

**Pocono Township Board of Commissioners
Regular Meeting Minutes
March 7, 2022 | 6:29 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on March 7, 2022 and was opened by President Rich Wielebinski at 6:29 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Leo DeVito, Township Solicitor, Broughal & DeVito; Jon Tresslar, Township Engineer, Boucher & James; Taylor Muñoz, Township Manager; R. Sargent, Roadmaster; and Krisann MacDougall, Assistant Secretary.

Public Comment

John Grassi (Property Owner in Pocono Township) – Owns vacation rentals in the Township and expressed concerns regarding recent changes to the Township’s Transient Dwelling Unit (TDU) ordinance, limiting the maximum occupancy for short term rentals to 14 overnight guests. Stated he is in the process of developing 10-bedroom homes and asked for consideration for potential changes to the ordinance to allow for larger short-term rentals.

E. Gndt stated she understands the issue and would support revisiting the ordinance. L. DeVito stated any ordinance changes would have to come directly to the Board of Commissioners. J. Belvin expressed concerns regarding the size of short-term rentals and asked at what point does a large vacation rental become a hotel. Also expressed concerns regarding proper commercial safety protocols.

Announcements

The Township’s seasonal ice-skating rink closed for the season.

Hearings – None

Presentations

- T. Muñoz gave a public presentation of the TLC Park Master Plan and update regarding proposed upgrades to Park amenities and existing grant applications. Provided a synopsis of current TLC Park projects in the works and use of the grants that have been awarded. J. Lastowski noted parking being situated away from the dog park and suggested the Township look into adding closer parking spaces. R. Wielebinski suggested the residents should be required to keep their dog leashed until entering dog park. R. Wielebinski also inquired about TLC Park paving and installing cameras for public safety.

Jason Corman (Woodland Drive, Tannersville) – Would like the Township to consider establishing a skate park that would appeal to different ages and interests.

Resolutions

J. Belvin made a motion, seconded by K. Meeker, to pass Resolution 2022-07 Granting Conditional Approval of the Core5 Warner Road Warehouse Preliminary Land Development Plan. E. Gndt asked whether the approval is premature because Core5 is waiting on sewer and water access. L. DeVito stated conditions were agreed to that ensure Core5 is assuming the risk until sewer and water are provided at the site, which will be required prior to issuing any permits. J. Lastowski asked for clarification that the proper safeguards have been put in place. L DeVito stated the project as

proposed goes no further without water or sewer. Roll call: J. Belvin, yes; E. Gnandt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

J. Belvin made a motion, seconded by K. Meeker, to pass Resolution 2022-08 establishing a procedure governing the sale of personal property, either individual items or lots of items, of an estimated fair market value of less than two thousand dollars without further action by the Board of Commissioners. T. Muñoz gave a synopsis of the resolution. L. DeVito stated the resolution has appropriate checks and balances before disposing of Township property. The Township would have to prove the value is less than \$2,000. Bids would have to be obtained and, if bids not obtained, could dispose of property. L. DeVito stated if the officer is purchasing his duty weapon, the \$300 used to purchase goes into the fund to purchase the new firearms. J. Lastowski clarified that the officer is the only one who can purchase his firearm, the remaining will be traded in. E. Gnandt asked whether the guns collectively are over the \$2,000 limit and believed the wording of the Resolution does not address the firearm issue. E. Gnandt stated she would rather items come before the Board. R. Wielebinski supported the Resolution as drafted. E. Gnandt asked if there would be a conflict of interest if items are sold to Board members or Township employees. L. DeVito stated that the ordinance applies only when there are no bids on a piece of equipment. J. Belvin said it comes down to trusting department heads and he is fine with that. Roll call: J. Belvin, yes; E. Gnandt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

J. Belvin made a motion, seconded by J. Lastowski, to pass Resolution 2022-09 Authorizing the Submission of a 2022 Pocono Mountains Visitors Bureau Community Impact Grant Application in an amount not to exceed \$40,000 for the purpose of completing park infrastructure upgrades at TLC Park in Pocono Township. J. Belvin asked if this was what was discussed earlier during presentations. 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 February 22, 2022 regular meeting of the Board of Commissioners.
 - Financial transactions through March 3, 2022 including:
 - Ratification of vouchers payable in the amount of \$1,494.75 and sewer operating expenditures in the amount of \$643.33.
 - Ratification of gross payroll for the pay period ending February 20, 2022 in the amount of \$109,546.83.
 - Vouchers payable in the amount of \$76,592.56.
 - Sewer operating fund expenditures in the amount of \$7,497.46.
 - Capital reserve fund expenditures in the amount of \$31,127.50.
 - An interfund transfer of \$1,931,746.49 from the Township General Fund to the Capital Reserve Fund.
 - An interfund transfer of \$817,000.00 from the Sewer Operating Fund to the Sewer Capital Fund.

J. Belvin made a motion, seconded by J. Lastowski, to approve the consent agenda. All in favor. Motion carried.

NEW BUSINESS - None

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by K. Meeker, to approve the destruction of 2015 deposits, bank records, invoices, payroll and sewer reports per the PA Local Government Retention manual. E. Gnandt asked for clarification regarding timeframe. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to waive pavilion fees for the Eastern Monroe Public Library's use of Pavilion #3 at Mountain View Park on Wednesday, June 29, 2022 from 10:00 a.m. to 1:00 p.m. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by E. Gnantt, to allow the Pocono Township Library to install a Story Walk this summer at Mountain View Park. All in favor. Motion carried.

Commissioner Comments

Jerrod Belvin – Vice President

Inspection was received back from Signal Service following annual compliance checks. Recommended changes/upgrades at various intersections. Some signage issues that need to be addressed and stop bars that need to be reapplied. Requested quote from Signal Service.

J. Belvin made a motion, seconded by J. Lastowski, to amend the agenda to discuss a motion regarding Patrolman Furino's firearm. All in favor. Motion carried.

J. Belvin stated Patrolman Furino served the Township for 20 years with an exemplary record.

J. Belvin made a motion, seconded by J. Lastowski, to present Officer Furino with his firearm in honor of his retirement. All in favor. Motion carried.

Ellen Gnantt – Commissioner

Discussion regarding signage for Brookdale Road and the turn onto Frantz Hill Road.

Jerry Lastowski – Commissioner

Upper Swiftwater Road gas line work – Asked how long the equipment will be located on the roadways and shared concerns regarding the deteriorating conditions of the road surface due to Linde's construction work. R. Sargent was told the contractor will take care of all concerns.

Keith Meeker – Commissioner - None

Reports - None

Public Works Report

- Current Public Works Projects – Department has been completing park work and will complete upcoming trainings.
- Upcoming Public Works Training(s) – Will be sending the crew to an upcoming LTAP blacktop training course.

R. Wielebinski made a motion, seconded by J. Belvin, to advertise for public bid the Pocono Township 2022 paving projects subject to meeting with PennDOT to ensure the bid package is accurate and liquid fuels funds are applied to the projects. All in favor. Motion carried.

- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant. Structure was ordered. MCCD will cover up to a 20% increase if cost increases.

Discussion regarding ordering of road pipe for drainage in the Township for all roads planned for next year. Consensus to wait until next BOC meeting before taking action.

Administration – Manager’s Report

- Discussion regarding requests by nonprofits for waivers of pavilion rental fees at Mountain View Park and whether Township Administration can approve these waivers as a rule if proof of tax-exempt status is provided.

E. Gandt suggested that part of the criteria be whether they are serving Pocono Township.

R. Wielebinski made a motion, seconded by K. Meeker, to approve Township Administration to waive pavilion rental fees at Mountain View Park provided tax-exempt status is provided. E. Gandt stated that criteria should be provided. J. Lastowski stated it is at the discretion of Township Manager to revisit this issue with the Board in the future. All in favor. Motion carried.

- Discussion regarding the setting of fees for use of Township sports fields. T. Muñoz suggested offering a base rate of \$50 daily or \$250 per season. J. Lastowski asked for clarification of the timeframe included in a season. K. Meeker expressed concerns regarding adult use of sports fields not taking priority over children. J. Belvin stated he is hesitant to include a season rate. E. Gandt cautioned about limiting access, as the Township received open space funds for the Park. T. Munoz will present a resolution at a future meeting incorporating a \$50 daily field rental rate.
- Spring & Fall Cleanup Days are out for public bid – Bids will be opened prior to and will be available for action at the next BOC meeting.
- 2022 grant applications are underway – Another grant application will be submitted after tonight’s approval of Resolution 2022-09.
- 2022 Township Events
 - Pocono Township Touch-a-Truck – June 4, 2022 – Invitations were sent out to exhibitors. Pocono Township Fire Company will benefit from revenue raised, with Camelback and Great Wolf providing raffle prizes.
 - Community Day – Saturday, September 10, 2022
 - Truck-or-Treat – TBD
 - Christmas Tree Lighting – TBD
- Regional HSPS Comprehensive Plan – Planning Commission to recommend approval at next meeting, kicking off a 45-day public comment period. Looking to adopt during late spring/early summer.

Township Engineer Report

- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue. Reviewing PennDOT’s comments and getting questions together for clarification. Also noted title and legal work may be needed to obtain right-of-way. T. Muñoz will confirm remaining grant funds for engineering and planning costs.

Township Solicitor Report

- March 1, 2022 Zoning Hearing Recap – 254 Pine Tree Drive STR Appeal - Zoning office issued an enforcement notice since short-term rental activity was happening in an unauthorized district. Enforcement notice was upheld by the ZHB and the property owner has sent an email indicating that he has come into compliance and removed all advertisements from all websites. If in future there is non-compliance, a \$500/day civil penalty will ensue.
- Other Zoning Hearing Board updates
 - Update – Taveras Appeal – Did not appeal, so case is finished. T. Muñoz will follow up with Zoning to ensure they are no longer operating.
 - Update – Johnson Appeal – Briefs submitted, waiting for argument date from Commonwealth Court.
- Update – PJJWA transfer agreement – Will ask for update from PJJWA solicitor.
- HJP Park Agreement between Pocono and Jackson Townships – Instructed to review the agreement sent from Pocono Township.

Public Comment - None

Adjournment

J. Belvin made a motion, seconded by J. Lastowski, to adjourn the meeting at 8:20 p.m. and go into executive session to discuss personnel matters and not return. All in favor. Motion carried.