

**Pocono Township Board of Commissioners
Regular Meeting Minutes
June 17, 2024 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on June 3, 2024 and was opened by President Richard Wielebinski at 6:04 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Patrick Briegel, Public Works Director; Leo DeVito, Township Solicitor; Amy Montgomery, Engineer; Lindsay Scerbo – via Zoom, Zoning Officer; James Wagner, Chief of Police; Jennifer Gambino, Admin Assistant.

Public Comment

Cheryl Parks (Resident) Expressed her concern regarding the Variance for the Kennel on Ruby Lane. Stated her camera's are picking up the comings and goings on the road and to the Kennel. People are turning around in her driveway. She is questioning the transcripts vs actual activity at the property where the Kennel is located.

Karen Doleiden (Resident). Stated that both owners speed down the road. Concerned about an accident.

Betty Malone (Resident) Post Hill Rd residents need help regarding speed limit signs, drag racing on the road, accidents due to reckless driving. R. Wielebinski stated we would check the township records for speed limit designation.

Perry Christensen (Resident) expressed her view regarding a firearms ordinance and what was proposed by the board.

Cory Snell (Resident) expressed his view on a number of matters.

Heather Snell (Resident) is concerned about the firearms ordinance and the way it is written at this point.

Carl Soutr – (Resident) is concerned about the firearms ordinance but is not going to wait to see and hear the amended version.

Pete Bagley (Non-Resident) Questioned the reason for the firearms ordinance and the way it's being handled.

Biafra Jessica (Resident) – Questioned the Ordinance and its advertising.

Teresa Pesce – Advertising of meetings – Ordinance draft, what is advertised vs what took place needs clarification.

Announcements

- An executive session was held on May 12th and prior to this BOC meeting to discuss personnel and litigation matters.

Presentations

Pocono Mountain United Way for trails enhancement at Mountain View Park – Alessandra, Director of Research Development. Born learning trail – activity path for young children to encourage learning opportunities. TLC park is an option also for this type of outdoor activity.

Fountain Court Fire Loss – Attorney Jeff Durney – Genesis International is looking for guidance on the reconstruction of the site. Timing is an issue due to its non-conformity. They are asking for the board to consider an extension of time to submit the zoning permit application. L. DeVito stated there are two Options. A) submit a request for relief with the zoning hearing board or, B) submit application within one year basically to act as a place holder. The board doesn't have the authority to grant an extension due to this zoning condition.

Resolutions -

Resolution 2024-10 – MPMS 79473 – Agreement 05U414 – E. Gnant made a motion, seconded by R. Wielebinski to table the Resolution. All in favor. Motion Carried.

Resolution 2024-11 – MPMS 79473 – Agreement 05U461- E. Gnant made a motion, seconded by R. Wielebinski to table the Resolution. All in favor. Motion Carried

Resolution 2024-13 – Spirit of Swiftwater Phase 2 Conditional Approval – R. Wielebinski made a motion, seconded by M. Velardi to deny Resolution 2024-13 for failure of the developer to comply with Pocono Township's open space requirements, as set forth in the SALDO Ordinance, unless the developer grants to Pocono Township an extension of time to act on its plan on or before June 28, 2024. All in favor. Motion carried.

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the June 3, 2024 regular meeting.
 - Sewer Operating Budget Adjustment to reflect additional funding to cover Emergency repair Valve 2 in the amount of \$47,340.00.
 - Financial transactions through June 11, 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.

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

NEW BUSINESS – None

Commissioner Comments

Richard Wielebinski – President

- R. Wielebinski made a motion, seconded by M. Velardi, to open the agenda to discuss Post Hill Rd Regarding Speed Signs. A review of the records is requested for the speed limit.
- R. Wielebinski made a motion, seconded by B. Winot, to authorize an engineering study to be done on Post Hill Rd. to determine the speed that should be posted according to the township and PennDOT regulations. All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by N. Leap to advertise the open position as an alternate with the Zoning Hearing Board on all platforms. All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by N. Leap, to approve the nonprofit for Pocono J.A.M.'s waiver of fee for Pavilion #2 rental at Mountain View Park. All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by E. Gnant, to approve the Great Wolf Fireworks display application. All in favor. Motion carried.
- M. Velardi made a motion, seconded by N. Leap, to waive the zoning fee for the permit application for Our Lady of Victory church's banner over Route 611. All in favor. Motion Carried.
- R. Wielebinski made a motion, seconded by E. Gnant, to approve the Trapasso Hotel Development construction escrow release in the amount of \$144,730.80. B. Winot abstained. All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by M. Velardi, to approve the Manager's contract for Jerrod Belvin at a salary of \$130,000.00 per year, and make it retro-active to his first day on the

job 6/5/24. Discussion: E. Gndt stated the public has a right to know the amount of the salary. E. Gndt, Nay; Motion carried.

Natasha Leap – Vice President

- 440 Cherry Lane – L. Scerbo stated that the property owner requested an extension. Zoning is on board with filing a civil complaint. N. Leap asked for information on a timeline from initial notice. N. Leap made a motion, seconded by M. Velardi, to file a Civil Complaint against the owners of 440 Cherry Lane. E. Gndt asked how many days they have been given to comply. L. Scerbo stated (30) days. Further discussion was had. All in favor. Motion carried.
- 175 Laural Lake Rd. – N. Leap requested follow-up on the property as it is a civil matter in appeal. Due to a type “o” the process may need to be restarted. Zoning will be sending out a draft for review by the solicitor, prior to refiling.
- N. Leap made a motion, seconded by M. Velardi, to open the agenda to discuss the parks committee. All in favor. Motion carried.
- Park Committee for the township – discussion was held. L. DeVito outlined how this should be handled. It will be set up as an advisory board to start. N. Leap made a motion, seconded by M. Velardi to advertise for 5 positions, plus a commissioner liaison, as a recommending body to assist in the facilitation of township parks and recreation facilities. All in favor. Motion carried.

Ellen Gndt – Commissioner

- SBA Cell Tower review – No new updates
- Ruby Lane - E. Gndt stated that the Kennel is up and running. L. Scerbo stated that they have an inspection scheduled for next week. Just waiting on two of the puppies to recuperate from being ill, prior to entering the home for inspection.
- Solar Field – A. Montgomery stated they had previously been cited by the Conservation District, which has been resolved and are currently working per the conservation districts specifications regarding ground cover prior to moving to the next phases.
- E Gndt stated that she received a complaint for Alger Avenue’s speed limit signs to go in both directions instead of just one.
- E. Gndt feels a nuisance ordinance all incumbencies would address most of the neighborhood complaints instead of a firearms ordinance. Discussion was held. E. Gndt made a motion, seconded by R. Wielebinski, to open the agenda. All in favor. Motion carried.
- E. Gndt made a motion, seconded by R. Wielebinski to have L. DeVito, Solicitor, draft a nuisance ordinance encompassing the firearms points. All in favor. Motion carried.
- E. Gndt made a motion, seconded by N. Leap, to re-open the agenda. All in favor. Motion carried.
- E. Gndt made a motion, seconded by R. Wielebinski to rescind the motion to not allow a temporary C.O. permit for Wawa, All in favor. Motion Carried.

Mike Velardi – Commissioner

- Hemlock and Hemlock property – Mr. Fortune stated he hired a personal home inspector, and he determined that the property was safe. Zoning advised the property owner to seek legal counsel on the matter. The deadline to come into compliance is up on the 25th of this month and the manager and solicitor have been notified.

Brian Winot – Commissioner

- B. Winot is working on a Sewage reservation fees project that he will eventually present to the board. B. Winot also asked what the potential use will be of the historic building the township just purchased. R. Wielebinski stated it is the intention to move the library and possible community center to that location.

Reports

Zoning – (Lindsay Scerbo)

- Wine Press Inn – After research into correspondence with the owner and Taylor Munoz, it confirms that he was in receipt of the notice and would be making improvements to rectify the violations. Discussion was held on this matter with regard to reaching out vs civil action.
- We received a number of hearing applications, two of which were zoning variance requests & two public hearing requests.

Police Report – (Chief J. Wagner)

- 1224 calls for service, 30 criminal arrests, 17 traffic arrests, 534 traffic contacts, and 34 motor vehicle accidents that were investigated for the month.
- New Hire situation, five applicants, three showed up for the written exam, one failed, two passed the physical agility test. The first round of oral interviews will be held June 25th.

Ambulance Report - None

Fire Report – None

Manager Report – (Jerrod Belvin)

- 611,715 realignment resolutions have been tabled and were to go out for bid in July but has been pushed back.
- E. Gndt made a motion, seconded by M. Velardi, to authorize the Board of Commissioners president/ vice president to sign off on the PennDOT 611, 715 Traffic signal realignment plan. All in favor. Motion carried.
- Emergency Management update: A meeting was held last Wednesday regarding the county hazmat plan rewrite and is getting close to the public input aspect which will be open in August. They plan on attending a few of our concerts in the park and food truck events for input from the public.
- Laural Lake Dam – No update
- Green light go has now pushed back completion date from July to September 24, 2024.
- Senator browns Office has informed the township they are approved for the LSA grant for the new walking bridge at TLC park in the amount of \$225,000. A Thank you letter has been sent out.
- Volunteer issue - volunteer firemen. We have two options to assist. (1) waive the township tax. (2) give them the EIT rebate which would equal \$250/yr. as a max.
- R. Wielebinski made a motion, seconded by M. Velardi, to have the township manager and the township solicitor work with the Pocono Township Volunteer Fire Department 34 trustees to enact an ordinance to provide EIT and Real Estate Tax Credit for a volunteer service credit program. Discussion: J. Belvin explained the way it would work and has worked in other township's. C. Sayre commented that it could assist in getting more volunteers. All in favor. Motion carried.
- Pocono Township has completed the closing process on the old NCC complex as of June 6, 2024. J. Belvin will be meeting with Matthew McQuaide, Architect this week to discuss the new floor plans and first phase of construction.

Public Works

- Discussion of the options for sewer service at the NCC location.
- Road crew update: continue to patch in driveways and replace driveway culverts. Demo of an Asphalt zipper, pre-con meeting being scheduled for road paving projects that are scheduled for July

8th and 15th. Asphalt projects to begin the middle of July and the Chip and Seal will be towards the end of the month, beginning of August. Both projects to be completed by the middle of August.

- MVP gate construction to start next week. This project should be completed within 2-3 weeks. Splash pad is being repaired. N. Leap asked about the gate functions and abilities. P. Briegel explained the process for now and the future. Discussion was held regarding fee's and future upkeep.
- R. Wielebinski asked about the paving and speed tables, discussion was held.

Township Engineer Report

- Roundabout project is progressing, PPL will be coming up with a cost on moving the pole that is in the middle of the property. Jon will be doing some research on this matter.
- Sidewalk project – formatting the drawings into PennDOT standards to bid out.
- Bridge inspection issues are being addressed and a action plan is being worked on. Discussion was held.

Township Solicitor Report

- General Sewer update: executive session was held discussing the primary sewer issues.
- The Hawthorne development is on hold at this time as per John Prevosnic
- Pocono places LLC continued to June 25th at 5 P.M.
- Johnson appeal – no new updates
- Archer Lane judgment was received. An engineer has been retained. Waiting on plans to address the drainage problem.

Public Comment

(Resident) Expressed her gratitude to the township for the efforts putting together the concerts in the park and all the community events.

Cheryl Parks (Resident) – expressed her frustration regarding vehicles utilizing her driveway to turn around. Upset that Kennel residents use their front porch with the dogs and drive in and out of their property a number of times a day. Questioning the trash they are disposing of. She expressed her disappointment regarding the Ordinance. She is keeping photographic files on this property.

Tom Gallagher (Resident) – Thank you for what is being done for the fire department.

A question was asked by someone if something could be done regarding lights shining in windows.

Jim Pellegrini – asked if the recording would be posted on the website.

Adjournment

R. Wielebinski made a motion, seconded by M. Velardi, to adjourn the meeting at 8:45 p.m. All in favor. Motion carried.