

**POCONO TOWNSHIP BOARD OF COMMISSIONERS**

**REGULAR MEETING MINUTES**

**SEPTEMBER 6<sup>th</sup>, 2016 7:00P.M.**

The Regular meeting of the Pocono Township Commissioners was held on 09/06/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Harold Werkheiser at 7:00 p.m., followed by the Pledge of Allegiance.

**ROLL CALL:** Ellen Gndt, present; Bob DeYoung, present; Harold Werkheiser, present; Jerry Lastowski, present; and Judi Coover, present.

Leo DeVito, Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer, present; Charles Vogt, Township Manager; and Pamela Finkbeiner, Township Secretary, were present.

**ANNOUNCEMENT:**

Executive Sessions were held on 08/18/2016, 08/22/2016 and 9/1/2016 to discuss personnel matters, discussions with the solicitor regarding litigations issues and negotiations regarding collective bargaining.

Summit Health Campus Conditional Use Hearing scheduled for August 24<sup>th</sup>, 2016 was cancelled and has been rescheduled to 09/29/2016 at 6:00 p.m.

**PUBLIC COMMENT:**

H. Werkheiser addressed the audience and informed them that the Brookdale on the Lake treatment center would not be discussed.

Terry Brown and Janet Miller, Gus Psisto, Twp. residents, questioned if the resident's concerns would be considered with any action taken on the Brookdale property.

J. Coover noted residents should check the agendas for when the Brookdale Project comes before the board.

G. Psisto requested resident be allowed additional time to speak at the next Brookdale presentation.

Allen Gothard, Old Orchard Farms, requested the Board research other areas that have been impacted by Treatment Centers.

J. Lastowski noted he takes everyone's opinion into consideration when making a decision.

**APPROVAL OF MINUTES:**

J. Coover made a motion, seconded by J. Lastowski, to approve the work session minutes of 08/11/2016. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, abstained; J. Lastowski, yes; and J. Coover, yes. Motion carried.

E. Gndt noted the first paragraph was duplicated on page 3.

J. Lastowski made a motion, seconded by E. Gndt, to approve the Regular meeting minutes of 08/15/2016 with correction. Roll call vote: E. Gndt, yes; B. DeYoung, abstained; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**MINUTES CONT:**

J. Lastowski made a motion, seconded by E. Gnant, to approve the 08/18/2016 Special meeting minutes for the Brookdale Presentation. Roll call vote: E. Gnant, yes; B. DeYoung, abstained; H. Werkheiser, abstained; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Coover made a motion, seconded by J. Lastowski, to approve the Work session minutes of 09/01/2016. Roll call vote: E. Gnant, yes; B. DeYoung, yes; H. Werkheiser, abstained; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**BILLS AND TRANSFERS:**

E. Gnant questioned the Donna Kenderdine Transcript cost, Jane Cilurso name still on Staple Advantage invoice, Steele Hardware - Keys for Pump stations, James Wagner's gasoline charge for attending police training, DEFE charge for Unifirst, Pocono Spray Patching cost, Wayne Bank interest charge, T&M invoice for Pump Station #2 analysis, and CTS/Brodsky payment for damage during construction. Discussion followed. J. Coover suggested the CTS Properties/Brodsky damage be sent to the insurance company. J. Lastowski noted the damage occurred several years ago and Mr. Brodsky had agreed to wait until all work was completed. The previous Board had approved reimbursement of the cost to repair the damage. The Board concurred upon E. Gnant's recommendation to withhold the Wayne Bank interest payment and T&M Invoice.

E. Gnant a motion, seconded by J. Coover, to approve the Bill's list dated 09/06/2016 excluding check #1651-Wayne Bank for \$224.70 and check#178 - T&M Associates in the amount of \$11,413.20. Roll call vote: E. Gnant, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Discussion followed on the PACT TWO payment request. L. DeVito requested direction from the Board to resolve the issue. J. Coover and E. Gnant questioned the payment request. C. Vogt noted he has been working with Mark Ambrose to review the payment requests. L. DeVito requested the Board determination on whether the \$140,000 should be by agreement or Change Order. Discussion followed. B. DeYoung suggested E. Gnant work with L. DeVito to resolve the differences and bring the payment request back to the Board for approval. No action taken.

J. Coover made a motion, seconded by E. Gnant, to approve the Inter-fund transfer of 09/06/2016. Roll call vote: E. Gnant, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**REPORT OF THE PRESIDENT:** None

Bob DeYoung, Vice President - No

Ellen Gnant, Commissioner, noted she attended the Capital Improvement Committee and the Finance Committee will meet on the 13<sup>th</sup>.

**REPORTS CONT:**

Judi Coover, Commissioner, noted she spoke to the Monroe County Commissioners, Monroe County Planning Commission and Twp. Manager concerning abandoned properties. She noted the County maybe able to help.

Jerry Lastowski, Commissioner,

- 1) State law requirement for Leaf recycling. He spoke St. Representative Jack Rader and his bill which will give Township relief from the requirement had passed the house and is at the Senate.
- 2) TLC Tank - L. DeVito noted he is working with the school district to remove the tank. Discussion followed.

**ADMINISTRATION - MANAGER'S REPORT**

- a) Appointment of Pocono Director to BCRA Board for Term Expiring January 1<sup>st</sup>, 2018. C. Vogt noted with his appointment as Twp. Manager, he was required to resign from the BCRA Board. J. Coover a motion, seconded by E. Gndt, to appoint Tom Wise as the Pocono Director to BCRA Board for a term expiring January 1<sup>st</sup>, 2018. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.  
Tom Wise noted he has talked to Ken Brown, BCRA and thanked the Board for the appointment.
- b) Recreation Committee Vacancy - Jim Olizarowicz resignation. J. Coover made a motion, seconded by J. Lastowski, to appoint Nathan Laubach to the Recreation Committee to fill the vacancy. Dean Hartzhorn questioned if he was a resident. J. Coover noted it is not a requirement. H. Werkheiser questioned if additional applications were received. C. Vogt noted Mr. Laubach was recommended by several people. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.
- c) 457 Pension Plan - E. Gndt explained the plan needed to be restated. Several changes were made to match the Contracts. J. Lastowski requested the Police Department be allowed to review. J. Coover made a motion, seconded by J. Lastowski, to approve the restatement of 457 Pension Plan subject to the Police department approval. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.
- d) Administrative Assistant - additional time - C. Vogt noted with Jeff Clapper's departure, he requested Christine Brodsky be moved to 34 hours per week for 10 weeks to help until a Public Works director is hired. J. Lastowski made a motion, seconded by H. Werkheiser, to increase Christine Brodsky's hours to 34 hours per week for 10 weeks. E. Gndt questioned if she will be trained for additional job duties. J. Coover requested she answer to C. Vogt, only. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**MANAGER'S REPORT CONT:**

- e) Sundance Invoice #118281 - authorization to approve payment - C. Vogt noted the Police servers were specialized items and only two quotes were received. He noted they are still researching prices to confirm there was not a loss to the Township. C. Vogt recommended it be paid. J. Lastowski made a motion, seconded by H. Werkheiser, to approve the payment of Sundance Invoice #118281 in the amount of 18,859.48. E. Gnandt requested the motion be amended to state if it found a loss to the Township, the Board will pay the loss. J. Coover noted it was not in the budget and the three quotes were not received. J. Lastowski stated it was a needed purchase to replace old equipment. Discussion followed. Roll call vote: E. Gnandt, no; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, no. Motion carried.
- f) Facilities Study Status - C. Vogt, Twp. Manager, explained the study should be completed soon.
- g) Authorization to advertise for a new Public Works Director. J. Lastowski made a motion, seconded by H. Werkheiser, to authorize the Twp. Manager to create a job description, subject to Board review and advertise the position of Public Works Director. Roll call vote: E. Gnandt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.
- h) Operations planning and budgeting for Heritage Center following completion. - C. Vogt, Twp. Manager, noted there is a request to open the building year round and explain the budget considerations needed. B. DeYoung questioned the cost for year round - staffing, utilities, maintenance of parking lot, etc. J. Coover noted the remodeling has been donated by the Heritage Foundation and there is no cost to tax payers. Ramona Shupp noted project was not to cost the Taxpayers but the new shed, sidewalks, bathrooms, paving and future maintenance are tax payer cost and she is not in favor keeping it open year round. Maxine Turbolski, Twp. resident, recommended closing the building during the winter. Discussion followed. No action taken.

**PUBLIC WORKS REPORT:**

- a) Paving Project update - C. Vogt explained the paving is started and a concern over the material temperature was raised. Jim Loyson, Public Works Employee is monitoring the temperature. C. Vogt noted if the temperature requirements are not met, paving will not be done. Discussion followed.
- b) Basketball Court quotes - C. Vogt explained J. Clapper had the three quotes revised and Pocono Spray Patching remained the lowest. Discussion followed on who will monitor the work. B. DeYoung offered to assist. J. Coover made a motion, seconded by E. Gnandt to award the contract to Pocono Spray Patching, Inc. dated 08/16/2016 in the amount of \$2,130.00. Roll call vote: E. Gnandt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**PUBLIC WORKS REPORT CONT:**

- c) Playscape Climbing Structures - C. Vogt explained he contacted Playscape and they will install the equipment. Quotes were received for installation. J. Coover questioned the cost with installation since it will exceed the bidding requirements. Discussion followed. The Board concurred to wait until additional information is received.
- d) Maintenance Building Boiler Status - C. Vogt explained a new boiler was not ordered and Leon Clapper has inspected the boiler and can repair it and maintain it. Discussion followed. No action taken.

**TOWNSHIP SOLICITOR**

Camelback Mountain Slide Maintenance Declaration for Stormwater Facilities - L. DeVito, Twp. Solicitor, explained the agreement is for the stormwater facilities. - J. Lastowski made a motion, seconded by B. DeYoung, to authorize the execution of the Camelback Mountain Slide Maintenance Declaration of Covenant, Agreement and Easement for Stormwater Facilities and authorize the Township Official to sign. E. Gndt questioned the ownership of the property. C. Vogt noted the agreement binds to the property no matter who is the owner. H. Werkheiser questioned who will monitor the stormwater improvements. C. Vogt noted MCCD will notify the Township if there is a problem and the Twp. Engineer would be requested to inspect. E. Gndt stated she did not have enough information to vote on the agreement. - Roll call vote: E. Gndt, no; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Adam's Outdoor ZHB - L. DeVito explained Adam's has two ZHB hearings and requested direction from the Board to attend. J. Tresslar, Twp. Engineer, noted the application was received. B. DeYoung request to wait. No action taken.

**TOWNSHIP ENGINEER REPORT:**

Northridge at Camelback Escrow Release #22 - J. Tresslar explained T&M in their letter of 08/16/2016 recommended the escrow release. H. Werkheiser made a motion, seconded by J. Lastowski, to approve Northridge at Camelback Escrow Release #22 in the amount of \$95,612.15. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Kinsley Minor Subdivision RFM - J. Tresslar explained due to the Topography of the property the grades cannot be met. H. Werkheiser made a motion, seconded by B. DeYoung, to approve the RFM for SALDO SEC. 3.208.M - Maximum grade on local access street. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Kalahari EDU Status - J. Tresslar, Twp. Engineer, explained the Kalahari project is requesting additional EDUs for their new addition and He will review the contract. Discussion followed. No action taken.

**TOWNSHIP ENGINEER REPORT CONT:**

MS4 update - J. Tresslar noted he attended the MS4 roundtable and met with Monroe County Planning Commission to discuss. MCPC is in the process of doing the mapping. He is working with MCPC to develop what will need to be done.

**RESOLUTIONS:**

Resolution 2016-43 - Banner - C. Vogt noted the Resolution was approved at the Brookdale Presentation meeting and the meeting may not have been advertised correctly. J. Lastowski made a motion, seconded by E. Gndt, to ratify Resolution 2016-43 - Bicentennial Banner. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-44 - Bank Signatories- J. Lastowski made a motion, seconded by J. Coover, to adopt Resolution 2016-44 - designating Judi Coover, Robert DeYoung, Gerald Lastowski, Harold Werkheiser, Ellen Gndt, and Regina Zuvich as authorized signers. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Resolution 2016-45 - Monroe County 2016 Hazard Mitigation Plan - C. Vogt explained this is the County plan. J. Coover questioned if the plan had been reviewed. H. Werkheiser requested it be reviewed. J. Lastowski requested the Twp. Manager review the plan and reports to the board his recommendation. Discussion followed.

**PUBLIC COMMENT:** Marie Guidry questioned when fall cleanup will be and if it will be advertised in the Pocono Record.

P. Finkbeiner noted the dates are September 22, 23, and 24<sup>th</sup>.

**ADJOURNMENT INTO EXECUTIVE SESSION:** J. Coover made a motion, seconded by E. Gndt, to adjourn the meeting into executive session to discuss a personnel matter, at 9:25 P.M. until 09/19/2016 at 7:00 p.m., at the Pocono Township Municipal Building. Roll call vote: E. Gndt, yes; B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Respectfully submitted  
Pamela Finkbeiner  
Township Secretary