

**POCONO TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
OCTOBER 22<sup>nd</sup>, 2018 5:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on Monday, 10/22/2018 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Gerald Lastowski at 5:00 p.m., followed by the Pledge of Allegiance.

**MOMENT OF SILENCE** - In Memory of Commissioner Robert M. DeYoung whom passed away on October 12<sup>th</sup>, 2018.

**ROLL CALL:** Gerald J. Lastowski, present; Harold Werkheiser, absent; Richard Wielebinski, present; and Jerrod Belvin, present.

**IN ATTENDANCE:**

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer, Boucher & James, Inc.; DonnaASURE, Township Manager; and Pamela Tripus, Township Secretary, were present.

**PUBLIC COMMENT:**

Ellen Gndt, Twp. Resident, commented on the 10/01/2018 minutes concerning the pension reimbursement to the general fund.

**ANNOUNCEMENTS:**

Trick or Treat Night is scheduled for 10/31/2018 from 6:00 p.m. to 8:00 p.m.

**HEARINGS:**

Donna Kenderdine, Court Reporter, in attendance.

Ordinance 2018-16 - Regulation of Blasting within the Township

G. Lastowski opened the hearing. L. DeVito, Twp. Solicitor, explained the Ordinance was requested due to a recent situation. The Ordinance requires pre and post blasting surveys and notification to the residents. G. Lastowski opened the hearing to public comment. Hearing none.

G. Lastowski made a motion, seconded by R. Wielebinski, to close the hearing for Ordinance 2018-16 - Regulating Blasting. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

G. Lastowski made a motion, seconded by J. Belvin, to adopt Ordinance 2018-16 - Regulating Blasting in Pocono Township. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Ordinance 2018-17 - Guaranteed Sewer Revenue Note

G. Lastowski opened the hearing. Zack Willard, PFM, presented the summary of refinancing options with a recommendation for a 7-year fixed rate of 3.49 with no prepay penalty. Jens Damgaard, Eckert Seamans, Cherin, & Mellott, LLC, explained the process for municipal borrowing and the timing of approval for the guarantee sewer revenue note. Discussion followed.

**GUARANTEED SEWER REVENUE NOTE ORD. CONT:**

Ellen Gndt, Twp. Resident, requested a copy of the summary and commented on the actual cost to refinance and paying down other loans. Z. Willard explained the cost to refinance is \$54,000. Discussion followed on the options, costs, timing, and potential of future higher interest rates. The Board concurred to postpone a decision until the 11/05/2018 regular meeting.

G. Lastowski made a motion, seconded by R. Wielebinski, to close the hearing for Ordinance 2018-17 - Guaranteed Sewer Revenue Note in the amount of \$6,750,000.00, until 11/05/2018 at 7:00 p.m. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

**OLD BUSINESS**Minutes:

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the 10/1/2018 work session minutes of the Board of Commissioners. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

G. Lastowski made a motion, seconded by J. Belvin, to approve the 10/01/2018 minutes of the regular meeting of the Board of Commissioners. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the 10/10/2018 work session minutes of the Board of Commissioners. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

**NEW BUSINESS**Financial TransactionsRatify Voucher Payables -

G. Lastowski made a motion, seconded by R. Wielebinski, to ratify vouchers payable received through 10/19/2018 in the amount of \$10,749.26. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Ratify Gross Payroll -

G. Lastowski made a motion, seconded by J. Belvin, to ratify gross payroll for pay period ending 10/27/2018 in the amount of \$95,622.27. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Vouchers Payables -

G. Lastowski made a motion, seconded by J. Belvin, to approve vouchers payable received through 10/19/2018 in the amount of \$123,104.99. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

**FINANCIAL TRANSACTIONS CONT:**Capital Expenditures -

G. Lastowski made a motion, seconded by R. Wielebinski, to approve capital expenditures received through 10/19/2018 in the amount of \$29,479.58. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

**REPORT OF THE PRESIDENT**

Vacancy Procedure - D. Asure, Twp. Manager, prepared a memo for the timeline of action to fill the vacancy left by the passing of Robert M. DeYoung. The Board concurred to advertise the vacancy, require cover letters and resumes to be received by 10/29/2018 and include proof of residency and voter registration, and to hold a special meeting for the interview of candidates on 11/1/2018 at 5:00 p.m. A motion may be made at the Special Meeting of 11/1/2018 and the candidate will be sworn in at the 11/05/2018 regular meeting.

J. Belvin made a motion, seconded by G. Lastowski, to approve the procedure for filling the vacancy on the Board of Commissioners by advertising the vacancy to fill the balance of the term which expires on 12/31/2019, cover letter and resume submitted to the Twp. Manager by the close of business day, Monday 10/29/2018 either by email or hard copy, information must include proof of residency and proof of being a registered voter; interviews will take place at a publicly advertised meeting at 5:00 p.m., Thursday, 11/01/2018 with all candidates. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Amusement Tax -

G. Lastowski made a motion, seconded by R. Wielebinski, to authorize the delay of implementation of the Amusement Tax until 01/01/2019. G. Lastowski noted a fact-finding meeting with resort owners and PA Senator Mario Scavello was held and additional time is required to assure the ordinance is fair to all businesses affected. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

PennDOT application for permit for right hand turn lanes of Rt. 611 onto Rimrock Road and Bartonsville Ave. -

G. Lastowski made a motion, seconded by J. Belvin, to authorize the Twp. Engineer to conduct all studies necessary and to submit the application to PennDOT for the right-hand turn lanes from Rt. 611 onto Bartonsville Ave and Rimrock Road for the approximate cost of between \$9,000.00 and \$11,000.00. G. Lastowski explained they met with PA Senator Mario Scavello and Senator Scavello believes the turning lanes are important to assist with the traffic problems on Rt. 611. He noted if the Township moves forward the work will be completed sooner. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

## REPORT OF THE PRESIDENT CONT:

Tobyhanna Township

G. Lastowski noted he spoke to Ann Lamberton, Tobyhanna Twp. Supervisor, concerning a future meeting with DEP concerning additional sewer capacity. A. Lamberton is waiting for the water issue to be resolved before a meeting with DEP can take place.

G. Lastowski noted he spoke to A. Lamberton, Tobyhanna Township to request their Twp. Manager John Jablowski to reach out to D. Asure, Twp. Manager, to provide information.

G. Lastowski contacted A. Lamberton, Tobyhanna Township, to set up a meeting to discuss an equalization tank, a pre-treatment tank, and possible additional EDUs for Kalahari.

G. Lastowski noted he heard from Keith Kunz concerning the runoff of his neighbor's property. Prior to the meeting, it was decided to contact the neighbor to request he clean up his driveway pipe and put in a headwall. Discussion followed.

G. Lastowski noted Keith Kunz raised concerns with the White Oak Culvert replacement.

**COMMISSIONERS COMMENTS:**

Harold Werkheiser - Absent

Richard Wielebinski - No comment

Jerrod Belvin - J. Belvin questioned the opening of the blocked road as a detour on the culvert replacement on White Oak Drive. J. Tresslar, Twp. Engineer, noted additional research is required to confirm the ownership of the closed road. J. Tresslar noted two options were bid - 1) for one side at a time and 2) for complete closure during construction with the closed roadway opened for a detour. J. Belvin noted the need for the closed road as an emergency access to the remainder of the development.

**REPORTS:**

Zoning - Michael Tripus, Zoning Officer, gave his report for September noting 43 permits were issued.

Emergency Services

Police- Pocono Township Police Chief Kent Werkheiser gave his report noting 945 incidents for the month of September.

EMS - No report.

Fire - No report.

**REPORTS CONT:**

Park Board - D. Asure, Twp. Manager, reviewed an email from Jen Fisher, Park Board, noting she will provide details for the pavilion rentals and thanking the Board for the ice-skating rink.

Finance Committee - No report.

Public Works Report

Update on road crew activities- Robert Sargent, Road Supervisor, gave his report for September and explained the road piping work for the Northern tier is wrapping up, tree trimming is complete and currently they are working on preparing the trucks for winter.

Flail Mower Sale

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the sale of the Flail Mower to James Davis in the amount of \$210.00 as the highest bid received on municibid. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Tiger Rotary Mower Head

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the sale of the Tiger Rotary Mower Head to James Davis in the amount of \$285.00 as the highest bid received on municibid. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Saw Devil Black Top Saw

G. Lastowski made a motion, seconded by J. Belvin, to approve the sale of the Saw Devil Black Top/Concrete Saw to Mike Whiteley in the amount of \$347.00. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Skag Mower

G. Lastowski made a motion, seconded by J. Belvin, to approve the sale of the Skag Mower to Larry Gibbins in the amount of \$4,100.00 as the highest bid received on municibid. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

**ADMINISTRATION - MANAGER'S REPORT**

Transfer to General Fund - A transfer of \$13,970.42 was made to the general fund from the Police Pension fund to reimburse for payments made to police officers in 2017.

Resignation of Charlie Trapasso - D. Asure, Twp. Manager, noted a letter of resignation was received from Charlie Trapasso from the Pocono Township Park and Recreation Board effective 11/12/2018.

**MANAGER'S REPORT CONT:**Impaired Driving Project

R. Wielebinski made a motion, seconded by J. Belvin, to approve the execution of to grant extension for the Impaired Driving Project, effective 10/01/2018 through 09/30/2020 and to authorize the President of the Board of Commissioners to execute the documents. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Mt. View Park will be closing 11/04/2018.

Abeel Road Speed Limit

G. Lastowski made a motion, seconded by R. Wielebinski, to authorize the Twp. Solicitor to prepare an ordinance setting the speed limit on Abeel Road as determined by the 2016 traffic study and advertise a hearing for 11/19/2018. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

A time extension was received for Running Lane, LLC until 01/30/2019.

**TOWNSHIP ENGINEER REPORT:**

White Oak Culvert replacement project- Previously discussed.

Fish Hill Road Storm System - J. Tresslar, Twp. Engineer, explained revised plans for a pipe were submitted to MCCD. The project will be bid once MCCD approves the plan. Discussion followed on the work and if the road department could do the installation. G. Lastowski directed R. Sargent and J. Tresslar to discuss options.

LSA Grant for right hand turn lanes from Rt. 611 onto Rimrock and Bartonsville Ave. J. Tresslar, Twp. Engineer, explained a Resolution is required to be approved for the application.

TLC Bridge Grant - J. Tresslar, Twp. Engineer, explained the first step is obtaining the DEP Permit.

Culvert cleaning on Learn Road- J. Tresslar, Twp. Engineer, explained the contract documents are in order and will issue the Notice to Proceed.

**TOWNSHIP SOLICITOR REPORT**

Exxon Monitoring Wells - No report

Settlement with Richard Weichand- L. DeVito, Twp. Solicitor, explained settlement is to resolve this issue.

G. Lastowski made a motion, seconded by, R. Wielebinski, to approve the settlement agreement with Richard Weichand and authorize the President of the Board of Commissioners to execute the necessary documents. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Wiscasset Road Vacation

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Twp. Solicitor to advertise for a hearing on 11/19/2018 concerning the Wiscasset Road Vacation as part of the Brookdale Minor Subdivision Plan. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Amending Code of Ordinance, Chapter 60

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the Twp. Solicitor to advertise a hearing on 11/19/2018 amending the code of Ordinances of Pocono Township, Chapter 60, Salaries and Compensation, Article 1, Commissioners. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Amending Code of Ordinances, Chapter 200 - Fireworks

J. Belvin made a motion, seconded by R. Wielebinski, to authorize the Twp. Solicitor to advertise a hearing on 11/19/2018 amending the code of ordinances of Pocono Township, Chapter 200 - Fireworks. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

**RESOLUTIONS**

Resolution 2018-55 - LSA Grant

G. Lastowski made a motion, seconded by J. Belvin, to adopt Resolution 2018-55 for LSA Grant submittal for right hand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Ave. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Resolution 2018-56 - Inter-municipal Cooperation Agreement

G. Lastowski made a motion, seconded by J. Belvin, to authorize the Twp. Solicitor to prepare an ordinance for an Inter-municipal Cooperation Agreement (ICA) for the Regional Comprehensive Land Use Plan update with Stroudsburg Borough, Hamilton Township and Stroud Township to update the Regional Comprehensive Plan. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

**PUBLIC COMMENT** - None

**ADJOURNMENT**

G. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting into executive session for acquisition of property, at 6:35 p.m. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; and J. Belvin, yes. Motion carried.

Respectfully Submitted

Pamela Tripus, Township Secretary