

**Pocono Township Board of Commissioners
Regular Meeting Minutes
December 19, 2022 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on December 19, 2022 and was opened by President Rich Wielebinski at 6:02 p.m. followed by the Pledge of Allegiance.

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

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

Public Comment

Elizabeth Casciano (Resident) – Expressed concerns about warehouse development and shared data from other organizations regarding environmental impacts.

Mary McIsaac (Jackson Resident) – Expressed hope of the Township obtaining the Pocono Elementary Center property. Stated opposition to warehouse development along Warner Road.

Announcements

- The Board of Commissioners held an executive session on Monday, December 12 for discussion of personnel issues. The Board also held an executive session this evening for personnel issues.
- The Board of Commissioners will hold a special meeting on Thursday, December 29 at 10:00 a.m. for the purpose of adopting the 2023 Budget. The proposed budget and budget presentation are located on the Township's website at www.poconopa.gov or in-person at the Township office for public viewing.

Presentations

- Re-zoning request of Khalid Mashriqi, owner of 386 Camelback Road.

Property owner's attorney presented a request to rezone the subject property. Explained the property has unique zoning, with a corner of the parcel zoned commercial and the rest residential. Seeking to use the entire property for a commercial use, with short term rental activity as a specifically identified use.

The consensus of the Board of Commissioners was to not move forward with re-zoning the subject property.

- Westhill Villas – Discussion regarding proposed land development plan, including stormwater mitigation, sidewalks, and curbing.

Applicant's engineer presented regarding plans for 11 transient residential units off Learn Road and asked for feedback from the Board regarding design and requirement for curbing and sidewalks. Discussion as to whether the private roads described should have curbing and sidewalks. Described specific property features, including challenging topography; desire to keep a natural environment and feel on the property; and design of drainage swales. Applicant proposes paving an additional four feet of width on the entrance road leading up to the office building.

R. Wielebinski voiced his support for including sidewalks and curbing from a safety and access perspective.

Board consensus to proceed with installing sidewalks and curbing. Indicated openness to sidewalks along one side of the road.

Hearings – None

Resolutions

R. Wielebinski made a motion, seconded by J. Lastowski, to approve Resolution 2022-39 authorizing the expenditure of \$209,500.00 for a 2023 Western Star 47X dump truck with plow upfit and authorizing the execution of a certain lease purchase agreement with Bank Capital Services LLC, D/B/A F.N.B. Equipment Finance. E. Gndt asked for clarification on whether the expenditure was included in the Township budget. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to open the agenda for consideration of Resolution 2022-40 authorizing the sale of the Bartonsville Avenue Pump Station to Minu Desai. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to pass Resolution 2022-40 authorizing the sale of the Bartonsville Avenue Pump Station property to Minu Desai in the amount of \$82,000. 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 December 5, 2022 special meeting and December 5, 2022 regular meeting of the Board of Commissioners.
 - Financial transactions through December 15, 2022 including:
 - Ratification of general fund expenditures in the amount of \$1,979.96 and sewer operating expenditures of \$449.97.
 - Ratification of gross payroll for pay period ending December 11, 2022 in the amount of \$220,213.19.
 - Vouchers payable in the amount of \$169,481.89.
 - Sewer operating fund expenditures in the amount of \$137,794.27.
 - Sewer construction fund expenditures in the amount of \$25,142.76
 - Capital reserve fund expenditures in the amount of \$57,522.18.
 - ARPA fund transfer of \$6,778.23 to the General Fund for Pocono Creek stream restoration costs.
 - Budget adjustments in the amount of \$54,580.00 to cover end-of-year expenditures.

R. Wielebinski made a motion, seconded by E. Gndt, 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 J. Belvin, to advertise a public hearing for February 6, 2022 for adoption of a Curative Zoning Amendment addressing trucking terminal/warehouse uses and establishing a new Enterprise Zone overlay district in Pocono Township. All in favor. Motion carried.

J. Lastowski made a motion, seconded by R. Wielebinski, to rescind the previous motion advertising the public hearing, as there was an error in the date. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to advertise a public hearing for February 6, 2023 for adoption of a Curative Zoning Amendment addressing trucking terminal/warehouse uses and establishing a new Enterprise Zone overlay district in Pocono Township. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to purchase a 2022 Ford Super Duty F-250 Crew Cab pickup truck in the amount of \$80,720.00 from the Township's Capital Fund. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the advertisement of an ordinance necessary to facilitate the transfer of the Pocono Jackson Joint Water Authority (PJJWA) to the Brodhead Creek Regional Authority (BCRA). All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve employment contracts for the Township Manager and Fiscal Administrator, setting forth terms of employment, compensation and benefits for 2023. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve an agreement letter with Acting Chief Shawn Goucher outlining the terms of his position as Acting Chief through June 30, 2023. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve Change Order No. 4 for the Kobalt Construction, Inc. Deferred Lateral Connection Contract in the amount of \$10,900.00 for the purpose of repairing the sewer line stub at the existing manhole. Discussion regarding the background of the damage and reason for the change order. The existing condition of the original manhole and the lateral tap into that manhole was not as shown on the as-built plans. Specified that this manhole is adjacent to Kramer's Sheds on SR 611. All in favor. Motion carried.

Commissioner Comments

Jerrold Belvin – Vice President

Discussed preventative maintenance report from Signal Service regarding issues with Township intersections. Will work with Township Manager to review and prioritize upgrades identified. Also reviewed need to close potential security loopholes for sewer system.

Ellen Gmandt – Commissioner

Wished everyone a very Merry Christmas.

Jerry Lastowski – Commissioner

Discussed garbage dumping issues at the bus stop location in Swiftwater and enforcement actions taken.

Keith Meeker – Commissioner – No update.

Reports

Zoning – J. Acosta provided update.

Police Report

- General police updates. Brief discussion regarding traffic issues with the weekend foodbank at the church on SR 314 in Swiftwater.

R. Wielebinski asked for additional patrolling of TLC Park due to violations of park rules.

Ambulance Report – No update.

Public Works Report

- Current Public Works projects – Road crew completing winter maintenance tasks and ongoing winter storm cleanup.

Administration – Manager’s Report

- Discussed meeting with the Township’s property and liability insurance representative regarding updating the Township’s coverage values within the insurance policy. Will contact a third party for an insurance appraisal to update values.

Township Engineer Report

- Notice of Acquisition was received regarding TLC Park property needed for PennDOT’s SR 715 bridge replacement project as part of the SR 715 re-alignment. PennDOT requires property on Citizen Bank side of SR 715 and temporary construction easements along SR 611.
- Sidewalk installation for Wendy’s and Turkey Hill. L. DeVito’s recent letter got immediate attention of Turkey Hill’s engineer, who responded back immediately and will work to finalize plans for sidewalk installation.
- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement.
 - Easement needed from adjoining property owner (Lovito). No update.
- Update – TASA SR 611 sidewalk project. No update.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue. On hold.

Township Solicitor Report

- Zoning Hearing Board updates. No update.
- Update – Tobyhanna Act 537 Sewage Capacity Request Received word from Tobyhanna’s sewer counsel that Tobyhanna directed Kalahari to move forward with the Act 537 amendment with current sewer capacity allocation.
- Update – Closing for sale of Bartonsville Avenue parcel. Resolution was passed this evening regarding the closing of the Bartonsville Avenue property. Looking to complete before end of year.
- Update – Johnson Appeal Commonwealth Court argument. No update.
- Update – PJJWA transfer agreement.

Public Comment – None

Adjournment

R. Wielebinski made a motion, seconded by E. Gmandt, to adjourn the meeting at 8:29 p.m. All in favor. Motion carried.