

REGULAR MEETING MINUTES**June 3, 2019 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on Monday, 06/03/2019 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 M. Asure, Township Manager; and Dee Ackerman, Administrative Assistant were present.

PUBLIC COMMENT:

Ellen Gndt, Twp. resident, informed the Board that there were no more agendas for the public and asked what the executive session was for. Board responded for personnel and litigation.

Dean Hartshorn, Twp. Resident, thanked the board for paying the road crew to work at community day and questioned the purchase of the diggers for MVP.

ANNOUNCEMENTS:

The winner of the website logo contest is logo #3, a keystone with black bear

The Board thanked all those involved in making Community Day a success
An executive Session was held on June 3, 2019 for personnel and litigation

PRESENTATIONS - none

Hearings - none

RESOLUTIONS:**MINUTES:**

J. Lastowski made a motion, seconded by J. Belvin, to approve the minutes of the 05/20/2019 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 05/20/2019 regular meeting 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. Lastowski made a motion, seconded by J. Belvin, to approve the September 1, 2019 pension start date for Robert R. Miller in the amount of \$2,341.91 per month per the Election of Retirement Benefits Form as calculated by Beyer Barber Company. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

J. Lastowski made a motion, to ratify the rehiring of Alyssa Bullis as seasonal park employee, effective Monday, May 27, 2019 at a rate of \$12.00 per hour for approximately 32 hours per week. Motion failed for lack of a second.

Financial Transactions -Ratify vouchers payable

J. Lastowski made a motion, seconded by R. Wielebinski, to ratify vouchers payable for a period ending 05/30/2019 in the amount of \$174,413.81. 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 R. Wielebinski, to ratify gross payroll for the pay period ending 05/19/2019 in the amount of \$117,426.38. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Vouchers Payable

J. Lastowski made a motion, seconded by C. Kilby, to approve vouchers payable received through 05/30/2019 in the amount of \$66,122.78. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Capital Expenditures

J. Lastowski made a motion, seconded by J. Belvin, to approve capital expenditures received through 05/30/2019 in the amount of \$3,084.53. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by C. Kilby, to re-appropriate monies within the Capital Reserve budget in the amount of \$45,873.00 from the Right Hand Turn Lane Project for the following items - Generator Transfer switch - \$8,795.00; Emitters (police vehicles for

Green Light Go Grant - 2015) - \$10,000.00; Back up generators at traffic lights - \$17,128.00; and Bullet Resistant glass - administration building - \$9,950.00. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Travel/Training Authorization - no actions taken

REPORT OF THE PRESIDENT:

Gerald Lastowski, President

Discussion took place on the use of township purchased vehicles.

COMMISSIONERS COMMENTS

Rich Wielebinski - Vice President -

Discussion took place on replacing the two public works employees.

R. Wielebinski made a motion, seconded by C. Kilby, to approve the hiring of two public works employees. 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 accept the second lowest quote received for tree removal at township parks from Robert Turnbull, Jr. DBA as Bullpine Tree Service in the amount of \$6,250.00 conditioned upon the township receiving the proper insurance documentation as required by the township insurance carrier. Roll Call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Harold Werkheiser - Commissioner - Absent

Chad Kilby - Commissioner -

Intersection Lighting - Commissioner Kilby reported that PPL should begin work on this project the week of June 3, 2019.

Zoning Complaint Process - Discussion took place on filing a complaint within the township.

C. Kilby made a motion, seconded by R. Wielebinski, to keep the current policy in place and allow anonymous complaints to be received and investigated by the township. Roll Call Vote: R. Wielebinski, yes; J. Lastowski, No; c. Kilby, yes; J. Belvin, no. Motion failed.

TLC Park Vision - A draft of a possible vision for TLC park was discussed. The township manager was asked that it be put on the township website and the social media pages for public review.

Scotrun Avenue South Bridge - Discussion took place on the condition of this bridge. The township engineer was asked to inspect and report back to the board.

Savvy Citizen - an automated citizen alert system was discussed. The township will look into this product for use with emergency management, public works and with the new township website and newsletters.

Jerrold Belvin - Commissioner - no report

PUBLIC WORKS REPORT

Road Crew Projects - R. Sargent reported the weather is delaying projects. They are starting to install pipes and complete drain work throughout the township.

Fish Hill Road Storm System Project - R. Sargent reported that work is 95% complete. Will be totally done if the weather holds out next week.

2019 Road projects - R. Sargent reported that paving is continuing in the Cranberry Road area and moving forward continuing the week of June 10, 2019. Chip Seal project will start June 10, 2019.

Park Operations - R. Sargent reported he laid down stricter guidelines on the operations of the park with all park staff. Discussion followed on the amount of work that needs to be done at the parks.

BCRA Water Line project - R. Sargent reported that the vault that was to be placed at TLC Park will be moved to a better location by the basketball court.

Administration - Manager's Report

Regional Comprehensive Plan - no update

Traffic Task Force - A work session was held this evening with State Senator Scavello, State Representative Rader, Jackson Township Supervisors and representatives of both Pocono and Jackson Township's emergency services. Discussion was held on the traffic congestion. Another meeting will be scheduled.

Pocono Business Association - Kick off meeting will be Wednesday, June 12, 2019 from 5:30pm - 6:30pm

Mutual Aid Agreements - the letter from the board was mailed to all township elected officials

Dividend received - D. Asure reported that the township received a dividend from their insurance trust in the amount of \$14,869.30 for property and liability coverage.

Tannersville Point Time Extension - D. Asure reported that a time extension was received by Tannersville Point

Request for waiver of fees -

J. Belvin made a motion, seconded by J. Lastowski, to grant the request from Cub Scout pack 89 to waive the fee for pavilion rental on June 28, 2019 in the amount of \$100.00. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Telephone Service - D. Asure reported that a quote was received from Blue Ridge Cable for phone service for a cost of approximately \$350.00 per month. Currently the township uses Met-Tel for a monthly cost of approximately \$900.00. The park would have to stay with Met-Tel as there is no cable at the park which is needed for digital phones.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the one-year agreement with Blue Ridge for commercial phone service at the municipal and police buildings for a monthly cost of \$342.10 pending review of the agreement by the solicitor. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

TOWNSHIP ENGINEER REPORT:

White Oak Culvert replacement project - no report

Right Hand Turn Lanes - Discussion took place on this project now being completed by a private developer, that the township may not recoup the money already expended and that B&J have been requested to send a copy of their plans to Senator Scavello's office. It was stated that this project should now be removed from the agenda.

TLC Bridge- J. Tressler reported that the project should be out to bid within the next few weeks making it a fall project.

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.

Master Sidewalk Plan - J. Tressler, Twp. Engineer reported that he is almost complete with a cost estimated which is needed by the grant writer for grant application.

Erosion and Sedimentation Ordinance - J. Tressler, Twp. Engineer, reported the draft is complete and he will be meeting with the township

solicitor to review before distributing to the Board soon for review and then to the Pocono Township and Monroe County Planning Commissions.

Learn Road to Fish Hill Road Culverts - no update

Generator Bid Documents - J. Tressler reported that research is almost complete and bid documents should be out within two weeks.

Well at Mountain View Park - J. Tressler reported that he has been in contact with DEP concerning the paperwork required and will be getting three telephonic quotes within the next week. There was discussion on the testing required, and the repair of the comfort station.

TOWNSHIP SOLICITOR REPORT

Exxon Monitoring Wells - no update

Lawsuit Decision - L. DeVito, Solicitor, reported on the court's decision in the lawsuit filed by Ms. Gndt concerning the Commissioner's compensation ordinance. The court preliminarily denied the challenge and ruled that Ms. Gndt did not have standing to bring the suit. There is a thirty-day appeal period.

Short-Term Rental - L. DeVito, Solicitor, reported on the recent Supreme Court ruling which stated that short term rentals are a transient use and not a use for residentially zoned areas. Discussion followed on the township's current ordinance, where short term rentals would be allowed and the type of ordinance that the township might consider adopting to govern this type of rental in a commercial district. R. Wielebinski made a motion, seconded by J. Belvin, to repeal the short-term rental ordinance. C. Ortolan, Twp. Resident commented on the original process and intent of the ordinance. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Tannersville Point - L. DeVito, Solicitor, reported to the point on the status of the project known as Tannersville Point. Discussion followed with the board and the applicant.

J. Lastowski made a motion, seconded by C. Kilby to approve the request for modification from SALDO Sec. 390-29.F - Site Context Map. Discussion

- none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the request for modification from SALDO Sec. 390-29.G (7)- View shed analysis. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the request for modification from SALDO Sec. 390-29.K (1) & (2) - Community Impact/Financial Analysis. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by C. Kilby to approve the request for modification from SALDO Sec. 390-29.F (3) (a) - Medium Density Buffers. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by C. Kilby to approve the request for modification from SALDO Sec. 390-29.F (3) (g) - Medium Density Buffers. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by C. Kilby to approve the request for modification from SALDO Sec. 390-48.W (1) - Maximum slope of Earth Embankment. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the request for modification from SALDO Sec. 390-55.E (3) - Minimum grade inside stormwater basins. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by J. Belvin to deny the request for modification from SALDO Sec. 390-55.D (1) and 390-55.D (3) (d) - Street Trees along existing streets. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the request for modification from SALDO Sec. 390-60.C (1) - Traffic Study.

Discussion - none. 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 require sidewalks be installed the entire length of the project. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to require In Lieu of Fees be calculated and paid to the township, as per township ordinance rather than accepting open space. Discussion - none. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

PUBLIC COMMENT:

Ellen Gndt, Twp. resident, questioned the pay of a worker.
Ms. Gndt, Twp. Resident, stated she received an anonymous complaint about water runoff from the township property onto a private residence. Discussion followed. The Commissioners instructed R. Sargent, Road Supervisor to inspect and report back to Ms. Gndt.
Ms. Gndt, Twp resident, commented on the need for a new well at MVP and the possibility of running lines from other onsite wells.

ADJOURNMENT:

J. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting at 8:35pm. Roll call Vote: R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.