

**POCONO TOWNSHIP COMMISSIONERS**

**REGULAR MEETING MINUTES**

**FEBRUARY 18<sup>th</sup>, 2014 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on February 18<sup>th</sup>, 2014, at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Richard Wielebinski at 7:00 p.m. followed by the Pledge of Allegiance.

**ROLL CALL:** Richard Wielebinski, present; Jerry Lastowski, present; Tom Felver, present; Greg Hill, present; and Brad Wise, present. Township Solicitor Leo V. DeVito, Broughal & DeVito LLP, and Pamela Finkbeiner, Secretary; were present.

**ANNOUNCEMENTS:** Rich Wielebinski announced:

- 1) The Board of Commissioners met in Executive Session 02/18/2014 at 6:00 p.m. to discuss litigation matters.
- 2) The Pocono Township Planning Commission will meet on 02/24/2014 at 7:00 p.m.

**MINUTES:**

J. Lastowski made a motion, seconded by B. Wise, to approve the 02/3/2014 Commissioners meeting. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

J. Lastowski made a motion, seconded by G. Hill, to approve the 02/14/2014 Special Commissioners meeting minutes. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**ACKNOWLEDGE OF COMMENTS:** President Rich Wielebinski noted each visitor has the right to comment at this time or before any action is taken on a matter.

**REPORTS:**

**Pocono Township Volunteer Fire Company:**

Chief Mike Shay reported 29 calls in January. The Fire Company had 421 calls - approximately 4000 man hours - in 2013. The Board thanked Chief M. Shay for his report.

**Pocono Township Police Department:**

Chief Kent Werkheiser reported on the activities of the Police Department. A grant in the amount of \$4,800.00 was obtained to offset the cost of vests for the officers.

The Department is investigating copper thefts, and requested anyone to report thefts to the Police Department. He also advised the public of phone call scams, especially targeted at the elderly.

Maxine Turbolski re: what the public should do if they receive a scam call. Kent Werkheiser stated the public should call the Police Department and/or 911 to report it.

Diane Zwiefel comment on the vests and Swat Team response time. Kent Werkheiser stated on average the Swat Team can mobilize in 1 to 1 ½ hours. The Board thanked Chief K. Werkheiser for his report.

**TELVENT DTN, LLC CONTRACT:** Telvent/Scheider Electric provided a paid weather service to the Road Department. R. Wielebinski made a motion, seconded by G. Hill, to terminate the Telvent DTN/Scheider Electric contract as of 03/30/2014. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**JMC RESTAURANT GROUP:** Appeal of Court of Common Pleas ruling. Leo DeVito, Twp. Solicitor advised it may not be in the best interest of the Township to appeal the ruling. Instead the Township may pursue other options. J. Lastowski made a motion, seconded by R. Wielebinski, to not appeal the Court of Common Pleas of Monroe County, Order No. 6245 CV 2013 - JMC Restaurant Group, Inc. vs. Pocono Township Zoning Hearing Board, 01/29/2014. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**TOWNSHIP MANAGER ORDINANCE:** The draft ordinance was reviewed by David Wolgom, Lafayette College - Meyner Center. B. Wise made a motion, seconded by T. Felver, to authorize the Twp. Solicitor to advertise the Pocono Township Manager Ordinance. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**POCONO TOWNSHIP METLIFE PENSION PLANS - Appointment of Trustee -** R. Wielebinski made a motion, seconded by G. Hill, to appoint Tom Felver, as Trustee to Pocono Township Metlife Pension Plans. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**POCONO TOWNSHIP CLEAN UP DAYS - Spring Cleanup - May 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup>, and Fall Cleanup - September 25<sup>th</sup>, 26<sup>th</sup>, and 27<sup>th</sup>, 2014.** Jerry Lastowski questioned if fall dates coincide with Community Days. Frank Froio noted the Community Day could be rescheduled. J. Lastowski made a motion, seconded by R. Wielebinski, to authorize Pocono Township Clean up days to be held on the week of the first Saturday in May - 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup>, 2014 and the last Saturday of September - 25<sup>th</sup>, 26<sup>th</sup>, and 27<sup>th</sup>; Hours: 7:30 a.m. to 3:00 p.m. each day. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

#### **TIME EXTENSIONS:**

The Board acknowledged the receipt of Time extension letters from:

- a) The Spirit of Swiftwater - Residential and Hotel, until 03/04/2014. Anthony Maula, Developer, noted he is willing to submit an additional Time Extension letter if needed.
- b) Trap Enterprises Desaki Hotel Project - until 05/08/2014.
- c) Trap Enterprises Rt. 611 Project (Convenience Store/Daycare) - until 05/08/2014.

**MT. VIEW PARK BOARD:**

Four (4) letters of interest were received. Jerry Lastowski and Greg Hill noted the board did not interview the potential appointments. Charlie Trapasso, Mt. View Park Board secretary spoke concerning the appointments. The Board requested Frank Froio to advertise openings for the Park and Recreation Boards and schedule interviews with the parties interested in serving on the Park Boards. No action taken.

POCONO TOWNSHIP COUNCIL OF GOVERNMENTS: T. Felver made a motion, seconded by J. Lastowski, to approve membership and pay the annual \$200.00 membership fee to Pocono Mountain Council of Governments. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**PERSONNEL SUSPENSION DECISION:**

G. Hill made a motion, seconded by J. Lastowski, to approve an unpaid, disciplinary, suspension from 02/15/2014 to 02/28/2014 for Pocono Township Police Officer, Christopher Gupko, and authorize the President to send a letter stating the suspension. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, abstained; G. Hill, yes; and B. Wise, yes. Motion carried.

**BILLS:**

R. Wielebinski made a motion, seconded by B. Wise, to approve the Bills list of 02/18/2014. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

J. Lastowski made a motion, seconded by T. Felver, to approve the Telecommunication bills list of 02/18/2014. Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**PUBLIC COMMENT**

Diane Zweifel re: NCC request for retainage of former Twp. Attorney. Leo DeVito, Twp. Solicitor, noted there should not be delays to the project due to the change of Solicitors.

Linda Kresge, Ramona Shupp, and Scott Gilliland, re: traffic gridlock on Sullivan's Trail, and backups on Routes 715, 611, and 80, during the holiday weekend.

Brad Wise noted Route 611 is scheduled to be upgraded from Scotrun to Swiftwater (2015) and plans for improvement to the Route 80 ramps and alignment of Route 715 are ongoing.

Kent Werkheiser and Jerry Lastowski noted the backup started with an accident on Route 80.

Harold Werkheiser re: Camelback's responsibility to help improve traffic.

Charlie Cilurso requested the Township help clear the entrance to the Ambulance Building.

**COMMENTS CONT:**

Diane Zweifel re: process for a Police Officer filing an appeal. Leo DeVito explained an Officer can appeal to the Civil Service Commission or the Board of Commissioners under the Police Contract.

Leo DeVito, Twp. Solicitor explained the purpose of a Vacancy Board. The Board requested Frank Froio to advertise for the position.

Leo DeVito, Twp. Solicitor re: review of the proposed Tax Collector's ordinance.

**EXECUTIVE SESSION AND ADJOURNMENT:**

R. Wielebinski made a motion, seconded by T. Felver, to convene the meeting into executive session to discuss labor contracts and adjourn the meeting at 8:05 p.m. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Respectfully submitted

Pamela Finkbeiner  
Secretary