

**POCONO TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING**

**OCTOBER 19<sup>th</sup>, 2015 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on 10/19/2015 at the Northampton Community College, Pocono Hall, Room 108, 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:**

An executive session will be held after tonight's meeting to discuss union negotiations.

**MINUTES:**

J. Lastowski made a motion, seconded by P. Nish, to approve the Commissioners Special meeting minutes of 10/05/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

B. Wise made a motion, seconded by R. Wielebinski, to approve the Commissioners regular meeting minutes of 10/05/2015 with correction to the Bill's list date to read "10/05/2015". Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

B. Wise made a motion, seconded by T. Felver, to approve the Commissioners Special meeting minutes of 10/06/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, abstained, P. Nish, yes; and B. Wise, yes. Motion carried.

**BILLS AND TRANSFERS:**

J. Lastowski made a motion, seconded by B. Wise, to approve the Bill's listing dated 10/19/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, no, P. Nish, yes; and B. Wise, yes. Motion carried.

**AMENDMENTS TO AGENDA:** None

**PUBLIC COMMENT:**

Ramona Shupp, Twp. resident, spoke in favor of Pocono Central Ambulance.

Annabella Lastowski, Twp. resident, spoke concerning the proposed recycling ordinance.

**REPORT OF THE PRESIDENT:** None

**REPORTS CONT:**

Jerry Lastowski, Commissioner, noted a meeting with PennDOT concerning the closure of Learn Road and traffic controls for the sewerline repair. PennDOT protocol mandated the traffic controls for the project. The repair is projected to be completed in late March/early April of 2016.

Tom Felver, Commissioner, no report.

Peter Nish, Commissioner, no report.

Brad Wise, Commissioner, reported excavation for the repair will begin early next week.

The Sewer Committee's next meeting is 10/20/2015, Tuesday, at 9:00 a.m. J. Lastowski noted the Sewer Committee is meeting every other Thursday with Kalahari to address flow concerns.

**REPORTS:**EMERGENCY SERVICES:

Kent Werkheiser, Pocono Township Police Chief, reported on a meeting with Salisbury Township Police Chief Allen Stiles to tour their facility and to discuss the impact of trauma centers on local Police services. Salisbury Twp. had a 33% increase in calls. Diane Zweifel, Twp. resident, questioned if the DCED report is available. K. Werkheiser noted due to the State's freeze on funding, the consultant is unable to present the report. Discussion followed.

Pocono Township Volunteer Fire Co., Jerry Lastowski read the report from Fire Chief Mike Shay. He noted 38 call for the month of September.

Linda Smith, Central Pocono Ambulance Association, Inc., requested the Board inform them of their status with Pocono Township. She noted they met the conditions of the agreement but the Township has not signed it. R. Wielebinski noted the Board had not made a decision on service providers. L. Smith reported 186 calls for September.

**PRESENTATIONS:**

Spa Castle - Proposed vacating of a portion of Birchwood Road - Deanna Schmoyer, Borton-Lawson Engineers, explained the proposed vacating of Birchwood Road. The plan calls for about 3500' of Birchwood road located on Spa Castle property to be vacated. The remaining section of Birchwood off of Hallet Road would remain public. She noted the roadway would not be gated, but C. Castle would install speed bumps and signage for traffic calming within the development. She noted C. Castle would install the cul-de-sac at the end of Birchwood if the Township required it. Discussion followed on cost of recent paving of roadway, school buses and emergency services use, enforcement, and maintenance.

Diane Zweifel, Twp. resident, questioned if the Township vacates Birchwood Road and Spa Castle abandons the site, what happens to the roadway.

Dennis Purcell, Twp. resident, suggested a pedestrian bridge instead of abandoning the roadway.

**SPA CASTLE PRESENTATION CONT:**

Andy Worthington, Twp. resident, noted the standard of benefiting the residents for vacation of a roadway.

Chris Strunk, Birchwood Road; and Janice Sposato, Hallet Road, spoke concerning roadway safety in area.

Ed Coover, Twp. resident, spoke concerning ownership of the roadway.

Judi Coover, Twp. resident, spoke concerning possible future gating of road, road maintenance, and traffic.

Lisa Olsen, Twp. resident, asked if they would pay for the road.

Tom Olsen, Twp. resident, questioned enforcement of Developer agreements, sewer line under Fish Hill Road, and amending deadlines for amending Act 537. He noted they are collecting signatures to present to the board.

Mark Vultaggio, property owner, spoke concerning alternative traffic flow.

Michelle Fisk, Twp. resident, spoke concerning traffic safety and size of project.

Jerry Price, Tannersville, questioned when traffic reports, environmental reports, and plan will be submitted to Township.

Betty Cook, Analomink Lake, spoke concerning the size of the resort.

Saylor Moore, Cherry Lane Road, spoke concerning increased traffic.

James Campbell, Fishhill Road, questioned sewerline on Fishhill Road and cost to taxpayers.

Syliva Miller, Cherry Lane Road, spoke concerning pedestrian traffic from the employee housing.

James Campbell, Twp. resident, spoke concerning taxes.

Keith Kuntz, property owner, spoke on impact of traffic in area.

Annabella Lastowski, Twp. resident, questioned the timing of the approval for amending the Act 537 plan.

Deanna Schmoyer, Doug Olmsted, and Solicitor Ralph Matergia, addressed the comments. Discussion followed.

R. Wielebinski noted Spa Castle has not submitted an official Land Development plan and the presentation for the road vacation was for information only at this time. The Board will take the comments and information from Spa Castle into consideration.

J. Lastowski explained the Board is willing to listen to everyone before making a decision. He thanked the audience for attending. No action taken.

**ADMINISTRATION:**

Gregg Schuster, Township Manager, reviewed his report.

Generic TIF Explanation: G. Schuster gave an overview of TIF (Tax Increment Financing) to the Board.

Benecon Open Enrollment: G. Schuster explained an executive session was held discussed the current plan which does not allow for an open enrollment period. The change will allow employees to change their policies for life events. T. Felver questioned the cost to the Township and requested the Board wait until Union negotiations are completed. Discussion followed. R. Wielebinski questioned the policy for medical only.

R. Wielebinski made a motion, seconded by P. Nish, to approve the change to the Benecon Open Enrollment. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, no, P. Nish, yes; and B. Wise, yes. Motion carried.

2016 Budget: G. Schuster reviewed the process for adoption of the 2016 budget. Discussion followed on the fund balance and possibility of a tax decrease for residents. B. Wise and P. Nish noted concerns for future unexpected expenses with the sewerline, litigation, document management, unexpected expenses, and Capital improvement projects. T. Felver questioned the use of the fund balance. G. Schuster will review the difference between a ½ mil and 1 mil decrease in taxes and present to the Board at the next meeting. Jane Cilurso, Twp. resident, requested instead of a tax decrease, the funds should be used to help Central Pocono Ambulance. No action taken.

Leo DeVito, Township Solicitor:

PJJWA MOU - L. DeVito explained the BCRA acquisition of the Pocono Jackson Joint Water Authority (PJJWA) Memorandum of Understanding (MOU). BCRA is requiring Pocono and Jackson to indemnify and hold harmless BCRA. It would require the Township to hire technical experts to do the study and submit to EPA. B. Wise questioned if a previous risk assessment had been done. Discussion followed. L. DeVito will look at the risk assessment and report back to the board. No action taken.

Treasurer's report - Gina Zuvich was absent.

**ORDINANCES:**

Recycling and Municipal Solid Waste Ordinance - G. Schuster explained DEP found the current recycling and solid waste ordinance is not in compliance. The proposed amendment will comply with their requirements of mandated leaf collection. It will require the Township to purchase equipment to collect the leaves. He noted the Grant must be applied for by November. J. Lastowski questioned the timing of the ordinance and the cost to the Township.

Judi Coover, Twp. resident, noted the current law maybe amended that would change the requirement for leaf collection. She suggested the Township wait until additional information is received before acting. Don Simpson, Twp. resident, questioned leaf pickup for Commercial properties.

Maxine Turbolski, Twp. resident, spoke concerning illegal leaf burning.

Dennis Purcell, Twp. resident, questioned the cost of leaf pickup.

J. Lastowski questioned what the fines would be if the Township delayed the adoption of the ordinance.

Discussion followed.

J. Coover, Twp. resident, questioned the requirement of local haulers to pick-up the leaves and the cost to do so. She suggested the Twp. speak to neighboring Townships.

L. DeVito suggested changing Pg. 2, Sec. 4.d to designate the Township as the collector. He noted the language was recommended by DEP and he will confirm the change is acceptable.

T. Felver made a motion, seconded by P. Nish, to authorize the Township Solicitor to amended Pg. 2, Sec. 4.d to read 'designate the Township as the collector', conditioned upon DEPs confirmation of the change and to advertise the Ordinance.

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**RESOLUTIONS:**

Resolution 2015-69 appointing members to the UCC Building Board of Appeals - G. Schuster noted the resolution is to confirm the appointments of Mike Wilk and Scott Mango to the UCC Board of Appeals.

R. Wielebinski made a motion, seconded by T. Felver, to adopt Resolution 2015-69 - appointing Mike Wilk and Scott Mango to the Pocono Township Building Board of Appeals. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Purchasing policy for the Township - The Board requested additional time to review the purchasing policy.

R. Wielebinski made a motion, seconded by T. Felver, to table the resolution approving the purchasing policy for the Township. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. 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 10:20 p.m., until 11/02/2015 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