

**Pocono Township Board of Commissioners
Regular Meeting Minutes
August 16, 2021 7:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on August 16, 2021 and was opened by President Rich Wielebinski at 7:02 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; E. Gndt, present; J. Lastowski, present; Keith Meeker, present; and Rich Wielebinski, present.

In Attendance: Leo DeVito, Township Solicitor, Broughal & DeVito; J. Tresslar, Township Engineer, Boucher & James, Inc.; Taylor Muñoz, Township Manager; Robert Sargent, Roadmaster; F. Cefali, CPA and Township Treasurer; P. Razzaq, Fiscal Administrator; and Krisann MacDougall, Administrative Assistant.

Public Comment

Todd Cannon, Serenite Private Residence Club – Provided update on the Northridge project and the applicant is looking to the Township engineer and solicitor for feedback to help move project forward. J. Tresslar provided history of the project and stated the applicant has five years to install improvements from the time a plan is recorded. However, if it takes longer than five years and new ordinances pass, the Township can require the applicant to comply with the new improvements. L. DeVito indicated the Commissioners do not have the ability to grant waivers for zoning issues, which would have to go to the Zoning Hearing Board. J. Tresslar stated the quickest route forward for approval is for the applicant to address the engineering comments.

Announcements – No announcements.

Hearings – No hearings.

Presentations

- Pocono Township Q2 Treasurer's Report – Frank Cefali, CPA & Township Treasurer
 - Provided overview of Township revenues, expenses, and various Township funds for the second quarter of 2021. Township is waiting on funds from the American Recovery Act, which are restricted funds from the federal government. Reviewed sewer fund expenditures and capital expenditures. E. Gndt asked for brief synopsis of the American Recovery Plan funds that will be received.

Resolutions

R. Wielebinski made a motion, seconded by J. Lastowski, to pass Resolution 2021-20 granting approval of the Pocono Township Pump Station 5 Minor Subdivision Plan. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to pass Resolution 2021-21 granting certain requests for modification of the Pocono Township Subdivision and Land Development Ordinance and Stormwater Management Ordinance for the Core5 Warner Road Warehouse Preliminary Land Development Plan. E. Gndt asked whether action on the waivers should wait until after it is determined whether the applicant can receive sewer service from the Township. Further discussion was held stating that the requested waivers are necessary now, as they affect significant design elements for the Core5 land development plan. Roll call: J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to pass Resolution 2021-22 approving the President of the Board of Commissioners to authorize an Application for Traffic Signal Approval for

submittal to PennDOT, allowing UGI to complete replacement of ADA ramps at the intersection of SR 611 and Discovery Drive related to a past gas line replacement. All in favor. Motion carried.

Consent Agenda

- Motion to approve a consent agenda including the following items:
 - Old business comprised of the minutes of the August 2, 2021 regular meeting of the Board of Commissioners.
 - Budget transfers totaling \$52,500.00 to provide additional funding to deficient General Fund line items for the remainder of the year.
 - New business comprised of approval of the following financial transactions:
 - Ratification of vouchers payable received through August 12, 2021 in the amount of \$8,339.16.
 - Ratification of gross payroll for pay periods ending August 8, 2021 in the amount of \$114,991.22.
 - Vouchers payable received through August 12, 2021 in the amount of \$151,661.48.
 - Sewer operating fund expenditures through August 12, 2021 in the amount of \$108,237.68.
 - Capital reserve fund expenditures through August 12, 2021 in the amount of \$711,147.87.
 - Liquid Fuels expenditures through August 12, 2021 in the amount of \$437,521.00.
 - Approval of a Fire Tax disbursement of \$495.15 to the Pocono Township Volunteer Fire Company.

R. Wielebinski made a motion, seconded by K. Meeker, to approve the consent agenda. E. Gndt asked whether the Township should be responsible for covering the cost of the port-a-potties for the Carnival. J. Lastowski stated this came up in years past and it was determined at the time that the Township would not cover, but the Township had increased the annual funding allocation for the Fire Company to help cover these expenses. R. Wielebinski amended his motion to reflect that the \$1,385 cost for Fire Department port-a-potties would be covered this year, but that it is non-precedential for future years. All in favor. Motion carried.

J. Lastowski made a motion, seconded by J. Belvin, for the Township to cover the cost of port-a-potties every year. All in favor. Motion carried.

NEW BUSINESS – No new business.

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by K. Meeker, to amend the agenda to add a request to change a street name from Sengle Drive to Cherry Lane Drive. All in favor. Motion carried.

R. Wielebinski read a resident request for a change of a current road name to the prior name. Further research will be done, and resident will be contacted regarding responsibility of fees incurred.

R. Wielebinski read a thank you letter from the Monroe County Garden Club for use of MVP facilities.

- Discussion regarding public sewer service for Core5 and the Township's submission of an Act 537 Plan Amendment to the PA DEP.
 - Brian Reisinger, Core5 VP of Development, and Aaron Sisler, Borton-Lawson – Brian stated Core5 was here last August to meet with the Sewer Committee. At that time, the applicant thought they would get sewer from Route 715, but it was determined that Route 611 would be the best route. Have undergone feasibility analysis for extending sewer to the site. Project is on hold until they find out how they are getting sewer. The applicant would like to have answers prior to February 2022. J. Tresslar explained to get the study approved, the Township must address 140 DEP comments relating to Act 537 plan. The Township cannot guarantee a specific timeline, but can confirm that everything is being done to move the Act 537 process forward swiftly.

R. Wielebinski made a motion, seconded by K. Meeker, to approve Escrow Release No. 7 for the Trap Enterprises Route 0611 Project, per the Township Engineer's recommendation letter dated August 9, 2021, reducing the Applicant's construction escrow by \$92,596.63 and leaving a balance of \$589,396.86. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to authorize the execution of the Fish Hill stormwater easements in proximity of Village View of Tannersville Homeowner's Association. E. Gndant asked for clarification. L. DeVito stated the agreements will allow the Township to install what is needed to address the stormwater situation in the future. All in favor. Motion carried.

- Discussion and update regarding the bid award for the purchase of the Township-owned I-80 parcel – T. Muñoz read message from Mr. Levito's attorney indicating Mr. Levito's continued interest in purchasing the parcel.

J. Lastowski made a motion, seconded by E. Gndant, to extend time limit for consideration through the next BOC meeting. Roll call vote: J. Belvin, no; E. Gndant, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Update regarding the installation of the basketball court at TLC Park and other projects at the site – Project will begin mid-September.

Commissioner Comments

Jerrod Belvin – Vice President

- Emergency Management Update
- Monroe County Hazard Mitigation Plan Update – Plan update is being submitted to PEMA this week and will then be submitted to FEMA.

J. Belvin made a motion, seconded by R. Wielebinski, to amend the agenda for the purpose of discussing the demolition of the Alger Avenue property. All in favor. Motion carried.

J. Belvin indicated the Township acquired the Daubert property and discussed options for razing the building. Township has a public works employee experienced with home demolitions. Bob, Corey, and J. Belvin have been working on costs. Approximately a two-week turnaround and 100 tons at \$73/ton to remove. Evaluating cost for renting a long-arm excavator.

J. Belvin made a motion, seconded by R. Wielebinski, to demolish 114 Alger Avenue for a total cost not to exceed \$14,000. All in favor. Motion carried.

J. Belvin made a motion, seconded by J. Lastowski, to allow Pocono Township Police Department and the PTVFC to train for two weeks each at 114 Alger Avenue prior to demolition of the house. All in favor. Motion carried.

Ellen Gndant – Commissioner

- During Community Day, Ellen was approached about a pothole at corner of Sebring/Cherry Lane. T. Munoz will contact PennDOT.
- Asked that the Township include an increased 5% senior discount in the revised Blue Ridge Cable Franchise Agreement.

Jerry Lastowski – Commissioner

- Thanked T. Munoz for update that was distributed regarding the paving of SR 314.
- J. Lastowski asked for update from UGI as to whether they have been completing leak surveys around the School District region.
- Asked for clarification regarding having fire marshal inspect a local fireworks store. A meeting will be convened with L. DeVito and S. McGlynn to discuss practicality of inspecting fireworks stores.

Keith Meeker – Commissioner – No comment.

Reports

Public Works Report

- Current Public Works projects report – Installation of drainage pipes in the Woodlands is ongoing.
- TLC Park Project Update – 80% of stanchions and conduit installed at TLC.
- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant – Received DEP permit. Working on structure design.

Administration – Manager’s Report

- Dates for Budget Workshops
 - 5:00 p.m. – Monday, September 13
 - 5:00 p.m. – Wednesday, September 29
- Onsite meeting and walkthrough of Township open space facilities held with DCNR on August 9, 2021. Received feedback on grant possibilities for acquisition of properties and developing trails on the Learn Farm parcel. Also received helpful feedback on TLC park master plan.
- Meeting was held with Penn Strategies, Township Grant Consultant, on July 29 and grant applications are in process.
- American Recovery Act funds being processed for release to the Township.

Township Engineer Report

- Intersection improvements to Learn Road, Fish Hill, Old Mill Road and SR 611 – Grant application has been submitted.
- St. Paul’s Lutheran Drainage Basin – Basin repairs will be complete before Labor Day.
- Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue – Addressing comments from PennDOT.
- Preliminary plan and cost estimates to address drainage issues at Sunlite Lane and Tara Hill Drive – Plan was prepared and given to R. Sargent for review. R. Sargent suggested upgrading the size of the pipe.

Township Solicitor Report

- HJP Park Agreement between Pocono and Jackson Townships – Rough draft has been provided for an agreement with HJP Park.
- Update – Johnson STR Appeal – Received opinion from Judge Zulick affirming the ZHB decision denying the Johnson’s ability to use their property as a short term rental inside Cobble Creek Estates.
- Update – Taveras Appeal – Case will be argued before Judge Williamson.
- 150 Gravatts Way – Court Appearance on October 21 at 1:30 p.m. Judge Zulick was assigned to the case.

E. Gndt made a motion, seconded by J. Lastowski, to amend the agenda to discuss the Core5 zoning hearing in the process of being scheduled and attendance of Township staff at zoning hearing. All in favor. Motion carried.

Core5 has a zoning application to request a reduction in the minimum number of parking spaces and to allow temporary intrusion into the wetland buffer during construction. R. Wielebinski asked for clarification that the applicant would restore the buffer after the construction finishes. E. Gndt stated she’s not in favor of encroaching on the wetlands. J. Lastowski asked about whether the disturbance of a buffer would have a negative impact.

J. Lastowski made a motion, seconded by E. Gndt, to have L. DeVito and J. Tresslar observe the hearing and, if the buffer disturbance is granted, that it will be properly restored. Roll call: J. Belvin, no; E. Gndt, yes; J. Lastowski, yes; K. Meeker, no; R. Wielebinski, no. Motion failed.

E. Grandt inquired about the resignation of a ZHB member, and the Johnson appeal.

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.