

**POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING**

NOVEMBER 2nd, 2015 7:00 P.M.

The regular meeting of the Pocono Township Commissioners was held on 11/02/2015 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; Gregg Schuster, Twp. Manager; and Pamela Finkbeiner, Twp. Secretary, were present.

ANNOUNCEMENTS: R. Wielebinski announced an executive session will be held after the meeting to discuss a union negotiation matter.

MINUTES:

J. Lastowski made a motion, seconded by P. Nish, to approve the Commissioners regular meeting minutes of 10/19/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

BILLS AND TRANSFERS: G. Schuster requested the removal of Sewer Construction Check No. 143 - Pact Construction until additional information is received.

T. Felver made a motion, seconded by P. Nish, to approve the Bill's listing dated 11/02/2015, excluding Sewer Construction Check 143 - Pact Construction in the amount of \$110,070.95. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

AMENDMENTS TO AGENDA: G. Schuster noted 13A - Resolution for Supplemental Appropriations will be removed and Spa Castle will be moved up.

PUBLIC COMMENT: Linda Smith, Pocono Central Ambulance expressed concern that her comment from 10/19/2015 noting an ambulance company did not submit the required external audit report was not included in the minutes.

Lisa Olsen, Twp. resident, presented a petition of 306 signatures stating their concerns about the amount of additional daily traffic and the effect on the original service area of the Twp. Act 537 plan for the Spa Castle Plan.

REPORT OF THE PRESIDENT: None

COMMISSIONERS' REPORTS:

Jerry Lastowski, Commissioner, noted a meeting with Chester's Barber shop concerning a former punch list items to be completed.
The sewer committee meeting for 11/03/2015 was cancelled due to Election Day.

The Pocono Mountain School District meeting was cancelled but will be rescheduled at a later date.

R. Wielebinski recommended Twp. residents sign up for the Township's electronic newsletter.

Diane Zwiefel questioned the new website's general contact forms.

Tom Felver, Commissioner, none.

Peter Nish, Commissioner, none.

Brad Wise, Commissioner expressed his opinion on the previous board of Supervisors and the process of becoming first class. He raised concern that the Twp. engineer has been asked not to attend the meetings. He expressed his concern that BIU is handling the inspection process instead of the Twp. Engineer.

Tom Olsen, Twp. resident objected to B. Wise's statement.

SPA Castle Wastewater Treatment Capacity - G. Schuster explained review process for the planning module. He noted both Stroud Township and Stroud Borough have chosen not to supply sewer capacity. The Pocono Township sewer committee at their 10/29/2015 meeting recommended Pocono Township not allocate treatment capacity to Spa Castle. J. Lastowski made a motion, seconded by B. Wise, to deny sewage capacity to Spa Castle Resort as recommended by the Pocono Township Sewer committee. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

SPA Castle Public notice of planning module and comment period -

R. Wielebinski made a motion, seconded by T. Felver, to authorize the Twp. Solicitor to advertise the hearing for the Spa Castle Planning Module and to hold a hearing on 12/17/2015 - time and location to be determined. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Judi Coover, Twp. resident, questioned the process for the hearing.

Tom Olsen, Twp. resident, questioned if the full planning module can be placed online. G. Schuster will request an electronic copy for the website and a hard copy will be available for review by the public.

REPORTS:

ADMINISTRATION:

Gregg Schuster, Township Manager, reviewed his report.

2016 Budget: G. Schuster explained the impact of a ½ mil or 1 mil tax reduction. Discussion followed. The board concurred on a ½ mil reduction. T. Felver questioned the cost of a generator. Discussion followed. Charlie Cilurso, Twp. resident, asked the status of the old generator. Jeff Clapper, Public Works Director, noted it was sold. Annabella Lastowski, Twp. resident, questioned what other Townships used. Jack Rader, State

Representative, noted Jackson Township had two generators, one for the Township building and one for the Fire Company. No action taken. T. Felver, questioned the \$50,000 cost for videotaping the sewer line. M. Ambrose, Twp. engineer, noted the videos provided by RKR Hess were not satisfactory. B. Wise noted many of the laterals were incorrectly marked on the as-built plans and the new video would show their correct location. Discussion followed on concerning the benefits of re-videotaping the lines.

T. Felver questioned cost of the previous Evoqua odor study. M. Ambrose explained the benefits of the study for identifying the Hydrogen sulfite in the system. He did note he did not know of any recent reports concerning odors. B. Wise explained they are being aggressive to control corrosion on the manhole covers and equipment. No action taken. Discussion on the timeframe for adopting the budget.

T. Felver requested a special meeting to discuss the budget.

T. Felver made a motion, seconded by R. Wielebinski, to hold a special budget workshop on 11/10/2015 at 3:00 p.m. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Mark Ambrose, Township Engineer, reviewed his report.

- a) Stadden Road Bridge project guiderail ready for installation.
- b) The repair to the sewerline is starting.
- c) Camelback Helipad and Lot 12 and Lot Combination have been recommended for approval by the Planning Commission.

A full copy of his report is available at the Township Building.

Leo DeVito, Township Solicitor -

RecDesk - L. DeVito noted he just received the RecDesk agreement for internet signup of Mt. View pavilion rentals and will review it for the next meeting.

Broski/Benninger construction easement agreement - L. DeVito noted they have reached an agreement with CTS Properties (Benninger) for an easement for sewer construction and restoration of the fountain and pond structure. T. Felver noted his attorney is the same as Mr. Broski. L. DeVito stated it is not a conflict.

J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the President to sign and execute the CTS Property Temporary access and Construction easement in the amount of \$2,500.00 and to authorize up to \$8,267.00 for restoration of fountain and pond structure. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

JAM Real Estate - L. DeVito explained the property is in the process of being sold and the sewer lateral connection has not been approved. The lateral was located above the minimum depth. The Sewer committee recommended the Public Works department excavate, wrap, and pave the lateral connection. Jeff Clapper, Public Works Director noted the cost should be under \$1,000.00.

JAM REAL ESTATE CONT:

Discussion followed. Jennifer Wise, Attorney for the buyer, noted the Twp. lateral was at the wrong depth. Discussion followed on the responsibility of misplaced lateral. Discussion followed on the inspection process. Sarah Bue Morris, Engineer, spoke concerning the review process. J. Lastowski suggested the Township revisit the inspection process.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the Public Works Department's excavation, wrapping and paving of the lateral as recommended by the sewer committee. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, abstained. Motion carried.

PRESENTATIONS:

Resolution 2015-70 - Camelback Conditional Lot Consolidation Plan - Mike Gable, Boucher & James, Inc., represented the plan. T. Felver questioned the recent MCCD earth disturbance reports. Dan Finn of Camelback noted he has met with John Motts, MCCD to correct the drainage violations. B. Wise made a motion, seconded by J. Lastowski, to approve Resolution 2015-70 - Camelback Lot Consolidation LDP granting conditional approval. Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes, P. Nish, no; and B. Wise, yes. Motion carried.

Resolution 2015-71 - Camelback Lot 12 and Helipad Conditional LDP - Mike Gable, Boucher & James, Inc., represented the plan. He noted the helipad cannot be approved by FAA until site work is completed. The Helipad is for emergency use only. The Planning Commission recommended conditional approval at their 10/13/2015 mtg. Discussion followed on stormwater management and current MCCD reports. J. Lastowski made a motion, seconded by P. Nish, to approve Resolution 2015-71 -Camelback Lot 12 and Helipad LDP granting conditional approval. Roll call vote: R. Wielebinski, abstained; J. Lastowski, yes; T. Felver, yes, P. Nish, no; and B. Wise, yes. Motion carried.

ORDINANCES:

Recycling and Municipal Solid Waste Ordinance - R. Wielebinski opened the hearing. Discussion followed on the requirement of Township pickup verse hauler pickup. Judi Coover, Twp. resident, requested the Township postpone the amended ordinance until more information is received. Annabella Lastowski, Twp. resident, questioned the required twice per year pickup. Discussion followed. R. Wielebinski closed the hearing. R. Wielebinski made a motion, seconded by J. Lastowski, to table the ordinance - Recycling and Municipal Solid Waste Ordinance. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, no. Motion carried.

ADJOURNMENT INTO EXECUTIVE SESSION:

R. Wielebinski made a motion, seconded by P. Nish, to adjourn into executive session to discuss union negotiations at 10:05 p.m., until 11/16/2015 at 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; and B. Wise, yes. Motion carried.

Respectfully submitted

Pamela Finkbeiner, Township Secretary