

**POCONO TOWNSHIP BOARD OF COMMISSIONERS**

**REGULAR MEETING**

**APRIL 6<sup>th</sup>, 2015 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on 04/06/2015 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, Treasurer; and Pamela Finkbeiner, Secretary were present.

**ANNOUNCEMENTS:**

- a) A special joint meeting with the Tobyhanna Supervisors will be held on 04/07/2015 at 10:00 a.m. to discuss changes to the proposed sewer agreement amendment.
- b) A special Board of Commissioners meeting will be held on 04/21/2015 at 4:30 p.m. to meet with a representative from DCED to discuss a review of the Pocono Township Police Department.
- c) An executive session was held prior to this meeting to discuss sewer litigation and negotiations with the Police Union, the executive session will continue directly after the meeting.

**MINUTES:** P. Nish made a motion, seconded by T. Felver, to approve the minutes of the 03/16/2015 regular Commissioners' meeting. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

**BILLS AND TRANSFERS:** T. Felver made a motion, seconded by B. Wise, to approve the Bills listing of 04/06/2015 (excepting all tele-communication bills). Judi Coover, Twp. resident, questioned T&M engineering costs for the month. B. Wise noted the fees included work on Stadden Road, 715 improvements, and Wilkie Road reviews. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

J. Lastowski made a motion, seconded by P. Nish, to approve the Bills listing of 04/06/2015 (tele-communication bills). Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

**AMENDMENTS TO THE AGENDA:** G. Schuster, Twp. Manager, noted 11.a. Monroe County Planning Commission will not be attending tonight's meeting.

**PUBLIC COMMENTS:** Diane Zweifel, Twp. resident, asked if all employees are using the time clocks. G. Schuster, Twp. manager, noted the Public works and Office employees have started to use the time clocks. He is working with the Police Union for the police department.

**COMMENTS CONT:**

Linda Smith, Central Pocono Ambulance Manager, noted they are collecting for the VALOR Clinic Foundation, a non-profit organization for homeless veterans. She requested the Township to post a notice on the sign to inform the public of the collection.

Diane Zweifel, Twp. resident, spoke concerning Chestnuthill Township's 'Give or Take Day' where residents bring good used items to trade as an Earth Day Celebration event.

P. Finkbeiner noted Spring Cleanup dates are May 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup> from 7:30 a.m. to 3:00 p.m.

J. Coover asked the status of the Pocono Central Ambulance's audit. G. Schuster noted he has had several meetings with the Ambulance Association and expected an announcement, soon.

**REPORT OF THE PRESIDENT**, Richard Wielebinski, no report.

**COMMISSIONERS' COMMENTS:**

Jerry Lastowski, Vice-President, noted he had spoken to Senator Toomey and Chuck Leonard of Pocono Mountain Economic Development Corporation concerning assistance for low income residents mandated to hookup to the sewer system.

Tom Felver, Commissioner, noted he will be unable to attend the Special meeting with Tobyhanna Township, 04/07/2015. He requested the Board to address the issue of damage Pocono Manor roadways at the meeting.

Peter Nish, Commissioner, commended Pocono Township's Public Works Director Jeff Clapper for his work in inventorying and the selling unused equipment.

Brad Wise, Commissioner -

- 1) Aid for low-income residents - DCED loan program offers a 0% loan for 7 years to low-income residents whom can make the monthly sewer payments.
- 2) Zoning Officer - B. Wise noted with the new ordinances it is time for a full-time zoning officer to enforce the ordinances. P. Nish stated he would not vote for any ordinance if the Township does not enforce them.
- 3) Township Buildings - B. Wise recommended bringing the Township buildings up to Building codes.
- 4) Alger Avenue Houses - B. Wise expressed concern that the houses were not inspected before the Pocono Township Fire Company used the houses for training. Since the training exercises damaged the houses, he requested the houses be torn down as soon as possible.

## REPORTS:

## ADMINISTRATION

Township Manager, Gregg Schuster gave his monthly report.

- a) Zoning Officer - Carl Fregoni, part-time Zoning Officer will be leaving. His services were through Building Inspector Underwriters at a rate of \$30.00 per hour for 18 hours per week. Dee Ackerman, Twp. administrative assistant, surveyed all Townships in Monroe County for Zoning Officer hours. G. Schuster did a cost out of options. He noted PSATS's average wage is \$27.50. Discussion followed as to the need for full time or two part-time zoning officers. T. Edinger, Twp. Engineer noted he works with third party services and will supply the Township with those companies. D. Zweifel, Twp. resident, suggested expanding BIU's hours. R. Wielebinski noted BIU gave the Township a lower rate to help out when the former full-time Zoning Officer was let go. Judi Coover, Twp. resident, noted many of the Zoning problems occurred with a full-time Zoning Officer and to hire a full-time ZO will mean a Tax increase of ½ mil to cover the cost of the salary. Discussion followed on the possibility of hiring two part-time Zoning Officers. No action taken.
  
- b) Recreation Plan - G. Schuster noted since Pocono Township is withdrawing from HJP Park and recreation, the Township will be required to develop their own recreation plan so the Township can continue to collect Fee-in-lieu on new developments. T. Edinger, Twp. Engineer, noted T&M Associates can create a Township recreation plan for an estimated \$55,000 to \$75,000. B. Wise requested T&M Associates to submit an outline to the board. Discussion followed. No action taken.
  
- c) Meeting Room/Commissioners Technology - G. Schuster outlined his recommendations. He suggested - Tablets for the Board members use, a new PA system for the meeting room, possible wide-screen monitors for the audience and/or drop down screen for presentations. P. Nish and T. Felver declined tablets. D. Zweifel, Twp. resident, suggested the Board contact other Townships for suggestions. J. Coover, Commissioner Candidate, noted she would not be interested in a tablet. She suggested having Plans available on the table during discussion for the audience to review. L. DeVito, Twp. Solicitor, explained personal electronic equipment could be questioned under the Right-To-Know policy if a Commissioner used that equipment for Township business. Alex Grum, Twp. resident, questioned spending the money now, since the Township may plan a future expansion. The Board concurred to requests additional information before a decision is made on additional equipment. T. Felver spoke concerning the cost of tablets and equipment. L. DeVito suggested the Township contact Bethlehem Twp. which recently upgraded. P. Nish made a motion, seconded by J. Lastowski, to authorize the Township manger to order three tablets for Commissioners R. Wielebinski, J. Lastowski, and B. Wise, and update the PA system for the meeting room. T. Felver questioned if the Twp. manager had required quotes for the upgrade to the PA system. G. Schuster noted

## ADMINISTRATION REPORT CONT:

he did not. P. Nish amended his motion to only include the purchase of the three tablets. J. Lastowski agreed to the amendment. P. Nish made a motion, seconded by J. Lastowski, to authorize the Township Manager to order three tablets for Commissioners R. Wielebinski, J. Lastowski, and B. Wise; and Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, no; P. Nish, yes; and B. Wise, yes. Motion carried.

Township Engineer, Tim Edinger,

- a) Sewer Line repair - T. Edinger reviewed T&M's letter of 04/01/2015 recommending Marona Construction Company at the base bid amount of \$2,625,000.00. T. Edinger noted the fix will allow all users above the repair to hookup. L. DeVito, Twp. Solicitor, noted if the Board was inclined it would authorize the Notice of Intent to Award on the condition of the Twp. Solicitor's review of the documents. Part of the funding is may come from the remaining PennVEST grant if certain requirements are met. PennVEST will audit at the end of the project. T. Edinger noted Disadvantage Business Enterprise (DBE) solicitation may not be required by PennVEST but a legal review of the project will be needed to confirm the requirements. Robert Fisk, Twp. resident, questioned if the line would be extended to his property. T. Edinger noted cost estimate to hookup the three businesses were about \$275,000.00. An alternate option maybe available to hookup those residents, if it is cost effective to do so. J. Lastowski noted the Township should consider service to those businesses since they were in the original Act 537 plan. B. Wise questioned if there may be less costly ways to run the line to the businesses. J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the Twp. Solicitor to issue a Notice of Intent to Award the bid to Marona Construction in the amount of \$2,625,000.00 subject to a favorable review by the Twp. Solicitor. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

T. Edinger noted the construction could start within three weeks once all documentation is completed and should be completed by late summer. T. Felver questioned the PennDOT permits needed for the project.

Township Solicitor, Leo DeVito

- a) Marchenko appeal - L. DeVito explained the Zoning Hearing Board had denied Marchenko's variance request to allow vacation rentals in R-1 zones. Marchenko has appealed to Monroe County Court of Common Pleas. He asked guidance from the Board to whether he should attend the hearing. P. Nish made a motion, seconded by R. Wielebinski, to authorize the Twp. Solicitor, to represent the Township's interest at the Monroe County Court of Common Pleas along with Todd Weitzman, ZHB Attorney. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

**SOLICITOR'S REPORT CONT:**

- b) Stadden Road Bridge Repair - L. DeVito noted he is working with the appraiser and title search for condemnation of the property needed for the easement.

**PRESENTATIONS:**

- a) Monroe County Planning Commission - Planning Opportunities for 611/715 - cancelled.
- b) Donaldson Lot Line Adjustment - Revised plans were submitted to the Twp. Engineer before the meeting. The surveyor requested the plan be tabled. R. Wielebinski made a motion, seconded by P. Nish, to table the Donaldson Lot Line Adjustment Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.
- c) Makarevich Lot Consolidation - George Parker, PE/PLS represented the plan for Mae Makarevich. The plan calls for two existing lots to be combined in Pocono Mountain Campsites Inc. L. DeVito, Twp. Solicitor, noted the revised plan was just submitted. He requested the Board table the plan until the Twp. Engineer had time to review the revisions. G. Parker addressed T. Edinger's comments. T. Edinger noted he can supply a review letter by the next meeting. No action taken. B. Wise made a motion, seconded by T. Felver, to table the Makarevich Lot Consolidation Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

**RESOLUTIONS:**

- a) Resolution 2015-31 - approving an agreement with NCHSN for a DUI enforcement grant. R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-31 approving an agreement with NCHSN for a DUI enforcement grant. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; and B. Wise, yes. Motion carried.

**PUBLIC COMMENTS:**

Maxine Turbolski, Twp. resident, thanked the Board for the installation of a stop sign, questioned the status of the former Brookdale Property, and an abandoned home on Brookdale Road. Discussion followed as to unsafe structures. L. DeVito reviewed the steps necessary for the Township to pursue a teardown an unsafe structure. T. Edinger noted it cost approximately \$18,000 to \$20,000 to tear down a standard home and the Township could place a lien on the property to cover the cost.

**ADJOURNMENT INTO EXECUTIVE SESSION:** R. Wielebinski made a motion, seconded by J. Lastowski, to adjourn the meeting into executive session to discuss Police Union negotiations at 9:20 p.m., until 04/20/2015 at 7:00 p.m., at the Pocono Township Municipal building, Tannersville, PA. 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