

**POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING**

AUGUST 3, 2015 7:20 P.M.

The regular meeting of the Pocono Township Commissioners was held on 08/03/2015 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Richard Wielebinski at 7:20 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; Tim Edinger, T&M Associates, Twp. Engineer; Gregg Schuster, Twp. Manager; Gina Zuvich, Twp. Treasurer; and Pamela Finkbeiner, Twp. Secretary, were present.

ANNOUNCEMENTS:

An executive session following this meeting to discuss potential sewer litigation.

The Sewer Committee Meeting regularly held the 1st and 3rd Tuesdays at 9:00a.m., has been rescheduled to 08/06/2015 at 9:00 a.m., at the Pocono Volunteer Fire Company meeting room.

MINUTES:

T. Felver made a motion, seconded by R. Wielebinski, to approve the Commissioners regular meeting minutes of 07/20/2015. 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 T. Felver, to approve Check Listing, dated 08/03/2015, 2015. 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: Jake Singer, Twp. resident, read a statement on behalf of Central Pocono Ambulance Association, stating they have contracted an auditor whom will start on 08/06/2015 as per the agreement. J. Singer noted Central Pocono signed the agreement with the Township in January but the Township has not. The Ambulance Association is requesting to meet with the Commissioners to discuss the proposed Request for Proposal for other ambulance services to serve Pocono Township. G. Schuster noted the RFPs was not intended to replace Central Ambulance. Discussion followed. No action taken.

REPORT OF THE PRESIDENT: R. Wielebinski commended the Public Works Department on their work to replace the Crescent Lake Road Culvert. He noted the job was completed quickly with little impact to the residents whom use the road.

COMMISSIONERS COMMENTS:

Jerry Lastowski, Vice President, no comment.

Tom Felver, Commissioner, requested the roadway paving information and suggested G. Schuster to post the roads to be paved on the website.

Peter Nish, Commissioner, no comment.

Brad Wise, Commissioner, reported:

- a) An emergency repairs due to a lightning strike at Pump Station #3.
- b) Logic changes to Pump Station #5.
- c) A meeting was held with Tobyhanna Township to discuss Kalahari sewage discharges and grease issues at Pump Station #1
- d) The repair to the 'hump' is close to start.
- e) Continued work to close out the contracts.
- f) BCRA will be charging the Township approximately \$8,000 per month for 12 months to replenish the O&M fund and pay back a 2011 audit correction. Discussion followed.

ADMINISTRATION:

Township Manager Gregg Schuster reviewed his report.

- a) Municipal/Public Safety Building hookup to sewer system - G. Schuster requested direction from the board concerning the Township buildings hooking up to the sewer system and if the Township will pay for all emergency services connections. He suggested bidding the project out to include all buildings. R. Wielebinski noted the project should wait for the hump repair to be completed. No action taken.
- b) Fee waiver for fundraiser at Mt. View Park - withdrawn.
- c) Zoning Officer Position - G. Schuster reviewed his memo of 07/31/2015 recommending a proposed full-time Zoning Officer position at the rate of \$26.00 per hour with employee paying 10% of cost share on healthcare premium after 90 day waiting period for coverage. Estimate yearly cost at \$86,000.00 in 2016 - wages plus benefits. R. Wielebinski made a motion, seconded by B. Wise, to create a fulltime Zoning Officer position. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, no; P. Nish, yes; and B. Wise, yes. Motion carried. G. Schuster noted a person will be hired to the position. Judi Coover, Twp. resident, requested the applicant be informed that the full-time position may not be available in January, 2016 once there is a change in the board and the position maybe reduced to part-time. B. Wise noted a full time Zoning Officer is necessary for enforcement. R. Wielebinski agreed, noting Carl Fregoni was only authorized for 18 hours per week. Emil Paletta and Jane Cilurso, Twp. residents, spoke in support of a full time ZO. Maxine Turbolski, Twp. resident, questioned the cost of a fulltime Zoning Officer. Tom Olsen, Twp. resident, noted Police Officers start a lesser salary and have more training.

- d) Treasurer Position - G. Schuster explained he reviewed the Treasurer's position as per compensation. R. Wielebinski noted Gina Zuvich has been the Interim Treasurer for the Township since the change to 1st class and was not appointed as the 'official' Treasurer. G. Schuster noted a 10.9% increase in salary for a change from interim to official came from the average of a 2nd class Township Treasurer. T. Felver questioned if the salary should be discussed in an executive session. B. Wise recommended no salary change should be made until the end of the year. P. Nish made a motion, seconded by R. Wielebinski, to appoint Regina Zuvich as Township's Treasurer. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.
- e) Meeting room audio/visual - J. Lastowski noted after reviewing the cost he preferred to wait to purchase audio/visual equipment. The Board concurred.
- f) Tax penalty waiver request - G. Schuster received a request from resident to waive the tax penalty imposed for not paying property taxes in a timely manner. No action taken.

Township engineer Tim Edinger reviewed the engineering report. He noted the contractor for the Stadden Road bridge project is waiting for water levels to go down to start work. T. Felver questioned the Kopelson Projects. T. Edinger noted Kopelson (Lot 3) is waiting for the realignment of 715 and 611 to be determined.

Township Solicitor Leo DeVito

- a) Unsafe Structures - A complaint concerning an unsafe structure located at Manor Drive and Fairview Ave has been received by the Township. R. Wielebinski made a motion, seconded by T. Felver, to authorize the Township Building Code Official to do an inspection from the roadway or by consent the property located at 403 Manor Drive, Pocono Summit, PA. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

B. Wise requested the list of 'unsafe' properties he submit to the board, be considered for inspections. B. Wise made a motion to authorize the Township Zoning Officer to review the properties identified in his letter and send a letter. Motion failed for lack of second. Discussion followed as to the process and cost of the process to pursue enforcement of unsafe structures. Monica Gerrity, Twp. resident, noted the recent demolition of houses on Alger Ave cost close to \$50,000.00 and in some cases property owners may not have the money to repair their homes. Sal Furino, Twp. residents, questioned if the Township would be responsible to tear down the house. L. DeVito, noted if the owner could not pay for the demolition, the Township would bear the cost of the demo, and then lien the property. P. Nish requested the Board wait until after the previous unsafe structure is processed before proceeding with additional properties. The Board concurred to wait.

SOLICITOR'S REPORT CONT:

b) C. Castle Spa MOU for sewer services - L. DeVito, Twp. Solicitor, explained the Memorandum of Understanding will allow the Twp. Solicitor and the attorney for C. Castle Spa to create the groundwork for sewer service C. Castle Spa. The Sewer committee recommended the MOU be drafted to meet the BCRA deadlines. C. Castle Spa will be responsible for the cost. Judi Coover, Twp. resident, stated the sewer project was designed to benefit the commercial development along the route 611 corridor. She asked what benefit will there be for the residents for extending the sewer line to C. Castle. B. Wise noted Birchwood was a resort for many years and the addition of C. Castle will add tax revenues. B. Wise noted there is a couple of issues that need to be completed before the project moves forward. Betty Cook, Emil Paletta, Jerry Price, Lisa Olsen, Tom Olsen, Annabella Lastowski, Diane Zwiefel, Twp. residents, comments on C. Castle Spa. J. Lastowski made a motion, seconded by B. Wise, to authorize the Township Solicitor and Township Engineer to draft a Memorandum of Understanding between Pocono Township and C. Castle Spa. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, no; P. Nish, yes; and B. Wise, yes. Motion carried.

Township Treasurer Gina Zuvich - no report.

ORDINANCES: None**RESOLUTIONS:**

Resolution 2015-51- MCTI Agreement - R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-51 - providing Police Services to Monroe County Technical Institute (MCTI) at a rate of \$72.00 per hour for the 2015-2016 School year. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-52 - DCED Agreement - R. Wielebinski made a motion, seconded by T. Felver, to adopt Resolution 2015-52 - agreement with DCED for the purpose of providing peer-to-peer technical services for a review of the Pocono Township Police Department. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-53 - Supplemental Appropriations - R. Wielebinski made the motion, seconded by T. Felver, to adopt Resolution 2015-53 - Supplemental Appropriations. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

PUBLIC COMMENT:

Maxine Turbolski, Twp. resident, questioned the sewer hookup inspections. G. Schuster noted BIU is handling them. M. Guidry, Twp. resident, reported a mattress left along the road along rt. 715. G. Schuster will report it to PennDOT.

ADJOURNMENT INTO EXECUTIVE SESSION:

R. Wielebinski made a motion, seconded by P. Nish, to adjourn the meeting at 9:00 p.m., into executive session to discuss a sewer litigation issue. 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