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POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
May 6, 2019 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on Monday, 05/06/2019 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Gerald Lastowski at 7:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Gerald Lastowski, present; Richard Wielebinski, present; Jerrod Belvin, present, Chad Kilby, present; Harold Werkheiser, absent.

IN ATTENDANCE:

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Jon Tressler, Twp. Engineer, Boucher & James, Inc.; Donna Asure, Township Manager; and Dee Ackerman, Administrative Assistant were present.

PUBLIC COMMENT:

Ellen Gndt, Twp. resident, commented on following items - the social media contractor; the salary of the intern; the change of the purchase of vehicle type; the master sidewalk plan; the amusement tax; the park committee and whether public comment can be held during the discussion of the item listed under the Solicitor's report as 4c. President Lastowski polled the members and no one had an issue with this request.

ANNOUNCEMENTS:

Pocono Township Community Day is Saturday, June 1, 2019.
Run for the Red is Sunday, May 19, 2019
The website logo contest is still on going.
An executive session was held on Monday, May 6. 2019 to discuss personnel issues.

PRESENTATIONS - none

Hearings - none

RESOLUTIONS:

J. Belvin made a motion, seconded by C. Kilby, to send a letter to Secretary of the Department of Community and Economic Development committing Pocono Township to the required fifteen (15%) percent match if the township should receive the Flood Mitigation Grant for the White Oak Culvert repair. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Resolution 2019-11 -

J. Lastowski made a motion, seconded by C. Kilby, to adopt Resolution 2019-11 authorizing the submittal of an application for a Flood Mitigation Grant in an amount not to exceed \$225,000 from the Commonwealth Financing

Authority of the Commonwealth of Pennsylvania to be used for design and construction work related to flooding issues associated with the White Oak Drive Culvert in Pocono Township and designate the Township Manager and the President of the Board of Commissioners as the officials to execute all documents and agreements between the Township of Pocono and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

MINUTES:

J. Lastowski made a motion, seconded by C. Kilby, to approve the minutes of the 04/10/2019 work session of the Board of Commissioners. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 04/17/2019 meeting of the Board of Commissioners. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 04/22/2019 work session of the Board of Commissioners. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

NEW BUSINESS:

Personnel -

J. Belvin made a motion, seconded by C. Kilby, to ratify the return to work. Full duty, with no restrictions of Thomas Lynott as patrolman/Detective, per the fitness for duty/return to work evaluation as of Saturday, April 20, 2019. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to ratify the hiring of Jonathan Kyle Miller as seasonal park employee as of Friday, April 26, 2019 at an hourly rate of \$12.00 per hour for approximately 32 hours per week as recommended by Bob Sargent. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

C. Kilby made a motion, seconded by R. Wielebinski, to hire Derek McMaster as seasonal park employee, effective May 20, 2019 at an hourly rate of \$12.00 per hour for approximately 32 hours per week as recommended by Bob Sargent. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

The Board acknowledged the resignation of Thomas Malanga effective Friday, May 10, 2019 as a seasonal park employee.

C. Kilby made a motion, seconded by J. Lastowski, to rescind motion made for Tom Shick and Corey Sayre to receive fifty cents per hour for CDL Class A license and replace with a policy to include up to two, based on seniority, Class A CDL licenses as special certifications under the PW CBA at fifty cents per hour effective May 6, 2019. Roll call Vote: R. Wielebinski, no; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

The Board acknowledged the resignation of Pam Tripus as Pocono Township employee effective Friday, May 17, 2019 and commended her for her dedication and expressed their great appreciation for her years of service to the township.

J. Belvin made a motion, seconded by C. Kilby, for discussion, to approve the proposal of Jessica Cemelli-Smith to administer the township social media pages for up to five hours per week at \$25.00 per hour. Discussion took place concerning the need for record keeping and accountability of time spent and a document to be used as a release if pictures are taken for use on our social media sites. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to hire Julian Valentini as Pocono Township intern for both administration and parks recreation programs at an hourly rate of \$10.00 per hour for up to thirty (30) hours per week effective immediately. Roll call Vote: R. Wielebinski, yes; J. Lastowski, no; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Financial Transactions -

Ratify vouchers payable

J. Lastowski made a motion, seconded by R. Wielebinski, to ratify vouchers payable for a period ending 05/02/2019 in the amount of \$5,772.47. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Ratify gross payroll -

J. Lastowski made a motion, seconded by J. Belvin, to ratify gross payroll for the pay period ending 04/21/2019 in the amount of \$104,180.05. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Vouchers Payable

J. Lastowski made a motion, seconded by C. Kilby, to approve vouchers payable received through 05/02/2019 in the mount of \$66,215.11. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Capital Expenditures

J. Lastowski made a motion, seconded by R. Wielebinski, to approve capital expenditures received through 05/02/2019 in the amount of \$2,482.50. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Purchase of Truck

R. Wielebinski made a motion, seconded by J. Belvin, to approve the purchase of a 2019 Dodge Ram 5500, using co-stars pricing, from Ray Price Dealerships at a cost of \$52,000, and upfitting from A&H at a cost of \$38,541.00 (lowest of three quotes) which replaces motions made to purchase an upfit a 2019 Ford 550 as recommended by Bob Sargent. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

C. Kilby made a motion, seconded by J. Belvin, to approve the purchase of Motorola radios for two 2020 police vehicles in the amount of \$4,830.20 not as a sole source but as a co-star vendor/quote as recommended by Chief Werkheiser. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by C. Kilby, to approve the following actions with the maturing \$1.5 million CD at Keystone Bank as recommended by the fiscal department - Open a \$750,000 CD at Wayne Bank for 9 months at an interest rate of 1.99%/2.00% APY and open a \$750,000 CD at Wayne Bank for 6 months at an interest rate of 1.74%/1.75% APY. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Travel/Training Authorization -

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the travel of Bob Sargent and Ryan Huey to attend the State Inspection Update seminar on May 8, 2019 from 5:30pm to 9pm at MCTI for a cost of \$20 per person. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

REPORT OF THE PRESIDENT:

Gerald Lastowski, President

J. Lastowski reported on the resolution passed by Stroud Township Supervisors for the Gaunt Road Composting Facility which provides for charging non-residents a fee to bring items to the facility.

COMMISSIONERS COMMENTS

Rich Wielebinski - Vice President -

Discussion took place on the purchase of a vehicle for Public Works. The board previously approved a truck which is not available. It was explained that any truck would have to be purchased with a plow.

R. Wielebinski made a motion, seconded by J. Lastowski, to rescind motion made at April 17, 2019 Board of Commissioners meeting to purchase a 2018 Dodge pick-up in the amount of \$30,875.00. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by C. Kilby, to purchase a 2018 Ram 2500 regular Cab white Dodge 2500 pick-up truck with plow from Ray Price dealerships at co-stars pricing for \$35,185.00. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Commissioner Wielebinski discussed the power washing that had been done to the play equipment at the parks, that parts were being ordered to repair the equipment and the need to remove trees at TLC park.

Harold Werkheiser - Commissioner - Absent

Chad Kilby - Commissioner

Commissioner Kilby reported the Intersection Lighting Project is moving forward and work should begin in about two weeks.

Jerrold Belvin - Commissioner

Discussion took place on the status of the current park board.

J. Belvin made a motion, seconded for discussion by C. Kilby, to temporarily dis-ban the park board and allow the township manager to deal with park board issues, unless over the authorized spending threshold and report to the Board of Commissioners at regular meetings. Discussion followed. J. Lastowski opened the motion to public comment. Under public comment, Annabella Lastowski submitted her resignation from the park board. Ellen Gndt stated that the township does have an ordinance not a resolution governing the park board. Leo DeVito, township Solicitor confirmed there is an Ordinance 54-1 that governs the Recreation Committee. J. Belvin, amended his motion, agreed to and

seconded by C. Kilby, to amend the motion to authorize the township manager to advertise for five to seven positions on the recreation committee and authorize the township manager, within spending constraints to monitor the operations of the park and report back on operations and events to the Board of Commissioners.

Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

PUBLIC WORKS REPORT

Fish Hill Road Storm System Project - Township Manager, D. Asure reported that the project started today, May 6, 2019

Administration - Manager's Report

Regional Comprehensive Plan - RFP has been circulated and sent to the state. Requests for proposals should be sent out mid-May to be reviewed by mid-June.

Traffic Task Force - There will be a work session on Monday, May 20, 2019 at 6pm with concerned parties and state elected officials

Pocono Business Association - discussion on holding first meeting on Wednesday, June 12, 2019 from 5:30pm - 6:30pm

Mutual Aid Agreements - discussion was held on lack of responses. Solicitor DeVito stated he would reach out to his counterparts. A letter from the Board members themselves will be written and sent.

Sewer Cards - The sewer cards were sent April 23rd and residents are reporting back to the township with proof of pumping within last four years.

Website Logo Contest - The website logo contest is on going with votes being received both by online voting and in person here at the township

Well at Mountain View Park - The well needed for MVP was discussed. DEP requirements must be met. Proposals from Cook Geological and Boucher and James were received to design technical specifications as well as overseeing the project and completing required DEP documents.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve the proposal from Boucher & James to prepare technical specifications, oversee testing and installation and prepare DEP required reports for installation of new well at MVP in an amount not to exceed \$8500.00.

Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

NCC Agreement

J. Lastowski made a motion, seconded by C. Kilby, to enter into the annual Memorandum of Understanding with Northampton Community College to use NCC for Thursdays on the Green movies and for NCC to use MVP for recreational programs beginning June 1, 2019.

Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

SFM Consulting Agreement -

J. Lastowski made a motion, seconded by C. Kilby, to ratify a service agreement with SFM Consulting, LLC for zoning officer services at \$65.00 per hour for a maximum of 20 hours per week. Discussion followed on language in the agreement to approve hours over the twenty.

Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Correspondence -

Correspondence was received from Tannersville Point Luxury Apartments granting an extension of time for Commissioners' review period of this project until June 6, 2019.

Selfie Swing for parks -

R. Wielebinski made a motion, seconded by J. Belvin, to purchase a dual selfie swing from Play & Park Structures in the amount of \$3,165.73, using the \$2000 donation from the Weiler Charitable Giving Committee and the balance from the park capital fund, having installation completed by the public works department. Discussion followed on the location of the two swings. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Request from Fire Department -

The fire company has requested that the \$25.00 fee be waived by the township for the paving permit the fire company must receive to pave the parking area. J. Lastowski made a motion, seconded by J. Belvin, to forgo the fees for paving on fire company property. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Spotted Lanternfly - D. Asure, Twp. Manager, reported that she has taken the test to become the township trainer on the issue of the spotted lanternfly. All employees who drive township vehicles must be trained on inspecting the vehicles, what to look for, how to destroy the egg masses and flies and the logs that must be kept. Training records must be on file for two years.

TOWNSHIP ENGINEER REPORT:

White Oak Culvert replacement project - J. Tressler, Twp. Engineer, stated that information has been provided to the grant writer for application for a flood mitigation grant for this project.

Right Hand Turn Lanes - Multi-modal grant has been applied for through the grant writer.

TLC Bridge- J. Tressler reported that the GS11 permit application has been submitted.

Culvert Cleaning Maintenance - No report

Dam at TLC - J. Tressler, Twp. Engineer reported that he had inspected the structure and is working on a plan that could be submitted to apply for grants. R. Wielebinski asked if this could be done at the same time as the TLC bridge. Discussion followed.

Master Sidewalk Plan - J. Tressler, Twp. Engineer reported that he is updating some of the information and the planning commission is reviewing.

Stormwater Ordinance - J. Tressler, Twp. Engineer, reported that he is making progress on a draft for Board review.

Learn Road to Fish Hill Road Culverts - J. Tressler reported that the culverts are filling up again and he needs to meet with B. Sargent to see how a plan can be put together to maintain the sump basin in this area.

TOWNSHIP SOLICITOR REPORT

Camelback Hotel and Water park Letter of Credit - L. DeVito, Twp. Solicitor, explained the letter of credit for this project is expiring June 1, 2019 and the work is not yet complete. J. Belvin made a motion, seconded by C. Kilby, to authorize the solicitor's office to draw on the Letter of Credit for the Camelback Hotel and Waterpark project in the event the work, as listed by T&M is not completed by May 15, 2019. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

PPL Right of Way Agreement -

R. Wielebinski made a motion, seconded by J. Belvin, to approve the Right of Way agreement with PPL for the Trapasso project on Rt. 611 and Discovery Drive and authorize the President of the board of Commissioners to execute the documents. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Right to Know Resolution from West Easton Borough -

Leo DeVito, Twp Solicitor reported the board had received correspondence from West Easton Borough asking for support of a resolution, to be sent to the state, amending the Right to Know Law.

J. Lastowski made a motion, seconded by J. Belvin, to authorize the township solicitor to prepare a resolution to that of West Easton Borough to be sent to the state legislature expressing township concerns of retaliatory Right to Know requests. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Request for change of taxing districts for Woodcrest Blvd., Lot 10, the Reserve at Bryson's Farm -

Discussion took place on the request from TS Builders to change the taxing district at Lot 10, Woodcrest Blvd, The Reserve at Bryson's Farm. The change would be from Stroud Township to Pocono Township. Stroud has already sent a letter of approval. The board requested the township manager contact the school districts to find out their opinion on this request. No action taken

Breezewood Drive Emergency Access - It was reported to the Board that the property owners have been contacted and seem agreeable to work with the township to provide this emergency access.

PUBLIC COMMENT:

Ellen Gndt, Twp. resident, commented on the new company for zoning duties.

Ellen Gndt, Twp. resident, commented on the purchase of the pick-up truck and the need for appropriations to be made to the budget.

ADJOURNMENT INTO EXECUTIVE SESSION:

J. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting at 9:30pm. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.