

**Pocono Township Board of Commissioners
Regular Meeting Minutes
November 20, 2023 | 6:10 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on November 20, 2023 and was opened by President Rich Wielebinski at 6:10 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Taylor Munoz, Township Manager via Zoom; Leo DeVito, Township Solicitor; John Tresslar, Engineer; Patrick Briegel, Public Works Director via Zoom; Lindsay Scerbo, Zoning Officer via Zoom, and Jennifer Gambino, Administrative Assistant.

Public Comment

Christopher Staples (Former Police Officer, Pocono Twp) – Asked whether there is a current investigation ongoing regarding past police chief, Shawn Goucher. Asked series of questions pertaining to personnel matters regarding Shawn Goucher. Question about what documents may be requested via right to know.

Announcements

- The Pocono Township Annual Tree Lighting will take place at TLC Park on Friday, December 1 at 7:00 p.m. Join us as we welcome the Christmas season with hot chocolate, s'mores, carols and more. Please park in the Township parking lot and take the provided Santa's Sleigh shuttle to TLC Park!
- An executive session was held on Monday, 11/6 for discussion of personnel matters. An executive session was also held prior to this meeting for personnel matters.

Hearings – None

Presentations

- Camelback East/West Macrolite Telecommunication Facilities Special Exception – Discussion and possible action regarding the Camelback East/West Macrolite Telecommunication Facilities application for special exception to the Zoning Hearing Board.

Christopher Schubert presented on behalf of Camelback, as the applicant's legal counsel, pertaining to a special exception hearing in front of the Zoning Hearing Board. E. Gndt asked why this is not considered "land development." Attorney Schubert reviewed the special exception application, included highlighting issues with the ATT network at Camelback, and the emergency services implications. Stated this project is not a large monopole installation covering a large footprint – it is equivalent to a standard utility pole mounted in the ground and an antenna mounted on top. One facility is a swap-out of an existing utility pole and the other is a new utility pole. Act 50 of PA regulates small-cell facilities, specifying that these facilities mounted on utility poles within ROW are permitted by right. Outlined requirements that applicant believes are not applicable to these small facilities. E. Gndt asked whether disturbance of ground for electric service would trigger land development; whether the project would require removal of any trees or vegetation; and whether it is near any streams or wetlands. J. Lastowski asked about the size of the box on the pole and whether the pole(s) would be in line of sight of any homes. L. DeVito asked whether written waiver requests will be submitted to the Township. R. Wielebinski stated the Township does not require land development for various utility companies that do work within the Township and stated he believes the scope of the work is limited. L. DeVito stated if the BOC is comfortable with the application as is, they can act with the information already given.

R. Wielebinski made a motion, seconded by J. Lastowski, to waive land development requirements for the project. Discussion – L. DeVito asked that the applicant follow up by submitting a general written

request for record keeping purposes. No public comment. Roll call: J. Belvin, yea; E. Gndt, nay; J. Lastowski, yea; R. Wielebinski, yea. Motion carried.

Resolutions

J. Belvin made a motion, seconded by J. Lastowski. to pass Resolution 2023-31 Granting an Extension of Conditional Approval for the Minor Subdivision & Lot Consolidation Plan of the Estate of Charles L. Vassallo to January 31, 2024. 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 6, 2023 meeting of the Board of Commissioners.
 - Financial transactions through November 16, 2023 as presented, including ratification of general fund expenditures, sewer operating expenditures and gross payroll; vouchers payable, sewer operating expenditures, construction fund expenditures, capital reserve expenditures and transfers.

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

NEW BUSINESS

1. Personnel

J. Belvin made a motion, seconded by E. Gndt, to authorize the execution of the Voluntary Retirement Agreement and General Release between Pocono Township and Shawn Goucher. The motion was amended by J. Belvin to withdraw the word “voluntary.” All in favor. Motion carried as amended.

L. DeVito acknowledged that S. Goucher has signed and returned the agreement.

2. Travel/Training Authorizations – None

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by E. Gndt, to approve an easement and accompanying easement agreement letter with the Brodhead Creek Regional Authority for the re-location of a public water line along the property line of TLC Park, as required by the PennDOT SR 715 project and reviewed by the Township engineer and professional staff, and to authorize the (Vice) Chair of the Board of Commissioners as signatory. All in favor. Motion carried.

Commissioner Comments

Jerrod Belvin – Vice President – No update.

Ellen Gndt – Commissioner – None

Jerry Lastowski – Commissioner – Wished a happy birthday to Leo DeVito.

Reports

Zoning – T. Muñoz gave update. No Police or ambulance reports.

Public Works Report

- Current Public Works Projects – Three dump trucks have been listed on Municibid and interest has already been received. Continuing to prepare for winter. Road Crew has firmed up plow routes. Completed handicapped striping and signage for TLC Park.
- Mountain View Park Updates – Installation of challenge course will be started after Thanksgiving holiday.
- TLC Park Update – Completed handicapped striping and signage.
- Old Learn Farm parking access – Starting work after holiday.

Administration – Manager’s Report

J. Belvin made a motion, seconded by J. Lastowski, to advertise and set a public hearing for December 18, 2023 for adoption of the 2024 Township Budget. All in favor. Motion carried.

Discussion regarding PennDOT ownership of bank at corner of SR 611 & SR 715. Re-striping of TLC Park ADA parking spaces has been completed and was the last item needed to close out the DCNR splash pad grant.

Township Engineer Report

- Learn Road safety enhancement project and roundabout survey work – Area has been staked out and ROW identified. The appraiser requested more detailed plans than those provided with the Board. Those plans are being completed with metes and bounds included for the Appraiser’s use.
- Update – TASA SR 611 sidewalk project – Final approval given by PennDOT for all the handicapped ramps. Can now provide a project board at the Township for public review.
- In Progress – Discussion and possible action regarding the Township’s revised Act 167 stormwater ordinance, incorporating changes to the ordinance as prepared by the Township engineer and as required by PA DEP.

Township Solicitor Report

- General legal update – Oral argument in the Kalahari litigation has been continued to December 20, 2023.
- Authorization to attend upcoming zoning hearing(s) – Discussed below.
- Zoning Hearing Board updates.
 - 585 Railroad Drive Appeal – Scheduled for 11/28. L. DeVito will attend.
 - Grossi Appeal – Scheduled for 11/28. L. DeVito will attend.
 - Camelback Small Cell Telecommunications Facilities – Hearing scheduled for 11/30. E. Gndant asked for follow-up to ensure what was asked for of the applicant is in fact provided, particularly if L. DeVito is not attending the hearing. Consensus for L. DeVito not to attend the hearing.
 - Bartonsville Wawa (Ertle) – 11/29 for sign variances. E. Gndant asked that the Township verify whether the sign variances requested are the same as the last Wawa. L. DeVito is not required to attend if the variances requested are the same as the last Wawa project, but to attend if there is a discrepancy.
- Update – Johnson Appeal Commonwealth Court argument – No update.

Public Comment

Mary Riley Frantz – Asked if the general release signed by Shawn Goucher is typical of a retirement. Asked if there are ethics clauses to which township staff are subject.

Lisa Bucholz (Jackson Resident) – Expressed concerns about circumstances surrounding departure of former police chief Shawn Goucher.

Adjournment

J. Belvin made a motion, seconded by E. Gndant, to adjourn the meeting at 7:07 p.m. All in favor. Motion carried.