

**POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING**

MARCH 7th, 2016 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on 03/07/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by Vice-President Harold Werkheiser at 7:00 p.m., followed by the Pledge of Allegiance.

SWEARING IN CEREMONY: District Magistrate Thomas Olsen swore in Robert DeYoung as a Pocono Township Board of Commissioner. The Board welcomed R. DeYoung to the Board.

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

Leo V. DeVito, Broughal & DeVito LLP, Solicitor, Russel Benner, T&M Associates, Engineer; Gregg Schuster, Twp. Manager; Regina Zuvich, Treasurer; and Pamela Finkbeiner, Twp. Secretary; were present.

ANNOUNCEMENTS:

There will be a Special meeting on 03/16/2016 at 6:00 p.m. to review the proposed sign and SALDO Ordinances.

APPROVAL OF MINUTES:

J. Coover made a motion, seconded by H. Werkheiser, to approve the minutes of the 02/16/2016 with the correction - T. Felver abstained on the CS-Graphx vote. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, abstained; T. Felver, yes; and J. Lastowski, yes. Motion carried.

APPROVAL OF BILLS AND TRANSFERS:

T. Felver made a motion, seconded by B. DeYoung, to approve the Bill's list of 03/07/2016. J. Coover noted a concern on T&M charges to the Township. R. Benner noted T&M will not object to the bill's be withheld. Discussion followed. T. Felver amended his motion, to approve all the invoices except the T&M charges for the Township, seconded by B. DeYoung. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, yes; and J. Lastowski, yes. Motion carried.

AMENDMENTS TO AGENDA: G. Schuster noted the addition of Bob DeYoung under Commissioner's comments and 11A - Interview for Bicentennial Celebration Committee to be rescheduled.

J. Coover presented a list of requirements for legal services for the Board to consider. H. Werkheiser noted Broughal & DeVito resigned 01/04/2016. T. Felver and J. Lastowski spoke in support of Broughal & DeVito. L. DeVito noted he is willing to stay on if the Board will consider his firm. T. Felver noted of proposals received two years ago, Broughal & DeVito were the best on costs and services provided. B. DeYoung and H. Werkheiser requested to review solicitor's proposals. Discussion followed. J. Coover requested the Board to solicit proposals for legal services.

H. Werkheiser made a motion, seconded by J. Coover, to solicit proposals for solicitor services. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, no; and J. Lastowski, no. Motion carried.

PUBLIC COMMENT: Ellen Gndt, Township resident, Henryville, thanked the Board for posting the full agenda, requested the manager's ordinance, and questioned why the other appointments were not on the agenda. G. Schuster noted he was unsure if the meeting would be held due to the lack of the 5th Commissioner's appointment.

REPORT OF THE PRESIDENT: T. Felver requested the position of vacancy board be added to the agenda. T. Felver noted Joe Shupp and Jeremy Sawicki selected as candidates. Discussion followed. B. DeYoung requested time to review the candidate's information. No action taken. T. Felver welcomed B. DeYoung to the Board.

Diane Zweifel, Henryville, question of the appointment of Township Manager. Discussion followed.

Amy Bullis, Henryville, questioned the Twp. manager contract. T. Felver noted the Board is reviewing the contract. Discussion followed.

Jane Cilurso, Tannersville, questioned the terms of the manager's contract.

L. DeVito noted the Twp. manager contract is a 'at will' contract and the manager serves at the pleasure of the Board. Discussion followed on the Manager's contract.

COMMISSIONERS COMMENTS:

Vice-President Harold Werkheiser, no comment.

Commissioner Judi Coover, no comment.

Commissioner Jerry Lastowski welcomed B. DeYoung to the Board. He requested the Board investigate newer phone technology so future meetings by phone will be easier to hear and be heard. G. Schuster noted Jarrod Belvin donated a polycom system for conference calls. The Board thanked J. Belvin for his donations.

Bob DeYoung, Commissioner, expressed gratitude for the opportunity to serve the community and looked forward to working together to move the Township forward.

REPORTS:

Emergency Services - Second meeting of the month.

Administration - G. Schuster gave his report and noted he received notice the Rimrock Bridge repair would be completed in May.

Sewer Connections - Inspection Process - G. Schuster referred to a memo from Public Works Director Jeffry Clapper dated 02/25/2016 recommending BIU inspect the sewer lateral connections with his oversight. G. Schuster noted the

SEWER CONNECTIONS CONT:

Twp. engineer is currently conducting the inspections. J. Coover explained authorizing BIU and J. Clapper to handle the sewer connections will save the Township money and reduce the risk of liability.

J. Coover made a motion, seconded by B. DeYoung, to authorize BIU to inspect the Sewer Connections for the Pocono/Hamilton Sewer system with oversight by Jeffry Clapper Public Works Director as described in his memo of 02/25/2016. J. Lastowski questioned if J. Clapper can handle the extra work and if the engineer was brought into the discussion. J. Clapper noted he will be available to answer resident's questions and deal with issues that may arise without impacting to his other duties. Discussion followed. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, yes; and J. Lastowski, yes. Motion carried.

Mandatory Connection Notices - area from Learn Road repair to Old Mill Road - G. Schuster noted this is part of phase two of the mandatory connections. J. Coover made a motion, seconded by B. DeYoung, to authorize the sending of the Mandatory Connection Notices to area from Learn Road Repair to Old Mill Road. J. Lastowski requested information on the low interest loans be included in the mailing. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, yes; and J. Lastowski, yes. Motion carried.

Township EDU Reduction - G. Schuster explained the request for the reduction of EDUs for the Township properties.

J. Coover made a motion, seconded by B. DeYoung, to authorize the reduction of EDUS for the properties listed below.

120 Alger Ave. - PIN: 12637201461397 - 1 EDU assigned to 0 (Demolished)

124 Alger Ave. - PIN: 12637201460351 - 1 EDU assigned to 0 (Demolished)

110 Township Drive - PIN: 12637201462545 - 1 EDU assigned

112 & 114 Township Drive - PIN:12637201460641 - 2 EDU assigned - reduced to 1 EDU

Total assigned EDU's 5

Proposed reduction - 3 EDUs to 2 EDUs.

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

Amendments to Board of Commissioners Bylaws & Rules of Procedures - G. Schuster explained J. Coover had recommended changes to the Bylaws. J. Lastowski requested any action be tabled until all the Commissioners can comment. The Board concurred to submit comments by the next meeting. J. Lastowski made a motion, seconded by B. DeYoung, to table the Amendments to the Board of Commissioners Bylaws & Rules of Procedures until the next meeting. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, yes; and J. Lastowski, yes. Motion carried.

Engineer's Report:

Russ Benner presented the February report.

ENGINEER'S REPORT CONT:

Leeward Construction, Inc. Final Payment - T&M Associates letter of 03/4/2016 recommended the payment request for Contract #3, Leeward Construction, Inc. R. Benner explained the payment request will be submitted to PennVEST for reimbursement.

T. Felver made a motion, seconded by J. Lastowski, to approve Leeward Construction, Inc. Final Payment, Contract #3, in the amount of \$45,086.66. Roll call vote: J. Coover, abstained; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, yes; and J. Lastowski, yes. Motion carried.

Marona Construction Company - Change order request - Waterline Relocation - T&M Associates' letter dated 03/04/2016 recommended the change order. R. Benner explained the change orders. Change Order #2 will move a waterline found to be close to the sewerline and second Change order is a request for additional time for substantial completion due to weather conditions and the moving of the waterline.

J. Coover raised concern that the time extension may delay the mandatory connections. Discussion followed on flow capacity, timing of connections notices, and cost for repair.

T. Felver made a motion, seconded by J. Lastowski, to approve Marona Construction Company's Change Order #2 - waterline relocation in the amount of \$50,000.00.

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

J. Lastowski made a motion, seconded by B. DeYoung to grant the 76 day extension for substantial completion of the Marona Construction Company sewerline repair. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, yes; and J. Lastowski, yes. Motion carried.

Diane Zweifel, Twp. resident, questioned J. Coover abstaining from the Leeward Contract. J. Coover stated she did not have enough background information to vote.

T. Felver requested the status of a house in Pocono Manor. L. DeVito noted he will update the board at the next meeting.

Treasurer's Report:

Gina Zuvich, Treasurer, reviewed the January report. She noted majority of taxes will be received by the end of April. Earned income tax was up in 2015. Discussion followed.

Heritage Committee appointment - Delayed until next meeting.

Resolution 2016-14 - Emergency Systems Service Company Agreement - Generator Service Agreement for Pump Stations.

J. Coover made a motion, seconded by B. DeYoung, to adopt Resolution 2016-14 - Emergency Systems Service Company Agreement. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, yes; and J. Lastowski, yes. Motion carried.

PUBLIC COMMENT:

Ellen Ghandt, Twp. resident, questioned the form of accounting and differences in the general account for 2015. G. Zuvich explained the Township had changed from cash to accrual in 2015 which impacted the numbers in the beginning of the year.

Maxine Turobolski, Twp. resident, noted the difficulty of hearing the Commissioners by phone.

ADJOURNMENT INTO EXECUTIVE SESSION:

J. Coover made a motion, seconded by H. Werkheiser, to adjourn the meeting into executive session to discuss a personnel issue at 8:20 p.m. Roll call vote: J. Coover, yes; H. Werkheiser, yes; B. DeYoung, yes; T. Felver, yes; and J. Lastowski, yes. Motion carried.

Respectfully submitted
Pamela Finkbeiner
Township Secretary