

**Pocono Township Board of Commissioners**  
**Regular Meeting Minutes**  
**July 6, 2020 7:00 p.m.**

The regular meeting of the Pocono Township Commissioners was held on July 6, 2020 at the Pocono Township Municipal Building, Tannersville, PA, and opened by President Rich Wielebinski at 7:01 p.m. followed by the Pledge of Allegiance.

**Roll Call:** Jerrod Belvin, present; Ellen Gndt, present; Jerry Lastowski, present via Teleconference; Keith Meeker, present; and Rich Wielebinski, present.

**In Attendance:** L. DeVito, Township Solicitor, Broughal & DeVito; Jon Tresslar, Township Engineer, Boucher & James, Inc.; Taylor Muñoz, Township Manager, and Dee Ackerman, Administrative Assistant.

**Public Comments**

Sandra Kuzar (1230 Sunflower Court, Pocono Highland Estates) – Asked why the Township does not have a noise ordinance. Stated she is having ongoing problems with disruptive neighbors and when the police were contacted, they stated there is no noise ordinance to enforce. Joe Folsom, a Township resident in Pocono Highland Estates, stated the HOA Board has contacted their lawyer to address the noise complaints and were told specific calibrated equipment is necessary to prove noise levels and that a noise ordinance would be necessary. S. Kuzar indicated the neighbors retaliate after she calls the police. L. DeVito suggested the Township evaluate harassment and disorderly conduct; obscene language/gestures; and creating a hazardous or physically offensive condition which would be enough to address harassment issues with the neighbor under the PA Crimes Code. T. Muñoz will speak to the Police Chief.

Susan Fraunberger, (Mikes Road, Bartonsville) – Indicated fireworks are being set off every day and night which creates issues with pets and wildlife. Stated people should not be allowed to set off fireworks every day of the week. R. Wielebinski indicated Pocono Township has a Fireworks Ordinance that only allows four days of fireworks per year. Discussion followed on identifying specific locations where incidents are occurring.

Deborah Conners via Teleconference (219 Red Oak Lane in Tannersville) – Also expressed concerns with fireworks going off in neighborhood seven days a week until the early hours of the morning. She called 9-1-1 and provided information about a specific location and stated that nothing happened. Discussion followed on the Township's ordinances and ways the public can access them.

**Announcements**

- An executive session was held on Monday, June 22, 2020 to discuss personnel issues.
- Township Residents are encouraged to please respond to the 2020 Census by going to [www.2020census.gov](http://www.2020census.gov). It is critical that Pocono Township receives an accurate census count, so the Township receives the state and federal funds due the Township for the next 10 years.
- If you have not already, we would encourage you to “get in the know” with Pocono Township news. You can sign up for the Township newsletter at [www.poconopa.gov](http://www.poconopa.gov), follow our Facebook page for frequent community updates and subscribe to our township-wide Savvy Citizen notification system at [www.savvycitizenapp.com](http://www.savvycitizenapp.com).

**Hearings** – No hearings.

**Presentations**

- Interviews, discussion, and consideration of appointments for alternate members to the Planning Commission

- Joseph Folsom – Responded to questions from the Board. He is committed to attending regular meetings. Cited sewage capacity and fire alarm systems as township challenges to address. He is involved as an HOA board member, loves Pocono Township and looks at his service on the Planning Commission as a way to get involved in the Township. R. Wielebinski commended him for regular attendance at Township meetings.
- Christina Kauffman – Responded to questions from the Board. He is committed to attending regular meetings. She has been a township resident for most of her adult life. She believes that the Township needs to grow in a systematic manner, and not a haphazard way. She also served on Planning Commission previously in the late 1970's and early 1980's.

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Joseph Folsom and Christina Kauffman as alternates to the Pocono Township Planning Commission. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Interviews, discussion, and consideration of appointments for alternate members to the Zoning Hearing Board
  - Natasha Leap – Has worked as a maintenance supervisor and property manager for a property management company in the Poconos for over eight years, managed over 700 units, is familiar with different city and zoning ordinances in other areas and is a Real Estate Agent who abides by the Fair Housing Code of Ethics in everyday life. She would be neutral and fair in her decisions.

E. Gndt made a motion, seconded by J. Belvin, to appoint Natasha Leap as alternate Zoning Hearing Board member. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Lyndia Meaade-Jonas – Works as a real estate agent and drives for Pocono Pony, which enables her to hear residents' concerns. She would be neutral and fair in her decisions.
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E. Gndt made a motion, seconded by R. Wielebinski, to appoint Lyndia Meaade-Jonas as alternate Zoning Hearing Board member. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

**Resolutions** – No resolutions.

## **OLD BUSINESS**

- Motion to approve the minutes of the June 15, 2020 regular meeting of the Board of Commissioners -

R. Wielebinski made a motion, seconded by E. Gndt to approve the minutes of the June 15, 2020 regular meeting of the Board of Commissioners. Under discussion, E. Gndt made correction to Page 6 clarifying she is not opposed to a shared park director, but she supports an unpaid, volunteer park board versus someone paid by the Township. Roll call vote with correction: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

## **NEW BUSINESS**

1. **Personnel** – No new business.
2. **Financial Transactions**

R. Wielebinski made a motion, seconded by J. Belvin, to ratify vouchers payable received through June 30, 2020 in the amount of \$258,175.78. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by E. Gnandt, to ratify gross payroll for pay period ending June 28, 2020 in the amount of \$204,116.10. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve vouchers payable received through June 30, 2020 in the amount of \$127,841.00. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve capital fund expenditures through June 30, 2020 in the amount of \$5,750.38. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

### **3. Travel/Training Authorizations - None**

#### **Report of the President**

Richard Wielebinski

- Update - LED Speed Signs – No report.
- Sullivan Trail – 1563 Sullivan Trail has added more junk vehicles on the property with a total of at least nine vehicles.

R. Wielebinski made a motion, seconded by J. Belvin, to have the Township Solicitor and Township Zoning & Building Code Administrator be authorized to file a lawsuit in the Court of Common Pleas of Monroe County against the owner of property located at 1563 Sullivan Trail, Tannersville, PA to seek removal of junk vehicles on the property and seek remediation of the dangerous structure located on the property. Under discussion, L. DeVito indicated it has been difficult to serve the property owner and when a Sheriff indicates he cannot serve the individual, the Township can petition the court for alternate service and the court would have to grant permission. The Township would have to show all steps taken to try and identify location of owner. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve a four-year police contract with Teamsters Local Union 773 through December 31, 2023 with contract terms that include a three percent wage increase annually, a \$500/1,500 deductible health plan with three percent member premium contributions, a retirement age of 53 with 25 years of service, capped longevity pay for new hires and no post-retirement healthcare of new hires. Discussion followed to add short-term disability changes agreed upon prior to the motion. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

#### **Commissioner Comments**

Jerrold Belvin – Vice President

- COVID-19/Emergency Management Update – No update.

Ellen Gnandt – Commissioner

- Discussion regarding work session for FY 2021 budget and review of Township financials. A work session to discuss financials will be scheduled.
- Toilets at MVP park are not in and bathrooms are not operational. R. Wielebinski explained due to COVID-19, there have been delays in shipping parts. R. Sargent will further discuss the toilet issue under his report.
- Discussion as to whether all payment plans for driveway pipes are current and on schedule. T. Muñoz will verify with Paola Razzaq, financial administrator.

Jerry Lastowski – Commissioner

- Update – Special allocation to fire company for costs incurred at Pocono Manor fire – No new information.

Keith Meeker – Commissioner – No comment.

## **Reports**

**Zoning** – No Zoning report.

## **Emergency Services**

- Police – Report was sent to the Commissioners Friday.
- EMS – No report.
- Fire – No report.

## **Public Works Report**

- Update – 2020 Road Paving Projects - Road projects are 50% done. Main roads are complete, and contractor is working on development roads. Seal coat projects will commence on July 13, 2020.
- Discussion regarding Robin Lane drainage issues. Property owners affected by water running off Fish Hill Road and impacting properties below. Previous attempts were made to alleviate issues with a two-foot ditch and the issues persisted. The only way to alleviate the problem is to use piping underground at a cost of approximately \$14,054.40 for materials only, with the manpower provided by the public works crew. L. DeVito said the Township needs written permission from three adjoining landowners before the project can proceed and an easement agreement is necessary. E. Gnandt stated she believed keeping water flowing down Fish Hill versus onto adjoining properties makes more sense and asked whether residents would pay for the piping under their driveways. Stated she wants the best management solution for this project and not a quick fix. B. Sargent said a closed system is proposed which is different than previous projects where pipes are open and residents responsible for maintenance. E. Gnandt inquired whether there would be any issues with damaging wells on either side and whether it was an MS-4 area. J. Tresslar indicated this is not an MS-4 area and R. Sargent said concrete, lining, or hardscaping can be used to get water past wells. J. Belvin asked how many D boxes would be included in the project. R. Sargent indicated one D Box which would alleviate some of the issues with volume on other Township-owned facilities. E. Gnandt noted the need for consistency in other areas of the Township in addressing similar drainage issues.

R. Wielebinski made a motion, seconded by K. Meeker, to have the Public Works road crew move forward with the project at a cost of \$14,054.40 with review/approval by the Township Engineer, J. Tresslar, and Township Solicitor, L. DeVito, ensuring all legal documentation is in order. Under discussion: John Vandeventer, Township Resident at 116 Robin Lane, stated water comes down Fish Hill, turns right and accumulates in a saddle at the front of his driveway. He feels a drop box is needed at the saddle to bring water into underground pipes and divert the water and encouraged the Board to act to address the issues. Roll call vote: J. Belvin, yes; E. Gnandt; yes; J. Lastowski, yes; K. Meeker, yes, R. Wielebinski, yes. Motion carried.

- Discussion regarding purchase of a Marathon power sprayer/tack distributor for blacktop projects. The trailer would apply tack, creating a sealed surface binding new surface to old. Tacking is required on projects that receive liquid fuel monies. R. Wielebinski asked T. Muñoz to sit down with R. Sargent and make recommendation on analysis of equipment, warranty on new equipment, etc. Discussion followed on the need for a tack trailer.
- Update – Lighting at MVP and Heritage Center. Stanchions are in, wiring is complete, and poles are erected. High lift will be used to install lights. Project should be complete by end of the week.

- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant. Grant application has been submitted to MCCD. Meeting being held on July 13, 2020 with some MCCD Board members which R. Sargent and our engineer from Boucher & James were asked to attend. Grant application is for approximately \$85,000. Township commitment of \$31,000, which includes manpower and miscellaneous equipment that will be used.
- Update – Well Work at MVP and Replacement Fixtures. Part for well pump delivered and will be installed Wednesday. The carriers that hold the toilets are three-bolt, which do not comply with 4 bolt toilets purchased.
- Route 611/Brookdale Road realignment and Frantz Hill realignment. D'Amico's property is impacted and decision was made to convene an onsite meeting to try and meet needs of the business owner.

**Administration – Manager's Report**

- Update on pending grant applications. An Automated Red-Light Enforcement (RLE) grant for \$275,000 has been submitted which includes upgrades to the Rimrock Road/SR 611 traffic lights to bring them into the same system as the lights further south on Rt. 611 in Stroud Township. This will help eliminate backlog on that corridor during peak traffic volume times. A DCED Multimodal grant will be completed by the end of July and submitted that will also help wrap up project items. The Local Share Account (LSA) grant application window is opening through the end of September and that would be the 3<sup>rd</sup> part in a trifecta of grant applications to complete the Rimrock Road project. There is also a grant application being submitted on behalf of the PJJWA for federal monies to help with upgrades to their water system that serves both Pocono and Jackson Township residents. Our grant writer has assisted in filing for that grant application using the same data as was used for a state grant program under DCED.
- Underground Storage Tanks Class C Operator Training. T. Muñoz has completed the training. Discussion followed on having more than one Class C operator. Francis Smith & Sons are paid monthly to be the Township's Class A/B Operator. Further discussion regarding having R. Sargent trained as an additional Class C Operator.
- A resident requested to host yoga classes at Mountain View Park. A certificate of insurance and hold harmless agreement must be presented.

R. Wielebinski made a motion, seconded by K. Meeker, to grant permission to all a yoga instructor to host free yoga classes at Mountain View Park. Roll call vote: J. Belvin, yes; E. Gmandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Discussion regarding developer interest in Township-owned property parcel adjoining the Wine Press Inn. A new owner of the Wine Press Inn is interested in adjoining Township-owned property. Discussion followed on whether the land owned by the Township would be affected and how the Township acquired the property. The Deed will be inspected for owner information. R. Wielebinski would like to see what cannot be built on the property. Mr. Desai, the interested party, will be invited to the next BOC meeting to discuss the parcel further.
- Discussion ongoing regarding potential contracting with Enterprise Fleet Management to lease Township vehicles.
- The Township is lagging in responses due to COVID. Township residents are encouraged to go on-line at [www.census2020.gov](http://www.census2020.gov) to fill out the census. Alternate ways for the residents to respond were discussed.
- Update – Regional HSPS Comprehensive Plan. A Regional Comprehensive Plan meeting is scheduled for Thursday, July 16, 2020 at 6:00 p.m. at the Stroud Township municipal building. This would be a once-a-month process for the next 12 months to get a Regional Comprehensive Plan updated between Hamilton Township, Stroud Township, Pocono Township and Stroudsburg

Borough, the current group that is included in the Township's Comprehensive Plan. All board members are welcome to attend.

- Update – MS4 requirements – Public Works Training. Information was distributed to Public Works employees about identifying illicit discharges around the Township and making sure the Public Works crew knows the resources and processes to follow for compliance with our MS4 requirements as a Township. We are moving forward and working with Missy from Boucher & James to make sure we follow the MS4 requirements.

### **Township Engineer Report**

- St. Paul's Lutheran Drainage Basin. No communication from St. Paul's in last two weeks. Will reach back out to them.
- Sanofi Pasteur – B-85 Building Land Development Plan. Comprehensive review completed on land development plan. Approval was recommended to the Board of Commissioners, conditioned on meeting outstanding comments in review letter. A revised plan has been submitted back to J. Tresslar and another review letter will be sent out by next week. The Plan will be ready for Board of Commissioner's action at the next meeting in July.
- Roof Replacement on Maintenance Building. Two attendees were at pre-bid meeting and the question period is still open. Bids will be opened at next Board of Commissioners meeting on July 20, 2020.
- Archer Lane Drainage Issues. Resident is retaining an attorney to appeal the enforcement notice sent out by Township Zoning Officer.
- Update – TLC Bridge & TLC Dam - Waiver was received from DEP to begin work on TLC Dam. A permit was received from DEP.

### **Township Solicitor Report**

- Motion to authorize the Township Solicitor to prepare an amendment to the Township Police Pension Ordinance due to a reduction in retirement age and to advertise for public hearing.

R. Wielebinski made a motion, seconded by K. Meeker, to authorize L. DeVito, Township Solicitor, to prepare an amendment to the Township Police Pension Ordinance due to the reduction of the police retirement age from 55 to 53 with 25 years of service. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Motion to authorize the Township Solicitor to prepare an amendment to the Township Amusement Tax Ordinance and to advertise for public hearing. This amendment deals with potential litigation, so the Board went into a brief executive session for further discussion on action items.

J. Belvin made a motion, seconded by E. Gnandt, to table the amendment to the Township Amusement Tax Ordinance until the mid-July meeting. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to retain Eckert Seamans Cherin & Mellott, LLC, a law firm specializing in tax law, to assist in review of the Township Amusement Tax Ordinance. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Discussion regarding amendment to the HJP Park Cooperation Agreement. Hamilton Township would like to deed their interest in the park to Jackson and Pocono Townships. Harrisburg has indicated that because a state grant was used to acquire the property, additional information is required to indicate the park would still be used for public purposes. E. Gnandt questioned

whether Pocono Township wants the deed. Discussion followed on who maintains the park, Jackson Township wanting to split the property between Townships and whether splitting the property would put us in default of the grant monies received.

- Update – Pocono Jackson Joint Water Authority (PJJWA). Municipalities went to First Northern Bank & Trust required that any loan funds be secured with a cash match from Jackson and Pocono Townships. T. Muñoz reached out to ESSA with the same information given to First Northern Bank. ESSA indicated they have what they need to provide a loan match for the Authority's grant application and a terms letter is expected before the next BOC meeting.
- The hearing for the ZHB Johnson Appeal for Transient Dwelling Unit will be held later in July.
- Update – Electric contract discussion. Further research is needed regarding limitation of liability.

**Public Comment** – No public comment.

*Please limit individual comments to 5 minutes to allow time for others wishing to speak and direct all questions and comments to the President.*

### **Adjournment**

R. Wielebinski made a motion, seconded by E. Gnandt, to adjourn the meeting at 9:26 p.m. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.