

POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING
MARCH 2nd, 2015 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on 03/02/2015, 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; and Pamela Finkbeiner, Secretary were present.
Donna Kenderline, Court Reporter was present.

ANNOUNCEMENTS:

- 1) There will be an executive session after tonight's meeting to discuss litigation and union negotiations
- 2) R. Wielebinski noted the Well variance for Steven King would be heard first.

KING WELL WAIVER:

Well Isolation Waiver Hearing:

L. DeVito, Twp. Solicitor, explained the waiver request is for the isolation distance for a new septic system.

R. Wielebinski opened the hearing. Bruce Fox, Allstate Septic Systems, represented property owner Steven King and explained a new system is needed to replace a failing septic system. Due to the lot size the new septic bed could not be located outside the 100' well isolation distance. The new septic bed is located 62' from the well. B. Wise questioned the maintenance agreement. B. Fox will provide the Twp. Solicitor with a copy of the maintenance agreement. Hearing no additional comments, R.

Wielebinski closed the hearing. R. Wielebinski made a motion, seconded by J. Lastowski, to approve the Steven King Well Insolation Waiver request from 100' to 62' conditioned upon an acceptable review of the Maintenance agreement by the Township Solicitor. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

MINUTES:

R. Wielebinski made a motion, seconded by T. Felver, to approve the minutes of the Commissioners regular meeting of 02/17/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

R. Wielebinski made a motion, seconded by T. Felver, to approve the minutes of the Commissioners Special meeting of 02/19/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

MINUTES:

R. Wielebinski made a motion, seconded by P. Nish, to approve the minutes of the Commissioners Special meeting of 02/27/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

BILLS AND TRANSFERS:

R. Wielebinski made a motion, seconded by B. Wise, to approve the Check Listing, dated 03/02/2015 (excepting all tele-communication bills). Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

T. Felver questioned the invoice for \$8,900.00 the Pollution Policy. G. Schuster, Twp. Manager, noted the policy covers the cost of cleanup for sewer leaks, fuel tank and fuel spills.

Judi Coover and Diane Zwiefel, Twp. Residents, questioned the PA system. G. Schuster will check into it and have it repaired.

Judi Coover questioned the \$10,000.00 cost of testing for Police Applications. G. Schuster noted it included written, physical, and oral testing. The standards for testing were set by the Civil Service Commission.

J. Lastowski made a motion, seconded by P. Nish, to approve the Check Listing, dated 02/17/2015 (tele-communication bills). Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

AMENDMENTS TO THE AGENDA: G. Schuster noted the Evoqua Agreement will be added to his report.

PUBLIC COMMENT: None

REPORT OF THE PRESIDENT: None

COMMISSIONERS COMMENTS:

Gerald Lastowski, Commissioner noted Hamilton Township sent a letter dated 02/20/2015 stating Hamilton and Jackson Township will contribute a total of \$40,000.00 per year for five years to build out the HJP park. P. Nish noted it will take 17 years to raise 1 million dollars which will not be enough to build out the park. J. Lastowski stated Pocono Twp. has always withdrawn from HJP. The Board concurred to have the Twp. Manager send a letter to Hamilton and Jackson Townships noting their offer does not work for Pocono Township and wishing the Hamilton and Jackson Township the best.

Tom Felver, Commissioner, asked if bids have been obtained for the copy equipment. G. Schuster noted he has not obtained bids.

T. Felver questioned the number of odor complaints along the sewer line. B. Wise noted Dr. Wert's office had an indoor odor and there were several other areas. He remarked the Sewer Committee contacted Evoqua to help with the problems, which will be discussed later.

COMMISSIONERS' REPORTS CONT:

Peter Nish, Commissioner, no report.

Brad Wise, Commissioner, reported the Sewer Committee is working with Kalahari to complete their agreement to tie into the Sewer line. B. Wise noted Kalahari changed the location for tie in last week. J. Lastowski noted the reason Kalahari changed plans is due to concerns over the cost of upgrading Pump Station #1 if they went directly into the Station. Monica Gerrity, Township resident, questioned the odor problem in B. Wise's home and if the p-trap fixed the problem. B. Wise noted a p-trap was installed inside his home and repairs made.

Alex Grumm, Township resident, questioned who would be responsible for the repairs and installation of a p-trap in B. Wise's home. B. Wise noted he did not know, at one point the Township offered to pay for the p-trap. He did note the installation and repairs were a much larger project than first expected, and he hoped the Township would assist with the cost. A. Grumm asked if financial assistant would be offered to other residents. He noted Dr. Werts still has an odor problem even with a p-trap installed. T. Edinger, Twp. Engineer, noted the p-trap is a private improvement and required installation varies due to conditions. The Sewer connection ordinance will be revised to require p-traps at a depth of 52" for outside installation.

J. Coover, Township resident, asked who would be responsible for the cost of installation for p-traps. B. Wise noted average cost for a p-trap would be \$150 to \$225 during lateral installation and would be paid by the property owner.

ADMINISTRATION

Township Manager Gregg Schuster gave his report

Sewer Buffer - G. Schuster reviewed the analysis of the buffer zones for structures prepared by Mark Ambrose, Twp. Engineer. At 300' it impacts 3 properties - Village View, Monroe County Transportation Authority, and Pirone (Wine Press Inn). B. Wise noted the setback does not help with the property owners whom needed relief due to financial conditions. He noted J. Lastowski is working with Senator Casey's office for financial assistance. J. Coover, Twp. resident, questioned if the total list of properties could be given a choice as to hooking up. B. Wise spoke concerning the difficulties of eliminating select properties and maintaining the flows needed for the system. The Board concurred to include the 300' setback for structures in the revised Mandatory Connection Ordinance. T. Felver questioned why the three properties would be excluded. J. Lastowski noted Village View was over 700' from the line and the property's steep slope makes hooking difficult.

Evoqua Agreement- G. Schuster noted the agreement will give the Township a baseline of what is going into the system so they may better track any corrosive flows in the system. T. Felver questioned the need for the baseline information. B. Wise noted the contract will test 5 locations and will give the Township a reference to the sources of odors.

EVOQUA AGREEMENT CONT:

R. Wielebinski questioned if a bid should be required. L. DeVito, Twp. Solicitor, noted it is under the \$10,500 required to bid. He suggested the Board set a purchasing policy. P. Nish noted sewer odors are a problem for the residents and the contract will provide an analysis of the problems with suggested corrections. T. Felver questioned if it had been budgeted. G. Schuster noted it is part of the sewer system's professional services budget.

J. Lastowski made a motion, seconded by P. Nish, to approve the Evoqua Water Technologies Survey Proposal dated 03/02/2015 in the amount of \$10,037.00 with an additional month of data collection or any subsequent visits that may be required at a cost of \$3,083.00 each visit. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

Monica Gerrity, Township resident, requested the Township's manager report be placed on the website.

Township engineer Tim Edinger:

Northridge Security Release: T. Edinger recommended the release. J. Lastowski made a motion, seconded by P. Nish, to approve the Northridge Security Release in the amount of \$226,664.24 as per the Twp. Engineer's letter of 02/24/2015, leaving a balance of \$1,480,604.71. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

Stadden Road Bridge repair - T. Edinger noted the lowest bids came in substantially less than the grant amount. T&M Associates has not made a recommendation on the bids at this point. J. Lastowski questioned why the bids were so much lower than the original bid. T. Edinger noted the previous bid did not have the Geotech information. T&M used PennBid and received 7 bids total. B. Wise asked what the complete fix would cost since the bridge needs to be replaced. T. Edinger noted he did not look at a complete replacement; the bid is in responds to the PennDOT requirements. Discussion followed on the easements and steps to complete the repair.

Paul Frantz, Township resident, questioned the proposed repair.

T. Edinger, Twp. Engineer, noted the repair should last 15 years with normal storms.

Don Simpson, Twp. resident, spoke concerning the needs of residents for emergency services requirements. He asked when the bridge will be replaced.

Diane Zweifel, Twp. resident, asked if the low bidder could provide a bid for a complete replacement.

Township Solicitor Leo DeVito, no report.

PRESENTATIONS

Camelback Request for Occupancy Permit - Nate Oiler, RKR Hess Associates, represented the plan. L. DeVito, Twp. Solicitor, reviewed the request to amend the Developer's agreement and the proposed 'Hold Harmless'

PRESENTATIONS - CAMELBACK CONT:

agreement. He noted the property still need a Certificate of Occupancy from the Building Codes department before opening. Discussion followed. J. Lastowski made a motion, seconded by T. Felver, to approve the amendments to the Camelback Lodge and Waterpark Preliminary/Final Land Development Plan and the Camelback Lodge and Waterpark Indemnification Agreement. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

ORDINANCES:

Sign Ordinance - G. Schuster, Twp. Manager, recommended the Board take no action at the present time, so the public could review the draft. J. Lastowski requested the 90 second limit on electronic messages be changed to 60 seconds.

Mike Peter, Adams Outdoor, questioned the 90 second message change. He suggested using the industry standard of 8 to 10 seconds.

T. Edinger, Twp. Engineer, noted the 90 seconds came from research for the Williams Township ordinance which showed accident rates at intersections. Bob Demarest, Pocono Township Planning Commission member, noted his concern with all signage at intersections.

RESOLUTIONS:

Resolution 2015-22 approving conditional offers to police candidates - Discussion followed. The Civil Service Commission recommended the 1st and 3rd candidate. R. Wielebinski made a motion, seconded by P. Nish, to adopt Resolution 2015-22 extending conditional offers of employment for Patrolman to Jarad Steirer and Aaron Ramos-Dillinger conditioned upon passing the appropriate testing. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

Judi Coover, Twp. resident, questioned the need for the additional patrolmen noting overtime was not significantly different from 2013 to 2014. She suggested the Township contact DCED for a review and recommendation for the Police Department.

Kent Werkheiser, Pocono Township Police Chief, spoke concerning the need for the Patrolmen. The present force has been reduced to two patrolmen at night and several officers have been denied leave due to the shortage. Additional development has placed a strain on the Police force.

Monica Gerrity, Twp. resident, noted Barrett Township has gone to a regional Police Force.

R. Wielebinski, P. Nish, and J. Lastowski, requested information for a DCED analysis of the Police Force.

PUBLIC COMMENT:

Pocono Township Police Chief Kent Werkheiser spoke concerning James Hagner. James Hagner left the meeting before he could address the board and apologize for his behavior at a previous meeting. K. Werkheiser presented a letter from J. Hagner requesting their assistance.

ADJOURNMENT INTO EXECUTIVE SESSION: R. Wielebinski made a motion, seconded by J. Lastowski, to adjourn the meeting into executive session at 9:10 p.m., until the next regular meeting at 03/16/2015, 7:00 p.m., at the Pocono Township Municipal Building. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes; P. Nish, yes; Brad Wise, yes. Motion carried.

Respectfully submitted:

Pamela Finkbeiner
Township Secretary