

POCONO TOWNSHIP BOARD OF COMMISSIONERS
REORGANIZATIONAL MEETING
FEBRUARY 8th, 2016 6:00 P.M.

The reorganizational meeting of the Pocono Township Commissioners was held on 02/08/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by Gregg Schuster, Township Manager, at 6:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Tom Felver, present; Harold Werkheiser, present; Jerry Lastowski, present; and Judi Coover, present.

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

Gregg Schuster explained the Commissioners agreed to meet and to act on agenda items, only. The Commissioners agreed to appoint Thomas Felver as President and Harold Werkheiser as Vice-President.

PRESIDENT:

G. Schuster opened the floor to nominations for President.

J. Lastowski made a motion, seconded by J. Coover, to nominate Thomas Felver as President of the Pocono Township Board of Commissioners. G. Schuster requested additional nominations, hearing none he closed the nominations for President. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

President T. Felver called for nomination for Vice President.

VICE PRESIDENT: J. Lastowski made a motion, seconded by T. Felver, to nominate Harold Werkheiser as Vice President of the Pocono Township Commissioner. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

STATEMENT OF SOLICITOR:

Leo DeVito, Broughal & DeVito, solicitor for Pocono Township read a letter of resignation to the Board. He stated the current political situation has caused his firm to resign as solicitor to Pocono Township. Broughal & DeVito will continue working until a replacement firm is chosen.

APPROVAL OF MINUTES:

T. Felver made a motion, seconded by J. Lastowski, to accept into record the minutes of the 12/21/2015 and 12/31/2015. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Coover made a motion, seconded by T. Felver, to approve the minutes of the 1/04/2016. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Coover a motion, seconded by T. Felver, to approve the minutes of the 1/07/2016. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

APPROVAL OF BILLS AND TRANSFERS:

J. Lastowski a motion, seconded by J. Coover, to ratify Bill's list of 01/04/2016, 1/20/2016, and 2/02/2016. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Lastowski questioned the invoice for PNC Bank debt service payment for the TLC property. P. Finkbeiner noted there is one payment remaining.

J. Coover requested the contract for T&M Associates for engineering fees. Discussion followed on the mileage charges on the T&M invoices.

J. Coover made a motion, seconded by T. Felver, to approve the Bill's list of 01/04/2016, 02/02/2016 and 02/08/2016, conditioned upon receipt of the T&M Associates proposal for payment of their invoices. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

T. Felver turned the meeting over to H. Werkheiser.

PUBLIC COMMENT: None

NORTHRIDGE AT CAMELBACK ESCROW RELEASE:

T. Edinger explained the status of the work performed. He noted a Bond balance of \$1,139,122.62 will remain after the release of #14 & #15.

J. Lastowski made a motion, seconded by J. Coover, to approve the Northridge at Camelback Escrow Bond Release #14, in the amount of \$30,362.96, as recommended by the Engineer in his letter dated 12/28/2015. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Lastowski made a motion, seconded by T. Felver, to approve the Northridge at Camelback Escrow Bond Release #15 in the amount of \$69,891.56, as recommended by the Engineer in his letter dated 12/30/2015. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

G. Schuster noted Richard Almquist submitted a letter dated 02/03/2016, requesting the final and complete reduction of the Northridge at Camelback Escrow Bond in the amount of \$1,239,377.14 and a second letter dated 02/08/2016 withdrawing the request for the final reduction. Discussion followed.

J. Lastowski made a motion, seconded by J. Coover, to deny the request of Richard Almquist for the release of the remaining balance of the Northridge at Camelback Escrow Bond. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

R. Almquist's letter of 02/08/2016 requested the Township allow T&M Associates to continue to complete the inspections and Township manager to issue the future Bond releases. No action taken.

SR 611 SANITARY SEWER PROJECT PAYMENT REQUEST #1 - G. Schuster noted the payment is part of the contractual agreement for the hump repair. T. Edinger updated the board on the status of the project and the Benninger property. T&M recommended payment in their 01/19/2016 letter. Discussion followed.

J. Coover made a motion, seconded by T. Felver, to approve and authorize the payment of Marona Construction Company's payment request No. 1, in the amount of \$1,147,500.00 as recommended by the Engineer in his letter dated 01/19/2016. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

APPOINTMENT OF FIRE POLICE:

J. Coover made a motion, seconded by H. Werkheiser, to appoint:

Alvin Kresge Captain
Richard Shay Lieutenant
Patrick Kresge
Christopher Kinsley Sr.
Gerald Lastowski
Steve Jacobs
Thomas Kresge
Christopher Kinsley Jr.
Donald Simpson
Peter Gallagher
William Ward
Robert Gupko
Corey Sayre

As 2016 Pocono Township Fire Police

Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, abstained; and J. Coover, yes. Motion carried.

SOLICITOR

L. DeVito noted two ZHB hearings for short term rental properties in residential districts. The ZHB denied the request and the appeals were sent to the County courts. J. Lastowski noted if the ZHB solicitor loses the case at the County level the Township can only appeal if the Township solicitor represents the Townships at the hearings. J. Coover questioned the need for representation since the cases are similar to the previous cases. Discussion followed.

Legal Representation for Short Term Rentals appeals:

J. Lastowski made a motion, seconded by H. Werkheiser, to authorize the Solicitor to represent the Township in appeals from the Zoning Hearing Board decisions related to short-term rentals. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, no. Motion carried.

RESOLUTIONS:

Resolution 2016-1 - Traffic Signal Rt. 611 & Rimrock Road - Jeffrey Clapper, Public Works Director, explained application is part of the Rimrock Road bridge work.

J. Coover made a motion, seconded by J. Lastowski, to adopt Resolution 2016-1 - Traffic Signal Application Rt. 611 & Rimrock Road. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

RESOLUTIONS CONT:

Resolution 2016-2 - Approving 2016 Meeting dates - J. Lastowski made a motion, seconded by H. Werkheiser, to adopt Resolution 2016-2 - 2016 meeting dates. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-3 - Approving Bank Signatories - J. Lastowski made a motion, seconded by J. Coover, to adopting Resolution 2016-3 - approving bank signatories. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-4 - Reappointing Planning Commission member - J. Coover made a motion, seconded by T. Felver, to adopt Resolution 2016-4 reappointing Ron Swink to the Pocono Township Planning Commission for a four (4) year term commencing on 01/01/2016 and terminating on 12/31/2019. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-5 - Reappointing Planning Commission member - J. Coover made a motion, seconded by T. Felver, to adopt Resolution 2016-5 reappointing Dennis Purcell to the Pocono Township Planning Commission for a four (4) year term commencing on 01/01/2016 and terminating on 12/31/2019. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-6 - Reappointing Planning Commission member - J. Coover made a motion, seconded by J. Lastowski, to adopt Resolution 2016-6 reappointing Robert DeYoung to the Pocono Township Planning Commission for a four (4) year term commencing on 01/01/2016 and terminating on 12/31/2019. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-7 - Reappointing Zoning Hearing Board member - J. Coover made a motion, seconded by J. Lastowski, to adopt Resolution 2016-7 reappointing Steve Chaladoff as for a three (3) year term commencing on 01/01/2016 and terminating on 12/31/2018. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-8 - Reappointing alternate Zoning Hearing Board Member - J. Coover made a motion, seconded by J. Lastowski, to adopt Resolution 2016-8 reappointing Lew Ginsberg as alternate to the Zoning Hearing Board for a three (3) year term commencing on 01/01/2016 and terminating on 12/31/2018. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-9 - Reappointing Civil Service Commission member - J. Lastowski made a motion, seconded by J. Coover, to adopt Resolution 2016-9 reappointing Rolland Cheesman to the Pocono Township Civil Service Commission for a six (6) year term commencing on 01/01/2016 and terminating on 12/31/2021. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

RESOLUTIONS CONT:

Resolution 2016-10 - Reappointing Recreation Committee member - J. Lastowski made a motion, seconded by J. Coover, to adopt Resolution 2016-10 reappointing Denise Herbert to the Pocono Township Recreation Committee for a five (5) year term commencing on 01/01/2016 and terminating on 12/31/2020. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

VACANCY BOARD:

Discussion followed as to the procedure and dates for the interviews. Board concurred to hold a special meeting for interviewing on Thursday, February 11th, 2016 at 6:00 p.m. and authorized the Twp. Secretary to advertise the meeting.

PUBLIC COMMENT:

Annabella Lastowski, Twp. resident, commented on the audience's conversations making it difficult to hear.

Jennifer Wise Werkheiser, Twp. resident, suggested additional time for Vacancy Chair applications.

ADJOURNMENT INTO EXECUTIVE SESSION:

J. Lastowski made a motion, seconded by T. Felver, to adjourn the meeting into executive session at 6:50 p.m. to discuss a litigation matter, until 02/16/2016 at 7:00 p.m., at the Pocono Township Municipal Building, Tannersville, PA. Roll call vote: T. Felver, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Respectfully submitted
Pamela Finkbeiner