, M. Gable and I have a phone conference April 24th to discuss an update report received from Tobyhanna Township regarding Kalahari and I should be reporting at our next meeting.
- Paradise water & sewer service update: The Delaware water and sewer basin didn't allow the Hawthorn Development to be included in the BCRA's 5 yr. update to their service plan. The BCRA was still interested in if we were willing to provide sewer service if they were to provide water. The difference is that we would need affirmative action by the board that expanding our sewer into Paradise township would be something we would be interested in investigating. An agreement between Pocono and Paradise twps. would need to be made. Is this something the board would like to consider? R. Wielebinski, J. Belvin, N. Leap, M. Velardi, would be interested, E. Gmandt felt we would need more information. L. DeVito commented further assist with her concerns.
- Letter received from Attorney Andrew Wolf pertaining to the enforcement notices received for the Butz Trust property in Swiftwater. We are ready to move on enforcement action.
- General legal update.
- Update – Johnson Appeal Supreme Court petition. Petition for leave was submitted. Letter of no-reply was received from Attorney MacDonald. No new updates since the last meeting.

Public Comment

Steve VanAuken (Resident)– 585 Railroad, concerns and the status of the issues being addressed. Also, the number of trucks hauling scrap metal along with the speed they are driving along Railroad. The road is taking a beating from the truck traffic. Can the township do anything? Discussion was had by the board, engineer, and solicitor on possible options to limit truck traffic on that road.

Adjournment

J. Belvin made a motion, seconded by M. Velardi, to adjourn the meeting at 10:14 p.m. All in favor. Motion carried.