

POCONO TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING

JULY 7th, 2014 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on 07/07/2014, 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: Rich Wielebinski, present; Jerry Lastowski, present; Tom Felver, present; Brad Wise, present; and Greg Hill, present.

Leo V. DeVito, Broughal & DeVito LLP, Twp. Solicitor; Tim Edinger, T&M Associates, Twp. Engineer; Gregg Schuster, Twp. Manager; and Pamela Finkbeiner, Secretary; were present.

Josephine Hollman, Court reporter, was present.

ANNOUNCEMENTS:

Board of Commissioners interviewed potential appointments on July 7, 2014 at 6:00 p.m.

Planning Commission Meeting on July 14, 2014 (7:00 p.m.).

MINUTES

J. Lastowski made a motion, seconded by G. Hill to approve the Commissioners regular meeting minutes of 06/16/2014. 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 Commissioners' special meeting - Kopelson Conditional Use - 07/01/2014. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, abstained; and B. Wise, abstained. Motion carried.

BILLS AND TRANSFERS

B. Wise made a motion, seconded by T. Felver, to approve the Check Listing, dated 07/07/2014 (excepting all tele-communication bills and Central Pocono Ambulance check). Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

B. Wise made a motion, seconded by G. Hill, to approve Check Listing, dated July 7, 2014 (tele-communications bills) and Central Pocono Ambulance quarterly payment conditioned upon an agreement between the Township and Central Pocono Ambulance before the next payment is requested. Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, no; G. Hill, yes; and B. Wise, abstained. Motion carried.

COMMENTS:

Diane Zweifel, Twp. resident, re: line painting of newly paved roadways.

COMMENTS CONT:

Maxine Turbolski, and Sharon Klingel, Twp. residents, commented on the recent traffic gridlock on Route 611 and Route 80.

John Grossi, property owner, questioned the cost of Twp. engineer fees for a lot line adjustment. He noted he felt they were unreasonable and will dispute the fees charged by the Township.

Cheryl Parks, Twp. resident, concerns over the proposed timber harvesting on Stadden Road and the drainage pipe on Stadden Road that diverts water onto Ruby Lane.

T. Edinger, Twp. engineer, noted the Katz Timber Harvest has a DEP and MCCD Permit to harvest the property. R. Wielebinski will request the road foreman to inspect the drainage pipe.

COMMISSIONERS COMMENTS

Jerry Lastowski, Vice President, noted he is working on the Workman's comp coverage for the Fire Company Volunteers.

Tom Felver, Commissioner, no report.

Greg Hill, Commissioner, commented on the traffic problems in the area noting the Emergency responders did the best they could in a difficult situation. He thanked the Fire, Police, and Ambulance companies for all their efforts during the Hazmat spill and holiday backups.

Brad Wise, Commissioner, no report.

APPOINTMENTS AND RESIGNATIONS - BOARD, COMMISSIONERS AND COMMITTEES**CIVIL SERVICE ALTERNATE APPOINTMENTS:**

Resolution No. 2014-26 - Civil Service Alternate Appointment - R.

Wielebinski made a motion, seconded by G. Hill, to approve Resolution No. 2014-26 appointing Roland Cheesman as Alternate to the Civil Service Commission for a six (6) year term. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Resolution No. 2014-27 - Civil Service Alternate Appointment - R.

Wielebinski made a motion, seconded by G. Hill, to approve Resolution No. 2014-27 appointing John (Jack) Burns as Alternate to the Civil Service Commission for a six (6) year term. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

ZONING HEARING BOARD APPOINTMENTS:

Resolution to appoint Mark Love and Steve Chaladoff to the Zoning Hearing Board. Discussion followed. G. Hill made a motion, seconded by R. Wielebinski, to table the Resolutions to appoint Zoning Hearing Board members. Roll call vote: R. Wielebinski, yes; J. Lastowski, no; T. Felver, no; G. Hill, yes; and B. Wise, yes. Motion carried.

APPOINTMENTS CONT:

BOARD OF COMMISSIONERS ANTICIPATED VACANCY: Open discussion on the process to choose a new commissioner when Gregg Hill resigns.

ORDINANCES

Ordinance 2014-05 - amending the Pocono Township Subdivision and Land Development (SALDO) to require applicant to pursue approval of preliminary plans. Josephine Hollman, Court reporter, was present.

R. Wielebinski opened the Hearing. L. DeVito noted the ordinance had been advertised and posted. The Pocono Township Planning Commission and Monroe County Planning Commission comments were received.

Jane Cilurso, Twp. resident, questioned the two year period.

Anthony Maula, Twp. developer, questioned what would deem a plan 'inactive'.

Hearing no other comments, R. Wielebinski closed the hearing.

R. Wielebinski made motion, seconded by T. Felver, to approve Ordinance No. 2014-05. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Ordinance regulating second hand dealers / pawn shops - L. DeVito, Twp. Solicitor noted the meeting had not been advertised. No action taken.

Ordinance to revise the Pocono Township Park and recreation - R. Wielebinski opened the hearing. L. DeVito, Twp. Solicitor, noted the ordinance had been advertised and posted. R. Wielebinski suggested the Township can use the services of Harold Ernsberger to manage Pocono Park lands. Jack Rader, Jackson Twp. Supervisor, noted the use of Harold Ernsberger as Park director is included in the HJP Park agreement. Alex Grum, Twp. resident/Park board member, requested the Board to consider the Park Board comments. Charlie Trapasso, Twp. resident/Park board member, questioned the change to a recommendation board. She was concerned it would limit the Park Board's fund raising ability. G. Hill credited the Park Board for all their hard work, noting the Park Board would still be allowed to fund raise with approval of the Commissioners. R. Wielebinski noted the Commissioners wish to be advised of the activities of the Park board. Dean Hartshorn, Twp. employee/Park manager, noted in the past Mt. View Park has received donation from various business. The Board concurred to request L. DeVito, Twp. Solicitor, to revise the ordinance based on comments received, and re-advertise it for the 08/04/2014 Commissioner's meeting.

R. Wielebinski closed the hearing.

R. Wielebinski made a motion, seconded by J. Lastowski, to table the Ordinance to revise the Pocono Township Park and Recreation. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, no; G. Hill, yes; and B. Wise, no. Motion carried.

T. Felver noted the no vote was to save the additional cost to the Township.

RESOLUTIONS

Resolution 2014-31 - Our Lady of Victory Banner - R. Wielebinski made a motion, seconded by J. Lastowski, to approve Resolution 2014-31 - Banner placement on Rt. 611. Roll call vote: R. Wielebinski, yes; J. Lastowski, no; T. Felver, yes; G. Hill, no; and B. Wise, yes. Motion carried.

PLANNING AND ZONING

The Board of Commissioners is in receipt of Time Extension letter for the Kopelson Lot 1 PRD, Minor Subdivision, Commercial Development (Lot 3), and Conditional Use Plan, until 12/31/2014.

Tanalo Estates Planning Modules - R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the Secretary to sign the Tanalo Estate Planning Modules and forward them to DEP conditioned upon receipt of the Monroe County Planning Commissions completion of form . Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

DEVELOPMENT

Resolution 2014- 28 granting conditional preliminary plan approval for The Spirit of Swiftwater, Inc. Phase I Residential Modification - Marc Wolfe, Solicitor, Newman, Williams, Mishkin, Corveleyn, Wolfe & Fareri, P.C., represented the plan. The bridge will be constructed to the reserved parking area and note 2 of the resolution was revised to include "and as approved by the Township Engineer." G. Hill noted K&L Gates sent a letter dated 06/30/2014 on behalf of Sanofi Pasteur concerning traffic flow into the site. T. Felver stepped out of the meeting.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve Resolution 2014-28 - granting conditional preliminary plan approval for The Spirit of Swiftwater, Inc. Phase I Residential Modification, with revised note 2. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Camelback Security Reduction Request - T&M Associate's letter of 07/01/2014 recommended the release. J. Lastowski made a motion, seconded by R. Wielebinski, to approve the Bond Release Request #2 of Camelback Security Reduction in the amount of \$125,631.41. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

T. Felver returned to the meeting.

Resolution 2014-29 granting conditional plan approval for the Trap Enterprises Desaki Hotel Final Land Development Plan - Marc Wolfe, Solicitor, Newman, Williams, Mishkin, Corveleyn, Wolfe & Fareri, P.C. and David Horton, Pennoni Associates Inc., represented the plan. L. DeVito, Twp. Solicitor, noted the resolution was drafted based on the 05/21/2014 review letter. Discussion followed on traffic concerns in the area. R. Wielebinski made a motion, seconded by T. Felver, to approve Resolution 2014-29 granting conditional plan approval for the Trap Enterprises Desaki Hotel Final Land Development Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, no; and B. Wise, yes. Motion carried.

DEVELOPMENT CONT:

Resolution 2014-30 granting conditional plan approval for the Trap Enterprises Route 611 Final Land Development Plan - Marc Wolfe, Solicitor, Newman, Williams, Mishkin, Corveleyn, Wolfe & Fareri, P.C., and David Horton, Pennoni Associates Inc., represented the plan. L. DeVito, Twp. Solicitor, noted the resolution was drafted based on the 06/12/2014 Boucher & James Engineer's review letter. D. Horton noted Vincent Trapasso agreed to make improvements to the neighboring property concerning an existing trench but the landowner did not consent. T. Edinger, Twp. Engineer, noted the Township should notify the school district of the plan. R. Wielebinski made a motion seconded by J. Lastowski, to approve Resolution 2014-30 granting conditional plan approval for the Trap Enterprises Route 611 Final Land Development Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, no; and B. Wise, no. Motion carried.

Sewer Exemption Request for Trap Enterprises Route 611 Final Land Development Plan - R. Wielebinski made a motion, seconded by J. Lastowski, to approve the Sewage Exemption Request for the Trap Enterprise Route 611 Final Land Development Plan and authorize the President to sign. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

ADMINISTRATION

BCRA Billing Agreement - L. DeVito, Twp. Solicitor, noted there were concerns with the phrasing of the 15% charge for billing. Clarification will be made. T. Wielebinski made a motion, seconded by J. Lastowski, to table the BCRA Billing Agreement. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

PERSONNEL

Request for wage increase for park workers - Discussion followed. G. Hill suggested the raises should be based on evaluations in the future. J. Lastowski made a motion, seconded by R. Wielebinski, to approve the request of a .40 cent raise to Morgan James, James Boyle, and Jack Manual Jr., seasonal Park employees. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

PUBLIC COMMENT

Maxine Turbolski commented the completed front foyer repair.

STAFF AND DEPARTMENT REPORTS

Gregg Schuster - Township Manager - submitted his report to the board.

- a. Board of Commissioners Bylaws - draft of by-laws were presented to the board for their review.

T. Felver thanked G. Schuster for his quick response the residents of Pocono Manor.

REPORTS CONT:

Tim Edinger - Township Engineer, responded to Maxine Turbolski's inquiry concerning Brookdale Resort; no further information concerning their plans has been received.

Leo DeVito - Township Solicitor, noted Chelsea/Crossings had been cited by the Township and pled guilty to building the sewer connection without permits.

ADJOURNMENT INTO EXECUTIVE SESSION

R. Wielebinski made a motion, seconded by T. Felver, to adjourn the meeting into executive session to discuss a litigation matter at 10:25 p.m., until the next regular meeting on 07/21/2014 at 7:00 p.m., at the Pocono Township Municipal Building. 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