

POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING
JUNE 2, 2014 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on 06/02/2014, 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.

Richard Wielebinski introduced Pocono Township's new manager, Gregg Schuster.

ROLL CALL: Rich Wielebinski, present; Jerry Lastowski, present; Tom Felver, present; Greg Hill, present; and Brad Wise, present.

Township Solicitor Leo V. DeVito, Broughal & DeVito LLP; Tim Edinger, T&M Associates; and Pamela Finkbeiner, Secretary; were present.

ANNOUNCEMENTS

Moment of Silence for former Planning Commission member Scott Ewing, who passed away recently.

Board of Commissioners met in Executive Session on May 19, 2014 (8:40 p.m.) regarding litigation.

HJP Park Board Meeting on June 5, 2014 (11:00 a.m.).

Planning Commission Meeting on June 9, 2014 (7:00 p.m.).

Mountain View Park Board Meeting on June 10, 2014 (7:30 a.m.).

MINUTES: B. Wise made a motion, seconded by J. Lastowski, to approve the minutes of the 05/15/2014 regular Commissioners meeting. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, abstained; and B. Wise, yes. Motion carried.

T. Felver made a motion, seconded by G. Hill, to approve the minutes of the 05/19/2014 Special Commissioners meeting. Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

BILLS AND TRANSFERS

G. Hill made a motion, seconded by R. Wielenbinski, to approve the check listing, dated 06/02/2014 (excepting all tele-communication bills). Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

T. Felver made a motion, seconded by G. Hill, to approve check listing, dated 06/02/2014 (tele-communications bills). Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

BILLS AND TRANSFERS CONT:

J. Lastowski made a motion, seconded by G. Hill, to authorize payment of \$700.00 Beyer-Barber invoice from Police Pension Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

T. Felver made a motion, seconded by G. Hill, to authorize payment of \$100.00 Beyer-Barber invoice from the Police Pension Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

AMENDMENTS TO AGENDA

L. DeVito, Twp. Solicitor, amended the agenda (Administration E.) to include a letter from Monroe Career and Technical Institute.

PUBLIC COMMENT:

Maxine Tuboski, Twp. resident, re ZHB scheduling and announcements. L. DeVito, Twp. Solicitor noted the ZHB does advertise meetings in various ways.

Emilio Paletta, Twp. resident, re: illegal signs. L. DeVito, Twp. Solicitor explained the Township is in the process of pursuing illegal signage.

Emilio Paletta questioned Kalahari's traffic on Pocono Township roadways. J. Lastowski suggested he contact Phyllis Haas, Tobyhanna Township Manager, for more information.

Dennis Purcell, Twp. resident, re: PPL damage to roadway.

REPORT OF THE PRESIDENT None**COMMISSIONERS COMMENTS**

Jerry Lastowski, Vice President, noted a meeting was held with Kalahari concerning construction and Rte. 314 roadway work. A copy of the plans are available at the Township.

Workman's Comp coverage for Pocono Township Firemen for training and 'off-call' activities. At present firemen are not covered for activities other than call outs. The Fire Company has requested the Township consider additional coverage for when volunteers are maintaining the trucks, training, and events.

J. Lastowski made a motion, seconded by T. Felver, to request the Township Manager, research the Workman Comp policy for additional coverage for the Pocono Township Fire Company. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Thomas Felver, Commissioner, no comment.

Gregory Hill, Commissioner, no comment.

Bradley Wise, Commissioner,

- 1) A pre-construction meeting was held with Kalahari Resort concerning sewerline construction.
- 2) Meeting with Tim McManus, Solicitor; Mark Ambrose, Engineer; and Jerry Lastowski, re: agreement with BCRA for billing and collection for the sewer project.

PRESENTATION

Fiscal 2013 Audit Summary, Julian Kirk, C.P.A., LLC, gave a summary of findings for the 2013 Audits. T. Felver suggested the Township change to an accrual accounting instead of cash based accounting.

HJP Park - Harold Ernsberger, Executive Director HJP Park & Open Space Commission, gave an overview of the HJP Commission and HJP Park located on Golden Slipper Road, Bartonsville. T. Felver questioned the structure of the HJP Park Commission. Jack Rader, Supervisor Jackson Township and member of the HJP Park Commission, stated the Commission was created by an intergovernmental agreement between Hamilton, Pocono and Jackson Township with involvement of both Stroudsburg and Pocono School districts. The Board requested G. Schuster to review the intergovernmental agreement. Charlie Trapasso, Twp. Resident and President of the Mt. View Park Board, spoke in favor of HJP Park.

J. Lastowski thanked Harold and Kim Ernsberger for the presentation.

APPOINTMENTS - BOARD, COMMISSIONERS AND COMMITTEES

Civil Service Commission Alternates (3) - No appointments

HJP Park Commission

PJJWA Board - 2 members are needed.

R. Wielebinski made a motion, seconded by T. Felver, to appoint Randy Peechatka to the PJJWA Board. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

The Board requested applicants be scheduled for interviews at 6:00 p.m., before the next meeting on 06/16/2014.

ORDINANCES

Ordinance for amendment to Article VIII of the Police Pension Ordinance. L. DeVito, Twp. Solicitor, noted the Ordinance had been advertised and made available to the public at the Township office. He opened the meeting to public comment. No comments were heard. T. Felver made a motion, seconded by G. Hill, to approve Ordinance No. 2014-04 - Amendment to Article VIII of the Police Pension Ordinance to comply with IRS revenue rule 81-100. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried

ORDINANCE CONT:

Ordinance amending the Pocono Township Subdivision and Land Development (SALDO) - to require applicant to pursue approval of preliminary plans. L. DeVito, Twp. Solicitor, noted the ordinance is under review by the Monroe County and Pocono Township Planning Commissions.

Ordinance regulating second hand dealers / pawn shops - L. DeVito, Twp. Solicitor, noted he spoke with Police Chief Kent Werkheiser concerning the need for the ordinance.

Ordinance revising Pocono Township Park and Recreation Board - L. DeVito, Twp. Solicitor, noted he is still reviewing the ordinance based upon the Board's comments.

DEVELOPMENT

Resolution 2014-xx granting conditional preliminary plan approval for The Spirit of Swiftwater, Inc. Phase I Residential Modification. A Time Extension letter was received until 07/07/2014. J. Lastowski made a motion, seconded by B. Wise, to table Resolution 2014-XX granting conditional preliminary plan approval for the Spirit of Swiftwater, Inc. Phase I Residential Modification. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Resolution 2014-23 granting conditional preliminary plan approval for The Spirit of Swiftwater, Inc. Phase II Hotel. Discussion followed. The Board concurred to amend the Resolution comments 4,5,6, and 12 to reflect Final plan approval requirements. B. Wise made a motion, seconded by R. Wielebinski, to approve Resolution 2014-23 granting conditional preliminary plan approval for the Spirit of Swiftwater, Inc. Phase II Hotel with amendments to Comments 4,5,6 and 12. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Security Release for Four Season's at Camelback, LP - T. Edinger, Twp. Engineer, recommended the release. R. Wielebinski made a motion, seconded by T. Felver, for the Security Release for Four Season's at Camelback, LP irrevocable letter of credit in the amount of \$117,875.17 for site work. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

ADMINISTRATION

Friends of HJP Park - Request for use of TLC Park on August 28, 2014 for annual fundraising event. R. Wielebinski made a motion, seconded by B. Wise, to approve Friends of HJP Park's request of use of TLC Park on August 23th, 2014. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

ADMINISTRATION CONT:

Western PA Conservancy - Request access to Township property for survey of biological resources. B. Wise made a motion, seconded by J. Lastowski, to approve the request of access to Township property for the survey of biological resources conditioned it is for access to Pocono Township property, and the Township will be notified of the dates. Roll call vote: R. Wielebinski, no; J. Lastowski, yes; T. Felver, no; G. Hill, yes; and B. Wise, yes. Motion carried.

NEPA - Discussion of Red Light Enforcement Grant opportunity. The grant is for interrupter devices to be installed in all emergency vehicles. Interrupters are used to clear intersections by turning signals to green. Grant deadline is 06/30/2014. J. Lastowski will contact the Pocono Township Fire Company to see if they can proceed with the grant.

In-place paving and road maintenance projects for 2014. Discussion followed. R. Wielebinski made a motion, seconded by B. Wise, to authorize the Twp. Manager to bid out the paving of portions of Summit Road, Cherry Lane Church Road, Laurel Lake Road, and Beelher Road for a total of 43,144 square yards, and received Bid price from Paradise for a portion of Burton Road, estimated total of approximately \$565,543.50. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

PUBLIC COMMENT None**STAFF AND DEPARTMENT REPORTS**

Leo DeVito, Twp. Solicitor:

- A) MOU with Monroe County Career Technical Institute for police services - L. DeVito, Twp. Solicitor, noted the Township has provided police services through a Memorandum of Understanding to the school. The School reimburses the Township at a rate of \$72.00 per man hour. G. Hill made a motion, seconded by R. Wielebinski, to recognize the Township will provide a resource Police Officer to MCCTI subject to reimbursement and conditioned upon a review of the MOU and reimbursement rate. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.
- B) Kopelson Conditional Use Hearing - to be confirmed.
- C) PFM meeting is to be scheduled.
- D) DOLI Contractor - Sewer committee and Doli to meet to close out contract in early July.
- E) PACT TWO - Sewer committee to meet to close out the contract.

Tim Edinger, Twp. Engineer:

A) Inspection Report on the TLC foot bridge - estimated cost to repave the bridge is \$1,800.00 to \$2,000.00, full restoration of the bridge is estimated at \$68,000.00. No action taken.

B) Camelback Bridge draft letter to engineer to request additional information on the bridge work.

COMMENTS

Greg Hill - Front Foyer repair - Dennis Schmoyer was hired to renovate the front foyer. The work has not been started. G. Hill suggested the contract be cancelled and the deposit returned. Frank Froio will contact Dennis Schmoyer as to the status of the work.

Josh Angle, Twp. resident, noted some window and door orders can take up to two months to receive.

EXECUTIVE SESSION AND ADJOURNMENT

R. Wielebinski made a motion, seconded by G. Hill, to adjourn the meeting into executive session at 10:10 p.m., until the next meeting on 06/16/2014, at 7:00 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