

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

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

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

In Attendance: Patrick Briegel, Acting Township Manager & Public Works Director; Lisa Pereira, Township Solicitor; Jon Tresslar, Engineer; Lindsay Scerbo, Zoning Officer; Jennifer Gambino, Admin Assistant.

Public Comment

L. Lippert (Resident) - Spoke of his concerns regarding incessant gunfire at a couple of residences in his neighborhood. Asked that the township look into adopting an ordinance regarding limiting target shooting within residential neighborhoods on personal property.

D. Shepp (Non-Resident) – Spoke regarding the Ruby Lane property classified as a Kennel. She believes they are acting in violation of the conditions put on the property through the zoning hearing board. She stated they contacted the dog warden, Miriam Schroeder, who will be going to the property to check licensing and issue warnings.

K. Doleidon (Resident) – Spoke regarding the “Kennel” on Ruby Lane. She stated they let their dogs out at 3:30 or 4:30 each morning and they bark all day long. She commented on the comings and goings of the owners along with any visitors or deliveries they have during the course of any day. She noted that the acting township manager went up the road for “3” minutes one day. Ms. Doleidon said most of her inquiries have gone unanswered and thanked Jerrod and Ellen for at least responding. R. Wielebinski stated Zoning is involved. E. Gndt commented also. L. Scerbo stated that the property owners have made application. Zoning is waiting on the ZHB solicitor’s ruling in writing prior to issuing permits. E. Gndt asked that all information is vetted prior to the permit being released. Pocono Township’s solicitor has spoken with the property owners attorney, and they are moving forward with compliance.

M. Farda – (Resident) – expressed consideration for all of the improvements in the township over the past few years. Asked if we could look into the Ball Fields maintenance throughout the year.

G. Holliday –(Resident) - Penn Estates – issues with the Police not responding to her residence when her residence was vandalized.

A. Baines – (Resident) – Spoke regarding the gunfire. Neighbor courtesy has lapsed. Very concerned that a tragedy will need to happen before something is done.

P. Walker – (Resident) – Spoke regarding the gunfire. Children are scared to play in the neighborhood due to gunfire.

D. Letty – (Resident) – Stressed the desire to have an Ordinance against gun use in the neighborhood.

J. Rapino (Resident) – Expressed concern along with his wife and the desire for the township to address the excessive gun use situation.

P. Lippert – (Resident) – She spoke to the resident who shoots in their back yard and asked if they could work together so she could leave the area when he would be shooting. Instead, the resident has become combative when confronted.

A conversation took place regarding nuisance ordinance or regulations. The manager was asked to look into the Stroud Township Ordinance and share his findings with the zoning and legal departments.

Announcements

- The Pocono Township Touch-A-Truck Event is coming up June 1st. For more information, please contact the Township office.
- An executive session was held on Monday, April 22 and also, at 5:30 Monday May 6, for discussion of personnel matters and litigation.

Presentations

- Serenite at Camelback – Amendment of the Pool house building permit. Members would prefer to have a media room and gym instead of the existing patio with no changes to the footprint. The second minor change would be to extend an existing maintenance area into some of the paved areas. Serenite is asking that this be handled administratively through the zoning department instead of going through land development. E. Gndt asked engineering if this would trigger more parking and storm water? J. Tressler answered no. P. Briegel stated he reviewed the request and has no issues.

Hearings - None

Resolutions

Resolution 2024-08 – Motion to approve Resolution 2024-08 granting conditional approval of Ertle Development, LLC. Wawa plan.

C. Brown, Attorney for the applicant along with the project engineers were present to accept and endorse the resolution. Should the resolution be approved they ask for support on major issues with PennDOT. PennDOT are requesting ADA compliance at each corner of the intersection. This is not within this budget. The second item, PennDOT is requiring that the township approve an ordinance to make the space in front of the project into a parking zone. L. Pereira stated that the township doesn't have prohibitions on any of the roadways. Discussion was had between P. Briegel and L. Pereira. E. Gndt asked J. Tressler for his recommendations on specific items and he stated that they are between the applicant and PennDOT. E. Gndt expressed her thoughts on the Planning Commission and the way the recommendations are implemented to move a plan forward to the Board. L. Pereira interjected the process of the recommendations from the P.C. C. Brown stated they will need to have the parking situation in place within the next two or three months. R. Wielebinski asked the boards opinion regarding addressing the situation. They hope to break ground in the fall.

R. Wielebinski made a motion, seconded by J. Belvin, to approve Resolution 2024-08 granting conditional approval of the Ertle Development, LLC Wawa Plan. 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 April 23, 2024, regular meeting.
 - Financial transactions through April 30, 2024, as presented, including ratification of general fund expenditures, sewer operating expenditures and gross payroll, vouchers payable, sewer operating expenditures, construction fund expenditures, and capital reserve expenditures.

R. Wielebinski made a motion, seconded by E. Gndt, 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 waive the Mountain View park reservation fee for Midlantic Regional Service Committee of Narcotics Anonymous and Cub Scout Pack 85. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by N. Leap, to award the 2024 paving and sealcoating bids to Wayco Inc, for Paving and Midland Asphalt for Sealcoating. All in favor. Motion carried.

R. Wielebinski thanked P. Briegel for following up on the references for each of the lowest bidders.

R. Wielebinski made a motion seconded by J. Belvin to approve a \$1,000/wk. stipend to P. Briegel effective 4/8/24 to stay in effect until a new manager is hired. All in favor. Motion carried.

R. Wielebinski made a motion seconded by M. Velardi to close the following Sewer Construction Account ESSA checking ending in 0477, ESSA money market ending in 2258 and ESSA money market ending in 0073. All in favor. Motion carried.

R. Wielebinski opened a discussion regarding a Waiver of Land Development form. J. Tressler explained the form and why it would be used. P. Briegel gave his support and recommendation. E. Gndt had issues with a couple of items on the form and opened further discussion. She also asked that an item be added regarding any prior violations on a property by the applicant would result in a denial. Item G will be looked into further by J. Tressler. M. Velardi added his thoughts on the form.

E. Gndt made a motion seconded by N. Leap to have J. Tressler investigate item G and insert an item specifying no history of violation by the current owner. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by M. Velardi, to table the review of a Waiver of Land Development form on internal renovations within an existing commercial building. All in favor. Motion carried.

R. Wielebinski made a motion seconded by J. Belvin to approve the PPL Right of Way WO#12049321 – PennDOT relocation 715 & 611. All in favor. Motion Carried.

R. Wielebinski made a motion seconded by M. Velardi to relist the 2004 Peterbilt Model 330 Dump Truck for sale on Municibid with a starting bid price of \$10,000.00. All in favor. Motion carried.

Jerrod Belvin – Vice President

- Emergency Management -No new updates
- Update – Archer Lane – scheduled with the District Magistrate for Noon on 5/23.
- Green Light Go - No new updates
- Update – Laurel Lake Dam – No new updates.
- Turkey Hill sidewalks – working with J. Tresslar.

Ellen Gndt – Commissioner

SBA Cell Tower review – First letter going out tomorrow. Requested further information regarding access to the road. Storm water discharge into the private road has been questioned along with over 70 comments. An escrow has been established. Conditions can be put in place to address decommissioning of the tower should it be abandoned. Further discussion was had.

Ruby Lane – Dog had puppies. Ellen believes that they need to be watched for not following the rules. N. Leap asked zoning if there were any prior violations regarding the sewage and foundation wall permits. Zoning will look into it.

Solar Field – J. Tresslar has been inspecting twice a week. Most use has been on the state roads vs township roads. R. Wielebinski asked why they are storing their items off Warner Road. M. Velardi commented.

Kenny's way inspection – what was disclosed regarding underground tanks. How will we proceed? J. Belvin stated the environmental study indicated no seepage.

NCC – The title, who are we buying the property from? The foundation or the School. L. Pereira stated the title search was performed. Also, questions regarding a report from the DEP. Did we receive a new report? E. Gmandt stressed the fact that all areas should be checked for issues. Was the septic inspected and well tested?

Advertising the Managers Position: E. Gmandt made a motion to have P. Briegel advertise for the position No second. Discussion was had about why we are not advertising. R. Wielebinski stated that due to a commissioner wanting the position we will not be advertising. Once the ordinance has been passed, the commissioner will resign and apply for the position. Further discussion was had regarding J. Belvins qualifications, and E. Gmandt suggested he provide his resume'.

Planning Commission – once they are finished with the review of the SALDO and recommendations they will entertain a joint meeting with the BOC to go over everything. N. Leap asked for a summarized report of what it was vs. what it is. L. Pereira will look into this.

A resident approached E. Gmandt regarding the pickle ball courts. Will there be time slots available for reservations. J. Gambino stated that we already use Rec desk and will be setting this up.

Natasha Leap – Commissioner – None

Mike Velardi – Commissioner - None

Reports

Zoning

Brook Village Apartments: Developers are proposing their own names for the roads in the development. Submitted permit applications for construction of 8 units on the existing demolished foundation site and looked to the board for approval of road names. R. Wielebinski questioned if this has gone through Land Development. J. Tressler stated it was an approved LDP at one time.

Driveway paving 319 Tara Hill Dr – Builder was approved for one driveway but constructed a second due to putting the garage on the wrong side of the house. When the owner applied for a paving permit, zoning discovered the owner wasn't in compliance due to the number of driveways. The owner is requesting a waiver to approve the second entrance due to builder error. Discussion was had. The board is looking further into this matter.

Police Report – Coffee with a Cop coming up on Saturday May 18th between 9-12 at Nicks Big Belly Deli.

Ambulance Report - None

Fire Report - None

Public Works and Manager Reports

- Update on the Axe throwing property located at 2190 Route 611– Pipolo – tapping fees and user fees are being paid but haven't physically connected to the sewer system.

- Mountain View park gate is moving forward. Hopefully within 4-6 weeks the gate will be fully functioning. Intention is to set the gate up like the Dog park gate for remote access. N. Leap asked about the potential for restricted access in the future in order to possibly charge nonresidents for use.
- DPW guys are working on drainage, swales, and speed humps. The ball fields are an ongoing process.
- Parking request for NCC property – asking for overflow parking on July 12th and 13th to shuttle people. More information and liability potential are needed to make an informed decision.
- BCRA water line project is moving along and possibly wrap up end of this week.
- The Splash Pad is scheduled to open Memorial Day weekend.

Township Engineer Report

- All files have been released from LVL, so we are moving forward.
- Learn Road is a top priority. Hoping to have an 80% design ready in June for Fall construction.
- A discussion was had regarding Kotretsos easement in accordance with this project.
- Township project – working on environmental clearance.

Township Solicitor Report

- Lisa confirmed that the agreement of sale lists both parties in the NCC agreement. The title issues have been resolved between the County and NCC through a resolution.
- Paradise water and sewer situation, we are awaiting more information from counsel.
- Johnson Appeal, Petition has been filed with the PA supreme court. Waiting on answer.

Public Comment

D. Eilber – (Resident) – Regarding the Managers Ordinance, the residents ask for a bio on qualifications of J. Belvin. They are concerned that the controversy they dealt with in the past may be reoccurring.

M. Guidry- (Resident) - Asked that the Board Members please use their microphones so everyone could hear.

T. Eilber- (Resident) Solar Farm and concern regarding the township roads. The roads are a muddy mess especially after a rainstorm. J. Tresslar will look further into this matter.

Adjournment

M. Velardi made a motion, seconded by R. Wielebinski, to adjourn the meeting at 8:05 p.m. All in favor. Motion carried.