

POCONO TOWNSHIP BOARD OF COMMISSIONERS
SPECIAL MEETING

DECEMBER 29th, 2014 4:30 P.M.

The Special meeting of the Pocono Township Commissioners was held on 12/29/2014, at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Richard Wielebinski at 4:30 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; Timothy McManus, Solicitor; and Pamela Finkbeiner, Secretary were present.

ANNOUNCEMENTS:

- a) The next sewer committee meeting will be on 1/15/15 at 9:00 a.m. There will be no sewer committee meeting on 01/06/2015.

PUBLIC COMMENT:

Carol Wise, Scotrun Ave., commented on the continuing sewer odor problem in her home since connecting to the sewer line. G. Schuster, Twp. manager, noted the Twp. is aware of the problem and is working with BCRA to flush the lines and measure sulfur contents. M. Ambrose, Twp. Engineer, stated lack of flow prevents the gases from washing through causing the odors near manholes. T. Felver stated the sewer odor is inside his office building on Learn Road.

D. Zwiefel, Twp. resident, questioned the increase in utility costs in the 2015 budget.

RESOLUTION 2014-77 FOR SUPPLEMENTAL APPROPRIATIONS:

R. Wielebinski made a motion, seconded by J. Lastowski, to approve Resolution 2014-77 - supplemental appropriations. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

BILLS AND TRANSFERS:

J. Lastowski made a motion, seconded by P. Nish, to approve Check Listing dated 12/29/2014 (excepting all tele-communication bills. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

ACT 537 PLAN REVIEW AND DISCUSSION: Timothy McManus, Sewer Solicitor, reviewed the history of Pocono Township Act 537 Plan and offered guidance to amend the plan. The Act 537 plan created under 2nd Class Township code stated that all properties which abut the sewerline must connect. RKR Hess developed the immediate and a ten year service area. Concern has been raised for properties with structures with setbacks of 100' or more from the line. A few Municipalities have excluded structures/properties located out of the determined setback. Discussion followed. M. Ambrose, Twp. engineer, is reviewing the impact on structures for various for setback distances.

ACT 537 CONT:

T. McManus reviewed the steps necessary to amend the current Act 537 to include the former Birchwood site. He estimated the time frame to be from 1 to 1 ½ years to complete. The Twp. would continue to abide by the present Act 537 until such time as an amended Act 537 is approved.

T. McManus stated Pocono Mountain School district is included in the mandated service area. A TIF was put in place for the Pocono Mountain School District's connection and used for construction of the lines to connect the School district.

Teresa Manual, Village View Condominium owner, requested exemption from the mandated sewer connection as their units over 1000 feet away from the sewer line. The estimate for hookup is approximately \$100,000.00.

Ralph Matergia, Matergia & Dunn, representing the owner of the former Wine Press Inn, requested if the Township would allow the property to be subdivided into two parcels. The lot created abutting the sewerline would become a vacant lot. Discussion followed.

Mario Scavello, Senator Elect, stated he will work to find assistance to property owners which have a financial hardship.

RESOLUTION 2014-78 - 2015 BUDGET

J. Lastowski_ made a motion, seconded by R. Wielebinski, to approve Resolution 2014-78 the 2015 Budget as proposed. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Judi Coover questioned why the Liquid Fuel amount is incorrect. G. Schuster noted the budget was prepared before the 2015 Liquid Fuel amount was known.

P. Nish questioned if a policy was set for staff expenditures.

G. Schuster stated a purchasing policy will be created.

T. Felver questioned the Public Works Director salary at \$85,000.00, split between the Sewer and General funds. G. Schuster noted the salary has not been set for the Public Works Director.

T. Felver felt the budget was a good but was concerned that several items for meetings, training, money to Ambulance without an agreement, and other items would be spent without Board pre-approval. G. Schuster noted the Board has the right to set pre-approval of expenditures. G. Schuster is working with the Ambulance to finalize the agreement.

Monica Gerrity, Twp. resident, questioned the status of the time clocks for all employees. G. Schuster is working with an IT company which will include Time Clocks.

RESOLUTION 2014-79 - 2015 REAL ESTATE TAX RATE

R. Wielebinski_ made a motion, seconded by _B. Wise, to approve Resolution 2014-79 - 2015 Real Estate Tax Rate. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Robert Thompson, Engle-Hambright & Davies, Inc. reviewed the changes in the 2015 Commercial Insurance Proposal. The policy will change to a Governmental agency Trust made up of other municipalities. He noted the coverage now includes the equipment in cars, pollution coverage, and a Cyber policy. The Cyber policy provides coverage for 1st person notification due to hacked information, lawsuits related to lost data, etc. The plan is a trust which includes safety inspections for park equipment, web-based training for Township employees, assistance with the creation of a safety committee, etc.

J. Coover, Twp. resident, asked what difference in cost. G. Schuster noted cost for the existing coverage is the same as last year but the coverage for the additional policies is approximately \$13,000.00 per year.

R. Wielebinski made a motion, seconded by B. Wise, to approve Resolution 2014-80 - 2015 Insurance Policies. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

PUBLIC COMMENT

Mario Scavello, Senator Elect, introduced his Chief of Staff, Taylor Munoz.

R. Wielebinski introduced recently hired Pocono Township Patrolman, Austin Anglemyer. R. Wielebinski noted Austin was the only one from 16 applicants to successfully complete the physical, verbal, written, and psychological testing. The process took approximately 8 months to complete. The Board congratulated Austin Anglemyer.

ADJOURNMENT INTO EXECUTIVE SESSION:

R. Wielebinski made a motion, seconded by P. Nish, to adjourn the meeting into executive session to discuss sewer litigation at 6:25 p.m., until 01/05/2015 at 7:00 p.m. 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