

**Pocono Township Board of Commissioners  
Regular Meeting Minutes  
August 3, 2020 7:00 p.m.**

The regular meeting of the Pocono Township Commissioners was held on August 3, 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 Gnantt, 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; R. Sargent, Road Supervisor; Dee Ackerman, Administrative Assistant; and Donna Kenderdine, Court Reporter.

**Public Comments**

George Krauss (1217 Sylvan Lane) – Has a neighbor with a pig and chicken farm along his residential property. Discussed the property in question having numerous violations for which Zoning officials have given citations. Would like further action taken.

**Announcements**

- 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 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).

R. Wielebinski made a motion, seconded by J. Belvin, to suspend the agenda to consider a presentation by Northridge at Camelback before the hearings. All in favor. Motion carried.

Northridge at Camelback – Motion to permit the use of temporary parking as a modification of the applicant's Certificate of Occupancy for Northridge at Camelback.

- Northridge at Camelback requested temporary parking to allow for a building under construction to open while the applicant undergoes a major modification of their NPDES permit. Applicant will add nine additional spaces that were already approved. J. Tresslar noted that when the project was approved, there was adequate parking for the units in front of the units themselves. Applicant has changed the internal structure of the units to permit more people to occupy the units, generating the necessity to add additional parking to satisfy their certificate of occupancy. Temporary parking will serve in the interim while modifications are reviewed by the Conservation District. It is recommended that no further building permits or certificates of occupancy be issued on the other projects. E. Gnantt asked where additional permanent parking is being installed, how long temporary parking will be needed and whether there is a chance approval will not be given. Applicant pointed out several areas where parking will be located around buildings and the Applicant has already met with the Conservation District who has indicated they are satisfied with the changes.

R. Wielebinski made a motion, seconded by E. Gnantt, to approve temporary parking for Building #1 on Hunters Circle and specified that a building permit will not be issued for Buildings 622 to 625 and 602 to 605 until permanent parking is in place. All in favor. Motion carried.

## **Hearings**

Ordinance 2020-05 – Motion to adopt Ordinance 2020-05 amending the Code of Ordinances of Pocono Township, Chapter 235, Junkyards and Junk Vehicles; and repealing all ordinances inconsistent herewith.

- L. DeVito explained the Planning Commission has taken the Township's junkyard ordinance and added various revisions to tighten up the ordinance and address situations that reappear within the Township with abandoned junk vehicles.

R. Wielebinski made a motion, seconded by E. Gndt, to open a public hearing on Ordinance 2020-05. All in favor. Motion carried.

E. Gndt questioned the definition of junkyards and expressed concerns about junkyards being allowed if they are enclosed and presenting a health risk. L. DeVito indicated this is a standalone ordinance, not an amendment to the Township's zoning ordinance, which designates where junkyards can be located. He provided additional commentary on the difference between the zoning ordinance and a standalone ordinance. E. Gndt asked about the penalty when someone defaults on payment, as jail time was taken out of the ordinance. L. DeVito said that change reflects changes in state law.

R. Wielebinski made a motion, seconded by E. Gndt, to close the public hearing on Ordinance 2020-05. Roll call vote: J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

J. Belvin made a motion, seconded by R. Wielebinski, to adopt Ordinance 2020-05 amending the Code of Ordinances of Pocono Township, Chapter 235, Junkyards and Junk Vehicles; and repealing all ordinances inconsistent herewith. Roll call vote: J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

Ordinance 2020-06 – Motion to adopt Ordinance 2020-06 amending the Code of Ordinances of Pocono Township, Chapter 398, Taxation, Article IV, Amusement Tax; and repealing all ordinances inconsistent herewith.

R. Wielebinski made a motion to open a public hearing on Ordinance 2020-06 before L. DeVito indicated an error in advertising the tax at 5%. Boucher & James will re-advertise the tax at 3% and cover the cost for the next hearing. No hearing was held.

## **Presentations**

- Presentation of the Pocono Township 2019 Audit – Jeff Weiss, Zelenkofske Axelrod LLC

J. Weiss indicated the Township's financial statements are prepared on a modified cash basis of accounting. It is the auditor's opinion that the statements are fairly presented in accordance with the modified cash basis of accounting. J. Weiss provided an overview of the audit indicating the Township maintains a healthy fund balance; the pension plan reflects a healthy growth year with the stock market; long-term debts are mostly under sewer; and net pension liability improved significantly for the year. E. Gndt expressed concerns with the findings, including the classification of the Sewer & Construction fund, elements of the Management Discussion & Analysis and the financial impact of the terms of the new police contract.

R. Wielebinski made a motion, seconded by J. Belvin, to accept the audit for the year ended 2019. Roll call vote: J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Presentation of Pocono Township Q2 Financial Report – Frank Cefali, CPA, Township Treasurer

F. Cefali presented Q2 financial report indicating the Township's financial position is stable and is not operating at a deficit. During Q3, line items may need adjustments due to overages within

those categories. Real estate tax receipts are lower due to the extension of payment deadlines without penalty.

### **Resolutions**

R. Wielebinski made a motion, seconded by E. Gnadtt, to approve the submission of a Local Share Account grant application to the Commonwealth Financing Authority in the amount of \$1,100,000 to be used to complete the Pocono Township SR 611/Rimrock Drive Intersection Project. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve the submission of a Local Share Account grant application to the Commonwealth Financing Authority in the amount of \$265,196 to be used to purchase equipment for the Pocono Township Volunteer Fire Department. Discussion regarding fire company purpose for funds followed. All in favor. Motion carried.

### **OLD BUSINESS**

R. Wielebinski made a motion, seconded by K. Meeker, to approve the minutes of the July 20, 2020 regular meeting of the Board of Commissioners. All in favor. Motion carried.

### **NEW BUSINESS**

**1. Personnel** – No new business.

**2. Financial Transactions**

R. Wielebinski made a motion, seconded by K. Meeker, to ratify vouchers payable received through July 30, 2020 in the amount of \$115,926.66. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by E. Gnadtt, to ratify gross payroll for pay period ending July 26, 2020 in the amount of \$101,541.99. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve vouchers payable received through July 30, 2020 in the amount of \$133,337.14. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve sewer construction fund expenditures through July 30, 2020 in the amount of \$3,116.83. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve capital fund expenditures through July 30, 2020 in the amount of \$4,015.47. All in favor. Motion carried.

**3. Travel/Training Authorizations**

- Canceled - G-364 Multi-Hazard Emergency Planning for Schools, September 8 & 9, 2020.

### **Report of the President**

Richard Wielebinski

- Update - LED Speed Signs – A permit is needed for installation of Radar Speed Signs on Township-owned roads. The signs must be moved every 2-3 weeks to follow permit requirements. Before a permit is issued, a list is needed of all corridors on which the signs will be placed. In process of getting more specific details.
- Governor Wolf is asking local police and government officials to enforce mask recommendations. Masks must be worn at all Township meetings. E. Gnadtt said rules state if you cannot maintain

six feet, that one is required to wear a face mask and stated that it is either/or. J. Lastowski stated that resurgence of COVID in the country is due to people not adhering to the face mask mandate.

R. Wielebinski made a motion, seconded by J. Belvin, that any governmental meeting at the Township building would require that all participants wear a face mask until further notice. Roll call vote: J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

### **Commissioner Comments**

Jerrod Belvin, Vice President

- COVID-19 County Relief Block Grant – Application was submitted for all COVID expenses incurred to date and for future expenses.

Ellen Gndt – Commissioner

- Review of year-to-date Township financials – A work session is scheduled to look at year-to-date numbers.

Jerry Lastowski – Commissioner

- SR 611 Construction Project – Swiftwater through Scotrun – Project is anticipated for completion by Labor Day.
- Update – Special allocation to fire company for costs incurred at Pocono Manor fire – The fire department would like the Township to write a letter to Pocono Manor's insurance company.

J. Lastowski made a motion, seconded by R. Wielebinski, to have the Township write a letter on behalf of Pocono Township Volunteer Fire Company to Pocono Manor's insurance company in order to resolve insurance issues as a result of their fire. All in favor. Motion carried.

J. Lastowski also suggested adding Upper Swiftwater Road to the list for LED speed signs.

Keith Meeker – Commissioner – No comment.

### **Reports**

**Zoning** – No report.

### **Emergency Services**

- Police – Report was received by the Commissioners this afternoon.
- EMS – No report.
- Fire – Bill Sayre gave his monthly fire report.

### **Public Works Report**

- Update – Road Crew Projects – Projects are ongoing.

Discussion regarding Robin Lane drainage issues. A second quote was received on piping products from a company from Gilbert for \$24,604.88. A quote from Chemung Supply in NY was received for \$24,780.92 and R. Sargent recommended going with the cheaper quote. Will need to secure official bids, as the cost exceeds the bid threshold. Received verbal permission from all four residents on Robin Lane regarding going down property lines to connect the system to Faber Circle. L. DeVito and J. Tresslar have reviewed the project and J. Tresslar reviewed it onsite and he has researched deeds and subdivision plan. He will survey easement and prepare plot plans. Plot plan will be given to L. DeVito to have residents sign an easement agreement. Will need to put specs together and advertise through PennBid.

- Discussion regarding purchase of a Marathon power sprayer/tack distributor. Three quotes were obtained on equipment and the lowest bid was \$12,900 with a one-year warranty. A trailer park road off Sullivan trail will be repaved. R. Wielebinski suggested repaving TLC driveway.

R. Wielebinski made a motion, seconded by J. Belvin, to purchase a Marathon TPS 250 P from Asphalt Care Company for \$12,900.00. J. Belvin, yes; E. Gandt, no; J. Lastowski, yes; Keith Meeker, yes; R. Wielebinski, yes. Motion carried.

- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant – Grant was awarded. Permit is currently in progress.
- Update – Well Work at MVP and Replacement Fixtures – Waiting on second water sample.

#### **Administration – Manager’s Report**

- New Cleaning Services Contract – Our current agreement ended in June 2020. Three quotes for cleaning services were received. Chelbus Cleaning is \$200 cheaper than our current cleaning service. Chelbus Cleaning is also run by a former law enforcement official and they thoroughly vet their employees. A third quote was higher.
- Update on pending grant applications – ARLE, LSA, and PJJWA grant applications were reviewed. Information was included in agenda packets.
- Wine Press Inn – Interest in Township-owned property – P. Briegel will have a conversation with Chris McDermott of Reilly Associates, Mr. Desai’s engineer, to review impact to the sewer pump station located on property Mr. Desai wants to purchase.
- 2020 Census Response – 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.
- Electric contract discussion – Quotes were received from World Connect Energy Services, Dynergy, and AEP. World Connect Energy Services is a broker that PSATS contracts with and through our membership with PSATS, it covers the cost of the consultant to manage energy supplier contracts on behalf of municipalities. They are actively engaged in the energy market and are recommended for the managed aspect for continually getting the lowest cost offering. Discussion continued on various contracts and rates per kilowatt hour.

R. Wielebinski made a motion, seconded by J. Lastowski, to continue investigating energy suppliers and authorize the Township Manager to choose a supplier and determine a contract duration that is in the best interest of the Township. All in favor. Motion carried.

- Pocono Jackson Joint Water Authority (PJJWA) – Public Works EDA Grant – At final stages for submitting PJJWA grant.
- Update – Regional HSPS Comprehensive Plan – Thursday, August 20, 2020 at 6:00 p.m. – No update.
- Update – MS4 requirements – No update.

#### **Township Engineer Report**

- St. Paul’s Lutheran Drainage Basin – Currently in contact with the engineer, Deanna Schmoyer, and waiting for design plan to remediate basin issues.
- Roof Replacement on Maintenance Building – Sent out to bid. Mandatory pre-bid meeting August 13, 2020. All bidders are welcome. Bids are due September 8, 2020.

- Archer Lane Drainage Issues – No update.
- 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 amendment to the HJP Park cooperation agreement – Solicitors for respective municipalities are working to transfer Hamilton’s interests to Jackson and Pocono.
- Update – ZHB – Johnson Appeal for Transient Dwelling Unit – The first hearing on this STR matter was completed. The Township will present its case at a second meeting on August 26, 2020 at 5 p.m.
- L. DeVito alerted the Board that on Monday, August 10, 2020 there is a zoning hearing scheduled for the Possinger Billboard proposed on Rimrock Road.

#### **Public Comment** – No comments.

*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 into Executive Session**

R. Wielebinski made a motion, seconded by K. Meeker, to adjourn the meeting at 9:10 p.m. with BOC going into executive session to discuss personnel issues and not returning. All in favor. Motion carried.