

**Pocono Township Board of Commissioners
Regular Meeting Minutes
December 18, 2023 | 6:03 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on December 18, 2023 and was opened by President Rich Wielebinski at 6:03 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Taylor Munoz, Township Manager; Leo DeVito, Township Solicitor; John Tresslar, Engineer; Pat Briegel, Public Works Director; Shawn McGlynn, Zoning Officer, and Jennifer Gambino, Administrative Assistant.

Public Comment

Richard Wielebinski (Township Commissioner) – Gave commendations to Jerry Lastowski upon his retirement from the position of Commissioner. He stated it has been an honor to work with Jerry over the last 10 years and wished J. Lastowski all the best in his future endeavors.

Announcements

- An executive session was held on Wednesday, 12/13 for discussion of personnel matters and adoption of the Police Collective Bargaining Agreement.

Hearings

R. Wielebinski made a motion, seconded by E. Gnadtt, to open a public hearing for consideration of Ordinance 2023-08 Adopting the 2024 Pocono Township Budget and Appropriating Funds Estimated to be Required for the Purposes of the Government of the Township of Pocono, and Fixing the Real Estate Millage Rate for the 2024 Fiscal Year at 3.429 Mills. All in favor. Motion carried.

T. Muñoz read into the record the details of the 2024 budget.

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

R. Wielebinski made a motion, seconded by J. Lastowski, to pass Ordinance 2023-08 aAdopting the 2024 Pocono Township Budget and Appropriating Funds Estimated to be Required for the Purposes of the Government of the Township of Pocono, and Fixing the Real Estate Millage Rate for the 2024 Fiscal Year at 3.429 Mills. All in favor. Motion carried.

- Trap Enterprises LLC – The Ridge

L. DeVito stated this is a continuation of a hearing from December 13, 2023.

Attorney Cramer presented an additional modification of the PRD requirements pertaining to distance between the proposed buildings. The applicant stated their intent is to keep the buildings as close together as possible to minimize the footprint and environmental impact. Further discussion pertaining to the requested modification.

L. DeVito confirmed that they have met the requirements for a conditional use. L. DeVito stated there is one concern pertaining to time limits. Further discussion clarifying that the vote for conditional use is separate from approval of a tentative plan and agreed-upon waivers.

R. Wielebinski made a motion, seconded by E. Gnadtt, to approve the Application of Trap Enterprises, LLC for approval of its conditional use for a Planned Residential Development of the parcel of land located on Route 611, Tannersville, Pocono Township, PA, Monroe County Parcel ID

12.11.1.32-5 provided the vote on the conditional use in no way shall impact the request for tentative plan approval and request for waivers/modifications. All in favor. Motion carried.

This public hearing will continue on January 16, 2024 at 6:00 p.m.

R. Wielebinski made a motion, seconded by J. Belvin, to continue hearing. E. Gndt clarified whether the Board would discuss conditions this evening, or when the Board would receive feedback on the waivers. L. DeVito clarified process to-date and stated the Board should review the redlined version of the applicant's feedback on the proposed conditions. All in favor. Motion carried.

Presentations

- Carr Realty of the Poconos – Discussion regarding Township Short Term Rental regulations and impact to portion of Penn Estates in Pocono Township.

Marty Nicoll – Lives in East Stroudsburg and is part of Pocono Association of Vacation Rental Owners, who advocate for “practical STR regulations.” Presented request to implement an overlay allowing short term rentals for thirty homes in the portion of Penn Estates located in Pocono Township.

R. Wielebinski asked how many homes are in Penn Estates. Further Board discussion regarding Township zoning restrictions for short term rentals. Board consensus to not further change regulations for or allow STRs in Pocono Township.

Resolutions – None

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the December 4, 2023 meeting of the Board of Commissioners.
 - Financial transactions through December 14, 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.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve the consent agenda. E. Gndt stated the transfers should be handled separately. Motion withdrawn.

R. Wielebinski made a motion, seconded by E. Gndt, to transfer funds. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve all other financials on the consent agenda. J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to approve the minutes of the December 4, 2023 meeting of the Board of Commissioners. All in favor. Motion carried.

NEW BUSINESS – None

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by J. Belvin, to formally accept the resignation of Keith Meeker as Township Commissioner per his resignation letter effective November 12, 2023. All in favor. Motion carried.

L. DeVito stated the Board has 30 days to fill the vacancy, however this will be accomplished at the beginning of year with two new commissioners.

R. Wielebinski made a motion, seconded by E. Gndt, to approve a Collective Bargaining Agreement with Teamster Local 773 on behalf of the Pocono Township Police Department for the period January 1, 2024 through December 31, 2028. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve Cherry Lane Development Partners Construction Escrow Release No. 2 in the amount of \$192,480.10 as recommended by the Township Engineer letter dated December 7, 2023. E. Gndt asked for clarification on letter. All in favor. Motion carried.

- Motion to authorize an ARPA transfer for the purchase of a CAT 926 14A Wheel Loader in the amount of \$177,300.00.

R. Wielebinski made a motion, seconded by J. Lastowski, to open the agenda to act on a transfer from the General Fund to the Capital Budget. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to transfer \$177,300.00 from the General Fund to the Capital Fund, in lieu of use of ARPA funds. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, for the purchase of a CAT 926 14A wheel loader in the amount of \$177,300.00. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Claire Learn, current alternate Planning Commission member, to serve as a regular member of the Planning Commission, fulfilling the remainder of the term length following Mike Velardi's resignation. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by E. Gndt, for the cash-out/non-renewal of an expiring 12-month CD in the amount of \$51,462.66 in order to move those funds to PLGIT. All in favor. Motion carried.

Commissioner Comments

Jerrod Belvin – Vice President

- Emergency Management Update – Detailed issues with flooding on SR 611 and Learn Road. Discussion regarding possible fixes to prevent flooding in Tannersville.
- Laurel Lake Dam – No update.

J. Belvin thanked Jerry for his work and support which were instrumental in getting him engaged in the Township. Thanked him for his learning and example.

Ellen Gndt – Commissioner

E. Gndt stated she would like to discuss in lieu of fees and how the Township handles application of the fees. Shared concerns about applicants not agreeing to pay open space fees, specifically citing the 204 Stadden Road project. L. DeVito provided an overview of Township SALDO requirements.

E. Gndt made a motion, seconded by J. Lastowski, to open the agenda to discuss the 204 Stadden Road in lieu of fees. J. Belvin, no; E. Gndt, yes; J. Lastowski, yes; R. Wielebinski, no. Motion failed.

E. Gndt thanked Jerry for his service on the Board.

Jerry Lastowski – Commissioner

Discussion regarding ongoing property maintenance issues at the 2113 Route 611 (Butz) property. J. Lastowski indicated there is a huge pile of broken concrete on the property. S. McGlynn said he will do an

additional drive-by and give specifics as to what needs to be removed. There is a pile of rusting oil drums behind the building.

J. Lastowski thanked the Board for the privilege of working together. Wished Natasha and Mike the best and thanked staff and professionals.

Reports

Public Works Report

- Current Public Works Projects – Drainage work along Bartonsville Avenue complete. Getting ready for winter. Sold three dump trucks for more than anticipated.
- Mountain View Park Updates – Waiting on parts to complete Challenge Course installation.
- TLC Park Updates.
- Old Learn Farm parking access – Clearing trees and brush. Grant monies received from the Visitors Bureau for the project have been extended until June of 2024 for project completion.

Administration – Manager’s Report

Asked the Board for feedback on switching banks from ESSA to PLGIT and First Northern. Met with ESSA representatives who inquired whether there was an interest rate or other provisions that would encourage the Township to keep a banking relationship with ESSA. Board consensus was that ESSA would have to match the rates provided by First Northern or PLGIT.

E. Gnadts indicated payroll signature cards need to be changed following Jerry’s retirement.

Discussion about sewer service for Hawthorne project proposed in Paradise Township.

Township Engineer Report

- Learn Road safety enhancement project and roundabout survey work – Continuing work on design.
- Update – TASA SR 611 sidewalk project – Refining design.
- 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 – Looking to finalize early next year.

J. Tresslar thanked J. Lastowski for his thoughtful and level-mindedness while working with the Board.

Township Solicitor Report

- General legal update – Argument for Kalahari case scheduled for 12/20. Will report back to board on decision.
- Zoning Hearing Board updates – No updates.
- Update – Johnson Appeal Commonwealth Court argument – Waiting for decision.

L. DeVito remembered first time meeting J. Lastowski ten years ago. Stated he has learned much from Jerry and it is obvious why he is a teacher. Seconded comments about his character, morals, and thoughtfulness. Watched him always put Pocono Township first, both in deliberations and his way of handling others. Thanked Jerry for everything and wished him nothing but the best.

E. Gnadts asked next step regarding the SBA tower and asked who polices the next steps. S. McGlynn indicated all conditions must be satisfied as part of permits being issued. The C/O is also the other element to ensure all conditions are met. E. Gnadts asked for a copy of the information submitted by SBA to satisfy the conditional use conditions.

Public Comment

Lisa Buccholz (Jackson Resident) – Commended J. Lastowski for his service on the Board and always bringing his A-game. Stated J. Lastowski is highly regarded among the community.

Adjournment

R. Wielebinski made a motion, seconded by E. Gnanadt, to adjourn the meeting at 8:21 p.m. All in favor. Motion carried.