

**Pocono Township Board of Commissioners
Regular Meeting Minutes
June 21, 2021 7:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on June 21, 2021 and was opened by President Rich Wielebinski at 7:05 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; E. Gnandt, present; Jerry Lastowski, present via teleconference; 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; Robert Sargent, Roadmaster; and Krisann MacDougall, Administrative Assistant.

Public Comment – Chris Ortolan, Township Resident, asked about Township fireworks ordinance and who to call when the ordinance is not followed. Also asked about the location of mobile speed signs throughout the Township.

Announcements

- Pocono Township Community Day – Saturday, August 14 (with an August 15 rain date).
- R. Wielebinski asked whether the Board of Commissioners would approve of motions made via voice vote, as is common with other governmental bodies, instead of a roll call vote for every motion. E. Gnandt asked for clarification as to how individual votes would be distinguished. J. Lastowski stated if somebody votes “no,” the motion would be recorded as a roll call vote.

Hearings – None.

Presentations – None.

Resolutions

- Resolution 2021-14 – Return of Sewer Tapping Fees to the Prior Owner(s) of Real Property acquired by the Township.

R. Wielebinski made a motion, seconded by J. Belvin, to adopt Resolution 2021-14 approving the return of sewer tapping fees to the prior owner(s) of real property acquired by the Township of Pocono. All in favor. Motion carried.

- Resolution 2021-15 – Denying Preliminary Plan Approval of the Preliminary Land Development Plan, Lands of Sheldon Kopelson – Lot 3.

R. Wielebinski made a motion, seconded by K. Meeker, to deny preliminary plan approval of the preliminary land development plan, Lands of Sheldon Kopelson – Lot 3. Under discussion, Attorney Bob Kidwell spoke on behalf of the developer and referenced a letter sent to T. Muñoz on June 17, 2021 requesting an extension of time for the project due to PennDOT delays. He requested that the resolution not be passed. J. Belvin referenced a special meeting at the ambulance building last year where PennDOT’s plans were presented. R. Wielebinski asked whether it was premature to submit plans in the beginning before the Route 715 plans were finalized by PennDOT. E. Gnandt asked for clarification from L. DeVito and J. Tresslar. Roll call: J. Belvin, yes; E. Gnandt, no; J. Lastowski, no; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

Consent Agenda

- Motion to approve a consent agenda including the following items:

- Old Business comprised of the minutes of the June 7, 2021 regular meeting of the Board of Commissioners.
- New business comprised of approval of the following financial transactions:
 - Ratification of vouchers payable received through June 17, 2021 in the amount of \$7,950.30.
 - Ratification of gross payroll for pay periods ending June 13, 2021 in the amount of \$121,310.72.
 - Vouchers payable received through June 17, 2021 in the amount of \$81,607.05.
 - Sewer operating fund expenditures through June 17, 2021 in the amount of \$26,161.30.
 - Sewer construction fund expenditures through June 17, 2021 in the amount of \$4,141.96.
 - Capital reserve fund expenditures through June 17, 2021 in the amount of \$15,803.20.
 - Approval of a Fire Tax disbursement of \$1,556.10 to the Pocono Township Volunteer Fire Company.

R. Wielebinski made a motion, seconded by K. Meeker, to approve the consent agenda. All in favor. Motion carried.

NEW BUSINESS

1. Personnel – None.

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

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by K. Meeker, to approve the application of Pocono Township Volunteer Fire Company for a fireworks display permit for July 23, 2021, with a rain date set for the next day. J. Lastowski requested amendment to waive the permit fee. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to waive the fee for the YAPM youth football program pavilion reservation for July 12, 2021. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to waive the pavilion rental fee for the Pocono Township Library for their "Painting at Mountainview" family program on July 22, 2021 from 8:00 a.m. to noon. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to reduce the construction escrow for the Trap Enterprises Route 611 Project by \$265,606.90, per the review letter provided by the Township Engineer on June 17, 2021, leaving a balance of \$727,940.67. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to wave the fees for Pocono Jackson Historical Society use of a MVP Pavilion for July 19 and August 16, 2021. All in favor. Motion carried.

- Reported on visit to TLC Park with Miller Sports to discuss the installation of a basketball court and their COSTARS pricing to fulfill municipal bidding requirements. Miller Sports is a COSTARS vendor and follows COSTARS pricing for labor and material. Waiting for a copy of their COSTARS contract along with basketball court specs before moving forward.

Commissioner Comments

Jerrod Belvin – Vice President

- Wanted to make sure all businesses eligible for the amusement tax are being included. Inquired about The Paradise Club, Splinters' Hatchet & Axe Throwing, Trap Door Escape Room at Fountain Court, Giant Billiards, Poke-A-Nose Pottery and Pocono Manor Golf Club. Splinters' Hatchet & Axe Throwing was sent the registration information. Pocono Manor Gulf Club was also contacted.

Ellen Gndt – Commissioner - Asked about progress of demolishing the old shed at the corner of the Public Works yard. Demolishing on hold until a comprehensive site plan is in place for the municipal complex.

Jerry Lastowski – Commissioner

- Response was received from UGI regarding joint letter submitted on behalf of Pocono Township, Paradise Township and Pocono Mountain School District. UGI confirmed they will monitor additional gas lines in Swiftwater.
- Update regarding asphalt condition of SR 314 following UGI work. Asphalt has not been repaved yet because they have not met the conditions imposed by PennDOT.

Keith Meeker – Commissioner – No comment.

Reports

Emergency Services

Public Works Report

- Road crew is working on several drainage issues throughout the Township. Paving contractor is approximately halfway complete. Contractor thinks they will be complete by end of the week with paving, prior to striping and installing shoulders.
- Park Lane Culvert Replacement – Dirt and Gravel Grant – Had meeting last week with the MCCD and DEP to address DEP concerns. An additional permit has been submitted per the request of DEP.
- Discussion regarding breakdown of backhoe and Township's need for a new midsize excavator. Will report back to the Board after reviewing township budget with the Manager.
- Received prices on the rebuilding of the stone walls for TLC spillway. Two quotes received so far were over the bid threshold. Will report back to the Board.

Administration – Manager's Report

- General Township Updates
 - Penn Strategies will complete application for American Recovery Act funds on behalf of Pocono Township.
 - Completing registration of Township Manager as Entity Administrator for the Township's account with the federal System for Award Management (SAM).
 - Cloudpermit e-permitting system adoption process is ongoing. Outlining workflow and application process for Cloudpermit to build out online application portal. Goal for implementation is August 1, 2021.
 - Tom McKeown has begun appraisal of Township-owned Bartonsville Avenue property – Appraisal was authorized, and subdivision needs formalizing.
 - Spa Castle provided reimbursement for all expenses associated with the Birchwood Fire, including the \$3,000 bill for Possinger & Sons – Township was reimbursed for all fuel charges, and \$3,000 bill for excavation was submitted by the Fire Department, which was paid in full.
 - Investigation ongoing regarding public access to Old Learn Farm property on Learn Road – No update.
- Regional HSPS Comprehensive Plan – Next meeting on Wednesday, June 30, 2021 at 6:00 p.m. at Stroudsburg Borough Council Chambers.
- Township Community Day – Finalizing fliers so the public knows about event and sponsorship information has been sent out to local business that work with Pocono Township. Six title sponsors contributed \$500 each plus two \$250 sponsors. Funds left over will be given directly to Library and Fire Company in full. Over 30 vendors have confirmed participation.

Township Engineer Report

- St. Paul's Lutheran Drainage Basin – No work has begun yet. Work is being done gratis for the church and will confirm if an escrow account is needed.
- Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue - Plans were submitted to PennDOT.
- Fish Hill easement plan – Easement plan was developed and prepared a map for the BOC to review. Will reach out to the church for their approval.
- Preliminary plan to address drainage issues at Sunlite Lane & Tara Hill Drive – Planning to bring a pipe down the righthand side with inlets and to install a pipe in the open ditch. Will present a plan to the Commissioners for approval.

Township Solicitor Report

- Liquor license transfer hearing for Orion Markets will be held during the July 6, 2021 BOC meeting.
- HJP Park Agreement between Pocono and Jackson Townships – Todd Weitzman, Jackson Township solicitor and L. DeVito have spoken, collected some sample agreements used in the past, and will work to finalize agreement language.
- Update – Sales agreement for 114 Alger Avenue – Sales agreement has been approved by the seller subject to an amendment specifying that the Township does not divest the property for at least after three years.

R. Wielebinski made a motion, seconded by J. Belvin, to amend the agreement of sale between Pocono Township and Berthamae Daubert, adding a provision that restricts the Township's ability to transfer this property for a period of three years following its sale. All in favor. Motion carried.

- Discussion regarding I-80 parcel easement request – Jonathan Weber – L. DeVito asked how long the BOC would like to have for bids to be received and whether the Township like to set a floor for bidding.

R. Wielebinski made a motion, seconded by J. Belvin, to go into executive session to discuss the sale of real estate and return following. All in favor. Motion carried.

Consensus was to move forward on bidding of property.

- Update – Kelly Family Trust – Hearing is set for August 2, 2021.
- Zoning Hearing Board Update
 - Appeal of Ryan Possinger – Papers were submitted in the Ryan Possinger Billboard matter on Rimrock Road. Zoning hearing board meets at 5:00 p.m. June 30, 2021 to vote.
 - Butz Lane STR – Township was successful in shutting down this short-term rental. Waiting to hear if there is an appeal.
- Johnson STR Argument – Scheduled for June 30, 2021 at 2:30 p.m. in Monroe County.
- PJJWA Update – All easements were sent for a title search. Working on an agreement.

R. Wielebinski made a motion, seconded by K. Meeker, to go into executive session and to return following. All in favor. Motion carried.

Public Comment – No public comment.

Adjournment

R. Wielebinski made a motion, seconded by J. Belvin, to adjourn the meeting at 9:15 p.m. All in favor. Motion carried.