

**Pocono Township Board of Commissioners
Regular Meeting Minutes
March 1, 2021 7:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held remotely on March 1, 2021 via video and teleconference and was opened by President Rich Wielebinski at 7:05 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; Ellen Gnant, present; Jerry Lastowski, present; Keith Meeker, present; and Rich Wielebinski, present.

In Attendance: Leo DeVito, Township Solicitor, Broughal & DeVito; Jon Tresslar, Township Engineer, Boucher & James, Inc.; Taylor Muñoz, Township Manager; Shawn McGlynn, Township Zoning Officer, Bob Sargent, Roadmaster; Rodney Smith, Township IT servicer; and Krisann Wean, Administrative Assistant.

Public Comments – No public comment.

Announcements

- Pocono Township will hold its annual Spring Cleanup from Thursday, April 30 through Saturday, May 1, 2021. Proof of Township residency is required. Residents can bring their difficult-to-dispose-of items to the Township building between 7:30 a.m. and 3:00 p.m. each day. Disposal fees begin at \$5.00 for a carload and \$10.00 for a pick-up truck load, with higher fees depending on size of vehicle or trailer load. Electronics are collected at no charge. Please note that this public service is offered for residential users only. If you have any questions, please call the Township office directly at 570-629-1922.
- We encourage residents to avail themselves of our Township ice skating rink located at TLC Park at the corner of Route 715 and Route 611 in Tannersville. The rink is open weather dependent. While we do our best to update our Facebook page with its availability, we ask residents to always exercise caution and use common sense before using the rink.
- 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 – No hearings.

Presentations – No presentations.

Resolutions – No resolutions.

OLD BUSINESS

R. Wielebinski made a motion, seconded by K. Meeker, to approve the minutes of the February 16, 2021 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 February 25, 2021 in the amount of \$112,029.96. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to ratify gross payroll for pay period ending February 21, 2021 in the amount of \$104,528.87. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve vouchers payable received through February 25, 2021 in the amount of \$69,907.01. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve sewer operating fund expenditures through February 25, 2021 in the amount of \$9,373.04. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve capital reserve fund expenditures through February 25, 2021 in the amount of \$10,742.69. All in favor. Motion carried.

3. Travel/Training Authorizations – No travel/training authorizations.

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by J. Belvin, to provide a letter of support to the PA Department of Conservation & Natural Resources in support of the Pocono Heritage Land Trust and their purchase of the Fritz Parcel, which will provide passive recreation opportunities for area residents. All in favor. Motion carried.

- R. Wielebinski expressed concerns about the stability and cost of Township computer file servers, including weather-related events and power surges that have caused them to crash in the past. The Township currently uses Site2 as an off-site backup service. The Township reached out to Egnyte, a cloud-based server company, to provide virtual servers that will replace the physical servers located at the Township. Egnyte's services would allow the Township to eliminate all of servers except one in the police station and one log-in server in the Township building. The services of Site2 would no longer be needed.

R. Wielebinski made a motion, seconded by J. Belvin, to enter a one-year contract subscription with Egnyte to provide virtual servers for both the Township administration and Township Police Department for a contracted price of \$10,020.00. T. Muñoz stated Egnyte has their own third-party backup and at least three versions of all data would be stored between Egnyte and their third-party. They provide services to many clients across the country. Overall cost savings was also discussed. Rodney Smith, Township IT, looked at other potential solutions for the Township and found them to be cumbersome. He spoke of Egnyte's user-friendly software and how it integrates well with the Township's active directory. The police will need to remote-in from their vehicles to the station for Alert only, which will eventually move to a web-based platform. There will be no connection issues from wherever they connect. T. Muñoz said if there is proprietary information, there will be a digital trail for every file accessed showing history and remote access would be more secure. E. Gndt inquired about customer service references and where their server farm resides. R. Smith indicated Egnyte probably uses Amazon web services for their storage as many companies do. All in favor. Motion carried.

- Update – Fish Hill Road Right-of-Way and drainage culvert issues – T. Muñoz indicated Teresa Manuel, HOA President, is willing to work with the Township and R. Sargent is going to put her in contact with J. Tresslar and L. DeVito to make any arrangements needed.

R. Wielebinski made a motion, seconded by J. Belvin, to have R. Sargent and J. Tresslar work with Ms. Manuel, HOA President, to secure ROW easement necessary to address drainage culvert issues along Fish Hill Road. E. Gndt asked for clarification for what issue is being referenced, and whether this issue was tabled at a prior meeting for further discussion. Stated problems like this exist throughout the Township and suggested a broader study and remediation of all drainage issues. T. Muñoz indicated many of these issues are brought to the Township's attention by residents as they arise. J. Lastowski spoke in favor of moving forward. Roll call: J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

Commissioner Comments

Jerrod Belvin – Vice President

- A dump truck hit two traffic lights along Route 611 over the weekend and took out one of the traffic lights. The Township has an order in with Signal Services to replace or repair the light. Reached out to area businesses to see if any surveillance cameras caught the culprit.
- UGI – The closure of Route 314 is being extended until approximately the second week in March weather-permitting. J. Belvin thanked R. Sargent for coordinating a UGI training class that will help road crew, first responders, and neighboring municipalities.
- County Hazmat plan is updated every five years by the County Office of Emergency Management. All Townships come together to update the flood protection, human, technological and natural disaster plans. The eight-month update process has started.
- Received mutual aid from other area fire departments to assist with the Birchwood Fire over the weekend. Complemented Corey Sayre, the Second Assistant Chief, who oversaw the scene. Shawn McGlynn, Township Zoning Officer, stated the buildings on the site are not secure from entry. A formal unsafe building notice was issued today under the Building Code due to the fire, which is like the action taken with the Pocono Manor fire. The Board can authorize the Township to seal the buildings if a response is not received from the property owner. He is looking for the Board to make a motion declaring the site dangerous and unsafe under the Pocono Township Code of Ordinances.

J. Belvin made a motion, seconded by J. Lastowski, to have Zoning move forward with a violation on the site under the Dangerous and Unsafe Building Ordinance. E. Gmandt inquired whether the buildings were unsafe because of the fire or whether the conditions existed previously. S. McGlynn indicated the buildings have been unsafe for some time, and his priority would be to put this property forth to the Monroe County Land Bank to see if County funds can assist the Township in getting the site cleaned up. All in favor. Motion carried.

- R. Wielebinski inquired about the fuel truck and excavator that was required to fight the fire and how the invoicing for both would be handled. T. Muñoz noted the first thing would be to find out if the property has insurance and, if they do, the question would be whether it is best to go through the fire company to submit everything or the Township. The fire company has a company they use for billing who is going to bill the owners of Birchwood for costs incurred to put out the fire. If no insurance, it might make sense for us to do everything in the form of a lien. S. McGlynn suggested looking into the Fire Escrow Ordinance, Chapter 230. J. Belvin noted the fire company's billing people keep a percentage of the money. R. Wielebinski felt it would be more prudent for the Township to invoice the owners directly for costs incurred. E. Gmandt felt it would be more efficient for the fire company's billing company to take a percentage than to have T. Muñoz spend time doing the billing. T. Muñoz will work with L. DeVito and S. McGlynn to develop a way to recoup the funds the Township and fire company incurred fighting the fire.

Ellen Gmandt – Commissioner – No comment.

Jerry Lastowski – Commissioner

Inquired if it is legal for the Township to give money to nonprofits. L DeVito indicated it was legal.

J. Lastowski made a motion, seconded by R. Wielebinski, to donate \$100 in memory of Tom Bowditch to the American Legion Memorial Museum in Mt. Pocono. All in favor. Motion carried.

Keith Meeker – Commissioner – No comment.

Reports

Zoning – Provided directly to Commissioners.

Emergency Services

- Police – No report.
- EMS – No report.
- Fire – No report.

Public Works Report

- Current Public Works projects report – Road Crew has been plowing and cindering. Mobilizing to begin outdoor projects as long as weather holds.
- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant – No report.
- Update – Well at MVP – No report.

Administration – Manager’s Report

R. Wielebinski made a motion, seconded by J. Lastowski, to proceed with an appraisal of 114 Alger Avenue. All in favor. Motion carried.

- Discussion regarding the interest of the Wine Press Inn owner in the purchase of the adjoining Township parcel – Reached out to property owner and stated he would need to delineate what he is looking for before the Township considers putting property out to bid. Waiting for response from property owner.
- Ongoing action items and progress on Township issues:
 - Proceeding with executing the necessary paperwork for the leasing and purchase of equipment approved at last BOC meeting which includes lease of a new tractor with mower attachment, lease of a new bucket truck, and purchase of a five-ton asphalt roller.
 - Interviews for Mountain View Park seasonal workers – Received numerous applications and recommendations will be made at next BOC meeting.
 - Two more filing cabinets have been cleared from the Township office, with old variance files having been sorted, identified, and re-filed into existing property files. Commended K. Wean for time spent organizing paperwork.
 - Rates were shopped again with our energy supplier and we locked into a discount rate for another 24 months starting in October 2021. Energy prices are on the upswing and this will save the Township approximately \$950 over the two-year period.
- Monroe County Land Bank – Site visit and potential acquisition of 17 Summit Drive, Pocono Manor – Still assessing property and have not heard from property owner. L. DeVito indicated if the property is not remediated, the Township has the option to go to court to get permission to enter the property, do the work and then place a lien on the property. It is not clear what the cost would be and the Township does not have many options to remediate the property short of options that then make the Township solely responsible. Evaluation is ongoing.
- Evaluation of Township’s Wireless Carrier – Verizon vs. FirstNet (ATT) – Continuing to evaluate our wireless coverage for the Township.
- Update – Pending grant applications for the Township’s LSA, Multimodal & Recreation Grant submissions will be considered at the March meeting of the Commonwealth Financing Authority - CFA will meet in Harrisburg toward the middle of the month to make grant awards.
- Update – Regional HSPS Comprehensive Plan – No report.
- The Commissioners gave T. Muñoz authorization to move forward with planning a Township-wide Community Day in August.

Township Engineer Report

- St. Paul’s Lutheran Drainage Basin – Reached out to engineer for response to comment letter.
- Archer Lane Drainage Issues – No report.
- Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue – Setting up an onsite meeting with PennDOT. PennDOT stated in their comments that the storage facility would need to

relocate their access because of the turn lane. Will be setting up a meeting to continue moving forward with that project.

Township Solicitor Report

- Discussion regarding I-80 parcel easement request – Jonathan Weber. Have not received a response from Mr. Weber’s attorney yet. Looking to acquire documents referenced by the attorney in correspondence suggesting that the property Mr. Weber is interested in is entitled to an access easement. Will reach out to Mr. Weber for an updated report.
- Pocono Heritage Land Trust – The Learn Conservation Easement - Attorney for PHLT is Charlie Vogt. Charlie forwarded conservation easement to Leo, and Leo prepared an assignment agreement for Charlie’s review. Looking for an action item at next BOC meeting to authorize the signing of our rights as the holder of the easement to Pocono Heritage Land Trust, with the Township listed as the beneficiary of the easement.
- Update – Gravatts Way Court Injunction - Petition for contempt has been filed with a \$12,000 fine requested. Filed a request for an expedited hearing. Waiting for the court to set a date.
- Update – Kelly Family Trust – On March 10, 2021, a conference call has been scheduled with the judge to set a trial date.
- Zoning Hearing Board Update
 - Appeal of Ryan Possinger – Conclusion set for March 30, 2021 at 5:00 p.m.
 - Butz Lane Short Term Rental Issue – L. DeVito has been authorized to attend and the hearing will be held on March 25, 2021.

Public Comment – No public comment.

Adjournment

R. Wielebinski made a motion, seconded by E. Gmandt, to adjourn the meeting at 8:23 p.m. All in favor. Motion carried.