

**POCONO TOWNSHIP
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
January 16, 2018, 6:45 P.M.**

President Gerald Lastowski opened the meeting at 6:55 p.m. followed by the Pledge of Allegiance.

ROLL CALL: Richard Wielebinski, present; Robert M. DeYoung, present; Harold Werkheiser, absent; Gerald Lastowski, present; and Jerrod Belvin, present.

PRESENT: Donna Asure, Township Manager, and Pamela Tripus, Township Secretary were present.

Leo DeVito, Township Solicitor, and Jon Tresslar, Township Engineer by phone.

INTERVIEW FOR VACANCY BOARD CHAIRMAN: Due to weather, the interview was postponed.

ANNOUNCEMENTS:

- 1) An Executive Session was held on 01/10/2018 to discuss personnel matters.
- 2) An Executive Session was held prior to the regular meeting on 01/16/2018 to discuss personnel matters.

PUBLIC COMMENT: None

PRESENTATIONS: None

MINUTES:

B. DeYoung made a motion, seconded by R. Wielebinski, to approve the 01/02/2018 reorganizational and regular meeting minutes with correction. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Belvin made a motion, seconded by B. DeYoung, to approve the 01/10/2018 work session minutes. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

BILLS AND TRANSFERS:

B. DeYoung made a motion, seconded by J. Belvin, to ratify the check list for the prior period dated 01/16/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by B. DeYoung, to approve the check list and transfer list dated 01/16/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

REPORT OF THE PRESIDENT:

- 1) Reinvest \$1 ESSA CD due 02/03/2018 -
D. Asure, Twp. Manager, explained she is reviewing options to reinvest the funds into a CD at the best rate.

R. Wielebinski made a motion, seconded by J. Belvin to authorize the Township Manager, Treasurer and Bookkeeper to find/negotiate the best interest rate and term to reinvest the \$1 million currently invested in a ESSA CD coming due 02/03/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

2) Parliamentarian -

J. Belvin made a motion, seconded by R. Wielebinski, to authorize Leo DeVito, Township Solicitor, to act as Parliamentarian to the Board of Commissioners. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

3) Exxon Monitoring Wells -

Lawrence Paul Lopresti, PE, PLS, of United Environmental Services, Inc., addressed the board and explained DEP is requesting a well be installed in the bedding of the Township sewerline on the Dairy Queen property to monitor the plume of the gasoline coming from the Exxon Gasoline station tank. L. Lopresti noted it would be a soft dig using hand shovels and vacuums to find the estimated 12' deep sewer line. J. Tresslar, joined by phone, noted they have reviewed the plans and found it acceptable conditioned upon meeting the requirements of the Twp. Engineer's letter dated 01/08/2018. R. Wielebinski and J. Lastowski questioned who would be responsible for Township costs. Leo DeVito, Twp. Solicitor, and Jon Tresslar, Twp. Engineer, stated they will work together to draw up the agreements to protect the Township and establish the responsibility for the costs. L. Lopresti stated no work would be done until agreements were completed.

Chad Kilby, Twp. resident, questioned how far the contamination had spread. L. Lopresti noted monitoring wells on both the rear of the Dairy Queen and Resort Beverage properties have been clean. J. Lastowski requested L. Lopresti keep the Township informed of any findings. L. Lopresti will have someone from his office contact the Township to explain the process for notifications.

4) Fire Alarms

J. Lastowski noted he met with the Fire Company Chief concerning the automatic fire alarms at Camelback. The Chief will review the calls and report to the board.

5) Medivac

J. Lastowski noted Medcom has agreed to dispatch the closest appropriate the closest helicopter in the case of an emergency. Rodney Wolf, St. Luke's, noted he is monitoring the calls and will report back to the Township.

Vacancy Board Appointment - No action.

COMMISSIONER'S COMMENTS:

Robert M. DeYoung, Vice-President, no comment.

Harold Werkheiser, Commissioner - Absent

Richard Wielebinski, Commissioner -

1) Sewer Management Ordinance Notification to residents -

R. Wielebinski requested the notifications to residents concerning cleaning their septic systems be sent out issued by areas. B. DeYoung requested a list of pumpers be placed on the website once the postcards are sent out. Chris Ortolan, Twp. resident, questioned the residents that are currently maintaining their systems. J. Lastowski explained it was for residents whom currently do not comply.

2) Public Comment -

R. Wielebinski requested public comments at the beginning and end of the meeting allow for all comments, including agenda item comments. Ellen Gndt, Twp. resident, commented on the sunshine law requirements for public comments. L. DeVito, Twp. Solicitor, read the section for public participation which allows 'Board or Council to accept all public comments at the beginning of the meeting.' J. Lastowski noted if an item is not on the agenda, comments would be allowed at that time. R. Wielebinski made a motion, seconded by B. DeYoung, to have public comment on all issues, including agenda item comments, at beginning and at the end of meeting only. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Lastowski will restate the motion at future meetings and requested D. Asure, Twp. Manager, to change Note 5 on the agenda to reflect the change to public comment.

Jerrod Belvin, Commissioner -

Emergency Management -

1) NEJTTF - Photo Ids - J. Belvin noted he attended FEMA training and orientation at Monroe County Control Center. He found that Pocono Township is behind in issuing Photo IDs for employees and Commissioners. He will be photographing any employees and Commissioners who do not have photo IDs.

2) Public Information Officer - J. Belvin explained PEMA requires a Public Information Officer. It will be placed on a future agenda.

3) Deputy Emergency Management Coordinator

J. Belvin recommended appointing Charles Dickinson as Deputy Emergency Management Coordinator.

J. Belvin made a motion, seconded by R. Wielebinski, to appoint Charles Dickinson as Deputy Emergency Management Coordinator for Pocono Township. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

4) Civil Service Work Related Injury Policy

J. Belvin recommended the Township adopt the Civil Service Work Related Injury Policy. Don Simpson, Twp. Safety Committee, noted the safety committee recently discussed a uniform work related injury policy for all employees. Discussion followed.

J. Belvin made a motion, seconded by R. Wielebinski, to approve the Work-related injury policy as recommended by the Civil Service Commission. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

EMERGENCY SERVICES REPORTS:

Police - Pocono Township Police Chief Kent Werkheiser gave his monthly report and reported on the homicides at 145 Marcelle Terrace. Due to the type of incident, the Pennsylvania State Police were called and were able to apprehend the suspect within 14 hours of discovery. J. Lastowski asked if a support system was in place for Officers. K. Werkheiser noted it is available to the Officers. J. Lastowski on behalf of the Board thanked the Pocono Township Police officers and State Police officers who handled the incident.

J. Belvin noted the increase in mileage on the Police vehicles and if it is in line with the DCED recommendations for replacement. K. Werkheiser noted 120,000 miles is the standard for replacement of vehicles. He noted 5 vehicles are over 100,000 miles. J. Belvin explained by keeping the cars for so long, they are of little value when sold. Discussion followed on the status of the LSA Grant and replacement schedule of vehicles. No action taken.

Pocono Township Fire Company - J. Lastowski read the report for the Pocono Township Fire Company. A total of 527 calls were attended to in 2017.

St. Luke's Ambulance - Rodney Wolf Jr., St. Luke's Director & Transport Services, gave his report. He is meeting other Monroe County EMS partners to better improve the mutual aid for all Monroe residents.

Park and Recreation

Charlie Trapasso, President of the Park and Recreation Board, introduced Nate Laubach and Jen Fisher, park board members and gave her report on the activities and future activities for the Park Board. She noted the Board is working on a Recreation plan, events and activities such as Thursday on the Green and sports activities through a partnership with NCC, Veteran's Art Show, and partnership with MCCD to host nature events at the Park. She noted the park board is interested in hosting a Community Day and a future workshop will be held with D. Asure, Twp. Manager, to review the RecDesk program for on-line reservations and reservation of fields.

FINANCE COMMITTEE

J. Lastowski made a motion, seconded by J. Belvin, to appoint Commissioner R. Wielebinski and B. DeYoung to the finance committee. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

SEWER COMMITTEE

J. Lastowski noted they have met with Solicitor Tim McManus who previously worked with the Township concerning the Tobyhanna agreements and issues with Kalahari. J. Lastowski spoke to Anne Lambert, Tobyhanna Supervisor, concerning a meeting scheduled on 01/17/2018 to discuss Tobyhanna's future plans for sewage, and they agreed to postpone the meeting to a later date.

ADMINISTRATION - MANAGER'S REPORT:1) Council of Government Representative

B. DeYoung made a motion, seconded by J. Lastowski, to appoint Jerrod Belvin as Pocono Township representative to the Council of Governments (COG). Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

2) Use of Heritage Center for polling place

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the use of the Heritage Center by Monroe County as a polling place for the 2018 elections. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

3) Resignation of Peter Hensel from the Civil Service. The Board accepted his resignation letter.4) Bills and Transfers

J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the Township Manager to direct payment of discount Vendors such as Cramer's Home Bldg. Center, Kimball Midwest, Lawson Products, Emergency Systems Service Co, and Steele's Hardware; vendors who charge late fees; Penteledata, Blue Ridge Cable; and recurring bills; such as payroll, payroll taxes, Insurance Unum, Nationwide and PMHIC Health Insurance, Utilities and BCRA - prior to Board approval in order to take advantage of discounts offered, avoid late fess being assessed, and pay certain recurring expenses. The list may be amended by the Board from time to time. All such payments are to be ratified by the Board of Commissioners at their next regularly scheduled public meeting. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

5) Safety Committee

R. Wielebinski made a motion, seconded by J. Belvin, to acknowledge the Pocono Township Safety Committee with representatives from Administration, Police Department, Public Works, Fire Company and Parks and Recreation Board. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

6) Volunteers

B. DeYoung made a motion, seconded by J. Belvin, to advertise for volunteers to serve on the Township sewer and renovation committees, following the volunteer procedures of advertising for two weeks and to interview all applicants. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Belvin suggested the original CIP committee members be contacted to serve on the renovation committees. J. Lastowski requested D. Asure reach out to the original CIP members, Scott Gilliland, Jeremy Sawicki, and Mary Riley. B. DeYoung suggested Brad Wise for the Sewer committee.

7) 2018 Purchases

J. Lastowski made a motion, seconded by J. Belvin, to authorize the Township Manager to use quotes, sealed bids/co-stars/PennBID to purchase the items authorized in the 2018 Capital budget including:

- a) 3 Police Cars
- b) Enclosure for Valve Station 5
- c) Additional Road Paving Projects
- d) Trucks - Tandem and Single Axle
- e) Road Materials

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

8) D. Asure noted a request from Gary Hoffman to notify the Control Center for the Township designated Fire and EMS services.

J. Lastowski made a motion, seconded by R. Wielebinski, to designate Pocono Township Volunteer Fire Company and St. Luke's EMS as the service providers for Pocono Township and to authorize the Twp. Manager to notify the Monroe County Control Center. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

9) Christopher Staples - D. Asure noted a motion dealing with the Settlement agreement.

R. Wielebinski made a motion, seconded by J. Belvin to authorize the following:

- A) Christopher Staples is to receive an Honorable discharge
- B) Authorize the Twp. Manager to contact Pension Company to calculate disability pension starting October 1st, 2017.
- C) Authorizing the paying of back taxes for 2016 in the amount of \$959.46

CHRISTOPHER STAPLES CONT:

D) To authorize the payment of 50% of his sick time (453 hours) in the amount of \$7,809.72.

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

10) Removal of former Commissioners Gndt and Coover as signatories -

J. Belvin made a motion, seconded by B. DeYoung, to remove former Commissioners Gndt and Coover as signatories from all Pocono Township bank accounts. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

PUBLIC WORKS:1) Wilkie Road Repair -

D. Asure, Twp. Manager, noted the permit is open from 1/1 to 3/1 if the weather breaks. The work is estimated to take one day.

2) Road Master Position -

D. Asure noted she is working with Paola Razzaq, Bookkeeper, is create different options for the Road Master Positions. She will present to the Board very soon.

TOWNSHIP ENGINEER REPORT: Due to the weather Jon Tresslar did not attend the meeting. D. Asure updated the board on the items on his report.

A) Status Report on Sewer Redesign - Valve Station #1 is scheduled to be completed by the middle of next week, weather permitting.

B) Route 611 Sewer Line Relocation Work Update - Christopher Ortolan, Twp. resident, commented on the potholes in the 611 construction zone. J. Lastowski noted he received an email from PA Senator Scavello's office stating the contractor would be repairing the potholes.

C) Sanofi Sanitary Sewer Easement - no report

D) Classic Quality Homes - Lot Consolidation - L. DeVito will prepare a Resolution for the Lot Consolidation and it will be ready for the next meeting.

E) Payment Request #4 - Milnes Company

B. DeYoung made a motion, seconded by J. Belvin, to approve Payment Request #4 to the Milnes Company in that amount of \$10,566.00 as recommended by Boucher & James, Inc. in their letter dated 01/04/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

F) Meyer's Subdivision

L. DeVito, Twp. Solicitor, explained the plan dates back to 2003, since then Mr. Meyer passed away and the improvements were never completed. Louise Krieder is requesting the escrow be returned. D. Asure explained the lots were recently sold and it needs to be determined who is responsible for the improvements.

G) Flood Plain Administrator

D. Asure explained the original ordinance stated the Zoning Officer would serve as Flood Plain Administrator. She reached out to Building Inspector Underwriters and they do not offer Flood Plain Administration.

J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the use of Boucher & James, Inc. as the Pocono Township Flood Plain Administrator. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

H) White Oak Drive Culvert

Proposal for engineering services for the Culvert Replacement on White Oak Drive.

R. Wielebinski made a motion, seconded by J. Belvin, to approve the proposal dated 01/10/2018 from Boucher & James, Inc. for engineering services for replacement of the culvert on White Oak Drive in the amount of \$18,500.00. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

TOWNSHIP SOLICITOR REPORT - L. DeVito reported by phone.

A) Resolution 2018-26 - Loan Modification - Agreement with ESSA Bank and Trust.

R. Wielebinski made a motion, seconded by B. DeYoung, to approve Resolution 2018-26 to execute the loan modification documents concerning the loan agreement with ESSA Bank & Trust. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

B) Resolution 2018-27 - Employment Agreement - Kent Werkheiser

J. Lastowski made a motion, seconded by J. Belvin, to adopt Resolution 2018-27, entering into an employment agreement with Kent Werkheiser as Pocono Township Chief of Police for 2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

C) Resolution 2018-28 - Employment Agreement - Donna M. Asure

J. Lastowski made a motion, seconded by B. DeYoung, to adopt Resolution 2018-28, entering into an employment agreement with Donna M. Asure as Pocono Township Manager for 2018. Discussion followed on the previous agreements. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

D) Resolution 2018-25 - Township Secretary

B. DeYoung made a motion, seconded by R. Wielebinski to approve Resolution 2018-25 rescinding the appointment of Donna M. Asure as interim Township Secretary and appointing Pamela Tripus as Township Secretary. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

E) Resolution 2018-29 - Outlining the Authority of the Park Board - L. DeVito explained the Resolution outlined the Authority of the Park Board for approval of expenditures by the park board. No action taken.

F) Resolutions

J. Lastowski made a motion, seconded by R. Wielebinski to approve:

2018-01 Recording Secretary -Secretary

2018-02 Recording Secretary Planning Commission

2018-03 Meeting Times and Dates

2018-04 Depositories

2018-05 Signatories

2018-06 Interim Treasurer

2018-07 Township Manager

2018-08 Chief of Police

2018-09 BIU Agreement SEO/ZO/CODES

2018-10 Township Solicitor

2018-11 Township Solicitor for Union Negotiations

2018-12 Township Engineer

2018-13 Interim Township Secretary

Right to Know Officer and Assistant Right to Know

Officer

2018-15 Reappointment Scott Gilliland and Sawicki

2018-16 Reappointing Don Simpson - Civil Service

2018-17 Reappointing PJJW Christopher Ortolan & Randy Peechkata

2018-18 BCRA Representative - Tom Wise

2018-19 Fire Police

2018-20 Monroe County Tax Collector Committee - Tom Felver

2018-21 Emergency Manager Coordinator - Jerrod Belvin

2018-22 Mileage Rate

2018-23 Deputy Tax Collector - Judith Linder

2018-24 Eastern Monroe Cty Library - Marie Candelaria

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

G) Confidentiality Agreements

J. Lastowski made a motion, seconded by B. DeYoung, to authorize the President of the Board of Commissioners and Township Secretary to execute the Confidentiality Agreements with:

a) Donna M. Asure - Township Manager

b) Kent Werkheiser - Chief of Police

- c) Frank Celali - Interim Treasurer
- d) Pamela Tripus - Township Secretary
- e) Denise (Dee) Ackerman - Receptionist
- f) Christine Brodsky - Administrative Assistant
- g) Paola Razzaq - Bookkeeper

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

NEW BUSINESS:

B. DeYoung made a motion, seconded by J. Belvin, to hire Christine Brodsky as a full time Administrative Assistant at an hourly rate of \$15.00 per hour, effective 01/17/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Twp. Zoning Officer to investigate the abandoned buildings at the intersection of Warner Road and Rt. 611. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

PUBLIC COMMENT: Don Simpson, Civil Service Commission, requested the Board add the replacement of former Police Officer Jack Manuel, who recently left the force.

J. Lastowski made a motion, seconded by J. Belvin, to have the Civil Service Commission prepare the list of potential officers to replace the three (3) officers that have left. J. Belvin asked for the opinion of the Police Chief. Kent Werkheiser, Police Chief, noted in his opinion an additional detective should be hired. J. Lastowski requested the Chief meet with the Board to discuss. Discussion followed. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Don Simpson, Civil Service Commission, asked the Board to review and approve the revised Civil Service rules. The Board requested D. Asure to print out copies for the Board to review.

Don Simpson, Civil Service Commission, noted the annual report will be ready soon.

Charlie Trapasso, Park Board, requested the Board include the Park Board in discussion on the proposed Resolution for the Park Board. She explained some of the expenses are 'sale based'. J. Lastowski requested the Park Board submit a list of recommendations for the board.

ADJOURNMENT:

J. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting at 9:05 p.m., until February 5th, 2018 at 7:00 p.m. at the Pocono Township Municipal Building. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Respectfully submitted: Pamela Tripus, Township Secretary