

**Pocono Township Board of Commissioners
Regular Meeting Minutes
July 18, 2022 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on July 18, 2022 and was opened by President Rich Wielebinski at 6:00 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Leo DeVito, Township Solicitor, Broughal & DeVito; Jon Tresslar, Township Engineer, LVL Engineering; Taylor Muñoz, Township Manager; Shawn Goucher, Acting Chief of Police; Robert Sargent, Public Works Supervisor; and Jennifer Gambino, Administrative Assistant.

Public Comment - None

Announcements

- The next “Yoga in the Park” Mommy & Me classes at Mountain View Park will be held Thursday evening, July 21 at 6:30 p.m. and Friday, August 5 at 10:00 a.m. Beginners Adult Yoga continues Thursday, July 28 at 6:30 p.m. at the Park and will continue every other Thursday following. The cost is \$10 per person (free for children under 12) and residents can contact the Township at 570-629-1922 to reserve their spot.

Hearings

R. Wielebinski made a motion, seconded by J. Belvin to open a Public Hearing to consider adoption of Ordinance 2022-04 Amending the Code of Ordinances of Pocono Township, Chapter 470, Zoning and Repealing all Ordinances and Parts of Ordinances Inconsistent Herewith. All in favor. Motion carried.

L. DeVito confirmed the advertising of the ordinance. Outlined changes proposed in the amendment, including changes to definition of “Public Access Street”; maximum impervious coverage in the Recreation District, increasing impervious coverage for residential usage from 20% to 35%; changes to the Planned Residential Development ordinance allowing for greater density of five (5) units per acre where public sewage/utilities exist; and the deletion of the Timber Harvesting Ordinance from the Zoning Ordinance, with a standalone Timber Harvesting Ordinance to follow.

E. Gndt asked question regarding unit density for a PRD; stated she agrees with the County Planning Commission regarding looking at 80% impervious for other recreation uses; and expressed desire to have feedback from the County Planning Commission sooner before a hearing is scheduled so the Township has time to consider changes.

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

R. Wielebinski made a motion, seconded by J. Belvin, to adopt Ordinance 2022-04 Amending the Code of Ordinances of Pocono Township, Chapter 470, Zoning and Repealing all Ordinances and Parts of Ordinances Inconsistent Herewith. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to open a Public Hearing to consider adoption of Ordinance 2022-05 Amending the Code of Ordinances of Pocono Township, Part II General Legislation to add a New Chapter 400, Timber Harvesting and Repealing all Ordinances and Parts of Ordinances Inconsistent Herewith. All in favor. Motion carried.

L. DeVito confirmed the advertising of the ordinance. He stated this ordinance was developed in accordance with state agriculture laws and recommendations of the PA Attorney General’s office.

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

R. Wielebinski made a motion, seconded by J. Belvin, to adopt Ordinance 2022-05 Amending the Code of Ordinances of Pocono Township, Part II General Legislation to add a new Chapter 400, Timber Harvesting and Repealing all Ordinances and Parts of Ordinances Inconsistent Herewith. All in favor. Motion carried.

Presentations – None

Resolutions

R. Wielebinski made a motion, seconded by J. Lastowski, to approve Resolution 2022-26 authorizing the Submission of a Multimodal Transportation Fund Grant Application to the Commonwealth Financing Authority in an amount not to exceed \$2 million for the purposes of infrastructure upgrades at the intersection of SR 611, Learn Road and Old Mill Road, and the intersection of Learn Road and Fish Hill Road in Pocono Township. T. Muñoz provided update regarding current grant funds received and purpose. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve Resolution 2022-27 approving a Revision to the Official Sewage Facilities Plan of Pocono Township per the Camp Lindenmere Sewage Facilities Planning Module Included with the Lindenmere Sports Arts Center LLC Land Development Plan. J. Tresslar explained that whenever an on-lot system of this scale is expanded, the Township has to sign off on the planning module for DEP review. This resolution indicates the Township approves of the expansion of this system as long as they meet DEP's requirements. E. Gnanadt asked for clarification. 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 July 5, 2022 regular meeting of the Board of Commissioners.
 - Financial transactions through July 14, 2022 including:
 - Ratification of vouchers payable in the amount of \$5,289.73 and sewer operating expenditures in the amount of \$126.94.
 - Ratification of gross payroll for pay periods ending July 10, 2022 in the amount of \$117,605.65.
 - Vouchers payable in the amount of \$147,339.65.
 - Sewer operating fund expenditures in the amount of \$121,818.23.
 - Sewer construction fund expenditures in the amount of \$34,627.90.
 - Capital reserve fund expenditures in the amount of \$43,592.32.

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

NEW BUSINESS - None

Report of the President

Richard Wielebinski

- Motion to award public bid for the installation of dog park fencing at TLC Park in Tannersville.

J. Tresslar read bid results for a base bid consisting of a galvanized chain link fence, with black vinyl alternative. Township originally estimated the project would be \$50,840. Bids as follows:

- Pro Max Fence Systems LLC – \$41, 845.00; \$46,940 for black vinyl alternate
- Spitale Construction Resources, Inc./SCR Fence – \$48,001.65; \$58,001.70 alternate
- Minichi, Inc – \$59,000; \$69,000 alternate
- Patel Construction – \$90,661; \$103,291 alternate

J. Tresslar made recommendation to award to lowest bidder.

R. Wielebinski made a motion, seconded by K. Meeker, to award black vinyl fencing of \$46,940 to Pro Max Fence Systems. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to advertise a public hearing for August 15, 2022 at 6:00 p.m. for the purpose of receiving public comment and adoption of the Hamilton-Stroud-Pocono-Stroudsburg (HSPS) Comprehensive Plan. All in favor. Motion carried.

- Discussion regarding state changes to the fireworks law and potential need to evaluate Pocono Township's fireworks ordinance to ensure compliance with new provisions – R. Wielebinski explained the state has changed the statewide law for fireworks.

R. Wielebinski made a motion, seconded by J. Belvin, to authorize L. DeVito to evaluate the Township's fireworks ordinance and to provide recommendations as to where the Township should mirror state law. All in favor. Motion carried.

- Discussion and possible action regarding the advertising of an amendment to the Township's Stormwater Management Ordinance, per the PA DEP's 2022 model ordinance – T. Muñoz explained amendment to ordinance.

R. Wielebinski made a motion, seconded by E. Grandt, to advertise the amendment to the Township's Stormwater Management Ordinance, per the PA DEP's 2022 model ordinance. All in favor. Motion carried.

- Update regarding youth softball/baseball training facility at TLC Park – Stated the training facility would be located in Mt. Pocono, per the grant application submitted. Consensus that Pocono Township will not proceed.

Commissioner Comments

Jerrod Belvin – Vice President

- Emergency Management Update
 - PPL utility lines and possible drainage issues on Barton Court – Received complaint that electric lines were too low and have been hit by trucks in the past. Upon visual inspection, there are old, shorter poles that are not up to code. PPL recognizes there is an issue but is concerned with right of entry. Confirmed that a Township plow truck would hit the lines if the dump were tilted upward. Will follow up with legal counsel regarding getting a right of entry to allow PPL to perform work necessary to raise the heights of the lines. Four poles of particular concern. Three are located in Township ROW, and one is not. Poles are only fourteen (14) feet.
- Discussion and possible action regarding replacement of all basketball rims at Township parks with double rims – Discussion regarding TLC Park court and how the court is preferable due to the single rims. Double rims are thicker and they require more skill.

J. Belvin made a motion, seconded by R. Wielebinski, to convert all Township basketball courts to double rims. E. Grandt expressed concern about whether changing the rims would really deter groups of players. Further discussion of double rims and single rims. J. Lastowski stated playground directors or

monitors could be an ultimate solution to address issues. Roll call vote: J. Belvin, yes; E. Gandt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Discussion and possible action regarding sale of the Township generator via Municibid – Stated the Township’s generator is nonfunctional and, even when it runs, it goes into overload mode right away. Has not run in over a year and Township could use the trailer on which it sits.

J. Belvin made a motion, seconded by K. Meeker, to advertise the sale of the Township generator on Municibid. E. Gandt asked whether it should be sold or scrapped. Motion amended and accepted to set a reserve price of \$300. All in favor. Motion carried.

- Update regarding installation of security cameras at TLC Park – None

Ellen Gandt – Commissioner

- Discussion regarding draft grid scale solar ordinance for Pocono Township – R. Wielebinski asked where the Township would limit solar fields. J. Tresslar stated an ordinance could protect environmental features, specifically including wetlands and certain soils. J. Tresslar said ultimately one could craft an ordinance to dictate where it can go. L DeVito said Township must exercise caution not to defacto eliminate a use. Stated an overlay may be an option. R. Wielebinski asked T. Muñoz to send out draft solar ordinances to the commissioners for review.
- Update – Amusement Tax collections – No update.

Jerry Lastowski – Commissioner

- Paving of Burton Road following UGI project work – J. Belvin and R. Sargent attended a meeting with UGI. UGI stated they will not make any repairs to Burton Road unless the Township provides photo evidence of before and after conditions. Further discussion regarding conditions of Burton Road.
- Discussion regarding signage on SR 611 – Stated that temporary signs have continued to proliferate on SR 611, and we should proceed to remove signs not permitted.

Keith Meeker – Commissioner – No update.

Reports

Zoning – None

Police Report

- Update – Patrol officer hiring process – Down to four candidates for police. This Saturday is the PT test, which is the last test before in-house interviews.
- Update – Purchase of two ballistic shields – Sanofi has agreed to purchase two shields for Pocono Township.

Ambulance Report – None

Public Works Report

- Current Public Works projects – Road Crew completing Deer Mountain and Park Lane projects.
- Mountain View Park updates – Everything is going well with the park. Water testing came back clean for systems at the park.
- Park Lane Culvert Replacement Dirt & Gravel Grant – Continuing to work toward completion of project.

R. Wielebinski made a motion, seconded by J. Belvin, to advertise sale of a 2003 Peterbilt dump truck #12 on Municibid. E. Gndt asked if Township is liable if someone purchases. All in favor. Motion carried.

- Discussion and possible action regarding purchase of UHF radios for the Public Works Department – Township attempted to obtain four (4) quotes for needed UHF radios. Three vendors could not provide a quote to meet Township’s needs.

R. Wielebinski made a motion, seconded by J. Belvin, to approve a P&D Emergency Services quote of \$13,312.65 for UHF radios and installation. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to accept a quote of \$8,250.00 from Mount Pocono Fence for the installation of a 6-foot chain link fence between TLC Park and the BP gas station in Tannersville. E. Gndt expressed concerns regarding piecemealing of fence projects. L. DeVito stated he is okay with the current quote as not being part of a piecemealed project. Further discussion regarding safety concerns. All in favor. Motion carried.

Administration – Manager’s Report

- Estimated ship date of new playground structures for TLC Park set for August 3. Installation to follow.
- Estimated ship date for new slide at Mountain View Park set for August 19. Installation to follow.
- Discussion regarding formalizing official rules for 1) TLC Park and 2) the TLC Park Basketball Court – Discussed lighting in the park and will send around formalized set of rules for BOC review.
- Update – Evaluation ongoing regarding electric supplier rates – No update.
- 2022 Township Events
 - Community Day – Saturday, September 10, 2022
 - Trunk-or-Treat – TBD
 - Christmas Tree Lighting – TBD

Township Engineer Report

- Public bid for Mountain View Park fence projects. Reviewed with R. Sargent last week and getting ready to put out for bid.
- Engineering study for identified stormwater projects – Laurel Lake Road and Oakwood Acres. Amy has been coordinating on Oakwood Acres and working on design for Laurel Lake.
- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement – Received CAD file from Hanover Engineering today and coordinating with PPL regarding design of parking area.
- TASA SR 611 sidewalk project – Kickoff meeting set for July 29. J. Tresslar will get answers from Wendy’s and Turkey Hill regarding sidewalk installation.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue – Working on proposal to complete project and secure final funding.

Discussion regarding bidding of the TLC Park Spillway wingwalls project.

Township Solicitor Report

R. Wielebinski made a motion, seconded by J. Lastowski, to have Township Solicitor attend the Heinzee LLC Zoning Hearing on August 2, 2022 at 5:00 p.m. All in favor. Motion carried.

- Update – Johnson Appeal - Received argument date for September.
- Update – Kelly Trust Property – August 3 contempt petition hearing in Monroe Court of Common Pleas.
- Update – PJJWA transfer agreement – Received revisions from BCRA special counsel. E. Gndt asked if there was another draft or whether they are notes on the existing draft.

Discussion regarding 2168 White Oak Drive. Judgments have been filed. Will look into additional means for removal of junk vehicles, etc. L. DeVito requested a list of items that need to be addressed on the property.

Zoning Hearing for Camelback has been continued to end of August. There are conversations between Camelback and the HOA to potentially resolve issues. Hearing has been moved to August 23 at 5:00 p.m.

Public Comment – None

Adjournment

R. Wielebinski made a motion, seconded by E. Grandt, to adjourn the meeting at 8:02 p.m. All in favor. Motion carried.

DRAFT