

**Pocono Township Board of Commissioners  
Regular Meeting Minutes  
October 18, 2021 | 7:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on October 18, 2021 and was opened by President Rich Wielebinski at 7:00 p.m. followed by the Pledge of Allegiance.

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

**In Attendance:** Leo DeVito, Township Solicitor, Broughal & DeVito; Amy Montgomery, Boucher & James, Inc.; and Taylor Munoz, Township Manager.

**Public Comment**

Tom Wise, Township Resident – Shared that his father, who served in various Township leadership capacities over time, passed away at 92 years of age. The Board of Commissioners expressed their condolences.

**Announcements**

- Pocono Township's Trick-or-Treat Hours for 2021 will be held on Sunday, October 31<sup>st</sup> from 5 p.m. to 8 p.m.

**Hearings**

- Local Agency Hearing – Albert & Jane Walck (103 Cobble Creek Drive)

R. Wielebinski made a motion, seconded by J. Belvin, to open a public hearing for consideration of the application of Albert and Jane Walck for the waiver of Section 439-4 of the Pocono Township Code of Ordinances to allow installation of a well less than 15 feet from the adjoining property lines. All in favor. Motion carried.

L. DeVito clarified this is a hearing pursuant to the Local Agency Law and pertains to a well location. Mr. and Mrs. Walck requested a waiver of the well separation distance from adjoining property lines and have stated this is the only location on the property where a separation distance of 100 feet from the septic is possible. L. DeVito confirmed exhibits with the applicants and Township professionals.

E. Gnadtt asked if the septic was 100 feet from neighbor's well. The separation distance was confirmed, and the vacant neighboring lot is also owned by the applicant. R. Wielebinski asked if H. Beers, Sewage Enforcement Officer, has been out on property. H. Beers confirmed she has and that the well is 100 feet from the septic. Further discussion regarding whether easements exist on property. Township engineer indicated they have no issue with the relief requested, as the separation distances have been maintained. E. Gnadtt asked about distance of the well from the road right-of-way.

R. Wielebinski made a motion, seconded by E. Gnadtt, to close public hearing. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve the request of Albert and Jane Walck and waive Section 439-4 of the Pocono Township Code of Ordinances for the property located at 103 Cobble Creek Drive, Tannersville, PA 18372. Under discussion, L. DeVito recommended that the Walcks sign an indemnification/hold harmless agreement with the Township that would become part of the recorded deed. Motion amended to reflect the request for a hold harmless agreement. All in favor. Motion carried.

- Local Agency Hearing – Christopher & Kori Hogeboom (1327 Waterview Drive)

R. Wielebinski made a motion, seconded by E. Gnandt, to open a public hearing for consideration of the application of Christopher and Kori Hogeboom for the waiver of Section 439-4 of the Pocono Township Code of Ordinances to allow installation of a well within 68 feet of an existing absorption field. All in favor. Motion carried.

L. Devito indicated there has been a request by the applicant to continue this matter until the November 1, 2021 meeting of the Board of Commissioners at 7:00 p.m..

R. Wielebinski made a motion, seconded by J. Lastowski, to continue the Local Agency Hearing for Christopher and Kori Hogeboom to November 1, 2021 at 7:00 p.m. E. Gnandt asked a clarifying question. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by E. Gnandt, to close the public hearing. All in favor. Motion carried.

### **Presentations**

- Presentation regarding Pocono Township public water service area and future auxiliary waterline expansion plans – Dave Horton, BCRA Manager & Tom Wise, BCRA Board Member.

Brodhead Creek Regional Authority (BCRA) representatives gave overview of water service in Pocono Township; discussed existing and future service area; detailed how issues are being addressed with inflow and infiltration; and provided update on PJJWA acquisition. They stated the Tannersville Tank & Pump Station project is complete and in process of closeout.

E. Gnandt asked how much capacity is currently in demand by Pocono Township and what projects are currently lined up for water service. BCRA is currently evaluating usage. E. Gnandt asked further questions about whether prioritization of projects for public water service. J. Lastowski asked how long a will-serve letter is good for. R. Wielebinski asked how much capacity remains today for Pocono Township. J. Belvin asked whether the acquisition of the PJJWA will aid in water service to the SR 611 corridor. E. Gnandt asked questions regarding the water line's 2 million gallons of capacity.

Dave Horton further discussed planned system testing and plans for the auxiliary waterline to provide additional water line capacity. BCRA will work with the Township to acquire grant funding. Conceptual plans are in the works and being advanced toward shovel-ready projects. E. Gnandt asked question about total timeframe to get through construction. J. Lastowski asked where the auxiliary line will end, which BCRA stated will be the school district. E. Gnandt asked questions about peak water flow.

- Great Wolf Lodge LERTA Presentation – Chuck Leonard & Dennis Noonan, Pocono Mountains Economic Development Corporation.

PMEDC asked the Township to agree to take part in the Local Economic Revitalization Tax Assistance (LERTA) process and the required public hearing(s). Provided overview of what establishing LERTA zones entails, including the tax abatement and partial phase-in of additional property taxes on the improvements created by a new project. The program is an economic development incentive. J. Lastowski asked about an existing property and whether that is included in a LERTA request.

J. Lastowski made a motion, seconded by J. Belvin, to participate in the LERTA process, which will ultimately culminate in a public hearing. All in favor. Motion carried.

- The Ridge Land Development Plan – Trap Enterprises. Presentation regarding proposed townhouse development.

Applicant presented plan for a phased townhome development along SR 611. Provided details regarding a sketch plan that was presented to the Planning Commission on October 12, 2021.

### **Resolutions**

R. Wielebinski made a motion, seconded by J. Lastowski, to approve Resolution 2021-26 authorizing the submission of a Pennsylvania Department of Transportation Multimodal Transportation Fund grant application in an amount not to exceed \$1,500,000. E. Gndt asked clarifying question. All in favor. Motion Carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve Resolution 2021-27 granting conditional approval to the Camp Lindenmere Facilities Expansion Land Development Plan. E. Gndt asked if there are in lieu of fees associated with the project. L. DeVito suggested an additional condition be added that, if applicable, applicants shall be responsible for paying all open space in lieu of fees as calculated by the Township. Motion amended to include "in lieu of fees" language, All in favor. Motion carried.

### **Consent Agenda**

- Motion to approve a consent agenda of the following items:
  - Old business consisting of the minutes of the October 4, 2021 regular meeting of the Board of Commissioners.
  - A budget adjustment request of \$38,662.00 to ensure specified line items have sufficient funding for the remainder of 2021.
  - Financial transactions including:
    - Ratification of vouchers payable received through October 14, 2021 in the amount of \$572.23 and sewer operating expenditures in the amount of \$475.45.
    - Ratification of gross payroll for the pay period ending October 3, 2021 in the amount of \$168,200.84.
    - Vouchers payable received through October 14, 2021 in the amount of \$207,997.05.
    - Sewer operating fund expenditures through October 14, 2021 in the amount of \$121,759.57.
    - Sewer construction fund expenditures through October 14, 2021 in the amount of \$54,284.31.
    - Capital reserve fund expenditures through October 14, 2021 in the amount of \$18,597.03.
    - Fire Tax disbursement to the Pocono Township Volunteer Fire Company in the amount of \$458.98.

R. Wielebinski made a motion, seconded by K. Meeker, to approve the consent agenda. E. Gndt asked questions on the bills. All in favor. Motion carried.

### **NEW BUSINESS**

1. **Personnel** – None
2. **Travel/Training Authorizations** – None

### **Report of the President**

Richard Wielebinski

- Motion to approve Pocono Township's participation in a public hearing with Monroe County and Pocono Mountain School Board for the purpose of considering a LERTA for Great Wolf Lodge. Motion was made under presentations.

R. Wielebinski made a motion, seconded by J. Lastowski, to appoint Civil Service Commission alternate member, Pete Nish, to fill a vacancy as a regular member of the Commission. E. Gndt asked whether he is most senior member. All in favor. Motion carried.

## **Commissioner Comments**

Jerrod Belvin – Vice President

- Emergency Management Update - A BRIC grant has been submitted for a new Township generator and Flood Mitigation Grant submitted for Wilke Road.
- Monroe County Hazard Mitigation Plan – L. DeVito stated a Resolution would be needed to adopt the updated mitigation plan.
- Discussion and possible action regarding the appointment of a resident to the Pocono Township Zoning Hearing Board to fill a vacancy as an alternate member. At previous meeting, Bill Sayre was moved up from alternate member to full member.

J. Belvin made a motion, seconded by E. Gnandt, to advertise for an alternate position on the zoning hearing board, All in favor. Motion carried.

Ellen Gnandt – Commissioner

- Discussion held regarding the status of the HJP Park agreement with Jackson Township. L. DeVito will reach out to the Jackson Township solicitor with a copy of the draft intermunicipal agreement.
- Asked for update regarding the two-acre Learn Road parcel adjoining the Township's open space parcel. T. Munoz stated that Tom Lovito's attorney will be reaching out with a letter formalizing Mr. Lovito's granting of an easement to the Township, should he purchase the property.
- Update provided regarding the Fire Company and Police Department use of the Alger Avenue property for training and drills.

Jerry Lastowski – Commissioner

- Stated that long-time Fire Company member Rick Shay passed away last night.

Keith Meeker – Commissioner – No comment.

## **Reports**

### **Zoning**

### **Emergency Services**

- Police
- EMS
- Fire

### **Public Works Report**

- Township Road Crew completing a number of projects, including project work at TLC Park and pavement patching around the Township. The basketball court construction is complete at TLC Park, light stanchions have been installed, benches installed and grading of topsoil complete for grass planting.
- Park Lane Culvert Replacement – Dirt and Gravel Grant. No update.

### **Administration – Manager's Report**

- Stated that remaining Community Day sponsorship funds will be split between the Pocono Township Library and Fire Department - \$3,231.14 split evenly for a \$1,615.57 check apiece.
- Pump station 5 subdivision is now complete, and the property documentation is being prepared for public bid.
- Discussion and possible authorizing the preparation of ordinance amendment language regulating the keeping of chickens in residential areas. T. Munoz detailed provisions of the Township zoning ordinance that could be amended and clarified regarding the regulation of fowl. Will further research and present back to the Board.

- Regional HSPS Comprehensive Plan update – Waiting on consultant.

### **Township Engineer Report**

- St. Paul's Lutheran drainage basin repairs update. Repairs were completed and will ask for as-built plans.
- Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue. Plans are still awaiting action from PennDOT.
- Discussion regarding preliminary plan and cost estimates to address drainage issues at Sunlite Lane & Tara Hill Drive. Board agreed that the project should not be pursued at this time, as there is no indication of substantial stormwater issues.
- R. Wielebinski asked about progress on Birchwood Drive drainage issues. Mentioned Mr. and Mrs. Florio (5319 Birchwood Drive) and the damage to their driveway. Board agreed that the Township should correct the issues with their collapsed pipe and driveway surface situated in the middle of the Township's drainage ditch, provided the owners purchase the pipe required.

### **Township Solicitor Report**

- 150 Gravatts Way – Court Appearance on October 21 at 1:30 p.m.
- Zoning Hearing Board updates. Oral arguments were held today in front of Judge Williamson regarding the Taveras case, which went very well.
- Update – Johnson Appeal. Paperwork has been filed with the Commonwealth Court and will argue in a few months. Confirmed that hearing will likely be in Harrisburg.
- HJP Park Agreement between Pocono and Jackson Townships. Already discussed under Commissioner Reports.

**Public Comment** - None

### **Adjournment**

R. Wielebinski made a motion, seconded by E. Gnadts, to go into executive session at 9:19 p.m. to discuss litigation regarding Gravatts Way and Faber Circle, and not to return. All in favor. Motion carried.