

**Pocono Township Board of Commissioners
Regular Meeting Minutes
April 19, 2021 7:01 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held remotely on April 19, 2021 via video and teleconference and was opened by President Rich Wielebinski at 7:01 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; E. Gndt, 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; Judy Acosta, Township Zoning Officer; Bob Sargent, Roadmaster; and Krisann Wean, Administrative Assistant.

Public Comments – No public comment.

Announcements

- The Pocono Township Board of Commissioners held an executive session on Thursday, April 8, 2021 for the purpose of discussing the potential purchase of 114 Alger Avenue and personnel issues.
- Pocono Township will hold its annual Spring Cleanup from Thursday, April 29 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.
- Mark your calendars for Pocono Township's annual Community Day on Saturday, August 14 (with an August 15 rain date). We will have a variety of activities, exhibitors, and food for the whole family, with fundraising opportunities to support our Fire Company and Library.
- 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

R. Wielebinski made a motion, seconded by J. Belvin, to pass Resolution 2021-08 authorizing Pocono Township to execute the necessary documentation for the Pennsylvania Department of Environmental Protection to extend the NPDES permit for the Quaker Ridge Estates Major Subdivision Plan. L. DeVito spoke with developer's attorney and the DEP has already extended the NPDES permit, and they will require the Township to sign some municipal documents. T. Muñoz clarified that the 24-acre property is owned by Pocono Manor and located off Back Mountain Road. All in favor. Motion carried.

OLD BUSINESS

R. Wielebinski made a motion, seconded by K. Meeker, to approve the minutes of the April 5, 2021 regular meeting of the Board of Commissioners. All in favor. Motion carried.

NEW BUSINESS

Financial Transactions

R. Wielebinski made a motion, seconded by J. Lastowski, to ratify vouchers payable received through April 15, 2021 in the amount of \$186,024.71. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to ratify gross payroll for pay periods ending April 4, 2021 in the amount of \$100,983.45 All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve vouchers payable received through April 15, 2021 in the amount of \$149,579.70. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve sewer operating fund expenditures through April 15, 2021 in the amount of \$131,482.24. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve capital reserve fund expenditures through April 15, 2021 in the amount of \$1,050.00. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve Fire Tax disbursement of \$26,167.95 to the Pocono Township Volunteer Fire Company. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by E. Gndt, to transfer an amount not to exceed \$40,000.00 from the Public Works Capital Comprehensive line item to the Principal Leases and Interest on Leases line items. This transfer is for the purpose of the lease and equipment upfit for a 2021 Ford Explorer Interceptor to replace the Department's 2015 Ford Taurus Interceptor. J. Belvin asked clarifying question regarding why public works budget was used. All in favor. Motion carried.

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the lease purchase of a 2021 Ford Explorer Interceptor "corporal car" to replace the 2015 Ford Taurus Interceptor that was deemed a total loss by the Township insurance company. E. Gndt asked for the interest rate on the lease. All in favor. Motion carried.

- Motion to award the 2021 Materials bids to the lowest bidder(s), per the bid opening of April 16, 2021. A graph of the material awards is included with the minutes.

R. Wielebinski made a motion, seconded by K. Meeker, to award Hanson Aggregates the 2021 materials bid per the bid opening of April 16, 2021. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by E. Gndt, to award Eureka Stone Quarry the 2021 materials bid per the bid opening of April 16, 2021. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, stating the category for which each bidder is not the lowest bidder, they will be the secondary awardee should the TWP not be able to get materials from the lowest bidder in that category. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to reduce the required construction escrow for the Trap Enterprises Route 611 Project, per the recommendation of the Township Engineer dated April 9, 2021, leaving a balance of \$1,163,570.43. T. Muñoz asked clarifying question. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to waive Mountain View Park pavilion fees for Cub Scout Pack 85 for their annual family picnic on Sunday, June 6, 2021. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to authorize the Township to remit union dues to Teamsters Local 773 via electronic ACH transfer, rather than via check payments. E. Gndt asked why

they would request a digital transfer. Discussion regarding whether a physical check is preferable. Roll call vote: J. Belvin, yes; E. Gndt, no; K. Meeker, yes; J. Lastowski, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize L. DeVito to work with Jeff Durney to prepare a sales agreement for 114 Alger Avenue for the Board's review. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize L. DeVito to prepare a resolution to return sewer tapping fees. R. Wielebinski withdrew his motion, and J. Lastowski withdrew his second.

R. Wielebinski made a motion, seconded by K. Meeker, to authorize L. DeVito to prepare a resolution that would return sewer tapping fees township-wide to owners of parcels that were mandated to hook up to the sewer line that are acquired by Pocono Township. All in favor. Motion carried.

- Recognition of the retirement of Pocono Township Police Patrolman Scott Kresge effective April 30, 2021, after 31 years of service to Pocono Township – R. Wielebinski stated well-wishes for Patrolman Kresge.

J. Lastowski made a motion, seconded by J. Belvin, to honor Scott Kresge's 31 years of service and to award him his service pistol as a token of appreciation. All in favor. Motion carried.

J. Lastowski would like to invite Scott personally to the Township to present his service firearm to him in person. T. Muñoz would also send a letter of thanks appreciation and congratulations. J. Lastowski suggested framing the letter for presentation.

Commissioner Comments

Jerrold Belvin – Vice President

- COVID-19/Emergency Management Update – No update.
- FEMA Flood Mitigation grant application – Waiting to hear from FEMA.
- Monroe County Hazard Mitigation Plan Update - Progress continues. Had a meeting last Friday.

Completed recalibration of traffic light opticons with R. Sargent. Warner Road emitter was found to have failed, so Signal Services will come to diagnose.

Ellen Gndt – Commissioner

Suggested we consider accepting credit cards at the front desk for the Township. T. Muñoz will investigate.

Jerry Lastowski – Commissioner

- Discussion regarding UGI gas line concerns and update regarding timeline for resurfacing of S.R. 314 – J. Lastowski shared concerns regarding integrity of UGI's natural gas line.

J. Lastowski made a motion, seconded by E. Gndt, approving T. Muñoz writing to UGI and PUC outlining concerns of the Township regarding the UGI pipeline. Motion amended to add for UGI and PUC to send the Township a copy of their emergency management plan to the Township. Amendment accepted. All in favor. Motion carried.

Keith Meeker – Commissioner – No comment.

Reports

Zoning

- Discussion and possible action regarding the need for regulation of food trucks and temporary sales in Pocono Township. J. Acosta stated the first consideration is whether the Township wants to allow food trucks at all. In looking through our ordinances, historically, the Township has issued food truck permits using provisions that do not truly apply to food trucks. Other municipalities have further regulations including distance from other restaurants or districts, hours of operations, etc. E. Gnant asked how many food trucks exist. Discussion continued on the proper permitting of food trucks for temporary and permanent soliciting, effects on brick-and-mortar businesses, and impacts to non-profit fundraising events. T. Muñoz will speak to J. Acosta and work with L. DeVito to get draft verbiage together to discuss food truck regulations at the next work session.

J. Belvin noted the Township has made many ordinance changes and created new ones while other items fall through the cracks. He noted the authorization of additional zoning hours last year which has not occurred and sign ordinance changes that have not yet been enforced. Township needs to consider whether adequate manpower exists to handle issues before creating any more regulations.

Emergency Services

- Police – Chief Werkheiser submitted his monthly report to the Board.
- EMS – No report.
- Fire – No report.

Public Works Report

- Current Public Works projects report – Moving forward with spring projects and spring cleanup.
- Active bid advertisement for Pocono Township’s 2021 Paving Projects – Bids for paving will be received by 2:00 pm, April 30, 2021. Bids will be read at 2:30 pm and voted on first meeting of the month.
- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant – Waiting on DEP permit.

Administration – Manager’s Report

- Open Items Update
 - Migration of Township file servers to Egnyte platform – In process of migrating all files and finalizing outstanding items.
- Update – TLC Park master site plan and work session – Visited park with J. Tresslar and R. Sargent to get a master site plan together to be the basis for any grant proposals moving forward and a work session with the Board.
- Update – Public access to the Old Learn Farm property – Site was visited by J. Tresslar and R. Sargent. Three access points to the property were discussed. Daystar Bible Holiness Church was contacted and expressed interest in selling the Township their 2-acre property which would provide an additional access point for review.
- Update – Pending grant applications for the Township’s LSA, Multimodal & Recreation Grant submissions – Grant programs being considered at a meeting in Harrisburg tomorrow and next month and when more information is received, will report back to the Board.
- Discussion regarding the Wine Press Inn owner’s interest in the purchase of the adjoining Township parcel on Bartonsville Avenue – Owner provided copy of sketch plan for his hotel and how much property he would need from the Township. J. Tresslar will report back to the Board with further information.

Agenda Addition

A land development plan was submitted for Zitro & Roni Investments who decided to not proceed with the project and would like the escrow funds returned.

R. Wielebinski made a motion, seconded by J. Lastowski, to return escrow funds and deny the land development plan for Zitro & Roni Investments LLC. All in favor. Motion carried.

Township Engineer Report

- St. Paul's Lutheran Drainage Basin - Supposed to apply for a permit following their plans that were deemed approved and appropriate.
- Archer Lane Drainage Issues - Improvements were made to swale on opposite side of Archer Lane. Observed that water is flowing out onto Learn Road as a result of some activity that occurred on Archer Lane. J. Tresslar feels the issue could be fixed.. Not sure if the property owner should be notified to do the work or whether it could/should be done by the Township. It is in Township ROW but is the result of work done by Archer. J. Lastowski stated it should be the responsibility of the property owner, not using the Township's resources. R. Wielebinski asked if L. DeVito could contact Archer's attorney to see if Archer can clean up the issue. T. Muñoz will reach out to Shawn McGlynn and ask him to reach out directly to the property owner.
- Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonville Avenue – Virtual meeting with PennDOT scheduled for later this week.

Township Solicitor Report

- Discussion regarding I-80 parcel easement request – Jonathan Weber – J. Tresslar completed his review of the title work and it is his opinion that they do not have any title easement across Pocono Township's property. When the property was originally subdivided, it was split off of a property that had frontage on Route 611. It is recorded in the deed that if they want to get access to the property, they must build a bridge across the stream. Access was provided for in the beginning and it was not across the Township's property. L. DeVito said it is advisable that the Township complete everything up with Weber before moving forward with the sale of the property.
- Update – Kelly Family Trust – Hearing is scheduled for early August.
- Zoning Hearing Board Update
 - Appeal of Ryan Possinger – Hearing is completed and briefs will be submitted. Zoning hearing board will decide in approximately 45 days.
 - Butz Lane STR – Scheduled for April 27, 2021 at 5 PM.

Agenda Addition

Received a request for a local agency hearing from Jeff Cemelli, who owns a property where he cannot get adequate well separation distance on the property he owns. Will have to advertise hearing and will be included in an upcoming agenda.

E. Gnadtt inquired whether a Zoning Hearing Board member has moved out of Pocono Township which would not qualify them for being on the Zoning Hearing Board. L. DeVito noted board members must be Township residents.

Public Comment – No public comment.

Adjournment

R. Wielebinski made a motion, seconded by E. Gnadtt, to adjourn the meeting at 8:40 PM. All in favor. Motion carried.

2021 MATERIALS BIDS POCONO TOWNSHIP

Bids were received by the Pocono Township Board of Commissioners for the Township's 2021 Materials purchases. The results are as follows:

Item #	Material	Delivery	QUANTITY	Hanson Aggregates	Eureka Stone Quarry
1	2A, DGA, Crushed Stone	FOB	3,000	7.85	8.00
1	2A, DGA, Crushed Stone	Delivered	3,000	No Bid	12.16
2	Cold Patch QPR High Performance	FOB	200	No Bid	115.00
3	#57, 2B, ¾" Crushed Stone	FOB	200	15.50	14.00
3	#57, 2B, ¾" Crushed Stone	Delivered	200	No Bid	18.16
4	SP Surge	FOB	500	No Bid	11.38
4	SP Surge	Delivered	500	No Bid	15.54
5	#1, Ballast, 2-4" Crushed Stone	FOB	500	15.50	14.25
5	#1, Ballast, 2-4" Crushed Stone	Delivered	500	No Bid	18.41
6	2RC Crushed Stone	FOB	500	7.65	8.00
6	2RC Crushed Stone	Delivered	500	No Bid	12.16
7	#3 Crushed stone	FOB	500	15.50	14.20
7	#3 Crushed stone	Delivered	500	No Bid	18.36
8	R-3 Crushed stone - Gabion	FOB	300	19.00	12.00
8	R-3 Crushed stone - Gabion	Delivered	300	No Bid	16.16
9	R-4 Crushed stone	FOB	300	19.00	12.50
9	R-4 Crushed stone	Delivered	300	No Bid	17.41
10	R-5 Crushed stone	FOB	300	20.00	No Bid
10	R-5 Crushed stone	Delivered	300	No Bid	No Bid
11	R-6 Crushed stone	FOB	300	22.00	No Bid
11	R-6 Crushed stone	Delivered	300	No Bid	No Bid
12	R-7 Crushed stone	FOB	300	23.00	No Bid
12	R-7 Crushed stone	Delivered	300	No Bid	No Bid
13	Asphalt 9.5mm pg64s-22 0.0<0.3 (SRL-L)	FOB	2,500	57.05	56.75
13	Asphalt 9.5mm pg64s-22 0.0<0.3 (SRL-L)	Delivered	2,500	No Bid	56.75+\$85/hr.
14	Asphalt 19mm pg64s-22 0.0<0.3 (SRL-L)	FOB	1,000	52.45	50.75
14	Asphalt 19mm pg64s-22 0.0<0.3 (SRL-L)	Delivered	1,000	No Bid	50.75+\$85/hr.
15	Asphalt 25mm pg64s-22 0.0<0.3 (SRL-L)	FOB	500	49.20	46.45
15	Asphalt 25mm pg64s-22 0.0<0.3 (SRL-L)	Delivered	500	No Bid	46.45+\$85/hr.
16	Tack Oil	FOB	1,000	5.50	No Bid