

**POCONO TOWNSHIP BOARD OF COMMISSIONERS
REORGANIZATIONAL AND REGULAR MEETING MINUTES
JANUARY 2, 2018, 7:00 P.M.**

Leo DeVito, Solicitor, opened the meeting at 7:00 p.m. followed by the Pledge of Allegiance.

ROLL CALL: Richard Wielebinski, present; Robert M. DeYoung, present; Harold Werkheiser, present at 8:40 p.m.; Gerald Lastowski, present; and Jerrod Belvin, present.

PRESENT: Leo DeVito, Solicitor, Jon Tresslar, Engineer, and DonnaASURE, Twp. Manager were present.

ELECTION OF OFFICERS:

PRESIDENT OF THE BOARD OF COMMISSIONERS:

L. DeVito opened the floor for nominations for President.

R. Wielebinski nominated J. Lastowski, seconded by J. Belvin. Hearing no other nominations L. DeVito requested a motion to close the nominations.

R. Wielebinski made a motion, seconded by J. Belvin, to close the nominations. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to appoint J. Lastowski as President of the Board of Commissioners. All in favor. Motion carried.

VICE-PRESIDENT OF THE BOARD OF COMMISSIONERS:

President J. Lastowski entertained nominations for Vice-President.

J. Belvin nominated B. DeYoung as Vice-President, seconded by R. Wielebinski. Hearing no other nominations, President J. Lastowski requested a motion to close the nominations. R. Wielebinski made a motion, seconded by J. Belvin, to close the nominations. All in favor. Motion carried.

J. Belvin made a motion, seconded by R. Wielebinski, to appoint R. DeYoung as Vice-President of the Board of Commissioners. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

PUBLIC COMMENT: None

J. Lastowski suspended the agenda to appoint a Recording Secretary for Board of Commissioners and Planning Commissions. R. Wielebinski made a motion, seconded by R. DeYoung, to suspend the agenda to appoint a recording secretary for the Board of Commissioners and Planning Commission. All in favor. Motion carried.

RECORDING SECRETARY BOARD OF COMMISSIONERS:

R. Wielebinski made a motion, seconded by B. DeYoung, to appoint Pamela Tripus as Recording Secretary for the Board of Commissioners at the current hourly rate plus overtime.

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

RECORDING SECRETARY PLANNING COMMISSION:

R. Wielebinski made a motion, seconded by B. DeYoung, to appoint Pamela Tripus as Recording Secretary for the Planning Commission at the current hourly rate plus overtime.

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

MEETING TIMES AND DATES: R. Wielebinski made a motion, seconded by J. Belvin, to set the Township Meeting dates as the 1st and 3rd Mondays of each month at 7:00 p.m., unless the Monday is a legal or Township holiday which then the meeting will occur the following day, Tuesday. Discussion followed.

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

TOWNSHIP DESPOSITORIES: R. Wielebinski made a motion, seconded by B. DeYoung to establish the Township Depositories as follows: ESSA, Keystone Bank, Wayne Bank, and Citizens Bank. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

SIGNATORIES ON TOWNSHIP BANK ACCOUNTS: R. Wielebinski made a motion, seconded by J. Belvin, to approve Gerald Lastowski, President; Robert M. DeYoung, Vice-President; Harold Werkheiser, Commissioner; Jerrod Belvin, Commissioner; Richard Wielebinski, Commissioner; Frank Cefali, Interim Treasurer; and Donna M. Asure, Township Manager. Tom Felver, Twp. Resident, suggested two signatures. Discussion followed as to the requirement of the Treasurer to sign all checks. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

INTERIM TOWNSHIP TREASURER:

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Frank Cefali as Interim Township Treasurer at a rate of \$140.00 per hour. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

TOWNSHIP DEPUTY TREASURER: R. Wielebinski questioned the need for the position. D. Asure explained it is required only in the case the Treasurer is unavailable for an extended length of time. Under 1st Class code the Township Manager cannot serve as Deputy Treasurer. **No action taken.**

TOWNSHIP MANAGER:

B. DeYoung made a motion, seconded by J. Belvin, to appoint Donna M. Asure as Township Manager at a salary of \$85,000 per year for a term until 12/31/2018 with an amendment to the Manager's contract. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

J. Lastowski noted the current board will consider for discussion, if performance evaluations and merit pay will be used in the future.

CHIEF OF POLICE: J. Belvin made a motion, seconded by B. DeYoung, to appoint Kent Werkheiser as Chief of Police at a salary of \$90,000 per year for a term until 12/31/2018. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

BIU CONTRACT FOR ZONING OFFICER, SEWER ENFORCMENT OFFICER AND BUILDING CODES ENFORCEMENT OFFICER:

R. Wielebinski made a motion, seconded by B. DeYoung, to enter into a contract with Building Inspector Underwriters to provide Zoning, Sewer Enforcement and Building Codes Enforcement Officers for Pocono Township.

L. DeVito noted the contract is a 1 year term with automatic renewal unless notification is received 30 days prior to the end of year. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

TOWNSHIP SOLICITOR:

R. Wielebinski made a motion, seconded by J. Belvin, to appoint the firm of Broughal & DeVito as Township Solicitor for Labor and General matters. Discussion - J. Lastowski noted Thomas Heimback of Flamm, Walton, Heimbach, is the current solicitor actively involved in Union negotiations.

R. Wielebinski amended his motion, seconded by J. Belvin, to maintain Tom Heimack of Flamm, Walton, Heimbach for Public Works Union negotiations.

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

R. Wielebinski made a motion, seconded by J. Belvin, to appoint the firm of Broughal & DeVito LLP as Township Solicitor for General and Labor matters. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

TOWNSHIP ENGINEER:

J. Lastowski made a motion, seconded by B. DeYoung, to appoint Boucher & James as Township Engineer. R. Wielebinski questioned the terms of the appointment. L. DeVito, Twp. Solicitor, noted the Engineer and Solicitor serve at the pleasure of the Board of Commissioners.

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

TOWNSHIP CONFLICT ENGINEER:

Jon Tresslar, Boucher & James, Inc. explained the need for conflict engineer, noting T&M Engineering was the conflict engineer last year. L. DeVito noted the Board can go out for RFP's for conflict Engineer and Solicitor firms if needed. **No action taken.**

TOWNSHIP SECRETARY:

J. Lastowski made a motion, seconded by R. Wielebinski, to appoint Donna Asure as Township Secretary. J. Lastowski questioned the amount of work involved. J. Belvin questioned the time required for the additional duties. Discussion followed. J. Lastowski amended the motion, seconded by R. Wielebinski to appoint Donna Asure as Interim Township Secretary at the existing salary. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, no. Motion carried.

RIGHT-TO-KNOW OFFICER:

J. Belvin made a motion, seconded by B. DeYoung, to appoint Pamela Tripus as Right-To-Know Officer. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

ALTERNATE RIGHT-TO-KNOW OFFICER:

R. Wielebinski made a motion, seconded by B. DeYoung, to appoint Donna M. Asure as alternate Right-to-Know Officer. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

PUBLIC WORKS DIRECTOR: R. Wielebinski made a motion, seconded by B. DeYoung, to table the Public Works Director position until a Road Master is hired. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

PLANNING COMMISSION APPOINTMENTS:

R. Wielebinski made a motion, seconded by B. DeYoung to reappoint Scott Gilliland to the Pocono Township Planning Commission for a 4 year term expiring 12/31/2021. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by B. DeYoung to reappoint Jeremy Sawicki to the Pocono Township Planning Commission for a 4 year term expiring 12/31/2021. Roll call vote: R. Wielebinski, no; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

CIVIL SERVICE COMMISSION APPOINTMENTS: J. Belvin noted his resignation from the Commission.

B. DeYoung made a motion, seconded by R. Wielebinski, to reappoint Don Simpson to the Civil Service Commission for a 6 year term expiring 12/31/2023. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

J. Belvin noted two positions are opened on the Civil Service Commission. Discussion followed on the time for interviewing and advertising vacancies on the various boards. J. Lastowski noted a previous motion on 07/03/2017 allowed only 1 week openings.

J. Lastowski made a motion, seconded by R. Wielebinski, to advertise openings for two weeks for any type of positions or vacancies. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

D. Asure noted under the previous motion all volunteers and reappointments would be interviewed.

J. Lastowski made a motion, seconded by R. Wielebinski, to interview all applicants for vacant positions including applicants whom terms expired for position unless that applicant was reappointed. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

**POCONO TOWNSHIP COMMISSIONERS' REORGANIZATION MEETING, 01/02/2017 Pg. 5
ZONING HEARING BOARD:**

J. Lastowski asked for a motion to reappoint Diane Zwiefel to the Zoning Hearing Board. Hearing no motion, no action was taken.

Diane Zwiefel, Twp. Resident, questioned the Board's decision not to reappoint her to the Zoning Hearing Board. B. DeYoung responded the Board decided to advertise for the position. J. Lastowski explained he wished a more flexible person to serve in the position. R. Wielebinski noted anyone interested may submit a resume and will be considered with all other applicants.

VACANCY BOARD:

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Tom Felver to the Vacancy Board for a 1 year term expiring 12/31/2018. Discussion followed. Two persons have submitted letters of interest.

Diane Zwiefel, Twp. Resident, questioned if the position would be advertised.

The Board concurred to interview the two candidates before the next meeting. R. Wielebinski withdrew his motion. **No Action taken.**

PJJWA (POCONO JACKSON JOINT WATER AUTHORITY) REPRESENTATIVE:

R. Wielebinski made a motion, seconded by J. Belvin, to reappoint Randy Peechkata and Chris Ortolan to the PJJWA for a term expiring 12/31/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

BCRA (BROADHEAD CREEK REGIONAL AUTHORITY) REPRESENTATIVE:

R. Wielebinski made a motion, seconded by B. DeYoung, to reappoint Tom Wise as the BCRA representative for a term expiring 12/31/2022. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

POCONO TOWNSHIP FIRE POLICE:

B. DeYoung made a motion, seconded by J. Belvin, to appoint the following as Pocono Township Fire Police:

Alvin Kresge Sr.

Kevin Kresge

Richard Shay

Chris Kinsley, Sr.

Corey Sayre

Gerald Lastowski

Steve Jacobs

Thomas Kresge

Chris Kinsley, Jr.

Donald Simpson

Peter Gallaher

William Ward

Robert Gupko

Dave Sanchez

Angela Tullo

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

MONROE COUNTY TAX COMMITTEE:

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Tom Felver as representative to the Monroe County Tax Committee. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

EMERGENCY MANAGEMENT COORDINATOR:

R. Wielebinski made a motion, seconded by B. DeYoung, to appoint Jerrod Belvin as Emergency Management Coordinator. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, abstained. Motion carried.

MILEAGE RATE FOR 2018: B. DeYoung made a motion, seconded by R. Wielebinski, to set the mileage rate at 54.5 cents per mile as per the IRS rate. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

EIT TAX COLLECTOR: Tom Felver, Twp. Resident, and appointee to the Monroe County Tax Committee informed the board that Monroe County appoints the EIT Tax Collector and L. DeVito confirmed no action was needed by the Board.

DEPUTY TAX COLLECTOR:

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Judith Linder as Deputy Tax Collector as recommended by Patricia Michael, Pocono Twp. Tax Collector and as required by Act 48-2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

BUILDING CODE OF APPEAL BOARD:

Previously Scott Mango, Mike Wilk, and Mike Velardi were appointed in 2015. L. DeVito, Twp. Solicitor, noted it is only needed in case of an appeal of a Building Code requirement. J. Lastowski made a motion, seconded by R. Wielebinski, to table the appointment of the Building Code of Appeal Board. J. Lastowski withdrew his motion. No action was taken.

EASTERN MONROE COUNTY PUBLIC LIBRARY REPRESENTATIVE:

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Marie Candelaria as Pocono Township's Representative to the Eastern Monroe County Public Library Representative with Jackson Township's approval. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

NON-UNIFORM EMPLOYEES HOURLY RATES:

J. Lastowski made a motion, seconded by B. DeYoung, to table the Non-Uniform Employee Hourly Rates for Pamela Tripus, Christine Brodsky, and Paola Razaq until the Board has time to review. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

All of the above Motions will be confirmed by Resolution by the Board of Commissioners

At 8:05 p.m., J. Lastowski suspended the meeting for a short break at the end of the Reorganizational Meeting and reconvened the meeting at 8:10 p.m. into the Regular Meeting.

ANNOUNCEMENTS: None

PRESENTATIONS: None

APPROVAL OF MINUTES:

J. Lastowski made a motion, seconded by B. DeYoung, to adopt into record, the Regular meeting minutes of 12/18/2017 as drafted. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

BILLS AND TRANSFERS:

J. Lastowski made a motion, seconded by B. DeYoung, to ratify the Bills list for prior period dated 01/02/2018. R. Wielebinski questioned the invoice for JPA Masonry LLC for approval of the cost. D.ASURE explained the invoice was for a brick memorial at Mt. View Park. Roll call vote: R. Wielebinski, no; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by J. Belvin, to approve Check listing 01/02/2018. E. Gnant questioned if the Network Fleet bill in the amount of \$29.95, was a credit. D.ASURE noted it was confirmed with the Police Chief but will request a single invoice for the amount. J. Lastowski amended his motion to approve Check Listing dated 01/02/2018 with the exception of the Check #56600 in the amount of \$29.95, seconded by J. Belvin. Roll call vote: R. Wielebinski, no; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

REPORT OF THE PRESIDENT:

Jerry Lastowski

A) Medivac Services

J. Lastowski requested State Representative Jack Rader and Rodney Wolf, St. Luke's, to work to find a solution to providing the closest helicopter service for emergencies. Discussion followed. Ellen Gnant, Twp. Resident, questioned if the Township had a contract with Monroe County Dispatch and noted a conflict of interest with a Medcom board member. J. Lastowski directed D.ASURE to check the contract and conflict.

COMMISSIONERS COMMENTS:

Jerrold Belvin, Commissioner, suggested non-disclosure agreements for DonnaASURE, Pamela Tripus, Paola Razzaq, and Christine Brodsky.

J. Belvin made a motion, seconded by R. Wielebinski to authorize the Twp. Solicitor to draft non-disclosure agreements for Donna M.ASURE, Township Manager; Pamela Tripus, Dee Ackerman, Paola Razzaq, and Christine Brodsky. Roll call vote: R. Wielebinski, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Belvin, yes. Motion carried.

COMMISSIONER COMMENTS CONT:

Bob DeYoung, Commissioner, no report

Richard Wielebinski, Commissioner, requested an executive session to discuss litigation after the meeting.

- 1) Property Management Ordinance - R. Wielebinski suggested the Board consider a Property Management ordinance to address properties that are in disrepair. Michael Tripus, Zoning Officer, spoke concerning the Township's dangerous structure Ordinance. Discussion followed on ways to improve the Township and address blighted properties. J. Lastowski requested D. Asure provide the sample ordinances for the Board of Commissioners review.

R. Wielebinski questioned the notices to residents to maintain their septic systems. Discussion followed.

REPORTS:

FINANCE COMMITTEE - J. Lastowski suggested reaching out to citizens in the community for persons to serve on the Finance, Construction, and Sewer Committee. J. Belvin suggested the Board consider an Economic and/or Business association. Discussion followed. No action taken.

SEWER COMMITTEE - B. DeYoung reported \$276,000 Tapping fees are owed to the Township. Discussion followed as to the next steps to pursue. J. Lastowski noted a 'soft' letter was sent to the property owners. D. Asure requested the Board review the list of the 38 property owners owing tapping fees to confirm there are no other outstanding reasons for failure to connect. Discussion followed.

Harold Werkheiser joined the meeting at 8:40 p.m. and gave his opinion on the Route 715 and Route 611 realignment. J. Lastowski suggested inviting PennDOT to a Public Township meeting to update the Board and residents. J. Lastowski made a motion, seconded by J. Belvin, to authorize the Twp. Manager to contact PennDOT to attend a public meeting and share the plans for the realignment of Rt. 715 & Rt. 611. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; H. Werkheiser, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

ADMINISTRATION - MANAGER'S REPORT

- 1) Site 2 Back up - D. Asure explained the Site 2 is a Disaster backup system for the sewer system. L. DeVito, Twp. Solicitor, is reviewing the contract. No action taken.
- 2) Cell carrier company request to locate cell tower in Pocono Township. D. Asure noted a company has contacted the Township concerning placing a Cell tower on the Mt. View Park property. J. Lastowski directed the Manager to obtain more information. No action taken.

- 3) Emergency Systems - Contract Renewal - D. Asure, Twp. Manager, explained the contract is for Sewer System Maintenance. B. DeYoung made a motion, seconded by R. Wielebinski, to approve Emergency Systems Contract Proposal dated 12/15/2017 for services for the calendar year 2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; H. Werkheiser, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

- 4) CS Davidson, Inc. (Permit Manager) - 2018 Agreement. R. Wielebinski made a motion, seconded by B. DeYoung, to approve CS Davidson, Inc. Annual Support and Maintenance Agreement dated 12/16/2017. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; H. Werkheiser, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

PUBLIC WORKS REPORT: D. Asure, Twp. Manager, reported the Public Works Department assisted with two recent fires. R. Wielebinski questioned if the Township Public Works was covered if injured during a fire. Discussion followed. D. Asure will contact the insurance agent concerning coverage.

TOWNSHIP ENGINEER REPORT:

- 1) Status Report on Sewer Redesign - Jon Tresslar, Twp. Engineer, reported on the status of the redesign. Discussion followed on the ability of the pinch valves handling increased flows. J. Tresslar indicated it had been addressed. D. Asure, Twp. Manager, noted electric blankets were ordered for Pump Station 5's screw screen. An estimate to cover the screen with a structure will be approximately \$90,000 to \$100,000.
- 2) Route 611 Sewer Line Relocation Work Update
- 3) Sanofi Sanitary Sewer Easement
- 5) Classic Quality Homes - Lot Consolidation - J. Tresslar noted he is waiting for revised plans.

TOWNSHIP SOLICITOR'S REPORT: No report

RESOLUTIONS AND ORDINANCES: None

PUBLIC COMMENT: None

ADJOURNMENT INTO EXECUTIVE SESSION: R. DeYoung made a motion, seconded by R. Wielebinski, to adjourn the meeting into executive session to discuss a potential litigation issue at 9:05 P.M. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; H. Werkheiser, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried

Respectfully Submitted
Pamela Tripus
Township Secretary