

POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING
NOVEMBER 16th, 2015 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on 11/16/2015 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; Gregg Schuster, Twp. Manager; and Regina Zuvich, Twp. Treasure, were present.

PRESENTATIONS: Michael Tuleva, Pocono Alliance, noted the Crossings Abilities Playground has been recognized by Playcore for Implementing Best Practice Principles for Playground Design. He thanked the Board of Commissioners for their support and recognized Neil Gallagher, Kim VanCamp, and Charlie Trapasso, for their work in developing the Crossings Abilities Playground.

ANNOUNCEMENTS: R. Wielebinski announced an executive session will be held after the meeting to discuss a union negotiation matter.

MINUTES:

T. Felver made a motion, seconded by P. Nish, to approve the Commissioners Special meeting minutes of 11/02/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

B. Wise made a motion, seconded by J. Lastowski, to approve the Commissioners Regular meeting minutes of 11/02/2015. 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 J. Lastowski, to approve the Commissioners Special Budget meeting minutes of 11/10/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, abstained; and B. Wise, yes. Motion carried.

BILLS AND TRANSFERS:

R. Wielebinski made a motion, seconded by T. Felver, to approve the Bill's listing dated 11/16/2015, excluding Sewer Construction Check 143 - Pact Construction in the amount of \$110,070.95. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

AMENDMENTS TO AGENDA: None

PUBLIC COMMENT:

Lisa Olsen, Twp. resident, presented additional signatures for opposing Spa Castle. G. Schuster noted the comment period is open for residents to submit written comments.

Tom Olsen, Twp. resident, spoke in regards to Spa Castle. He noted the petition relates to opposition to the Act 537 plan and additional traffic.

L. DeVito noted written comments should be specific to the Act 537 plan.

Judi Coover, Twp. resident, questioned the process of review of the Act 537 plan.

Discussion followed.

REPORT OF THE PRESIDENT: None

COMMISSIONERS' REPORTS:

Jerry Lastowski, Commissioner, noted the sewer committee continues to meet with Kalahari to discuss their sewer problems. A meeting will be held on Thursday, 11/19/2015 with Pocono Mountain School District to discuss their sewer connection.

Tom Felver, Commissioner, none.

Peter Nish, Commissioner, none.

Brad Wise, Commissioner commented on:

- a) Sewer Committee meeting is tomorrow morning, 9:00 a.m., at the Pocono Township Municipal Building.
- b) A draft intergovernmental agreement with DCNR for their sewer connection is near completion.
- c) An agreement has been reached with Chester's Barbershop and Benninger Insurance (Broski).
- d) Excavation has been completed for the hump repair, the drilling company is moving in.
- e) A BCRA meeting for Indemnification request for the sale of the PJJWA.
- f) Notice from BCRA concerning Farda realty request to renew of their sewer permit. B. Wise noted the Twp. is opposed to the renewal.

REPORTS:

Police Chief Kent Werkheiser was absent - R. Wielebinski read his report in his absent.

Pocono Township Fire Chief Mike Shay was absent - J. Lastowski read their report - 38 call outs for October.

Central Pocono Ambulance Linda Smith, manager, noted 221 call outs were handled in the month of October.

ADMINISTRATION

Township Manager Gregg Schuster gave his report.

2016 Budget - Public Notice - G. Schuster explained the two options - 1) without funding for an Ambulance service, milage would be dropped by 1 mil; or 2) with funding a ½ mil reduction. T. Felver noted the new board does have the option of reopening the budget in January to make changes.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve Option 1 with the 1.5mil rate reduction and no ambulance funding as recommended in the Twp. Manager's memo of 11/12/15 and pursuant to Article XVII, section 1701 of the First Class Township Code, to propose budgets as recommended by the Township Manager on 9/25/2015 and revised with Option #1 as presented on 11/16/2015 and to give public notice of said budgets with final adoption to occur at a date to be determined in December.

B. Wise raised concern the millage reduction may hurt the future projects for the Township. J. Lastowski suggested a 1 mil reduction. P. Nish noted the Twp. had not appointed an ambulance service which may require funding. G. Schuster noted that option one is for the two services that do not require funding. Monica Gerrity, Twp. resident questioned the health insurance costs. J. Cilurso, Twp. resident, questioned the removal of funding for the Ambulance service and reduction of millage.

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, no. Motion carried.

Engineer's involvement with sewer inspections - P. Nish suggested the lateral inspection be completed by the Township Engineer. B. Wise concurred noting the cost of appeals, problems with lateral locations, etc. R. Wielebinski and T. Felver questioned why the Township should pay the engineer when BIU is being paid. Sarah Bue Morris, design engineer for sewer laterals, noted problems with designing for building codes, she noted an engineer can allow alternatives. Vince Trapasso, Twp. resident, noted he has projects ready for construction and the property owner should be responsible for the hookup. Discussion followed on who should pay the cost of an engineer's inspection.

T. Edinger, Twp. Engineer, explained existing documentation for lateral locations are incorrect. The homeowner's options are to work with the Twp. engineer to come up with a solution.

Tom Olsen, Twp. resident, expressed concern the Township would pay additional cost for engineering cost.

Judi Coover, requested BIU be included in the discussion to make the inspections work smoothly.

Discussion followed.

B. Wise made a motion, seconded by P. Nish, to authorize the sewer inspections to be done by the Township engineer. Roll call vote: R. Wielebinski, no; J. Lastowski, yes; T. Felver, no; P. Nish, yes; and B. Wise, yes. Motion carried.

Township Engineer Tim Edinger -

Northridge Release - T. Edinger recommended the release.

R. Wielebinski made a motion, seconded by T. Felver, to authorize Payment Request #13 in the amount of \$207,630.79 for Northridge Development as recommended in the Twp. Engineer's letter of 11/13/2015 contingent upon the Developer replenishing their escrow account. Roll call vote: R.

Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

REPORTS CONT:

Township Solicitor Leo DeVito -

RecDesk Agreement - L. DeVito explained he has reviewed the agreement for an electronic calendar for park pavilion rentals and payments.

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the signing of the RecDesk Agreement as per the Twp. Solicitor's recommendations. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

G. Schuster noted the Twp. will need to obtain a credit card service.

403 Manor Drive - Dangerous Structure - L. DeVito noted more than 60 days have lapsed since a certified letter was sent out. Rick Fisher, Twp. Zoning officer, visited the site, recently. He recommended petitioning the court to allow the Township to enter the property and tear the building down.

R. Wielebinski made a motion, seconded by P. Nish, to authorize the Township Solicitor to petition and court to enter the property and demolish the structure. Roll call vote: R. Wielebinski, yes; J. Lastowski, no; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

B. Wise noted the structure alone Rt. 314 has been removed.

Township Treasurer Regina Zuvich gave her October report. Revenue and expenses for the General account are on track for the year.

PRESENTATIONS

Building Board of Appeals - Mike Velardi interview. R. Wielebinski explained it is an as-needed base position.

P. Nish made a motion, seconded by R. Wielebinski, to appoint Mike Velardi to the Pocono Township UCC Board of Appeals. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

ORDINANCES

Ordinance 2015-XX - Vacation of a portion of T0168 - L. DeVito, Twp. Solicitor explained the request to vacate a section of roadway on Trap Enterprises property.

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the Twp. Solicitor 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 2015-72- Reappointment of Dennis Purcell to the Pocono Township Planning Commission -

R. Wielebinski made a motion, seconded by B. Wise, to adopt Resolution 2015-72 appointing Dennis Purcell to the Pocono Township Planning Commission. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

RESOLUTIONS CONT:

Resolution 2015-73 - Reappointment of Robert DeYoung to the Pocono Township Planning Commission - R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-73, appointing Robert DeYoung to the Pocono Township Planning Commission. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-74 - Supplemental Appropriations - G. Schuster noted there is a draw off the fund balance. R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-74, Supplemental Appropriations to the 2015 Budget. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-75 - Purchasing Policy - G. Schuster explained the process. R. Wielebinski made a motion, seconded by P. Nish to adopt Resolution 2015-75 approving a purchasing policy. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-76 - PennDOT Documents - L. DeVito explained PennDOT requires the Township to submit the application. T. Edinger noted the Township will be responsible for the marking of the intersection. R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-76 authorizing the execution of the PennDOT document related to the Traffic Signal at Discovery Drive. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-77 - Modifying Sanofi's Conditional Approval - T. Edinger explained Sanofi has revised their plan. R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-77 - Modifying Sanofi's Resolution of conditional approval to allow them to record its Modular Building Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

J. Lastowski noted he received a complaint concerning the Rt. 314 light.

PUBLIC COMMENTS:

Mike Velardi, noted St. Paul's Lutheran Church Thanksgiving Dinner honoring the fire company volunteers.

ADJOURNMENT TO EXECUTIVE SESSION:

R. Wielebinski made a motion, seconded by P. Nish, to adjourn the meeting into executive session to discuss union negotiation matters, at 8:50 p.m., until 12/17/2015 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