

Pocono Township Board of Commissioners
Regular Meeting Minutes
July 20, 2020 7:00 p.m.

The regular meeting of the Pocono Township Commissioners was held on July 20, 2020 at the Pocono Township Municipal Building, Tannersville, PA, and opened by President Rich Wielebinski at 7:00 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; Ellen Gnandt, present; Jerry Lastowski, present; 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

We ask that any resident making public comment, including those who may have dialed in by phone, please identify yourselves, provide your street address and state the spelling of your name when addressing the Commissioners.

Comments are for any issue. Please limit individual comments to five (5) minutes to allow time for others wishing to speak and direct all questions and comments to the President.

James Hagner (2156 Deerfield Way) – Feels there is corruption in Monroe County and Pocono Township with the police, the Chief of Police, the DA, and the Game Commission. Stated no authority should be above the law. Mr. Hagner feels there is a personal vendetta with the Chief of Police against the Hagners regarding getting kicked out of a hunting club and the Chief refuses to help his family. He also discussed building issues with his home.

Sara Hagner (2156 Deerfield Way) – Discussed structural issues with her home when her husband purchased it with his 9/11 funds. Ms. Hagner wanted a pool permit but ran into problems with lot lines on their property and is still waiting for a pool permit. She also feels there are systemic issues within the Township and claimed threats were received from the police outside a township meeting. States police did not help them with family issues. She also made accusations that a prior police officer inappropriately touched her while she was walking into a court room.

Patricia Niles (1135 Stone Ridge Drive) – Stated the Township should consider providing a Zoom meeting because it is difficult to follow the meeting. She would like to review Sanofi's plans once they become public and questioned the amusement tax rate being reduced from 5% to 3%. E. Gnandt explained the amusement tax was enacted but never enforced.

Announcements

- An executive session was held on Thursday, July 16, 2020 to discuss potential litigation and personnel issues.
- Township residents are encouraged to please respond to the 2020 Census by going to 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 sign up for the Township newsletter at 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.

Hearings

Ordinance 2020-04 – Motion to adopt Ordinance 2020-04 amending Article IV, Benefits, Section 4.1(a) of the Code of Ordinance of Pocono Township pertaining to the Police Pension Plan to reduce the retirement age.

R. Wielebinski made a motion, seconded by J. Belvin, to open a public hearing to discuss the adoption of Ordinance 2020-04. All in favor. Motion carried.

- L. DeVito explained the current police pension established by ordinance in the Township. Ordinance 2020-04 is to amend the Police retirement age from 55 to 53.

R. Wielebinski made a motion, seconded by J. Belvin, to close the public hearing to discuss the adoption of Ordinance 2020-04. Roll call vote: J. Belvin, yes; E. Grandt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to adopt Ordinance 2020-04 amending Article IV, Benefits, Section 4.1(a) of the Code of Ordinance of Pocono Township pertaining to the Police Pension Plan to reduce the retirement age. Roll call vote: J. Belvin, yes; E. Grandt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

Presentations

- Mr. Minu Desai, Owner of Wine Press Inn – Discussion regarding Mr. Desai’s interest in purchasing a Township-owned property on Bartonsville Avenue, adjacent to the Wine Press Inn.

Mr. Desai owns the Wine Press Inn and Holiday Inn Express in Stroudsburg. He is interested in purchasing Township property that adjoins the Wine Press Inn and acquiring a permit to demolish the existing Wine Press Inn so he can move forward with land development. His intention is to build a hotel, senior living, or something similar. J. Lastowski would like to ensure that the selling of this parcel would not impact future sewer capacity needs of the adjoining pump station. R. Wielebinski was told Mr. Desai’s current property is 11 acres. T. Munoz and L. DeVito will discuss specifics and engage Patrick Briegel, Sewer Consultant, to ensure there are no future needs with sewer upgrades should the parcel be sold.

- Opening of Sealed Bids – Public Works Building Partial Roof Replacement Project.

One bid was received from Detwiler Roofing for \$55,200 to remove a portion of the existing roof. The current roof is filled with foam insulation. To put fiberglass R30 insulation in its place brings the total to \$85,000. J. Tresslar thinks the cost is high and the contractor said price could be negotiated. Replacing the roof would be \$55,200 and to remove and replace the fiberglass insulation with R30 insulation is another \$30,000. Discussion followed on finding other bidders.

R. Wielebinski made a motion to award the bid to Detwiler Roofing, no second, motion failed.

R. Wielebinski made a motion, seconded by J. Belvin, to reject the bid from Detwiler Roofing for \$55,200 and to advertise for another bid. All in favor. Motion carried.

Resolutions

- Resolution 2020-14 – Motion to grant conditional approval of the Sanofi Pasteur, Inc. B-85 Solid Waste and Recycling Building preliminary/final land development plan.

R. Wielebinski made a motion, seconded by K. Meeker, to grant conditional approval of the Sanofi Pasteur, Inc. B-85 Solid Waste and Recycling Building preliminary/final land development plan. Aaron Sisler, P.E. represented Sanofi and indicated the current facility is outgrown and a new 12,000 sq. ft. solid waste building is proposed. All in favor, Motion carried.

- Resolution 2020-15 – Motion to grant conditional approval of the Sanofi Pasteur, Inc. Perimeter Protection Phase II preliminary/final land development plan -

R. Wielebinski made a motion, seconded by J. Belvin, to grant conditional approval of the Sanofi Pasteur, Inc. Perimeter Protection Phase II preliminary/final land development plan. E. Gndt pointed out a discrepancy in the vertical/horizontal slopes. A. Sisler said in order for Sanofi to construct road and minimize damage to steep slopes, Sanofi is asking for 3 to 1 to be moved to a 2 to 1 ratio. All in favor. Motion carried.

OLD BUSINESS

R. Wielebinski made a motion, seconded by K. Meeker, to approve the minutes of the July 6, 2020 regular meeting of the Board of Commissioners. All in favor. Motion carried.

NEW BUSINESS

1. Personnel - None

2. Financial Transactions

R. Wielebinski made a motion, seconded by J. Lastowski, to ratify vouchers payable received through July 16, 2020 in the amount of \$133,513.95. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to ratify gross payroll for pay period ending July 12, 2020 in the amount of \$131,691.96. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve vouchers payable received through July 16, 2020 in the amount of \$306,083.22. E. Gndt requested the markup on D'Huy's invoice for engineering services be investigated. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve capital fund expenditures through July 16, 2020 in the amount of \$5,477.04. All in favor. Motion carried.

3. Travel/Training Authorizations - None

Report of the President

R. Wielebinski made a motion, seconded by K. Meeker, to authorize the Township Solicitor to prepare an amendment to the Township Amusement Tax Ordinance to reduce the Amusement Tax rate from 5% to 3%; to make further language amendments as recommended by special tax counsel, Eckert Seamans; and to advertise for public hearing. Discussion followed. E. Gndt feels that 3% is not sufficient and will compromise for 5% not including hotel rooms. R. Wielebinski stated the goal is to try and avoid litigation and does not want to go overboard on implementing the tax at 5%. J. Lastowski stated the resorts have used Township police and fire services for a long time and this 5% tax rate is important. Roll call vote: J. Belvin, yes; E. Gndt, no; J. Lastowski, no; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Township Solicitor to prepare amendment and advertise for August meeting. Roll call vote: J. Belvin, yes; E. Gndt, no; J. Lastowski, no; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Proposed FY 2021 budget work session date – Wednesday, August 19, 2020 at 6:00 PM. All in agreement for the workshop and the Township will advertise as public meeting.
- Update - LED Speed Signs – No update.

Commissioner Comments

Jerrod Belvin, Vice President

- R. Sargent was thanked for his work on the Park Lane Dirt and Gravel Road Grant. The Township has been awarded an \$85,000.00 grant.
- COVID-19/Emergency Management Update. The Governor has placed new restrictions on inside gatherings with no more than 25 individuals in a room.

Ellen Grandt – Commissioner

- Stated the Township should not be paying installment fees for making insurance payments in installments, so the Township should investigate potential savings of paying balance(s) in full.

Jerry Lastowski – Commissioner

- Update – Special allocation to fire company for costs incurred at Pocono Manor fire. No update. T. Muñoz will speak to the Chief to see whether additional Township support or letter is necessary.
- Stites tunnel is projected to be complete by this Friday, July 24, 2020 weather-permitting.
- Short Term Rentals – Gravatts Way. J. Lastowski asked how long the filing would take on this illegal STR. A status of this filing will be given.

Keith Meeker – Commissioner – No comment.

Reports

Zoning – No report.

Emergency Services

- Police – No report.
- EMS – No report.
- Fire – Mr. Sayre gave a fire report.

Public Works Report

- Update – Road Crew Projects. Working on all shoulders of roads that were paved and are roughly halfway complete.
- Update – 2020 Road Paving Projects. Completed as of July 20, 2020.
- Discussion regarding Robin Lane drainage issues – The site was looked at with J. Tresslar. The conclusion was to upsize from 15” pipe to 18” pipe further down the line. Plan is to pipe completely past wells adjacent to where project would end. Additional cost would bring the project to over \$24,000. Discussion took place regarding bidding the price of material. The BOC will make formal approval/motion at August 3, 2020 meeting.
- Discussion regarding purchase of a Marathon power sprayer/tack distributor. Marathon offers a one-year warranty on a new tack distributor. Discussion followed regarding new vs old unit and getting a one-year warranty.

R. Wielebinski made a motion, seconded by K. Meeker, to purchase a new tack distributor for \$15,500. Discussion followed. L. DeVito said we need to prove that we bid out cost of equipment. R. Sargent will need to confirm Costars pricing. R. Wielebinski and J. Belvin withdrew motion.

- Update – Lighting at MVP and Heritage Center – Lighting is complete.
- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant. The Township received a grant for the project. Waiting on DEP permitting for work to be complete.
- Update – Well Work at MVP and Replacement Fixtures. The well and plumbing is installed. Waiting for DEP response that bath house is clear to open. R. Wielebinski will try to contact DEP supervisor to get everything opened.

Administration – Manager’s Report

- Greater Lehigh Valley Chamber of Commerce – Main Street Grant Program. Grant award of \$1,200 was received for covering cost of benches being installed in TLC park.
- Update on pending grant applications. An Automated Red-Light Enforcement (RLE) grant has been submitted for upgrades at the Rim Rock Road/SR 611 intersection. A DCED Multimodal Transportation Fund grant will be submitted this month to wrap up project items. The Local Share Account (LSA) grant completes the trifecta of grants for that intersection. For the public’s awareness, there is a \$2 million improvement plan for the Rimrock Road Intersection and \$900,000 has already been obtained through grant funds. Two grants were submitted for PJJWA. Small Water & Sewer through the state, and a federal Economic Development Administration (EDA) grant. We received notification from ESSA Bank that they formally agreed to provide a loan as match funds for the grant should it be received. A Greenways Trails and Recreation grant will accompany another grant that we submitted through DCNR for upgrades to TLC park. We have two grants submitted. The DCNR grant was already submitted and, if we are successful in receiving funds from this other grant program different department, we can use this grant as a match for the first grant so we would not have to outlay Township funds. It has been asked in the past if there is a way for the Township to receive grant funds and not have to foot the bill on the front end and wait to be reimbursed until the end of the project. It was confirmed that when we are notified of a grant award, that is the time to work with the state agency that awarded the grant to work it out so as a project progresses, we submit invoices to the state and they pay directly on those invoices. We will not be laying out large amounts of cash and waiting for reimbursement. As part of our current contract and retainer with our Grants Consultant, that is something they will work on administering. We can leverage them to help with the administering of those grants as well and help cut through the red tape of dealing with these state agencies.
- Underground Storage Tank Class A/B Operator Training Completed by Commissioner Belvin and T. Muñoz was certified as a Class C operator. T. Munoz will inquire whether special insurance is needed for J. Belvin as an A/B operator. Both classes of operators are necessary to ensure any incidents are prevented or responded to accordingly.
- Fireworks signs were placed along SR/611 going north and south notifying residents that fireworks are regulated in Pocono Township. A summary is posted on the Township website and through Savvy Citizen. Information is readily available, and residents are advised to review specifics of what the ordinance entails. The Township relegates fireworks to four main holidays, July 4, Labor Day, Memorial Day, and New Year’s to protect the rights of those living here.
- Enterprise Fleet Management Meeting – Investigating potential savings of leasing all Township vehicles including Police and Public Works. Monroe County uses Enterprise Fleet Management for all Sheriff fleet vehicles. Investigation for savings is ongoing and will be revisited further during budget preparation.

- Township residents are encouraged to please complete the 2020 Census via mail or by going to 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.
- There was a multi-municipal comprehensive plan meeting this month, the first since COVID. Meetings will take place over the next year with other regional partners, including Hamilton Township, Stroup Township, Stroudsburg Borough, and Pocono Township to discuss the future of our region. The next meeting is Thursday, August 20, 2020 at 6:00 p.m. Board members are welcome to attend.
- Update – MS4 requirements – No update.

Township Engineer Report

- St. Paul's Lutheran Drainage Basin. The Church retained Deanna Schmoyer to evaluate basin and come up with a design to remediate drainage issues.
- Roof Replacement on Maintenance Building. Discussed under Presentations.
- Archer Lane Drainage Issues. Attorney requested Code Appeals Board hearing. Will need to make sure members are notified.
- Update – Right hand turn lanes from Rt. 611 onto Rimrock and Bartonsville Avenue. No update.
- Update – TLC Bridge & TLC Dam. No update.

Township Solicitor Report

- Discussion regarding Planning Commission's recommended amendments to the Township's Junk Yard and Junk Vehicle Ordinance.

J. Belvin made a motion, seconded by R. Wielebinski, to authorize Township Solicitor to advertise for hearing for making amendments to the Township's Junk Yard and Junk Vehicle Ordinance. Discussion followed. Roll call vote: J. Belvin, yes; E. Gandt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Discussion regarding amendment to the HJP Park cooperation agreement. T. Weitzmann and L. DeVito have been working on a required amendment to acquire Hamilton Township's portion of HJP Park.
- Update – Pocono Jackson Joint Water Authority (PJJWA). Discussed under Manager's report.
- Update – ZHB – Johnson Appeal for Transient Dwelling Unit postponed from March 24, 2020. ZHB hearing has been scheduled for July 30, 2020 at 5 p.m.
- Update – Electric contract discussion. Further research needed regarding limitation of liability.
- J. Lastowski inquired about the PMSD Right-to-Know hearing which is scheduled for July 22, 2020 at 2:30 p.m. in the Court of Common Pleas.

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.

Allison Braccini (123 Robin Lane) – Requested clarification on the impact and scope of the Robin Lane drainage project.

Victoria Kresge (Reeders, PA) – Extended gratitude on behalf of the wives of PTPD for working out the details of a new police contract. Thank you to Mr. Lastowski and to all Commissioners for the work that was done.

Deborah Johnson (184 Cherry Ln Rd) – Asked, considering the recent Camelback incident, why the Township has not released a statement in support of the Police Officers. Would like something like that to occur to let people know officers are supported.

James Hagner (2156 Deerfield Way) – Asked why there were no ethnic or female officers on the police force. Discussion followed.

E. Gndt made a formal statement in support of the Pocono Township Police Department.

R. Wielebinski made a motion, seconded by J. Belvin, to adjourn the meeting at 8:44 p.m. All in favor. Motion carried.