

**POCONO TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING**

**OCTOBER 5<sup>th</sup>, 2015 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on 10/05/2015 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; Tim Edinger, T&M Associates, Twp. Engineer; Gregg Schuster, Twp. Manager; Gina Zuvich, Twp. Treasurer; and Pamela Finkbeiner, Twp. Secretary, were present.

**ANNOUNCEMENTS:**

R. Wielebinski apologized to the audience for the unadvertised update by Spa Castle at the 09/21/2015 meeting. He noted all future discussions with Spa Castle will be placed on the agenda.

There will be a special meeting at 5:00 p.m. tomorrow to hear presentations for ambulance proposals. Following the presentations, the 2016 budget will be discussed.

There will be an executive session after tonight's meeting to discuss personnel issues and sewer litigation.

**MINUTES:**

J. Lastowski made a motion, seconded by T. Felver, to approve the Commissioners regular meeting minutes of 09/21/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**BILLS AND TRANSFERS:**

R. Wielebinski questioned the T. Brennan check for \$41,355.00 for Stadden Road. G. Schuster noted the Stadden Road Bridge repair costs will be applied to the LSA Grant. J. Lastowski requested the total cost of the repair. G. Schuster will provide the total cost to the Board.

J. Lastowski questioned the RKR Hess invoice. T. Felver noted RKR Hess is assisting with the contract close outs and PennVEST audit.

J. Lastowski made a motion, seconded by T. Felver, to approve the Bill's listing dated 10/05/2015, Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**AMENDMENTS TO AGENDA:** G. Schuster noted 11A the UCC Board of Appeals interviews will be moved to after Public comment.

**PUBLIC COMMENT:**

Linda Smith, Central Pocono Ambulance, noted the Community Day was successful and then presented their completed audit to the Board for their review.

**PUBLIC COMMENT CONT:**

Betty Cook read a letter to the Commissioners from the Analomink Rod and Gun Club, Inc., concerning their opposition to the Spa Castle Resort noting Act 537 and traffic concerns.

Tom Olson, resident Hallet Road, spoke concerning amending Act 537 and the Spa Castle presentation on 09/21/2015 without public notice. R.

Wielebinski stated the Twp. Engineer requested the update from Spa Castle representatives and noted the Board is still waiting on additional information before making any decision on the Act 537 plan. L. DeVito explained the process to amend the Act 537 plan. Discussion followed. B. Wise stated he felt the Twp. Engineer did not request the presentation but instead it was part of the Engineer's report on the status of Spa Castle. Tom Felver, Commissioner stated he disagreed with Brad Wise's statement concerning the presentation by Spa Castle noting they spoke for about 25 minutes. He requested the Twp. Engineer not be present unless needed. Tom Olson, Twp. resident, questioned the time of the presentation. P. Finkbeiner will review the tape for the time.

Judi Coover, Twp. resident, and Tom Olson requested the Board consider a public meeting to inform the public of the status of the Spa Castle Plan. G. Schuster noted Spa Castle will be on the next agenda for the vacation of Birchwood Road. R. Wielebinski stated the venue maybe changed for the meeting to accommodate the public.

**BOARD OF APPEALS INTERVIEWS:**

G. Schuster explained the UUC Board of Appeals is to hear cases involving building code violations.

Scott Mango, Scotrun, introduced himself to the board and noted his knowledge of plumbing and electrical work. R. Wielebinski questioned if he was familiar with the UCC codes. He noted he was not but will familiarize himself with the codes.

Michael Wilk, Bartonsville, introduced himself and explained his background in engineering and current employment. R. Wielebinski asked if he was familiar with the UCC. M. Wilk stated he is familiar with UCC.

J. Lastowski noted the UCC Board can function with only two members.

R. Wielebinski made a motion, seconded by P. Nish, to appoint Scott Mango and Michael Wilk to the 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.

P. Nish noted the UCC Board of Appeals still has one opening.

**REPORT OF THE PRESIDENT: None****REPORTS OF THE COMMISSIONERS:**

Jerry Lastowski, Commissioner, explained he attended the HJP meeting and the HJP Board voted that Pocono Township did not owe any money to HJP in 2016.

Pocono Mountain School Board East Campus Sewer hookup - He noted they have received conflicting information from the Township in the past and requested a meeting with the Township to go over costs and procedures. He requested permission from the board for the Twp. Manager, Twp. Engineer, B. Wise, and himself to set up a meeting with the School district.

**REPORTS - LASTOWSKI CONT:**

J. Lastowski complemented the Pocono Record and reporter Dave Pearce for the excellent article concerning funding opportunities available for sewer hookups.

T. Felver, Commissioner, requested that the Twp. Engineer not be included with the meeting with the School unless needed.

Peter Nish, Commissioner, commented on the school's hookup to the system.

Brad Wise, Commissioner, noted at the 5:00 p.m., Special meeting the Board of Commissioners approved the temporary repairs to the sewermain at a cost not to exceed \$40,000.00.

B. Wise voiced his concern on the cost of the UCC appeal process for residents and felt the decision of the Board to have BIU do the sewer connection inspections was a mistake. It has led to activating the UCC Board of appeals and will incur additional costs to residents if they appeal a violation. He stated in his opinion, he felt the inspections were working well with the Engineer in charge. R. Wielebinski stated having BIU was the right choice.

**ADMINISTRATION:**

Township Manager Gregg Schuster presented his report.

## 1) EDU Appeals:

R. Wielebinski made a motion, seconded by P. Nish, to approve the EDU appeals for:

a) 2092 Rt. 611 - Pocono Brewing Company/Running Lane  
PIN:12636404744153- reduction of EDUs from eighteen (18) to eleven (11) EDUs

b) 2819 Rt. 611 - Linda Starner - 12637201389258 - reduction of EDUs from three (3) to one (1) EDUs.

c) 3414 Rt. 611 - American Candle - 12638100057255 & 12638100054467 - reduction of EDUs from three (3) to one (1)

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

2) Castle Hill Roads - Nadine Matise, Twp. resident, addressed the board concerning the dedication of roadways in Phase I of Castle Hill Estates. G. Schuster explained if they bring the roadways up to specification the Township may take them over. He noted the next step would be to establish an escrow account with the Township. B. Wise questioned the presently blocked road into Oakwood Acres. L. DeVito, Twp. Solicitor, explained the Twp. Engineer would inspect the roads and a formal petition showing metes and bounds of the roadways would need to be submitted to the Township for accepting the roadways. Nadine Matise requested a confirmation from the board that the roads would be accepted. Discussion followed. L. DeVito noted that if they complete all the conditions, the Township would accept the roads. G. Schuster questioned the motion would be legally binding to future boards. L. DeVito stated the motion would be legally binding to the current and future boards if all conditions were met.

## CASTLE HILL ROADS CONT:

P. Nish made a motion, seconded by R. Wielebinski, to accept Jonathan Way & King's Court roads in Castle Hill Estates Phase I, for dedication conditioned upon:

1) Subject to the establishment of an escrow account with the Township.

2) Subject to the Township engineer's review.

3) Subject to the Home Owner's Association agreeing to the cost of bringing the roads to specification and dedication of roads.

4) Subject to Jonathan Way & King's Court being brought up to Twp. Specification.

5) Subject to meeting any statutory requirements for formal petition for dedication.

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Township Engineer Mark Ambrose

1) Pioneer Contract No. 8 & No. 9 Closeout: M. Ambrose explained the two Contracts with Pioneer have been approved for close out.

R. Wielebinski made a motion, seconded by T. Felver, to approve Contract #8 (Pumping Station #1), Payment application dated 08/05/2015 in the amount of \$24,620.67. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

R. Wielebinski made a motion, seconded by B. Wise, to approve Contract #9 (Pumping Station #2), Payment application dated 07/27/2015) in the amount of \$15,810.85. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

2) Stadden Road Repair - M. Ambrose, Twp. Engineer, noted he had inspected the repair after the recent storm and it appeared to be functioning. The contractor should complete the guardrail soon.

3) Learn Road closure - M. Ambrose noted he is preparing a memo on the traffic controls and roadway closures. The timeline for work is to start mid-October, drilling to be 2 to 4 months, with an anticipated completion by March 2016. The line is located approximately 28 feet deep.

4) Swiftwater Creek Stabilization and Wilke Road - M. Ambrose noted due to conflict in scheduling the work was not completed before the October 1<sup>st</sup> DEP deadline. B. Wise requested the engineer contact the Fish & Boat Commission for a waiver. P. Nish questioned why a contractor was used instead of the Township Public Works department. M. Ambrose felt it was a fair price by the contractor for both the Swiftwater and Wilkie Road projects.

Township Solicitor Leo DeVito - No report.

**PRESENTATIONS:**

Recreation Committee - RecDesk Proposal - Charlie Trapasso, President of the Recreation Committee introduced the members of her committee and intern Anthony Caprario. She reviewed the use of the electronic calendar for renting pavilions, explaining it will allow residents and visitors to see which pavilions are available and pay on-line. It will be linked to the Township's website. The cost of RecDesk is \$1,800.00 per year with a 2.9% charge for processing payments. C. Trapasso noted residents can still apply in person for pavilions. The calendar will allow the Recreation Committee to have available a database of rentals.

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the Twp. Manager to work with RecDesk to formalize the agreement. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Bicentennial Committee - Celebration Proposal - Charlie Trapasso, President of the Bicentennial Committee introduce the members. She read a statement to the Board. The Committee is requesting permission for the Board of Commissioners to move forward with the establishment of a museum at the present Community Center at Mt. View Park. She presented a concept drawing and plan of the renovations. C. Trapasso stated the cost of the renovation would be by donations. T. Felver questioned the liability of housing valuables. C. Trapasso noted the building would be locked and a callbox installed for tours. B. Wise questioned the septic system. R. Wielebinski made a motion, seconded by J. Lastowski, to approve the Bicentennial Committee's proposed plan for renovations to the Community Center. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**ORDINANCES:** None

**RESOLUTION**

Resolution 2015-68 - Approving an agreement with Prosser Labs - G. Schuster explained it is for PA One Call services for the sewer line. P. Nish made a motion, seconded by R. Wielebinski, to adopt Resolution 2015-68 - Prosser Labs Agreement. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**PUBLIC COMMENTS:** Annabella Lastowski, Twp. resident, commented on the meeting with the Pocono Mountain School District concerning the sewer hookup.

**ADJOURNMENT INTO EXECUTIVE SESSION:**

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