

**POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING**

APRIL 20th, 2015 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on 04/20/2015 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; Peter Nish, present; and Brad Wise, present.

Leo V. DeVito, Broughal & DeVito LLP, Twp. Solicitor; Mark Ambrose, T&M Associates, Twp. Engineer; Gregg Schuster, Twp. Manager; and Gina Zuvich, Treasurer were present.

ANNOUNCEMENTS:

- a. A Special Board of Commissioners meeting will be held on April 21st, 2015 at 4:30 p.m. to discuss a DCED review of the Police Department with a representative from DCED.

MINUTES:

J. Lastowski noted under his comments it should read Senator Casey not Senator Toomey.

T. Felver made a motion, seconded by P. Nish, to approve the minutes of the regular Commissioner's meeting of 04/06/2015 as corrected. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

BILLS AND TRANSFERS:

T. Felver noted the April supplemental appropriation include several line items that go over the budget. He felt it was more appropriate to not approve the check listings until after the supplemental appropriation is approved. The Board concurred with T. Felver's suggestion.

AMENDMENTS TO AGENDA: G. Schuster 12b. Agreement with Tobyhanna sewer connection - to include advertisement only.

PUBLIC COMMENT:

Nate Oiler, RKR Hess Associates, requested Camelback Hotel be placed on the agenda concerning their Certificate of Occupancy.

REPORT OF THE PRESIDENT: none

COMMISSIONERS' COMMENTS:

Gerald Lastowski, Vice President, noted he spoke with Chuck Leonard, Pocono Mountain Economic Development Corporation for assistance for low income family in the mandated sewer connection areas.

Tom Felver, Commissioner, no comment.

Peter Nish, Commissioner, no comment.

Brad Wise, Commissioner, questioned his submitted invoice for the connection of the p-trap.

REPORTS:

Pocono Township Volunteer Fire Co. representative, Brad Harrison, 32 calls were handled in March. He noted the Township ISO rating has dropped it and it will benefit all homeowners in Pocono Township by reducing their homeowner insurance rates.

Pocono Township Police Chief Kent Werkheiser, 309 reports were handled a full copy of his report is on file.

Central Pocono Ambulance Associations, Inc. Linda Smith absent - G. Schuster read their report.

ADMINISTRATION:

Township Manager, G. Schuster, spoke concerning the replacement of the Township Zoning Officer. Discussion on the amount of hours required. R. Wielebinski suggested hiring a part time officer. Judi Coover, Twp. resident, presented a survey of Monroe County Zoning Officers. B. Wise noted he felt the Township should hire a zoning officer for 30 hours. G. Schuster noted the board had time to make a decision.

R. Wielebinski made a motion, seconded by T. Felver, for a part-time Zoning Officer for 24 hours per week.

R. Wielebinski amended his motion to part-time, T. Felver seconded, D. Zweifel, Twp. resident, questioned the job description for the Zoning officer. G. Schuster will put together a description of duties. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Township Engineer, Mark Ambrose, no comment.

Township Solicitor, Leo DeVito

a. The Reserve at Bryson's Farms Stormwater Management Agreement - L. DeVito explained the plan had been previously approved.

R. Wielebinski made a motion, seconded by B. Wise, to approve the Bryson's Farms Stormwater Manager Agreement and authorize the President to sign the same. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

b. Nationwide Auto Sales, 2169 Rt. 611 - Zoning Hearing Board Appeal - L. DeVito explained Nationwide Auto Sales erected two signs without permits and the Township Zoning Officer sent a letter of violation which the applicant is appealing. R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the Twp. Solicitor to represent the Township and support the ZO on the violation notices at the Nationwide Auto Sales Zoning Hearing Board on 04/28/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

REPORTS CONT:

Township Treasurer, Regina Zuvich reviewed the Treasurer's report and the supplemental appropriations. T. Felver questioned the unemployment compensation for the employer cost. Discussion on the sewer revenues and expenses.

PRESENTATIONSMonroe County Planning Commission

Christine Meinhart-Fritz, Monroe County Planning Commission Director, explained the services offered by the County. R. Wielebinski questioned the draft Official Map for Pocono Township. C. Meinhart-Fritz explained MCPC assisted the Township on the draft official map. The County is working on a long-range transportation plan. B. Wise asked if the County would assist with a recreation plan. C. Meinhart-Fritz noted the HJP Recreation Plan is a valid plan. She noted the County is willing to work with the Township either through workshops or special meetings to update the recreation plan. G. Schuster will set up a special meeting with the MCPC. Dennis Purcell, Planning Commission member, questioned the traffic count studies. C. Meinhart-Fritz noted the MCPC is meeting with Jeff Clapper, Public Works Director, to discuss roadways for traffic counts. She noted PennDOT has traffic counts for Rt. 611 and 715.

Resolution 2015-33 Donaldson Lot Line Adjustment Plan - Richard Storm, PLS, represented the plan. The plan is for a combination of three existing lots located in Pocono Mountain Campsites. B. Wise made a motion, seconded by R. Wielebinski, to approved Resolution 2015-33- Donaldson Lot Line Adjustment Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-34 - Makarevich Lot Consolidation Plan - L. DeVito noted the plan is ready for approval. R. Wielebinski made a motion, seconded by J. Lastowski, to approve Resolution 2015-34 - Makarevich Lot Consolidation Plan with condition of the Twp. Engineer's letter of be addressed. Roll call vote: Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Give and Take Day - Diane Zweifel introduced Rita Lacey, President of Close the Loop. Rita Lacey showed a short video of the Give and Take Day. Discussion of a recycling fair and free exchange of 'stuff'. P. Nish questioned the Township liability for holding a fair. Discussion followed. R. Wielebinski asked what the Township would need to do for a Give and Take Day. R. Lacey noted she would only need a location to host the event. No action taken.

Sewer Odor Discussion - Seth Hepner from Evoqua, explained the process and findings of the testing for odors and corrosion issues. He noted they may continue testing for an additional month or two. T. Felver questioned the areas tested. M. Ambrose, Twp. Engineer, explained he worked with Seth Hepner to choose the areas where problems were noted and Pump Station No. 5.

Doug Olmsted, Twp. resident, asked if increased flows from Kalahari will push the smells down. S. Hepner noted it should.

Carol Wise, Twp. resident, requested the Township pay for the damages in the total of \$27,000.00 to the pipe in her home, the repairs, and installation of a p-trap. She felt the strong odors and gases corroded her pipe. L. DeVito, Twp. Solicitor, explained the Township insurance company denied the claim.

Dennis Purcell, Twp. resident, questions concerning p-traps.

J. Coover, Twp. resident, asked if the Board has a plan to assist property owners who may have similar problems.

R. Wielebinski noted the Township did work with the Wises to resolve the problem.

Doug Olmstead suggested the Township looked into videotaping the line to know where the laterals were located.

C. Wise noted her only option left will be to sue the Township.

D. Purcell noted Dr. Wert's office has two p-traps installed but still has an odor problem.

Camelback Hotel and Waterpark- John Regnerus represented the plan. He requested the Board consider amending the developer's agreement. He noted that Mike Tripus, Building Code Official, has been working with them to complete the Code inspections. L. DeVito, Twp. Solicitor, noted the Board does not issue building or zoning permits. BIU and Zoning is responsible for issuing the certificate of occupancy. G. Schuster asked if any items were in the Developer's agreement. Arthur Berry noted that there may be some items on the Land Development side that would need to be addressed. R. Wielebinski requested Mike Tripus attend next meeting on 4/21/2015 to discuss the remaining items. G. Schuster will check into it.

ORDINANCES

Ordinance establishing a 300' buffer for mandatory sewer connections - G. Schuster noted the Ordinance is for just the 300' buffer and not the p-trap. R. Wielebinski made a motion, seconded by B. Wise, to authorize the Township Solicitor to advertise the Ordinance for a 300' buffer for mandatory sewer connections. T. Felver questioned who it would impact. B. Wise noted it will only impact two properties. Discussion followed as to the distance. Robert Fisk, Twp. resident asked if the measurement is from the main it may affect his property. T. Felver felt the Ordinance was selective. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, no; P. Nish, yes; and B. Wise, yes. Motion carried.

Ordinance for Tobyhanna Agreement - G. Schuster noted Tobyhanna agreed to agreement. R. Wielebinski made a motion, seconded by J. Lastowski, to authorize Twp. Solicitor, Timothy McManus, to advertise the Ordinance. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

RESOLUTIONS:

Resolution 2015-35 - G. Schuster explained it is an offer of employment for a new Patrolman. Discussion followed. R. Wielebinski made a motion, seconded by J. Lastowski, to approve Resolution 2015-35 approving a conditional offer of employment to Richard Weichand. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-36 - Supplemental appropriation - G. Schuster reviewed the appropriations. T. Felver questioned the sewer construction engineering. G. Schuster noted the increase was part of the Linde case and repair. Discussion followed on the engineering costs for the sewer line. P. Nish made a motion, seconded by J. Lastowski, to approve Resolution 2015-36 - Supplemental Appropriations. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

T. Felver made a motion, seconded by R. Wielebinski, to approve the check listing dated 04/20/2015 (excepting all tele-communication bills). Roll call vote: Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

T. Felver made a motion, seconded by B. Wise, to approve the check listing dated 04/20/2015 (tele-communication bills). R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-37 - authorizing the condemnation of a temporary construction easement for Stadden Road Bridge R. Wielebinski made a motion, seconded by B. Wise, to approve Resolution 2015-37 - Brilland Development LLC Temporary Construction easement in the amount of \$2,500.00 for Stadden Road Bridge repair. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-38 - Brilland Construction Easement agreement - R. Wielebinski made a motion, seconded by B. Wise, to approve Resolution 2015-38 - Brilland Construction Easement. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-32 - Resolution authorizing the placement of a banner along Route 611. R. Wielebinski made a motion, seconded by P. Nish, to approve Resolution 2015-32 - Authorizing the placement of a Banner - Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

PUBLIC COMMENT:

Robert Fisk, Twp. resident, asked for clarification of the alternative construction method for the repair.

PUBLIC COMMENT CONT:

Annabella Lastowski, Twp. resident, suggested the Board's material for the agenda be placed in binders and submitted to the members before the meeting.

ADJOURNMENT:

R. Wielebinski made a motion, seconded by B. Wise, to adjourn the meeting at 10:05 p.m. until 05/04/2015 at 7:00 p.m., at the Pocono Township Municipal Building. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Respectfully Submitted
Pamela Finkbeiner
Township Secretary