

**POCONO TOWNSHIP BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**JULY 21<sup>st</sup>, 2014 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on 07/21/2014, 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; Mark Ambrose, T&M Associates, Twp. Engineer; Gregg Schuster, Twp. Manager; Regina Zuvich, Treasurer; and Pamela Finkbeiner, Secretary; were present.

**ANNOUNCEMENTS**

An Executive Session was held at 5:00 p.m., on July 21<sup>st</sup>, 2014, to discuss financial options.

Board of Commissioners interviewed potential appointments on July 17, 2014 at 5:00 p.m.

Typographical error on Civil Service Commissioner appointments. The appointments expire 12/31/19, not 12/31/20.

**MINUTES**

R. Wielebinski made a motion, seconded by G. Hill, to approve the Commissioners regular meeting minutes of the 07/07/2014, with a correction to the approval of the Kopelson Conditional Use approval - T. Felver, yes; G. Hill, abstained. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**BILLS AND TRANSFERS**

R. Wielebinski made a motion, seconded by G. Hill, to approve the Check Listing, dated July 21, 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 questioned the Park fund check to Charlie Trapasso.

J. Lastowski made a motion, seconded by G. Hill, to approve the Check Listing, dated July 21, 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.

**AMENDMENTS TO THE AGENDA**

G. Schuster, Twp. manager, added under Presentations - PFM Line of Credit Proposal.

**PUBLIC COMMENT:**

Maxine Turbolski, Twp. resident, re: check to Charlie Trapasso for paving. G. Schuster, Twp. manager, noted he intended to use his credit card for the purchase but was unavailable at the time. Mrs. Trapasso graciously used her card to purchase the paving material so not to delay the workmen. Maxine Turbolski, Peter Nish, and Judi Coover, Twp. residents, questioned the cost to tax payers for the Crossing Abilities Playground. L. DeVito, Twp. Solicitor, asked if an escrow was created for the playground.

Dennis Purcell and Bob Demarest, Twp. residents, re: new traffic signal on Route 715 and Warner Road.

Cheryl Parks, Twp. resident, re: Ruby Lane drainage.

**REPORT OF THE PRESIDENT: None**

**COMMISSIONERS COMMENTS**

Jerry Lastowski, Vice President, honored Pocono Township resident and 74 year member of the Pocono Township Fire Company, Dick Howell, who passed away July 16<sup>th</sup>, 2014, with a moment of silence.

Tom Felver, Commissioner, no report.

Greg Hill, Commissioner, no report.

Brad Wise, Commissioner, no report.

**EMERGENCY SERVICES REPORTS**

Pocono Township Police Chief, Kent Werkheiser and Pocono Township Fire Chief Michael Shay were absent.

Central Pocono Ambulance manager, Linda Smith noted 228 calls were handled in June. She requested a meeting with the Board of Commissioners and Pocono Township Fire Company to discuss Community Day (09/20/2014). She requested the Commissioners continue the monetary support of the Halloween Event for children.

Judi Coover, Twp. resident, suggested the Linda Smith contact the Pocono Mountain Vacation Bureau for funding for the Halloween event.

**PRESENTATION**

Zach Willard, Senior Managing Consultant, Public Financial Management, Inc., explained the proposals for a Line of Credit for the sewer project. Wayne Bank offered an interest rate of 1.44% compared to Landmark Bank's rate of 2.48%, both Banks offered a maturity date of 09/01/2016. Jens Damgaard, Esquire, Rhoads & Sinon, LLC, explained the process to have a line of credit approved. An ordinance was advertised to meet the deadline for the Wayne Bank Loan, in anticipation of approval by the board.

G. Hill made a motion, seconded by T. Felver, to accept the Wayne Bank proposal; authorizing the President and officers of the Commissioners to sign documents; and ratifying the advertisement of the ordinance on 07/18/2014. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**APPOINTMENTS AND RESIGNATIONS - BOARD, COMMISSIONERS AND COMMITTEES**

## Civil Service Commission:

R. Wielebinski made a motion, seconded by T. Felver, to appoint Kevin Fabiano as alternate to the Pocono Township Civil Service Commission. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

## Zoning Hearing Board:

R. Wielebinski made a motion, seconded by T. Felver, to appoint Mark Love to the Zoning Hearing Board with a term expiring 12/31/2016. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, no. Motion carried.

R. Wielebinski made a motion, seconded by G. Hill, to appoint Steve Chaladoff to the Zoning Hearing Board with a term expiring 12/31/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, no; G. Hill, yes; and B. Wise, yes. Motion carried.

Process to fill anticipated vacancy on Board of Commissioners - Draft copy was distributed to the Commissioners. T. Felver questioned if the Vacancy Board should be present during all interviews.

L. DeVito, Twp. Solicitor, noted if the Board could not come to an agreement on the appointment, the Vacancy board would be vote.

**ORDINANCES**

Second hand dealers/pawn shops Ordinance - R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the Twp. Solicitor to advertise the Second hand dealers/pawn shops ordinance. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Revision of Pocono Township Park and Recreation Ordinance - G. Schuster, Twp. Manager, noted he will be meeting with the Park Board to discuss their recommendation to the ordinance. No action taken.

**RESOLUTIONS**

Resolution 2014-33 Disposal of Records - B. Wise made a motion, seconded by R. Wielebinski, to adopt Resolution 2014-33 - Disposal of Records. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Resolution 2014-32 Revised Banner Placement - R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution No. 2014-32 - revised Banner Placement - Our Lady of Victory Church. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, no; and B. Wise, yes. Motion carried.

**ADMINISTRATION**

BCNEPA Wrap Document and Business Associate Agreement - G. Schuster, Twp. Manager, noted the Twp. Solicitor had reviewed the document. G. Hill made a motion, seconded by T. Felver, to authorize the President to sign the BCNEPA Wrap Document and PMHI Cooperative Business Associates Agreement. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, no. Motion carried.

Recycling Grant - G. Schuster, Twp. Manager, noted the Township is may not be eligible for the grant since burning of yard waste is allowed by permit in the Township.

T. Felver noted the grant is part of the revenues budgeted for this year. G. Schuster stated the \$185,000 grant prohibits burning and mandates recycling by leaf collection within the Township. Discussion followed. J. Coover, Twp. resident, noted the cost to hire employees for leaf pickup.

Lonnie Marino, Twp. resident, suggested sending out flyers for leaf pickup and curbside pickups, as in his former community.

Ron Swink, Twp. resident, re: rights of property owner to burn yard waste on their property.

Monica Gerrity, Twp. resident, questioned why the grant was included in the budget.

G. Schuster, Twp. manager, suggested the Waste Authority be contacted to attend a meeting to explain the grant and its requirements.

Board of Commissioners Bylaws - G. Schuster, Twp. manager, noted changes were made from comments received from the Commissioners. The Resolution for adoption of the bylaws will be added to the next meeting agenda.

**SEWER**

Contract No. 10, Change Order No. 4 - FINAL - This Change Order represents an increase to Contract No. 10, in the amount of \$101,393.02, which reflects the Negotiated Settlement reached at the 06/09/2014 Sewer Committee Meeting and reconciliation of Contract Line Item #1095 to reflect actual quantities installed (\$12.50 increase under this line item). The Change Order also approves a time extension to August 9<sup>th</sup>, 2014, for the date that the Contractor is to be ready for Final Payment. R. Wielebinski made a motion, seconded by G. Hill, to approve Contract No. 10, Change Order No. 4 - FINAL in the amount of \$101,393.02 - Doli Construction Inc. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

PennVEST Grant #27798 - R. Wielebinski made a motion, seconded by T. Felver, to authorize Commissioner B. Wise and/or Regina Zuvich, Twp. Treasurer, to electronically sign and submit Contract No. 10, Change Order No. 4 - FINAL via the PennVEST Disbursement Website for approval of eligibility for reimbursement under PennVEST Grant #27798. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

**SEWER CONT:**

Sewage Exemption for Trap Enterprises, LLC - Desaki Hotel - M. Ambrose, Twp. Engineer, noted the exemption is for planning only. B. Wise made a motion, seconded by J. Lastowski, to approve the Sewage Exemption for Trap Enterprises, LLC - DeSaki Hotel, 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.

**PUBLIC WORKS**

Paving Bid for various Roadways - G. Schuster, Twp. Manager, noted three bids were received with Hanson Aggregates Pennsylvania, LLC, being the low bidder for paving of portions of Summit Road, Cherry Land Church Road, Laurel Lake Road, and Beehler Road; and with the option for Birchwood Road for a total of \$624,681.00. He explained approximately \$337,526.00 will be used from Liquid Fuels fund with the appropriation of additional funds as noted in the budget spread sheet to cover the rest. G. Hill questioned the need to pave Birchwood Road at this time.

J. Lastowski questioned who would be in charge of monitoring the paving. G. Schuster suggested Ed Getz, Twp. road foreman would monitor the projects.

R. Wielebinski made a motion, seconded by T. Felver, award the paving bid to Hanson Aggregates Pennsylvania LLC, for paving of portions of Summit Road, Cherry Lane Church Road, Laurel Lake Road, and Beelher Road with an option for Birchwood Road; and direct the Township Manager to prepare a resolution for supplemental appropriations for consideration at the next regular meeting. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, no; and B. Wise, yes. Motion carried.

Monica Gerrity, Twp. resident, questioned when the line painting will be completed.

**PERSONNEL**

Reclassification of Frank Froio from contractor to employee - G. Schuster, Twp. Manager, explained that he was hired as a consultant but it has since been determined that his role at the Township did not fit within the confines of the definition of consultant. Frank Froio's original date of hire was 01/31/2012. R. Wielebinski made a motion, seconded by T. Felver, to submit and receive from Frank Froio the required tax documents and payments needed in the amount of \$9,782.77 - Federal Tax - to reclassify him as an employee of Pocono Township for the years 2012 and 2013 and to amend taxes that are owed by the Township. Roll call vote:

R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; G. Hill, yes; and B. Wise, yes. Motion carried.

Employee Settlement Agreement - L. DeVito, Twp. Solicitor, noted they are awaiting a response from the employee's attorney. No action taken.

**COMMENTS:**

Judi Coover, Twp. resident, re: Mt. View Park's recent paving near the bathroom area.

R. Wielebinski, praised the efforts of Charlie Trapasso, Mt. View Park Board, for her work acquiring donations to the park. G. Schuster noted the Grand Opening of the All-inclusive playground will occur on August 22<sup>nd</sup>, 2014.

**STAFF AND DEPARTMENT REPORTS**

Gregg Schuster, Township Manager - submitted his report to the Board.

Mark Ambrose, Township Engineer - no report

Leo DeVito, Township Attorney - no report

**ADJOURNMENT**

R. Wielebinski made a motion, seconded by T. Felver, to adjourn the meeting at 8:30 p.m., until 08/04/2014 at 7:00 p.m., at Pocono Township Municipal Building, Tannersville, PA. 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