

**Pocono Township Board of Commissioners  
Regular Meeting Minutes  
May 20, 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 6:07 p.m. followed by the Pledge of Allegiance.

**Roll Call:** Ellen Gndt, present; Natasha Leap, present; Mike Velardi, present via zoom; and Rich Wielebinski, present.

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

**Public Comment**

Karen Perkowski (Resident) Expressed her concerns for the way the Board of Commissioners handled the open manager position and the changing of the ordinance which resulted in the constituents feeling anger and hopelessness.

Teresa Purcell (Resident) Asked the Board to carefully consider the future ramifications of their actions regarding the handling of the Manager Ordinance. "Follow the rules as set forth and don't make changes to accommodate one of your own".

Teri VanBritsom (Non-Resident) Voiced her opinion in support of the Board of Commissioners plan to hire Jerrod Belvin to the manager position. She listed some of Mr. Belvin's accomplishments.

Joe Folsom (Resident) Congratulated Jerrod Belvin on moving up to this position. He feels Jerrod will do a great job.

Maryann Conahan (Resident) Feels Mr. Belvin served her no justice along with the rest of the board over the years.

**Announcements**

- The Pocono Township Touch-A-Truck Event is coming up June 1<sup>st</sup>. For more information, please contact the Township office.
- An executive session was held on Monday evening prior to the BOC meeting to discuss personnel matters.

**Presentations**

- L. Guzman – Paving 319 Tara Hill Dr – Request for approval of two driveway entrances on his property for consideration by the board. The builder put the garage on the wrong side of the house, creating a second driveway. Owner would like to get them both paved. After much consideration and discussion, the board rejected the request due to the policy within the township.
- J. Ross – the owner of Resort Beverage, a proposed water-wall barrier along an access easement at subject property due to high traffic volume going through from 611 to Learn Rd. becoming a safety hazard. The board advised Mr. Ross to apply for a zoning permit under the classification of a fence to move forward with the water-wall barrier.

**Hearings** – **Pocono Township Managers Ordinance** – Public hearing for consideration of amending the Pocono Township Managers Ordinance. An ordinance repealing Ordinance Nos. 2014-01, 2016-02, 2016-05, and 2018-10 and to provide for the creation of the Office of Township Manager and establish the powers and the duties of the Township Manager.

- R. Wielebinski made a motion, seconded by M. Velardi, to open the public hearing. All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by M. Velardi, to close the public hearing. All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by M. Velardi, to enact Township Ordinance No. 2024-04, repealing Ordinance Nos. 2014-01, 2016-02, 2016-05, and 2018-10 and to provide for the creation of the Office of Township Manager and establish the powers and the duties of the Township Manager. Roll call: R. Wielebinski, Yes; M. Velardi, Yes; N. Leap, Yes; E. Gndt, No. Motion carried.

**Resolutions** - Please see Solicitor Report

**Consent Agenda**

- Motion to approve a consent agenda of the following items:
  - Old business consisting of the minutes of the May 6, 2024 regular meeting.
  - General Fund budget adjustments in the amount of \$52,650.00 for the purpose of providing additional funding for the following line items. To cover current deficit and future expenditures.
  - Capital Fund budget adjustments in the amount of \$ 21,488.25 for the following: to fund revenue line and reflect grant revenue on police capital expenditures.
  - Financial transactions through May 14, 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 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 N. Leap, to accept Commissioner Jerrod Belvin's resignation. E. Gndt requested a copy along with N. Leap, M. Velardi, and L. DeVito. R. Wielebinski forwarded a copy via email to all and read it to the board. All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by M. Velardi, to appoint N. Leap as the new Vice President to the Board of Commissioners. E. Gndt asked if this should be delayed until the vacancy is filled. R. Wielebinski stated it was best not to wait should he be unable to attend a meeting. Rollcall vote: R. Wielebinski, Yes; N. Leap, Yes; M. Velardi, Yes; E. Gndt, No. Motion carried.
- R. Wielebinski made a motion, seconded by N. Leap, to appoint Jerrod Belvin as the Pocono Township Manager effective 6/5/2024. E. Gndt stated she didn't feel comfortable with approving this due to the way it was handled. Rollcall; R. Wielebinski, Yes; N. Leap, Yes; M. Velardi, Yes; E. Gndt, No. Motion carried.
- R. Wielebinski made a motion, seconded by M. Velardi to authorize Pocono Township Solicitor, Leo DeVito, to execute a new contract between Pocono Township and Jerrod Belvin at the current budgeted amount that the prior Manager would have received. E. Gndt questioned the starting amount being what the prior manager made after four years. N. Leap requested to review the draft of the contract prior to it being signed. Rollcall vote: R. Wielebinski, Yes; N. Leap, Yes; M. Velardi, Yes; E. Gndt, No. Motion carried.
- R. Wielebinski made a motion, seconded by N. Leap, to amend the agenda. All in Favor. Motion carried.
- R. Wielebinski made a motion, seconded by N. Leap, to advertise on social media and the township website for the vacancy on the board. L. DeVito explained that the interviews must take place at an open meeting due to the position being an elected one. R. Wielebinski explained that they have to

- select within 30 days of this meeting, or the vacancy board will convene, and after that, the court will appoint someone. Interviews will take place at the first meeting in June. All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by N. Leap, to advertise for a Road Department position. E. Gndt asked if the ad would be placed in the Pocono Record. P. Briegel stated the township will be utilizing Indeed as they had in the past. All in favor. Motion carried.
  - R. Wielebinski made a motion, seconded by E. Gndt, to close ESSA Sewer Operating Accounts ending in 2428 and 0023. All in favor. Motion carried.
  - R. Wielebinski made a motion, seconded by N. Leap, to open a Wayne Bank account to hold loan proceeds to purchase NCC and Kenny's Way properties, and to approve as signatories Commissioners: Richard Wielebinski, Ellen Gndt, Natasha Leap, Michael Velardi and Treasurer, Paola Razzaq, Manager, Jerrod Belvin. Discussion was had to Remove Jerrod Belvin due to the settlement timeline on the NCC and Kenney's Way properties. Motion was amended to remove Jerrod Belvin. All in favor. Motion carried.
  - Discussion and review of form for Waiver of Land Development on internal renovations within Commercial buildings. After extensive discussion, changes were recommended, and a new waiver will be provided for review and possible approval at the next meeting.
  - R. Wielebinski made a motion, seconded by M. Velardi to establish an America250PA Resolution - America250PA was formed to celebrate the 250th birthday of the United States in 2026 and Pennsylvania's leading role in the birth of our nation. Pennsylvania is officially the first state to have 100% of counties pass resolutions to join in the celebration, and over 260 townships have also pledged to join in this momentous occasion. E. Gndt asked for clarification. All in favor. Motion carried.

#### **Ellen Gndt – Commissioner**

- SBA Cell Tower review – E. Gndt asked J. Tresslar, Township Engineer, for the status of this project. J. Tresslar responded - The Developer has given the township a 120-day extension after receiving the engineers review letter in order for them to address all comments. E. Gndt asked for further clarification on the review timeline. J. Tresslar stated if no further extensions are received and we are not given enough time to review, he would recommend that the township deny the plan based on his previous review letter. Further discussion was had on this matter.
- Ruby Lane - E. Gndt stated the owners have been issued their permit and she stated she believes it is now up to the residents to appeal the decision if the board isn't going to appeal. L. DeVito further clarified the process.
- Solar Field – J. Tresslar said they are approximately 1/3 done and are conforming with the plans. When asked the route they are taking to the site the contracted stated they aren't utilizing Back Mountain Rd very often. E. Gndt asked what road they are using if not Back Mountain. J. Tresslar will once again get clarification on this. N. Leap inquired about the solar field items being stored on the former Schlier property on Warner Road. The zoning office is addressing this.

#### **Natasha Leap – Commissioner –**

- N. Leap made a motion, seconded by R. Wielebinski, to sponsor a hole for the Lions Club Golf outing. E. Gndt commented that they each just pitch in. All in favor. Motion carried.
- Emergency Management - No new updates
- Update – Archer Lane –was scheduled with the District Magistrate for Noon on 5/23 but, got pushed back to June 13th. Mr. Archer Jr. has shown interest in resolving the flooding issues. Time will tell.
- Green Light Go - The new camera had a bad pin in the harness, not allowing the camera to recognize traffic coming out of Sanofi. They have reached out to manufacturer to get a new harness. In the meantime, we have connected one of our older cameras to aid until the parts come in. We may have to find another extension as we're still waiting for five modems to come in from manufacturer and no timelines have been given. J. Tresslar stated that we do have an extension in place until November 15, 2024.

- Update – Laurel Lake Dam – Based on a conversation with Chuck Givler, who is the engineer for Laurel lake, the dam was classified as a class three dam on potential damage to downstream property. If there's no potential damage, it could be classified as a class four dam. then it doesn't require the EPA annual inspection and fee, which would be of help to the Laurel Lake community.
- Turkey Hill sidewalks – No update

**Mike Velardi – Commissioner - None**

## **Reports**

### **Zoning**

- Working on compiling short term rental and violation spreadsheets to better monitor and manage these properties.
- L. DeVito stated that its time to take a look at the Transient Dwelling Accommodation Ordinance and beef up the nuisance component. L. DeVito asked for the boards consent to work up a draft for their review.
- Zoning withdrew the civil complaint after reaching a resolution with the property owner. A timeline has been established.
- The Butz property with the Cell Tower is being looked into further to establish the actual owner and if the lien was filed correctly. Can the township attach the rent that is being paid on this property in order to collect it?

### **Police Report –**

Police had 1202 calls for service, 39 traffic arrests, the majority of which were disorderly conduct, 83 criminal arrests, 736 traffic contacts and investigated 26 motor vehicle accidents.

### **Ambulance Report - None**

### **Fire Report –**

R. Wielebinski made a motion, seconded by N. Leap to appoint the addition of Special Fire Police for Pocono Township Volunteer Fire Company for 2024 as follows: Ronald LaBar, Paul Layman, and Michael Sierra. All in favor. Motion Carried.

### **Public Works and Manager Reports**

- Sewer Update: Interest from the carwash along 611 to connect to the sewer. They are in the process of upgrading their water service with BCRA.
- The splashpad at TLC park will be opening over the Memorial Day weekend.
- Eli Kresge, who is working on his Eagle project at the Old Learn Farm is making significant progress.
- Prep work has begun on Old Mill Rd in preparation for paving.
- Pipe replacements are ongoing in advance of road paving.
- R. Wielebinski made a motion, seconded by M. Velardi to purchase a 2024 John Deere Gator in the amount of \$14,529.05. Discussion was had as to how many the township owns, where they are and will be used along with how old they are. All in favor. Motion carried.
- P. Briegel commented that he is looking into purchasing a pickup truck for the sewer department and will update the board once he has secured more information and quotes. Further discussion was had. E. Gnantd asked who's budget it will be coming out of and who will be using it.

### **Township Engineer Report**

- J. Tresslar and P. Briegel attended a zoom meeting with the bank regarding the Learn Road Safety enhancement project and Right of Way.
- PPL – the township received a couple of signed appraisals back from property owners. Still waiting on others. Discussion was had on the progress of the project overall. Hopefully submitting to PennDOT next month for comment.
- 611 Project, waiting on environmental clearance, PennDOT, and Inspectors.
- Tannersville Wawa has been resistant to PennDOT's plan due to a supplement to the HOP. Safe transition must still be done with PennDOT roadways from existing sidewalks. A lengthy Discussion was had regarding the status of the sidewalk issues still outstanding.
- Ertle Wawa – PennDOT is pushing for handicap access on all four corners of the intersection, along with the right-hand turn lane. Lengthy discussion was had regarding 611 and parking. Tractor trailers parking along 611 to patronize the Wawa is a concern by PennDOT and the township.

### **Township Solicitor Report**

- General Sewer update: EQ tank schedule and amendments.
- Pocono Summit Holdings has withdrawn their appeal. The fines will be paid and there will be no renewal until the one-year suspension is up. Property is for sale.
- Our fee schedule needs to be reviewed and open for discussion at our next meeting.
- Pocono Places hearing continued to May 30<sup>th</sup> due to rubbish issues on all five properties.
- No response from the Supreme Court on the Johnson appeal as of yet.
- May 28<sup>th</sup> Funding of the general obligation loan of the 5.2 M. to dawn on for the acquisitions on May 31<sup>st</sup> on Kenny's Way. L. DeVito requested to open the agenda. R. Wielebinski made a motion seconded by E. Gndant to amend the agenda. All in Favor. Motion Carried. R. Wielebinski made a motion, seconded by E. Gndant, authorizing the board of commissioners president to sign the closing documents, and adding N. Leap as Vice President of the board to the authorization. All in favor. Motion carried.
- There has been a resolution between NCC and the county resulting in us being able to close on June 6, 2024. We will then move forward with the new municipal complex. E. Gndant asked about acquiring insurance on both properties. Further discussion was had regarding the details of the acquisition and utilities. The Board would like to do a preclosing walkthrough on both properties.
- R. Wielebinski asked about the thoughts on the private shooting ranges on private property. Further discussion was had on how quickly this could be addressed.

### **Public Comment**

Cheryl Parks – (Resident) 150 Ruby Lane – unclear on state kennel license, zoning officer said not required. Questioning the validity of this. Strangers driving up the road and looking for the puppies. Smelling septic, old owner gutted the property. Request for transcript of hearing for an appeal. Feels that allowing the use has affected the rest of the neighbors. Questioned the zoning.

K. Doleiden - (Resident) Stated that her brothers were asked where the dogs were. She feels that the owners are not abiding by the terms of the special use.

D. Shepp – (Non-Resident) Reiterated what was discussed earlier on the kennel. E. Gndant stated that the permits were issued, and the neighborhood would need to appeal. She clarified further. Ms. Shepp further stated that she wouldn't be appealing but they called the dog warden. The letter was read from the department of agriculture/dog warden by E. Gndant. Ms. Shepp requested a copy. R. Wielebinski stated that they would need to fill out an RTK request. J. Gambino stated the form needs to be clear in what they are requesting. After further discussion, R. Wielebinski stated that E. Gndant should give Ms. Shepp a copy of the letter.

L. Gordon (Resident) Interested in the zoning ordinance amendment regarding poultry. L. DeVito advised her to approach the Planning Commission regarding this matter. M. Gordon also asked about the firearms ordinance.

D. Eilber – (Resident) The Solar farm is using Mountain Road primarily. She drives the road daily and stated they now have put-up signs regarding trucking. The road gets muddy. They now are restricting it to one lane. Ms. Eilber stated that the residents should be given a little more respect by the board.

**Adjournment**

R. Wielebinski made a motion, seconded by E. Ghandt, to adjourn the meeting at 8:59 p.m. All in favor. Motion carried.