

**Pocono Township Board of Commissioners
Regular Meeting Minutes
November 21, 2022 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on November 21, 2022 and was opened by Vice President Jerrod Belvin at 6:00 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Taylor Munoz, Township Manager via Zoom; Leo DeVito, Township Solicitor; Jon Tresslar, Township Engineer; Shawn Goucher, Acting Chief of Police; and Jennifer Gambino, Administrative Assistant.

Public Comment – None

Announcements

- The Pocono Township Christmas tree lighting ceremony will take place on December 2, 2022 at TLC Park. More details will follow via the Township Facebook page and website.
- The Board of Commissioners held an executive session prior to tonight's meeting regarding personnel issues and a recently received lawsuit from Kalahari Resorts.

Hearings – None

Presentations

- Tannersville Point, LLC, represented by Attorney Andrew Wolf, requested the Township's support to serve as applicant for grant funds for extension of water and sewer lines up Warner Road to serve their proposed apartment project. E. Gnandt asked clarifying question about land development approval for the project. J. Lastowski asked clarifying question about fallback position should the applicant not receive grant funds. The developer will provide letter of financial security and Township will need to certify that they will own the facilities after construction as a public facility.

J. Belvin made a motion, seconded by R. Wielebinski, to sign off on the Tannersville Point LLC application for Small Water & Sewer funding to extend public sewer and water up Warner Road to the Tannersville Point project site, with the Township and Developer entering into an agreement for the developer to cover all costs associated with the application. Under discussion, E. Gnandt asked question regarding sewer service area. All in favor. Motion carried.

- 2022 3rd Quarter Treasurer's Report – Frank Cefali, CPA & Township Treasurer. F. Cefali provided Treasurer's Report, including total revenues and expenses for each fund. E. Gnandt asked question about sewer use fees.
- Re-zoning request of Khalid Mashriqi, owner of 386 Camelback Road. L. DeVito stated that Mashriqi asked that the matter be placed on the next agenda, as his attorney is ill.

Resolutions

J. Belvin made a motion, seconded by K. Meeker, to approve Resolution 2022-36 authorizing the submission of a H2O PA grant application to the PA DCED in an amount not to exceed \$5 million for the purpose of extending public sewer service to Monroe Career & Technical Institute. E. Gnandt asked whether other property owners adjacent to the line would be required to hook into sewer when run up to MCTI. 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 November 7, 2022 regular meeting of the Board of Commissioners.
 - Financial transactions through November 17, 2022 including:
 - Ratification of general fund expenditures in the amount of \$6,034.73 and sewer operating expenditures of \$1,979.71.
 - Ratification of gross payroll for pay periods ending November 13, 2022 in the amount of \$128,844.95.
 - Vouchers payable in the amount of \$170,554.78.
 - Sewer operating fund expenditures in the amount of \$123,600.12.
 - Sewer construction fund expenditures in the amount of \$116,846.71.
 - Capital reserve fund expenditures in the amount of \$109,487.63.
 - Transfers of American Recovery Plan Act funds in the amount of \$733.33 to the Township General Fund for Traisr permitting system costs.

(Action Items)

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

NEW BUSINESS

Report of the President

Richard Wielebinski

- Discussion regarding Westhill Villas land development plan, including curbing and sidewalk design features. Stated developer of project along Learn Road does not plan to put sidewalks or curbing throughout his property where he proposes 10 structures. Discussed concerns about drainage along Learn Road and need for sidewalks. Developer will be at next meeting.

R. Wielebinski made a motion, seconded by J. Belvin, to prepare and advertise an ordinance for public hearing for the re-zoning of six properties located on Talon Drive in Tannersville from Commercial (C) to Residential (R1). E. Gnandt asked for clarification regarding whether all homeowners were supportive. R. Wielebinski confirmed that all signed the petition. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to prepare and advertise an ordinance for public hearing for the re-zoning of a property owned by TL Realty, parcel number 12.94172 on Learn in Tannersville from Residential (R1) to Commercial (C). Discussion regarding concerns about potential for a short term rental on the property. J. Belvin, yes; E. Gnandt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

Commissioner Comments

Jerrod Belvin – Vice President – No update.

Ellen Gnandt – Commissioner – No update.

Jerry Lastowski – Commissioner

Stated trash is still accumulating at the bus stop in Swiftwater. The church in Swiftwater is starting their food bank hours earlier to avoid traffic backup issues.

Keith Meeker – Commissioner – No update.

Reports

Zoning – None

Police Report

Presented report regarding the first year of 12-hour shifts with the Department. J. Lastowski asked about attitude of Department toward the 12-hour shifts and whether fatigue has been a problem. Acting Sgt. Eric Rath stated the morale is high in the Department and 12-hour shifts attracted a new officer to Pocono. Also stated that fatigue was greater in the 8-hour shift schedule than the 12-hour shifts. Discussion regarding extending the 12-hour shifts and whether MOU should be extended.

J. Lastowski made a motion, seconded by E. Gnandt, to extend the 12-hour shifts MOU another year, subject to discussion with the Union. All in favor. Motion carried.

The new officer will be sworn in on November 28 and will be ceremonially sworn in at the December 5 meeting.

Ambulance Report – None

Public Works Report

- Park fencing project will be underway shortly. Completing fall cleanup and preparing for upcoming tree lighting.

Administration – Manager's Report

J. Belvin made a motion, seconded by K. Meeker, to approve a COSTARS quote for a new TLC Park entrance sign from Bartush Signs. All in favor. Motion carried.

Budget work session will be held at 4:30 p.m. on December 5.

Township Engineer Report

- Legal letter is going out this week calling in the deferral for Turkey Hill's sidewalks.
- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement. In progress.
- Update – TASASR 611 sidewalk project. Environmental report complete and moving on to design.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue.
Placeholder.

J. Tresslar was contacted by the MCCD regarding the Swiftwater Solar project regarding ongoing inspections of detention basins once the project is complete. They would like to see the basins inspected on at least an annual basis and after major storms, and asked whether the Township has a mechanism to require that inspection. The commissioners indicated they are amenable to the requirement. Will include on agenda for December 5.

Township Solicitor Report

- Zoning Hearing Board updates.
 - Recap: Anthony Maula received a parking area variance for the Spirit of Swiftwater property. Sunset Hill Shooting Range matter was decided by ZHB, who ruled against Sunset Hill.
 - 11/22/22 – Wawa hearing request for variance related to underground detention basin located within the floodplain. Discussion regarding the hearing and requirements when a detention basin is located in a floodplain. J. Tresslar stated he does not see issues with the request for a special exception, but just concerns with the design as currently proposed, which he believes can be addressed.
- Update – Tobyhanna Act 537 Sewage Capacity Request

Had meeting with representatives this past week. Pocono Township was agreeable to come to a resolution that day, and the next day Pocono Township was sued by Kalahari Resorts. Asked that L. DeVito be authorized to contact Tobyhanna Township to amend their Act 537 Plan as-is and to proceed with EQ tank while the litigation proceeds. J. Lastowski stated he was proud of Township staff and professionals for representing the Township in discussions regarding Tobyhanna's Act 537.

- Update – Closing date for sale of Bartonsville Avenue parcel. Looking to close the week of December 5.
- Update – Johnson Appeal Commonwealth Court argument. Nothing received back yet.
- Update – PJJWA transfer agreement. Another round of comments were delivered to BCRA this past weekend and BCRA solicitor indicated conclusion of the transfer is expected by the end of the year.

Public Comment – None

Adjournment

J. Belvin made a motion, seconded by E. Gnandt, to adjourn the meeting at 7:46 p.m. All in favor. Motion carried.