

POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING

NOVEMBER 3, 2014 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on 11/03/2014, 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; and Brad Wise, present.

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

ANNOUNCEMENTS:

Eight applications were received for the Board of Commissioners vacancy.

Polls will be open tomorrow for the election. Please note that voters in Pocono 2 and Pocono 4 are now voting at the new NCC campus on 715.

There will be a special Board of Commissioners meeting this Wednesday at 4PM to discuss the 2015 budget and sewer matters.

MINUTES:

T. Felver made a motion, seconded by J. Lastowski, to approve the minutes of the Commissioners regular meeting of 10/20/2014. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; and B. Wise, yes. Motion carried.

J. Lastowski made a motion, seconded by B. Wise, to approve the minutes of the Commissioners Special meeting of 10/29/2014. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, abstained; and B. Wise, yes. Motion carried.

J. Lastowski made a motion, seconded by B. Wise, to approve the minutes of the Commissioners Special meeting of 10/29/2014 concerning the HJP Agreement. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, abstained; and B. Wise, yes. Motion carried.

BILLS AND TRANSFERS

T. Felver made a motion, seconded by R. Wielebinski, to approve the Check Listing, dated 11/03/2014 (excepting all tele-communication bills) Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; and G. Hill, yes. Motion carried.

J. Lastowski made a motion, seconded by T. Felver, to approve the Check Listing, dated 11/03/2014 (tele-communication bills). Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes; and G. Hill, yes. Motion carried.

AMENDMENTS TO THE AGENDA - None**PUBLIC COMMENTS**

Jim Ertle, owner of the Comfort Inn on Rt. 611, questioned the notification for sewer hookups - the 90 days includes the winter months which may make construction impossible. He requested the board extend the hookup to 9 months and recalculate his EDU rate to a standard 1 EDU for 4 rooms for the hotel. B. Wise requested he make an appointment with Mark Ambrose, Twp. engineer, to review the request for recalculation.

Annabella Lastowski, Twp. resident, commented on the large amount of political signs. L. DeVito, Twp. solicitor noted it is very difficult to regulate political signs.

Jason Fishill, Camelback Hotel Project, voiced concern on the dismissal of Michael Tripus from the Township. He noted M. Tripus was the most professional and respectful inspector he had worked with. He requested M. Tripus to remain as Building Code Inspector for their project as he would be difficult to replace.

Diane Zwiefel, Twp. resident, questioned the dismissal.

R. Wielebinski noted it was a personnel matter.

L. DeVito, Twp. Solicitor, noted it was Gregg Schuster's decision not the Commissioners. The Township Manager's position allows for the hiring and firing of non-union employees.

D. Zwiefel, questioned why the Commissioner did not vote.

G. Schuster noted he could not discuss personnel matters.

Ron Swink, Planning Commission, questioned G. Schuster's decision. G. Schuster, no comment.

Monica Gerrity, spoke concerning Northampton Community College's use of a former engineer for their reviews and that M. Tripus should be allowed to finish projects in the Township.

Bob Demarest, Planning Commission member, spoke on the integrity of Mike Tripus service to the Township. He noted he served 40 years on the Planning Commission and if the decision to dismiss M. Tripus remains, he is submitting his resignation from the Planning Commission.

REPORT OF THE PRESIDENT Rich Wielebinski thanked all Law Enforcement involved in the search for Eric Frein.

He acknowledged Kent Werkheiser, Jr., son of the Police Chief Kent Werkheiser, recently left to serve in the U.S. Army.

COMMISSIONERS COMMENTS

Jerry Lastowski, Vice President - noted at the HJP Park meeting on Thursday, 11/06/2014, he will request the HJP agreement be revised, he will recommend the Township withdraw from the agreement if it can't be amended by December 31st, 2014 to protect the Township from another 5-year obligation with the possibility of no park construction occurring. T. Felver stated it the same motions that G. Hill and he had requested. J. Lastowski noted the joint meeting with the other Townships provided additional information concerning revising the Ordinance.

COMMISSIONERS COMMENTS CONT:

Tom Felver, Commissioner - addressed with HJP agreement.

Brad Wise, Commissioner - Sewer Committee

- 1) Meeting with Tobyhanna concerning an issue with Kalahari's sewer line at the Township line.
- 2) Meeting with BCRA to resolve a credit issue as there is less usage due to fewer connections than first projected.
- 3) Rt. 611 improvement - an agreement was reached with PennDOT.
- 4) Bid opening and contract award for the Hump repair are projected to be completed by the end of November.
- 5) The connection notices south of the hump were sent out and several persons have contacted the Township concerning cost.
- 6) Wednesday, 11/5/2014, at 4:00 p.m. Special meeting for amending the Sewer Connection Manual and proposed 2105 budget hearing.

T. Felver questioned when the restoration work on Rt.314 will be completed. M. Ambrose, Twp. engineer, stated PennDOT is informing the contractor to the appropriate time.

REPORTS**ADMINISTRATION**

Gregg Schuster, Township Manager, presented his written report.

- a) Building security - A quote was received from Royal Security for Security, Fire, Access, and Video at approximately \$21,000.00. T. Felver questioned if it was in the budget. G. Schuster noted it was not in the budget but the fund balance may be used. The Board requested additional quotes before making a decision.

- b) HJP Agreement - to be discussed at the 11/06/2014 meeting.

Mark Ambrose, Township Engineer, presented the engineer's report. R. Wielebinski requested the status of the Kopelson's projects. B. Wise noted the Learn Road project is moving forward - piping boxes due this week.

Leo DeVito, Twp. Solicitor, stated a brief executive session will be held directly after the meeting to discuss a litigation matter.

Gina Zuvich, Twp. Treasurer, absent.

PRESENTATIONS**ORDINANCES**

Ordinance 2014-14 Public hearing for Ordinance 2014-14 authorizing sewer debt refinancing

Consideration of Ordinance authorizing sewer debt refinancing. L. DeVito, Twp. Solicitor, noted the Ordinance has been posted and advertised. R. Wielebinski opened the hearing to comment. Hearing none the hearing was closed. T. Felver, made a motion, seconded by B. Wise, to adopt Ordinance 2014-14 authorizing and securing a Guaranteed Sewer Revenue Note, Series B of 2014 in the principal amount of \$4,351,000.00. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; and B. Wise, yes. Motion carried.

RESOLUTIONS:

Resolution 2014-60 - B. Wise made a motion, seconded by J. Lastowski, approving a settlement agreement with Ray Price for the Just Compensation payment of \$25,000.00 for condemnation. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; and B. Wise, yes. Motion carried.

Resolution 2014-61 - R. Wielebinski made a motion, seconded by J. Lastowski, removing alternate Kevin Fabiano from the Civil Service Commission. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; and B. Wise, yes. Motion carried.

PUBLIC COMMENT

Lonnie Marino, Twp. resident, spoke concerning a discussion with Charlie Trapasso on park needs. He recommended the Board consider development of the HJP Regional Park for more active fields and to create a park board with Professional park and recreation experience.

EXECUTIVE SESSION

ADJOURNMENT: R. Wielebinski made a motion, seconded by J. Lastowski, to adjourn the meeting into executive session to discuss litigation matters at 8:00 p.m., until 11/17/2014 at 7:00 p.m., at the Pocono Township Municipal Building, Tannersville, PA. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; and B. Wise, yes. Motion carried.

Respectfully submitted
Pamela Finkbeiner
Secretary