

**Pocono Township Board of Commissioners
Regular Meeting Minutes
March 19, 2024 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on March 19, 2024 and was opened by President Rich Wielebinski at 6:00 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; Ellen Gnadtt, present; Natasha Leap, present; Mike Velardi, present; and Rich Wielebinski, present.

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

R. Wielebinski made a motion, seconded by N. Leap, to suspend the agenda to move up the Police swearing-in ceremony prior to public comment. All in favor. Motion carried.

Presentations

- Pocono Twp Officer Swearing-In Ceremony – Hon. Phillip Riley
 - Chief James Wagner
 - Detective Sergeant Earl Ackerman
 - Sergeant Eric Rath (*will recognize at future meeting*)

Magisterial District Judge Phillip Riley administered an oath for the officers. Chief Wagner gave a speech thanking his family, officers, staff, and supporters.

Public Comment

Debbie Johnson (Resident) – Thanked Taylor Muñoz for his service to the Township and wished him the best in his endeavors. Expressed concerns about the possibility of the Board of Commissioners amending the Township Manager Ordinance to allow a Commissioner to apply for the position. Asked that the Board think carefully about the change, expressing concerns about past actions from previous Boards.

Dawn Eilber (Resident) – Expressed concerns about potential amendments to the Township Manager ordinance. Asked that the ordinance remain as-is.

Joshua Knapp (Property Owner) – Thanked Township Manager for his service and expressed concerns about potential changes to the Manager Ordinance. Felt changes to the ordinance will not go over well with Township residents.

Announcements

- Mark your calendars for the annual Pocono Township Fishing Derby on April 13, 2024 at TLC Park. Registration instructions will be included on the Township Facebook and website. Any questions or concerns can be forwarded to Jennifer Gambino via the main Township phone number or email.
- The Pocono Township Spring Cleanup will take place from April 25 through April 27, 2024. For more information, please contact the Township office.

Hearings – None

Resolutions

Resolution 2024-03 – Motion to approve Resolution 2024-03 Granting Conditional Approval for the Monroe Career & Technical Institute (MCTI) expansion project.

Applicant engineer and architect presented an update regarding the project in advance of the Board vote. Purpose of the project to provide gathering space for the student body and instructional space. E. Gnadtt asked questions pertaining to the parking needs and whether additional students would be added to MCTI. R. Wielebinski stated his concerns about the project and tax increases from Pocono Mountain School District.

M. Velardi made a motion, seconded by J. Belvin, to approve Resolution 2024-03 Granting Conditional Approval for the Monroe Career & Technical Institute (MCTI) expansion project. Roll call vote: J. Belvin, yes; E. Gnadtt, yes; N. Leap, yes; M. Velardi, yes; R. Wielebinski, no. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve Resolution 2024-04 Granting Certain Requests for Modification of the Pocono Township Subdivision & Land Development Ordinance for the Lindenmere Sports Arts Center, LLC Preliminary/Final Land Development Plan. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by M. Velardi, to approve Resolution 2024-05 Granting an Extension of Time for the Conditional Approval of the Running Lane, LLC Preliminary/Final Land Development Plan to February 6, 2024 to satisfy the conditions set forth in Resolution 2020-08. All in favor; E. Gnadtt, nay. Motion carried.

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the March 4, 2024 regular meeting of the Board of Commissioners.
 - Financial transactions through March 13, 2024 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 N. Leap, to approve the consent agenda. All in favor. Motion carried.

NEW BUSINESS - None

Commissioner Comments

Richard Wielebinski – President

R. Wielebinski made a motion, seconded by M. Velardi, to award the cleanup bids to Marki Rolloff at the rate of \$28.70 per cubic yard, totaling \$31,570. That's Gotta Go LLC quoted \$33,000; GMS Container Services, Inc. quoted \$32,175; and Waste Management quoted \$44,638. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by E. Gnadtt, to close the following ESSA bank accounts: ESSA Fees in Lieu Account ending 2436; ESSA Liquid Fuels ending 2232; and ESSA Capital Reserve ending 2444. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to engage Zelenkofske Axelrod LLC for completion of the Pocono Township 2023 Audit in the amount of \$18,025 and to authorize the (Vice) President of the Board of Commissioners to execute the provided engagement letter. All in favor. Motion carried.

- Discussion and possible action regarding filling the vacancy of Township Manager – No action for tonight.

Jerrod Belvin – Vice President

- Update – Archer Lane – No update.

- Update – Laurel Lake Dam – Have a meeting on 3/25 with Laurel Lake HOA, Sen. Rosemary Brown's Office, and the PA DEP to try and reclassify the dam hazard level from III to IV.

Had a meeting with the County pertaining to Hazard Mitigation.

The adaptive signaling project through Green Light Go has been ongoing along the SR 611 corridor. Some of the traffic light sensors have been disconnected and timing changed until the project is complete.

Toured the new Swiftwater Hotel with the fire company recently to view safety considerations.

Ellen Gndt – Commissioner

Asked why the agenda item was skipped over pertaining to filling the Township Manager position. Discussion regarding updating Manager Ordinance.

- Update – SBA Cell Tower – No update.

Natasha Leap – Commissioner – None

Mike Velardi – Commissioner

M. Velardi made a motion, seconded by N. Leap, to authorize preparation of an amendment to the Pocono Township Manager Ordinance. Discussion – E. Gndt asked what the suggested amendment entails. Stated once the ordinance would be changed, any time a job becomes available, it would give the Board of Commissioners first dibs on an open position. Asked what would happen if multiple Commissioners were interested in the same position. E. Gndt asked whether the Board plans to not hire for the manager position until the ordinance is changed. Asked that Leo investigate the ethics limitations set at the state level. J. Belvin, yes; E. Gndt, no; N. Leap, yes; M. Velardi, yes; R. Wielebinski, yes. Motion carried.

Discussion regarding how a draft amendment would be developed and possible ethics language at the state level that references a one-year limitation.

R. Wielebinski made a motion, seconded by M. Velardi, to amend the agenda for consideration of a motion to authorize the solicitor to contact the State Ethics Board. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by M. Velardi, to instruct the solicitor to seek an advisory opinion from the State Ethics Board pertaining to the one-year limitation language in question. All in favor. Motion carried.

Reports

Zoning – Print report was shared.

Police Report

- Department updates – Report was provided to the Board.

Ambulance Report – None

Public Works Report

- Cobble Creek Drainage Project – Looking into easements for drainage on original subdivision plan.
- Current Public Works Projects – Discussion regarding surplus furniture through St. Luke's and whether Board members would like to do a walkthrough. P. Briegel will reach out and see what is available through St. Luke's.

- Mountain View Park Updates – Will have bids on the next Board agenda for capital projects at the Park – pickleball/basketball court renovation and installation of entry gates. All MVP staff are back and working.
- TLC Park Updates – No update.
- Old Learn Farm parking access – Road and parking area have been stripped out and installed. Access road and parking should be complete by the end of the week. Met with Eli and Mark Kresge today regarding a potential Eagle Scout project on the Old Learn Farm property.

Will be attending an LTAP training next week with the Road Crew foreman pertaining to winter maintenance.

Administration – Manager’s Report

R. Wielebinski made a motion, seconded by E. Gnadtt, to amend the agenda for consideration of a utility relocation abbreviated work reimbursement agreement with the Commonwealth of PA. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by E. Gnadtt, to authorize the execution of the utility relocation abbreviated work reimbursement agreement with the Commonwealth of PA. All in favor. Motion carried.

Discussed naming trail on Old Learn Farm honoring Jane Cilurso's contributions to Pocono Township.

Township Engineer Report

- Learn Road safety enhancement project and roundabout survey work – Working on finalized design and property acquisition.
- Update – TASA SR 611 sidewalk project – Turkey Hill has a sidewalk design complete and planning to begin construction this season, which will tie in with the Township’s project. Have identified all the temporary and permanent construction easements needed.
- 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 – Placeholder.

Township Solicitor Report

- General legal update – The first hearing for Archer Lane is scheduled for April 22. There has been no response from the property owner.
- Zoning Hearing Board updates
 - March 28, 2024 – 154 Ruby Lane – Hearing was originally postponed allowing the applicant to appear before the Planning Commission. The Commission recommended approval of the special exception. Discussion regarding whether Solicitor and Engineer should attend the hearing. L. DeVito asked for grounds on which the Board would object to the use. The Township has the burden of proof to oppose. Discussion regarding reasons for the Township to oppose.

E. Gnadtt made a motion, seconded by N. Leap, to send Township solicitor and engineer to the hearing. All in favor. Motion carried.

- Update – Johnson Appeal Supreme Court petition – Filed petition with the PA Supreme Court to appeal one of the issues with the Commonwealth Court verdict.

Local Agency Hearing set for second meeting in April pertaining to the denial of a TDU renewal application for 205 Lake Drive.

Public Comment

Holly Gardner (Resident) – Asked for an explanation for the proposed roundabout at the bottom of Fish Hill.

Dawn Eilber (Resident) – Asked whether there is an update regarding SBA Tower. No update at this time.

Karen Doleiden (Resident) – Thanked Taylor Muñoz for his service as Township Manager.

Adjournment

R. Wielebinski made a motion, seconded by M. Velardi, to adjourn the meeting at 7:20 p.m. and go into executive session for discussion of the acquisition of real estate and not return. All in favor. Motion carried.

DRAFT