

**POCONO TOWNSHIP  
BOARD OF COMMISSIONERS  
MEETING AGENDA  
JUNE 6<sup>th</sup>, 2016**

**1) Pledge of Allegiance**

**2) Roll Call:**

**3) Announcements:**

- a. Acknowledgement of Robert Demarest receiving the Rose Schoch Award
- b. Acknowledgement of the Memorial Day Service at the Veteran's Memorial Park
- c. Acknowledgment of the Pocono Garden Club for the landscaping at Municipal and Police Buildings and Township sign.
- d. Executive Session was held May 18<sup>th</sup>, 2016 at 5:30 p.m. to discuss Police Negotiations
- e. An executive session will be held 06/15/2016 at 4:30 to discuss police negotiations.

**4) Approval of Minutes:**

- a. Minutes of the Sewer Meeting May 16<sup>th</sup>, 2016
- b. Minutes of the Regular Meeting May 16<sup>th</sup>, 2016
- c. Special Meeting of May 18<sup>th</sup>, 2016
- d. Special Meeting of May 24<sup>th</sup>, 2016
- e. Special Meeting of June 2<sup>nd</sup>, 2016

**5) Public Comment:**

Comments are for any item NOT on the agenda. Comments on agenda items will be taken after each item is discussed by the Board of Commissioners, but before formal action is taken. (Please limit individual comments to 3 minutes to allow time for others wishing to speak and direct all questions and comments to the President)

**6) Supplemental Appropriations:**

**7) Bills and Transfers:**

**8) Report of the President**

**9) Commissioners Comments:**

Judi Coover, Commissioner

Jerry Lastowski, Commissioner

Bob DeYoung, Commissioner

**10) Solicitor**

**Reports:**

- a) Emergency Services (Second meeting of month)
- b) Administration
  - i. Pamela Finkbeiner – Interim Manager
  - i. Engineer assignments

- ii. Approval of Retirement Benefits for Benjamin McLaughlin
- iii. Fireworks permit – Great Wolf
- iv. Fireworks permit – Camelback
- v. Truck purchase
- vi. PA System – Meeting Room
- vii. Appointment of Pocono Township Fire Police – Angelo Tulio
- viii. Meeting room microphones

**Solicitor's Report**

- a. ZHB – Stock – June 14<sup>th</sup>
- b. ZHB – Prograde – June 14<sup>th</sup>
- c. ZHB – Adam's Outdoor Advertising & Anthony Covello
- d. Sanofi Rezoning – Setting of hearing date

**Engineer's Report**

- a. Wendy's Letter of Credit release
- b. Change Order – SR 0611 Sec. 04S Safety Improvement Project

**Resolutions**

- a. Spirit of Swiftwater LDP – Apartments

**Ordinances:**

- a. Manager's Ordinance 2016-01
- b. Sanofi Rezoning

**Public Comment:**

**Adjournment:**

POCONO TOWNSHIP BOARD OF COMMISSIONERS

SEWER MEETING

MAY 16<sup>th</sup>, 2016 6:00 P.M.

The Sewer meeting of the Pocono Township Commissioners was held on 05/16/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by Vice-President Harold Werkheiser at 6:00 p.m., followed by the Pledge of Allegiance.

**ROLL CALL:** Judi Coover, present; Bob DeYoung, present; Harold Werkheiser, present; and Jerry Lastowski, present.  
Russell Benner, Engineer, T&M Associates; Leo DeVito, Solicitor, Broughal & DeVito; Jeffrey Clapper, Public Works Director; and Pamela Finkbeiner, Interim Manager/Secretary, were present.

**ANNOUNCEMENTS:**

A letter of resignation was received from Commissioner Tom Felver.

A request was received from Dave Manter, SEO, to be become the alternate SEO due to scheduling conflicts.

**PUBLIC COMMENT:**

Ellen Gndt, Twp. resident, questioned the change order for the sewer repairs.

**CURRENT BUSINESS:**

J. Coover made a motion, seconded by H. Werkheiser, to appoint BIU for SEO services and Dave Manter as Alternate SEO. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

PACT TWO change order - Forcemain and Station redesign and T&M Associates proposal for services - Russell Benner explained the T&M Proposal is for Construction Engineering support, Construction Administration, and Construction Observation for a total cost of \$96,200.00. Discussion followed. Ellen Gndt, Twp. resident, questioned the determination of "Emergency Repair" and budget for the work. Discussion followed. J. Lastowski made a motion, seconded by B. DeYoung, to approve the PACT TWO Change order, Contract No. 11 in the amount \$1,590,437.00 and the T&M Associates Proposal in the amount of \$96,200.00. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Marona Payment Application #4 - T&M recommended approval in their 04/28/2016 letter. J. Lastowski made a motion, seconded by H. Werkheiser, to approve Marona Construction Company, Payment Application #4, in the amount of \$199,943.04, leaving a balance to finish of \$401,523.32. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**CURRENT BUSINESS CONT:**

Pump Station #2 Hydraulic Evaluation - J. Clapper explained the problems with Pump Station #2. He requested a Hydraulic Evaluation to determine the proper size replacement pumps. Cost of pumps is estimated at \$27,000. Sami Sarrough, T&M Senior Engineer, provided a quote for \$12,000 for the Hydraulic Evaluation. J. Lastowski made a motion, seconded by H. Werkheiser, to approve the Hydraulic Analysis on Pump Station #2 as proposed by T&M's email dated 04/19/2016, at a price not to exceed \$12,000.00. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Depue's Plaza EDU Appeal 2989 & 2997, Rt. 611 - J. Clapper noted after review of their water usage, the reduction request is acceptable. J. Lastowski made a motion, seconded by H. Werkheiser, to approved DePue's Plaza - PIN: 12637204545295 from 7 EDUs to 4 EDUs. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Glenwood Hall Apartments EDU Appeal PIN: 12637201380645 - J. Clapper explained the applicant is requesting a reduction of EDUs and additional time to hook up due to financial hardship. J. Clapper noted the water usage, if based on yearly results would reduce the EDUs from 6 to 5. He requested additional time to review the appeal. No action taken.

Fancy Nails EDU Appeal PIN: 12637201389684 - J. Clapper explained the high quarter was 1.1 EDU, annual usage was under 1 EDU, and the applicant is requesting a reduction from 2 EDU to 1 EDU. J. Clapper recommended the reduction. J. Lastowski made a motion, seconded by B. DeYoung, to approve the EDU reduction from 2 EDUs to 1 EDU for Huong Vo (Fancy Nails) PIN: 12637201389684. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Harley Davidson Sewage Exemption Request: J. Clapper explained the property has an approved land development plan and the new Harley Davidson Dealership will require 1 EDU. J. Lastowski made a motion, seconded by B. DeYoung, to reduce the EDUs for Harley Davidson/Schlier's Motorcycle Dealership from 6 EDUs to 1 EDU PIN:12637201178772. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

197 Learn Road EDU appeal - J. Clapper explained the property is a residential home and was incorrectly identified as 10 EDUs. He reviewed the water usage and only 1 EDU is required. J. Lastowski made a motion, seconded by J. Coover, to approve the EDU reduction from 10 EDUs to 1 EDU for 197 Learn Road PIN: 12637204546465. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Chester's Restorative Work Proposal - J. Clapper noted the restorative work was part of an original punch list for the sewer line. Total cost includes resurfacing the Parking lot, topsoil and stabilization of the Rt. 611 slope, and excavating and grading of the property's yard. Total cost

**CHESTER'S CONT:**

is \$20,370.00. J. Lastowski made a motion, seconded by H. Werkheiser, to approve the F&F Agreement for restoration work at Chester's Barbershop in the amount of \$20,370.00. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Sanofi Feed Station - J. Clapper explained he received odor complaints from Scotrun Ave. again. Evoqua will mobilize a feed station to treat the discharge from Sanofi. Discussion followed. J. Lastowski made a motion, seconded by J. Coover, to approve the Evoqua proposal to mobilize a feed station at the cost of \$5,100.00 and use Bioxide for treating sewage at the cost of \$2.145 per gallon. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**ADJOURNMENT:**

H. Werkheiser made a motion, seconded by J. Coover, to adjourn the meeting at 7:05 p.m. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**POCONO TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING**

**MAY 16<sup>th</sup>, 2016 7:00 P.M.**

The Regular meeting of the Pocono Township Commissioners was held on 05/16/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by Vice-President Harold Werkheiser at 7:00 p.m., followed by the Pledge of Allegiance.

**ROLL CALL:** Judi Coover, present; Bob DeYoung, present; Harold Werkheiser, present; and Jerry Lastowski, present.  
Leo DeVito, Solicitor, Broughal & DeVito; Jeffry Clapper, Public Works Director; and Pamela Finkbeiner, Interim Manager/Secretary, were present.

**ANNOUNCEMENTS:**

Pam Finkbeiner noted Tom Felver submitted a letter of resignation from the Board of Commissioners.

A Special meeting will be held on May 18<sup>th</sup>, 2016 at 6:30 p.m. to discuss the Administrator Manager position and any other Township business.

A Special meeting will be held on May 24<sup>th</sup>, 2016 at 3:00 p.m. to discuss the draft SALDO with Monroe County Planning Commission.

An executive session will be held immediately after the meeting to discuss litigation issues and the Werkheiser litigation.

An executive session will be held at 5:30 p.m., May 18<sup>th</sup>, 2016 to discuss Contract Negotiations.

**MINUTES:**

J. Coover made a motion, seconded by B. DeYoung, to approve the minutes of the Regular meeting of 05/02/2016, Special Meeting of 05/05/2016, and the Special Meeting of 05/09/2016. Roll call vote: R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes to 05/02/2016 and 05/05/2016 and abstained from 05/09/2016; and J. Coover, yes. Motion carried.

J. Coover commented on a Workshop verses a Special Meeting.

**BILLS AND TRANSFERS:**

J. Lastowski made a motion, seconded by B. DeYoung, to approve the Check listing dated 05/16/2016 - J. Coover questioned the refund on a legal invoice. Diane Zweifel, Twp. resident, requested the amount and invoice in question. Discussion followed. Roll call vote: R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, abstained. Motion carried.

**PUBLIC COMMENT:**

Joe Folsom, Twp. resident, thanked Mike Tripus, Zoning officer, for addressing the problems in a timely manner.

Maxine Turbolski, Twp. resident, questioned if the Twp. could address garbage cans left along roadways.

**PUBLIC COMMENT CONT:**

Linda Kresge, Twp. resident, commented on the previous Board decision on Ambulance services and noted she would like to see the Commissioners work together in the future.

Jennifer Wise, Twp. resident, questioned the appointment of Board President.

Fred Rosencrantz, Twp. resident, noted continuing problems of junk vehicles and disrepair on home located on Sullivan Trail. H. Werkheiser will discuss with the zoning officer to have it investigated.

**TOWNSHIP ENGINEERS:**

H. Werkheiser made a motion, seconded by J. Coover, to appoint Boucher & James, Inc. Township Engineer and T&M Associates as Township Sewer Engineer. J. Lastowski questioned the change of Twp. Engineers noting the great service by T&M Associates. Discussion followed. Bob Demarest, Pocono Township Planning Commission member, noted problems with T&M concerning plan reviews. Russel Benner, T&M Associates, explained the engineer in question is being phased out. Annabella Lastowski, Twp. resident, requested the details of the problems. Rich Wielebinski, former Commissioner, noted complaints from Developers but overall T&M saved the Township money. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, no; and J. Coover, yes. Motion carried.

Jennifer Wise, Twp. resident, suggested the Board consider an in-house engineer.

**COMMISSIONER POSITION AND PRESIDENT APPOINTMENT**

J. Coover made a motion, seconded by B. DeYoung, to appoint H. Werkheiser as President of the Board of Commissioner. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Coover made a motion, seconded by J. Lastowski, to appoint B. DeYoung as Vice-President. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**REPORT OF THE PRESIDENT: None**

Bob DeYoung, Commissioner, none.

Judi Coover, Commissioner, suggested a proposed schedule to appoint the Commissioner's vacancy. She suggested advertising and posting the position, accept applications until 05/26/2016 and hold an executive session on 06/1/2016 or 06/02/2016. Ellen Gndt, Twp. resident, questioned the legality of an executive session. L. DeVito, Solicitor, will review the regulations for appointing a Commissioner.

J. Coover made a motion, seconded by D. DeYoung, to authorize the Interim Manager to advertise the vacancy with resume's to be accepted until 05/26/2016. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**REPORTS CONT:**

Proposed Revised Purchasing Policy - J. Coover noted the previous policy allowed the Twp. Manager to spend up to \$50,000 without board approval, the revised policy limits it to \$5,000. P. Finkbeiner spoke concerning truck repairs, etc., which would delay the repairs due to board approval. P. Finkbeiner suggested a \$10,000 limit. Discussion followed. J. Lastowski suggested the policy be amended to state items under \$5,000 will not require board notification, spending from \$5,000 to \$10,000 will require Board notification. B. DeYoung made a motion, seconded by H. Werkheiser, to approve the Revised Purchasing Policy amended to state from \$5,000 to \$10,000 at Manager's discretion with Board notification. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Jerry Lastowski, Commissioner, no comment.

**EMERGENCY SERVICES:**

Pocono Township Police Chief Kent Werkheiser report the force has purchase the Dart program, a system that helps to plot and map cell phones is being funded by the District Attorney office. He noted safety lights were ordered for 6 weapons. Officers also attended Earth Day at NCC Campus and the Pocono Mt. Prom for traffic control.

Pocono Township Fire Company, Joe Folsom noted the Circus is scheduled for September 12<sup>th</sup> and 13<sup>th</sup> and the Carnival will be held the third week of July.

Suburban EMS, Nick DeWitt noted 152 calls and they inspected the Township defibrillators and replaced the pads.

**ADMINISTRATION:**

Interim Manager/Secretary Pam Finkbeiner gave her report.

Part-Time Administrative Assistant - P. Finkbeiner received 11 applications, 6 were interviewed in person, 2 by phone. She recommended Christine Brodsky. J. Coover made a motion, seconded by H. Werkheiser, to approve the hiring of Christine Brodsky at the rate of \$14.00 per hour for 16 hours per week. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Rescinding Resolution 2016-23 - P. Finkbeiner explained the Resolution was approved with condition the 2015 appropriations could be made after 90 days. It was determined the appropriation could not be made. J. Coover made a motion, seconded by J. Lastowski, to rescind Resolution 2016-23 - Supplemental Appropriations. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

D'Huey Engineering Agreement for Capital Improvement Planning and Element Environmental Solutions - Jeffry Clapper, Public Works Director, explained the agreement includes the deliverables - total cost has been reduced to \$14,150 (\$10,000 base, \$750.00 - 2870 Rt. 611; \$200.00 - Mt. View; - \$3,200 - Element Environmental). Discussion followed on the liability insurance.

**D' HUEY CONT:**

J. Coover made a motion, seconded by B. DeYoung, to approve the D'Huey Engineering Agreement. J. Clapper noted the motion should include the Element Environmental Agreement which is part of the D'Huey proposal. J. Coover amended her motion, seconded by B. DeYoung, to approve the D'Huey Engineering Agreement and Element Environmental Agreements in the amount of \$14,150.00 and authorize the execution of the same. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Memorandum for Truck Purchase J. Clapper requested the truck purchase to be placed on hold until additional information is gathered.

Bruce's Flying Service - J. Clapper explained the contract is for spraying of the Mt. View Park and the "Learn" property off of Learn Road. Discussion followed on the notification of property owners and liability to the Township. Teresa Purcell, Joe Folsom, Ramona Shupp, Annabella Lastowski, Maxine Turbolski, Twp. residents, questioned the gypsy moth spraying. Discussion followed. The Board concurred not to spray the properties.

**BIDS:**

Paving Bid - J. Clapper explained the low bid was for Inter County Paving for a total of \$740,664.75. He noted the cost was below the budgeted amount and additional roadways may be included. J. Clapper noted Shine Hill and Munch Road can be added at \$149,000 and would be in under the budgeted amount. He requested the Bid be awarded to Inter County Paving in the amount of \$740,664.75. Ellen Gndt, Twp. resident, questioned if adding additional roadways is allowed. J. Clapper noted he worked with PennDOT to prepare the bid. Discussion followed. Annabella Lastowski, Twp. resident, questioned a ditch on Shine Hill Road and Munch Road. J. Lastowski made a motion, seconded by H. Werkheiser, award the Inter County Paving Bid in the amount of \$740,664.75. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Seal Coat Bid - J. Clapper explained one bid was received for the Seal Coat Bid. Discussion followed on the amount. J. Clapper noted he worked with the liquid fuel representative and felt confident the bids were correct. Ellen Gndt, Twp. resident, questioned the bids. J. Lastowski made a motion, seconded by H. Werkheiser, to award the Seal Coat Bid to AMS Asphalt Maintenance Solutions, in the amount of \$81,679.92. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Crack Sealing - J. Clapper explained three bids were received. Pocono Spray Patching was low bidder. J. Clapper explained the bid can be extended if both parties agree. Discussion followed. J. Coover made a motion, seconded by J. Lastowski, to award the Crack Sealing Bid to Pocono Spray Patching in the amount of \$11.38 per gallon for a 1 year commitment and not to exceed \$30,000. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**ENGINEER REPORT:**

Camelback Escrow Release - P. Finkbeiner explained that T&M recommended the release. J. Coover made a motion, seconded by H. Werkheiser, to approve the Camelback Lodge and Waterpark, Bond Release #4, in the amount of \$333,014.09, leaving a bond balance of \$39,600.00. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Dan Finn, Camelback, questioned the Bond release for Lot 12/Helipad.

**SOLICITOR REPORT - Leo DeVito:**

Heritage Center Access Agreement - J. Lastowski made a motion, seconded by J. Coover, to approve the Heritage Center Access Agreement and authorize the execution of the same. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Cable Franchise Agreement - L. DeVito explained efforts were made to contact Blue Ridge Cable to negotiate the agreement but they did not respond. The contract allows the township to extend the contract 5 years. J. Coover made the motion, seconded by B. DeYoung, to extend the Blue Ridge Cable Franchise Agreement for 5 years. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Zoning Hearing Board Hearings - L. DeVito noted two hearings, Kevin Archer and Jeffery Butz on 05/24/2016. J. Lastowski made a motion, seconded by H. Werkheiser, to authorize the Township Solicitor to represent the Township's zoning officer at the Jeffery Butz appeal on 05/24/2016 at 5:15 p.m. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**ORDINANCE:**

Sanofi Rezoning - L. DeVito noted they are waiting for the MCPC review.

**RESOLUTIONS:**

Resolution 2016-29 - Compensation for Interim Manager - H. Werkheiser made a motion, seconded by B. DeYoung, to adopt Resolution 2016-29 - Compensation for Interim Manager. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**PUBLIC COMMENT:**

Charlie Trapasso noted the Bicentennial Committee events - Mt. Laurel Festival June 11<sup>th</sup> from 10:00 a.m. to 2:00 p.m. at Big Pocono, and the Celebrity Chef Pancake Breakfast on June 4<sup>th</sup>, 2016.

**ADJOURNMENT INTO EXECUTIVE SESSION:**

B. DeYoung made a motion, seconded by J. Lastowski, to adjourn the meeting at 9:15 p.m. into executive session to discussed litigation matters. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**POCONO TOWNSHIP BOARD OF COMMISSIONERS  
SPECIAL MEETING  
ADMINISTRATOR POSITION AND OTHER BUSINESS  
MAY 18<sup>th</sup>, 2016 6:00 P.M.**

The Special meeting of the Pocono Township Commissioners was held on 05/18/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Harold Werkheiser at 6:30 p.m., followed by the Pledge of Allegiance.

**ROLL CALL:** Bob DeYoung, present; Harold Werkheiser, present; Jerry Lastowski, present; and Judi Coover, present.  
Pamela Finkbeiner, Interim Manager/Secretary, present.

**PUBLIC COMMENT:**

**PARK EMPLOYEES**

P. Finkbeiner explained Jeff Clapper had recommended the hiring of two Park employees to replace two employees with limited time available and offer a raise to existing employee Jim Boyle, in his memo of 05/17/2016. J. Coover made a motion, seconded by J. Lastowski, to approve the hiring of Catherine Needham at the rate of \$12.00 per hour; Daniel Murgia at the rate of \$9.00 per hour; a raise of .50 for Jim Boyle bringing his salary to \$13.00 per hour; and the release of Brandon Unrue and Peter Hamil from employment. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**RESOLUTION**

Resolution 2016-30 - Bank Signatories - P. Finkbeiner noted the change of signatories removes Tom Felver. H. Werkheiser made a motion, seconded by J. Lastowski, to adopt Resolution 2016-30 - Bank Signatories. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**ADMINISTRATOR/MANAGER POSITION:**

J. Coover presented a draft advertisement and time line for review.

**Key Points:**

- a) Job description for advertisement
- b) Updated Manager/Administrator ordinance - Solicitor review, advertisement, adoption
- c) Committee review - Citizen selection and input.
- d) Staff review - Staff to rank applicants.
- e) Selection of top three - interview process to include two citizens.
- f) Selection of Administrator/Manager
- g) Terms of Contract
- h) Vote
- i) Timeline to complete - July 5<sup>th</sup>.

J. Coover will revise the Timeline and forward the ordinance to the Solicitor for review.

**PUBLIC COMMENT:**

Dennis Purcell, Twp. resident, questioned the salary to be offered.

**ADJOURNMENT:** H. Werkheiser made a motion, seconded by J. Coover, to adjourn the meeting at 8:05 p.m. Roll call vote: B. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**POCONO TOWNSHIP BOARD OF COMMISSIONERS  
SPECIAL MEETING DRAFT SALDO  
AND OTHER BUSINESS  
MAY 24<sup>th</sup>, 2016 3:00 P.M.**

The Special meeting of the Pocono Township Commissioners was held on 05/24/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by Vice-President Bob DeYoung at 3:00 p.m., followed by the Pledge of Allegiance.

**ROLL CALL:** Judi Coover, present; Bob DeYoung, present; Harold Werkheiser, absent; and Jerry Lastowski, present.  
Leo DeVito, Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer, Boucher & James, Inc.; and Pamela Finkbeiner, Interim Manager/Secretary, present.

**ANNOUNCEMENTS:** An executive session will be held to discuss a police matter.

**PRESENTATIONS:**

Christine Meinhart-Fritz, MCPC Director; and Eric Koopman, MCPC Senior Planner, reviewed the comments. Discussion followed on the table of content, Community Impact and Traffic Studies, Recording of plans, joinder deeds, and missing diagrams. C. Meinhart noted the formatting and table content will be completed.

Next steps - Sign Ordinance changes and Zoning Ordinance.

C. Meinhart noted the Township will receive the \$4,370 grant once SALDO is adopted.

**OTHER BUSINESS:**

Griffin Judgement - P. Finkbeiner explained the judgement was placed upon Mr. Griffin in 1999. Tim McManus, solicitor, recommends the Township accept the original judgement in the amount of \$1,534.65 plus recording cost. J. Lastowski made a motion, seconded by B. DeYoung, to agree to accept the sum of \$1,548.90 (\$1,534.65 plus \$14.25 in costs) to settle the Griffin Judgement. Roll call vote: B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

DEP Sewer Exemption - Jimmy Schlier - To correct previous motion - P. Finkbeiner explained at the 05/16/2016 Sewer meeting the motion was incorrect - from 6 to 1 EDU. The correct reduction is 6 EDUs to 5 EDUs. J. Lastowski made a motion, seconded by B. DeYoung, to correct the DEP Sewer Exemption - Jimmy Schlier Motorcycle Dealership - to state a reduction from 6 EDUs to 5 EDU and authorize the execution and forwarding to DEP. Roll call vote: B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Township Manager's Ordinance - J. Coover made a motion, seconded by B. DeYoung, to authorize the Solicitor to advertise and hold a public hearing

on 06/06/2016. Roll call vote: B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**POCONO TOWNSHIP COMMISSIONERS SPECIAL MEETING, 05/24/2016**

**PG. 2**

Commissioner's applications - J. Coover made a motion, seconded by J. Lastowski, to extend the time to accept Commissioner's applications to 05/31/2016 and to hold a special meeting on 06/2/216 at 5:30 p.m. to interview the applicants and appoint a Commissioner. Roll call vote: B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Manager's Position-Discussion concerning citizen's involvement with the Manager's interviews. J. Coover suggested the staff and public submit comments in writing by 06/13/2016. The board will compile and utilize the comments for use during the interview.

**EXECUTIVE SESSION:**

B. DeYoung made a motion, seconded by J. Coover, to convene the meeting into executive session at 5:30 p.m. to discuss a police matter. Roll call vote: B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

The Board reconvened at 5:40 p.m.

J. Lastowski made a motion, seconded by B. DeYoung, to accept the Memorandum of Agreement re: Christopher Staples. Roll call vote: B. DeYoung, yes; J. Lastowski, yes; and J. Coover, no. Motion carried.

**ADJOURNMENT:**

J. Coover made a motion, seconded by J. Lastowski, to adjourn the meeting at 5:50 p.m. Roll call vote: B. DeYoung, yes; J. Lastowski, yes; and J. Coover, no. Motion carried.

POCONO TOWNSHIP  
BOARD OF COMMISSIONERS  
SPECIAL MEETING MINUTES  
06/02/2016 5:30 P.M.

The Special meeting of the Pocono Township Commissioners was held on 06/02/2016 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by Vice-President Bob DeYoung at 5:30 p.m., followed by the Pledge of Allegiance.

**ROLL CALL:** Judi Coover, present; Bob DeYoung, present; Harold Werkheiser, absent; and Jerry Lastowski, present.  
Pamela Finkbeiner, Interim Manager/Secretary, present.

**ANNOUNCEMENTS:**

**PUBLIC COMMENTS:** Richard Wielebinski, Twp. resident, questioned the proposed Manager's position and applications received.

**COMMISSIONER'S CANDIDATES:**

The Commissioners interviewed the applicants in the following order:

Ellen Gandt  
Jerrod Belvin  
Robert Wright  
Kathryn Lambert  
Bernard Devine

All candidates were asked the same or similar questions and allotted approximately 25 minutes each.

D. Zweifel, Twp. resident, questioned the process of choice.

The Board concurred to send their recommendations to Interim Manager P. Finkbeiner by the noon on 06/14/2016.

J. Lastowski made a motion, seconded by B. DeYoung, to hold a special meeting on 06/15/2016 at 5:30 p.m. or later conditioned upon the time needed for an executive session at 4:30 p.m. Roll call vote: R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

**OTHER BUSINESS:**

P. Finkbeiner requested the Board approve two Credit Card invoices whom were past due date. Check Number 54567 in the amount of \$288.67 - Police supplies and Check Number 54507 in the amount of \$1385.10 for Public Works/Parks/GFOA training. J. Lastowski made a motion, seconded by B. DeYoung, to approve sending the Credit Card checks 54507 and 54567. Roll call vote: R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Stroud Township Agreement - P. Finkbeiner noted the agreement is to allowed sewage to be sent to the Treatment plant in case of an emergency during the St. Luke's roadway realignment. Discussion followed and the Board concurred to wait to the sewage meeting on 06/06/2016.

**PUBLIC COMMENT:**

Joe Shupp, Twp. resident, questioned the cost of Police presence for Camelback. H. Werkheiser noted the Crossing pays the Township for traffic control on busy weekends.

**ADJOURNMENT:**

B. DeYoung made a motion, seconded by J. Coover, to adjourn the meeting at 8:00 p.m. Roll call vote: R. DeYoung, yes; H. Werkheiser, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

General Fund  
June 2016 Appropriations

	Actual	Budget	\$ Over Budget	Adjusted Budget	Appropriation
271.100 · Restricted for Park Fund	224,192.69	19,400.00		26,900.00	-7,500.00
400.110 · Salary & Wages - Legislative	2,660.71	16,250.00	-13,589.29		
400.192 · Legislative SSI Tax	203.53	1,243.00	-1,039.47		
400.260 · Minor Equipment	408.99	2,000.00	-1,591.01		
400.420 · Dues, Subscriptions & Membershi	3,688.55	1,516.00	2,172.55		
400.460 · Legislaive -Meetings & Training	0.00	4,200.00	-4,200.00		
400.540 · Legislative - Donatlons	567.79	3,000.00	-2,432.21		
401.110 · Admin Salaries & Wages	38,073.60	104,734.00	-66,660.40		
401.192 · Admin SSI Taxes	2,912.59	8,415.00	-5,502.41		
401.196 · Admin Health Insurance	10,702.85	25,259.00	-14,556.15		
401.198 · Non-Uniformed Pension Plan	3,426.62	9,900.00	-6,473.38		
401.199 · Admin Life and Disability Ins	264.38	756.00	-491.62		
401.200 · Administration Allowances	997.40	1,250.00	-252.60		
401.220 · Admin Operating Supplies	0.00	500.00	-500.00	430.00	-70.00
401.260 · Admin Minor Equipment	0.00	1,000.00	-1,000.00		
401.420 · Admin Dues, Subscriptions & Mem	0.00	2,565.00	-2,565.00		
401.460 · Admin Meetings & Training	0.00	0.00	0.00		
402.110 · Fin Admin Salaries & Wages	18,345.60	53,202.00	-34,856.40		
402.120 · Financial Admin OVT	1,672.13	2,500.00	-827.87		
402.192 · Fin Admin SSI Taxes	1,531.36	4,261.00	-2,729.64		
402.196 · Fin Admin Health Insurance	10,376.95	26,274.00	-15,897.05		
402.198 · Fin Admin Non-Uni Pension Plan	1,805.58	4,788.00	-2,982.42		
402.199 · Fin Admin Life & Disability Ins	134.00	804.00	-670.00		
402.220 · Fin Admin Operating Supplies	58.97	500.00	-441.03		
402.260 · Fin Admin Minor Equipment	0.00	500.00	-500.00		
402.310 · Fin Admin Professional Srvs	2,029.44	12,000.00	-9,970.56		
402.420 · Fin Admin Dues, Subscriptions	0.00	500.00	-500.00	570.00	70.00
402.460 · Fin Admin Meetings & Training	586.54	1,000.00	-413.46		
403.110 · Tax Collection Salaries & Wages	3,461.58	10,000.00	-6,538.42		
403.192 · Tax Collection SSI Taxes	264.87	765.00	-500.13		
403.215 · Tax Collection Postage	1,603.53	2,000.00	-396.47		
403.220 · Tax Collection Operating Supply	1,266.02	2,000.00	-733.98		
403.310 · Tax Collection Professional Srv	7,369.03	23,250.00	-15,880.97		
403.460 · Tax Collection Meetings & Conf	0.00	625.00	-625.00		
404.310 · Township Solicitor	18,181.68	90,000.00	-71,818.32		
405.110 · Secretary Salaries & Wages	30,667.90	101,903.00	-71,235.10		
405.120 · Secretary OT	1,882.10	6,000.00	-4,117.90		
405.192 · Secretary SSI Taxes	2,478.82	8,255.00	-5,776.18		
405.196 · Secretary Insurance	16,054.85	38,414.00	-22,359.15		
405.198 · Secretary Non-Uni Pension Plan	2,922.29	7,821.00	-4,898.71		
405.199 · Secretary Life & Disability Ins	670.00	1,600.00	-930.00		
405.220 · Secretary Operating Supplies	0.00	500.00	-500.00		
405.260 · Secretary Minor Equipment	0.00	1,000.00	-1,000.00		
405.420 · Secretary Dues, Subscriptions	0.00	500.00	-500.00		
405.460 · Secretary Meetings & Training	0.00	1,000.00	-1,000.00		
406.215 · Gen Govt Postage	2,293.38	4,000.00	-1,706.62		
406.220 · Gen Govt Operation Supplies	1,389.79	7,000.00	-5,610.21		
406.310 · Gen Govt Professional Srvs	3,299.40	8,600.00	-5,300.60		
406.320 · Gen Govt Communications	2,502.42	9,000.00	-6,497.58		
406.340 · Gen Govt Advertising & Printing	381.80	8,000.00	-7,618.20		
406.374 · Gen Govt Office Equipment Maint	0.00	1,000.00	-1,000.00		
406.384 · Gen Govt Equipment Leases	972.24	6,396.00	-5,423.76		
407.252 · Computer Parts & Supplies	0.00	500.00	-500.00		
407.260 · Technology Minor Equipment	0.00	1,000.00	-1,000.00		
407.450 · Contracted Services	5,787.50	8,500.00	-2,712.50		
408.310 · Township Engineer	4,674.91	70,000.00	-65,325.09		
409.220 · Building Operating Supplies	38.00	1,000.00	-962.00		
409.360 · Building Utilities	10,807.71	47,000.00	-36,192.29		
409.373 · Building Maint & Repairs	3,141.60	17,000.00	-13,858.40		
409.450 · Building Contracted Services	2,010.93	7,000.00	-4,989.07		
410.120 · Police Salaries & Wages-Admin	29,815.20	86,464.00	-56,648.80		

410.130 · Police Salaries & Wages-Officer	356,222.58	1,114,911.00	-758,688.42		
410.140 · Police Salaries & Wages-Civilla	16,077.77	47,594.00	-31,516.23		
410.179 · Police Longevity Pay	0.00	42,824.00	-42,824.00		
410.180 · Police Overtime Wages	39,011.63	125,000.00	-85,988.37		
410.187 · Police Overtime Civ Support	15.80	500.00	-484.20		
410.191 · Uniform Allowance	0.00	14,400.00	-14,400.00		
410.192 · Police SSI Taxes	34,848.25	108,423.00	-73,574.75		
410.196 · Police Health Insurance	178,689.10	435,076.00	-256,386.90		
410.197 · Police Pension Plan	0.00	145,320.00	-145,320.00		
410.198 · Police Life & Disability Ins	6,298.00	16,470.00	-10,172.00		
410.199 · Police Non-Uniform Pension	1,368.93	3,959.00	-2,590.07		
410.200 · Police 457 Contribution	0.00	5,000.00	-5,000.00		
410.220 · Police Operating Supplies	2,914.28	5,000.00	-2,085.72		
410.221 · Crime Scene Supplies	306.83	1,000.00	-693.17		
410.222 · Ammunition	141.60	5,000.00	-4,858.40		
410.223 · K-9 Expenses	143.26	1,500.00	-1,356.74		
410.231 · Vehicle Fuel	9,694.95	45,000.00	-35,305.05		
410.260 · Police Minor Equipment	231.92	5,000.00	-4,768.08		
410.310 · Police Professional Services	0.00	2,500.00	-2,500.00		
410.314 · Civil Service Comm Solicitor	1,288.91	10,000.00	-8,711.09		
410.320 · Police Communications	4,879.57	15,000.00	-10,120.43		
410.341 · Police Advertising & Printing	112.00	400.00	-288.00		
410.373 · Police Maint & Repair Bldg	2,791.05	5,000.00	-2,208.95		
410.374 · Police Equipment Maint	2,028.15	3,500.00	-1,471.85		
410.420 · Police Dues, Subscriptions	255.00	1,500.00	-1,245.00		
410.450 · Police Contracted Services	41,620.55	99,163.00	-57,542.45		
410.451 · Police Vehicle Maintenance	6,905.39	25,000.00	-18,094.61		
410.460 · Police Meetings & Training	694.00	8,500.00	-7,806.00		
411.232 · Fire Department Fuel	0.00	6,150.00	-6,150.00		
411.540 · Foreign Fire Payments	0.00	104,000.00	-104,000.00		
411.541 · Disbursement to Fire Company	0.00	215,000.00	-215,000.00		
413.220 · Code Enforcement Supplies	0.00	500.00	-500.00		
413.260 · Code Enforcement Minor Equip	0.00	500.00	-500.00		
413.310 · Prof Services - BIU Building	19,257.82	280,000.00	-260,742.18		
413.311 · Prof Services - SEO	2,969.74	15,000.00	-12,030.26		
413.319 · Code Enforcement UCC Fees	192.00	1,000.00	-808.00		
413.420 · Code Enforcement Dues & Subs	0.00	250.00	-250.00		
413.460 · Code Enforcement Meetings	0.00	500.00	-500.00		
414.110 · Planning & Zoning Salaries	14,636.00	55,288.00	-40,652.00	50,288.00	5,000.00
414.120 · Planning & Zoning OT	68.25	2,500.00	-2,431.75		
414.192 · Planning & Zoning SSI Taxes	1,124.89	4,230.00	-3,105.11		
414.196 · Planning & Zoning Health Ins	5,813.90	23,975.00	-18,161.10		
414.198 · Planning & Zoning N-U Pension	0.00	4,479.00	-4,479.00		
414.199 · Zoning Life & Disability	189.00	850.00	-661.00		
414.220 · Planning & Zoning Supplies	0.00	500.00	-500.00		
414.310 · Planning & Zoning Prof Svcs	752.40	1,000.00	-247.60	6,000.00	-5,000.00
414.313 · Planning & Zoning Engineering	2,051.85	10,000.00	-7,948.15		
414.314 · Planning & Zoning Legal	5,231.79	20,000.00	-14,768.21		
414.324 · Zoning Cell Phone	70.62	600.00	-529.38		
414.331 · Zoning Officer Mileage	0.00	1,000.00	-1,000.00		
414.341 · Planning & Zoning Advertising	855.60	1,500.00	-644.40		
414.460 · Planning & Zoning Meetings	0.00	500.00	-500.00		
415.220 · Emer Mgmt Operating Supplies	0.00	500.00	-500.00		
415.460 · Emer Mgmt Meetings & Training	0.00	200.00	-200.00		
427.220 · Solid Waste Coll Supplies	90.00	1,500.00	-1,410.00		
427.221 · Equip Rental - Grinder	0.00	4,700.00	-4,700.00		
427.450 · Contracted Svcs - Clean-Up Days	0.00	16,000.00	-16,000.00		
429.317 · TIF	0.00	0.00	0.00		
430.110 · Public Works Salaries	142,268.70	398,645.00	-256,376.30		
430.120 · Public Works OT Wages	11,833.04	25,000.00	-13,166.96		
430.192 · Public Works SSI Taxes	11,724.80	32,409.00	-20,684.20		
430.196 · Public Works Insurance	94,124.80	223,374.00	-129,249.20		
430.198 · Public Works N-U Pension	14,267.46	34,258.00	-19,990.54		
430.199 · Public Works Life & Disab Ins	3,129.00	5,570.00	-2,441.00		
430.200 · Public Works Director Allowance	197.40	600.00	-402.60		
430.220 · Public Works Oper Supplies	2,853.86	13,300.00	-10,446.14		
430.232 · Public Works Diesel	7,309.28	55,000.00	-47,690.72		

430.234 · Public Works Vehicle Supplies	0.00	6,000.00	-6,000.00		
430.238 · Public Works Uniforms	1,806.71	7,800.00	-5,993.29		
430.260 · Public Works Minor Equip Purch	533.82	2,000.00	-1,466.18		
430.331 · Mileage Reimbursement	157.11	1,000.00	-842.89		
430.341 · Public Works Advertising	0.00	1,500.00	-1,500.00		
430.373 · Public Works Maint & Rep Bldg	757.74	9,000.00	-8,242.26		
430.374 · Public Works Small Equip Maint	0.00	0.00	0.00		
430.375 · Public Works Heavy Equip Maint	13,961.94	77,000.00	-63,038.06		
430.384 · Public Works Equip Rental	0.00	500.00	-500.00		
430.420 · Public Works Dues, Subscription	200.00	500.00	-300.00		
430.450 · Public Works Contracted Srvs	0.00	1,000.00	-1,000.00		
430.460 · Public Works Meetings & Trainin	42.45	750.00	-707.55		
430.650 · Public Works Hand Tool Purch	274.90	500.00	-225.10		
432.220 · Snow & Ice Rem Oper Supplies	45,082.51	125,000.00	-79,917.49		
432.375 · Snow & Ice Rem Equipment Maint	6,859.59	8,000.00	-1,140.41		
432.450 · Snow & Ice Rem Subcontractors	0.00	7,500.00	-7,500.00		
433.220 · Traffic Signals & Signs Supply	0.00	3,000.00	-3,000.00		
433.360 · Traffic Signals & Signs Utiliti	972.21	4,000.00	-3,027.79		
433.450 · Traffic Signals Contracted Srvs	9,331.00	11,859.00	-2,528.00		
438.220 · Road Maint Supplies	9,874.94	75,000.00	-65,125.06		
438.611 · Line Painting	0.00	40,000.00	-40,000.00		
438.612 · Crack Sealing	0.00	30,000.00	-30,000.00		
438.613 · Vegetation Control	200.00	20,000.00	-19,800.00		
454.110 · Park Salary & Wage	4,317.06	65,729.00	-61,411.94		
454.120 · Park OT	16.40	1,500.00	-1,483.60		
454.192 · Park SSI	330.48	5,142.00	-4,811.52		
454.198 · Park N-U Pension Plan	0.00	2,343.00	-2,343.00		
454.220 · Park Operating Supplies	1,284.17	3,000.00	-1,715.83		
454.231 · Park Vehicle Fuel	0.00	1,500.00	-1,500.00		
454.260 · Park Minor Equipment	427.97	1,500.00	-1,072.03		
454.310 · Park Professional Services	0.00	2,000.00	-2,000.00		
454.320 · Park Communications	254.91	800.00	-545.09		
454.340 · Park Advertising & Printing	0.00	500.00	-500.00		
454.360 · Park Utilities	657.13	2,700.00	-2,042.87		
454.373 · Park Repairs & Maintenance	1,606.14	10,000.00	-8,393.86		
454.374 · Park Equipment Maintenance	95.97	1,500.00	-1,404.03		
454.450 · Park Contracted Services	3,880.78	20,000.00	-16,119.22		
454.460 · Park Meetings & Training	0.00	500.00	-500.00		
454.700 · Park Capital Purchases	0.00	19,400.00	-19,400.00		
457.540 · Community Day Celebration	0.00	3,000.00	-3,000.00		
457.541 · Bicentennial Committee	0.00	0.00	0.00	7,500.00	7,500.00
463.540 · TIF	140,502.62	178,577.00	-38,074.38		
471.200 · Series 2006 GON (school)	24,438.94	24,523.00	-84.06		
471.350 · 2011 Case Loader	4,936.21	11,960.00	-7,023.79		
471.351 · Rogers Trailer	1,872.57	3,641.00	-1,768.43		
472.200 · Series 2006 GON Interest	220.13	226.00	-5.87		
472.350 · 2011 Case Loader Interest	135.29	211.00	-75.71		
472.351 · Rogers Trailer Interest	0.00	105.00	-105.00		
483.194 · Employer Pd Unemployment Comp	22,586.35	25,000.00	-2,413.65		
483.195 · Employer Pd Worker's Comp	63,889.55	121,000.00	-57,110.45		
483.200 · Federal Healthcare Tax	0.00	130.00	-130.00		
483.201 · Transitional Reinsurance Fee	0.00	2,874.00	-2,874.00		
486.350 · Property & Liability Insurance	92,177.00	92,177.00	0.00		
486.355 · Professional Bonds	5,550.00	6,425.00	-875.00		
489.100 · Miscellaneous Expenses	15.00	50.00	-35.00		
492.300 · Interfund Transfer to Cap Resv	1,128,094.04	1,128,094.00	0.04		
491.000 · Refund of Prior Year Revenues	1,154.26	1,155.00	-0.74		

Sewer Operating Fund  
June 2016 Appropriations

	Actual	Budget	\$ Over Budget	Adjusted Budget	Appropriation
429.100 - Utilities	10,271.45	79,600.00	-69,328.55		
429.110 - Public Works Dir Salary	9,000.00	39,000.00	-30,000.00		
429.192 - Social Security	688.50	2,984.00	-2,295.50		
429.197 - Non Uniform Pension Plan	810.00	3,510.00	-2,700.00		
429.200 - BCRA Sewage Treatment	341,391.45	1,022,220.00	-680,828.55		
429.231 - Collection System Costs	0.00	0.00	0.00		
429.244 - Operating Supplies	11,100.41	50,000.00	-38,899.59		
429.300 - Professional Services	48,340.48	193,000.00	-144,659.52	218,000.00	25,000.00
429.374 - Equipment Repair & Maintenance	14,129.70	60,000.00	-45,870.30		
429.375 - Reimbursements - P Traps	1,000.00	0.00	1,000.00	1,000.00	1,000.00
429.610 - Improvements	0.00	163,015.00	-163,015.00		
471.000 - Debt Principal - Long and Short	159,138.41	4,941,983.00	-4,782,844.59	4,915,983.00	-26,000.00
472.000 - Debt Interest - Long and Short	52,136.29	721,859.00	-669,722.71		
492.100 - Transfer to Sewer Construction	2,780,001.00	2,780,001.00	0.00		

Pocono Township Check Listing

June 6, 2016

General Fund	Date	Check	Vendor	Memo	Amount
	06/02/2016	54496	Lincoln Life	Voluntary supplemental pension plan	300.00
	06/02/2016	54497	AFLAC	Voluntary supplemental health plan	396.08
	06/02/2016	54498	Teamster Local	Non Uniform union dues	1,088.00
	06/02/2016	54499	Teamster Local	Police union dues	2,278.00
	06/02/2016	54500	Nationwide	Voluntary supplemental pension plan	5,241.31
	06/02/2016	54501	US Bank	Police pension	4,752.56
	06/02/2016	54502	Met Life	Non Uniform pension	4,899.96
	06/02/2016	54503	Cardmember Service	VOID	0.00
	06/02/2016	54504	Amerihealth Casualty Services	Workmans comp - June	9,894.49
	06/02/2016	54505	Bartonsville Printing	Zoning Placards	35.00
	06/02/2016	54506	Best Auto Service Center	Police Vehicle Repairs	209.90
	06/02/2016	54507	Cardmember Service	Public Works Rain gear/Supplies	1,385.10
	06/02/2016	54508	CCP Industries	Supplies - Gloves/Glasses	256.78
	06/02/2016	54509	Cyphers Truck Parts	Truck Repair	393.52
	06/02/2016	54510	D.G. Nicholas Co.	Parts/Supplies	486.27
	06/02/2016	54511	BIU of PA, Inc.	ZO Services	680.00
	06/02/2016	54512	Cramer, Swetz, McManus, & Jordan P.C.	Griffin Judgement	168.00
	06/02/2016	54513	DES	Recycling	20.00
	06/02/2016	54514	Donnelly, Olivia	Bicentennial - graphics	30.00
	06/02/2016	54515	Eric A. Moses Co.	Park Supplies	144.40
	06/02/2016	54516	Eureka Stone Quarry, Inc.	Stone	538.44
	06/02/2016	54517	F/J Hess and Sons	Repair - flush valve	250.00
	06/02/2016	54518	Furino, Robert	Class "A" Uniform	677.00
	06/02/2016	54519	Gotta Go Potties, Inc	Handicap Toilet	300.00
	06/02/2016	54520	Grainger	Battery Backup	37.65
	06/02/2016	54521	Hanson Aggregates Pennsylvania LLC	Stone	100.14
	06/02/2016	54522	Howarth, Carl	Coffee Supplies	34.00
	06/02/2016	54523	J. P. Mascaro & Sons	Garbage Twp/Park	436.78
	06/02/2016	54524	Keystone Business Products	Copier	1,027.81
	06/02/2016	54525	Leddy Telecom Services	Phone service	70.00
	06/02/2016	54526	Manter, David	SEO Services	697.50
	06/02/2016	54527	Manual, Jack	Class "A" Uniform	677.00
	06/02/2016	54528	MCIDA	Sanofi Tiff	17,566.00
	06/02/2016	54529	Medico Industries, Inc.	Truck Repair	407.34
	06/02/2016	54530	ODB Company	Polywafers	370.56
	06/02/2016	54531	Otto, Carol	2 weeks - plus correction of \$50.00	600.00
	06/02/2016	54532	P & D Emergency Services	#98 weapon mount	369.00
	06/02/2016	54533	PAPCO, Inc.	Gasoline	2,431.24
	06/02/2016	54534	PDAI	DUI Training Rath	75.00
	06/02/2016	54535	PENN Commercial Vehicle Solutions	Truck Repair	1,821.59
	06/02/2016	54536	PENTELEDATA	Internet Service	124.95
	06/02/2016	54537	PNC Equipment Finance, LLC	2011 loader June	1,014.30
	06/02/2016	54538	PPL Electric Utilities	Signals/Twp	1,788.50
	06/02/2016	54539	Praxair Dist Mid-Atlantic	Supplies	24.65
	06/02/2016	54540	PSATS	CDL testing	180.00
	06/02/2016	54541	Public Agency Training Council	DART Training	885.00
	06/02/2016	54542	RecDesk LLC	Program services	250.00

Pocono Township Check Listing

June 6, 2016

06/02/2016	54543	Reliable Sign and Striping	Sign	21.95
06/02/2016	54544	Robert B. Turnbull, Jr.	Tree removal - Park/Birchwood Rd	850.00
06/02/2016	54545	Royal Security Services, Inc	Adjust security camera	72.00
06/02/2016	54546	Sheaffer Precision Gunworks	Gun lights	2,414.00
06/02/2016	54547	Signal Service, Inc.	Emergency repair	100.00
06/02/2016	54548	SPW Cleaning Services	Carpet Cleaning Mtg Room/Chairs	485.00
06/02/2016	54549	Staples Advantage	Office Supplies/Printer Twp	805.88
06/02/2016	54550	Staples Credit Plan	Office Supplies Police	72.04
06/02/2016	54551	Stephenson Equipment, Inc.	Equipment Maintenance	536.52
06/02/2016	54552	Stiff Oil Company	Diesel/Heating Oil	1,409.55
06/02/2016	54553	Stroud Township	Mulch	270.00
06/02/2016	54554	Stroudsburg Electric Motor Service	Part	3.55
06/02/2016	54555	STTC Service Tire Truck Centers, INC.	Tire - Park	228.13
06/02/2016	54556	Swank Motion Picture	NCC - Movie night	600.00
06/02/2016	54557	T&M Associates	Planning Commission	375.05
06/02/2016	54558	Trapasso, Charlie Lynn	VOID: Postage reimbursement	0.00
06/02/2016	54559	Tuipohocken Mountain Spring Water Inc	Water	119.70
06/02/2016	54560	UNIFIRST Corporation	Carpets/Uniforms	627.64
06/02/2016	54561	Verizon Wireless	IPADS	121.72
06/02/2016	54562	Warmick Welding & Fabrication	Welding - Playground	170.00
06/02/2016	54563	Weitzmann, Weitzmann & Huffman, LLC	ZHB Hearings	1,728.63
06/02/2016	54564	Wilson Products Compressed Gas Co.	Supplies	124.96
06/02/2016	54565	BIU of PA, Inc.	ZO Services	980.00
06/02/2016	54566	Verizon Wireless	Police - Phones	574.43
06/02/2016	54567	Cardmember Service	Gloves:Evidences	288.68
06/02/2016	54568	Manter, David	SEO Services	994.80
06/02/2016	54569	Steele's Hardware	Supplies	251.36
06/02/2016	54570	Trapasso, Charlie Lynn	Postage reimbursement	408.98
06/02/2016	54571	Verizon Wireless	Phones - Twp	194.99
06/02/2016	54572	BIU of PA, Inc.	ZO Services	700.00
06/02/2016	54573	Steele's Hardware	Supplies	114.41
06/02/2016	54574	Bartonsville Printing	Post Cards - Bicentennial	480.00
<b>TOTAL General Fund</b>				<b>\$81,537.79</b>

**Pocono Township Check Listing**  
**June 6, 2016**

Sewer Operating Fund	PPL Electric Utilities	Electric for pumping station	2,251.53
06/02/2016 1574	EEEMA O&M Services Group, Inc.	Pump stations maintenance	8,289.46
06/02/2016 1575	J P Mascaro & Sons	Garbage collection for pump stations	52.50
06/02/2016 1576	PENTELEDATA	Internet for pump stations	359.70
06/02/2016 1577	Pennsylvania One Call System, Inc	Monthly contracted location services	103.32
06/02/2016 1578	Prosser Laboratories, Inc.	One call marking	4,390.00
06/02/2016 1579	TRIJAY Systems	Quarterly maintenance billing	600.00
06/02/2016 1580	Universal Technical Resource Services	Engineering for operations	694.83
06/02/2016 1581	MET-ED	Electric for pumping station	206.67
06/02/2016 1582	BLUE RIDGE COMMUNICATIONS	Cable for pumping stations	174.06
06/02/2016 1583	BRODHEAD CREEK REGIONAL AUTHOF	Monthly treatment charges	85,185.00
06/02/2016 1584	Stroudsburg Electric Motor Service	Parts for sewer pump stations	300.96
06/02/2016 1585	Steele's Hardware	Parts for sewer pump stations	3.98
06/02/2016 1586	Wayne Bank	Loan 107710002 interest payment	40,917.52
06/02/2016 1587	ESSA Bank & Trust	Loan 7886012379 interest payment	54,374.99
06/02/2016 1588	First Keystone Community Bank	Loan 5000230987 interest payment	16,401.00
06/02/2016 1589	First Keystone Community Bank	Loan 5000230987 interest payment	67,054.30
06/02/2016 1590		<b>TOTAL Sewer Operating Fund</b>	<b><u>\$281,359.82</u></b>

Sewer Construction Fund	PENNDOT	Hwy permit inspection costs for hump repair	707.34
6/2/2016 163	Marona	Hump repair payment request #4	199,943.04
6/2/2016 164		<b>TOTAL Sewer Construction Fund</b>	<b><u>\$200,650.38</u></b>

Capital Reserve Fund	JDM Materials	Utility blocks for police yard	945.00
6/2/2016 148		Stone for sewer connection	975.69
6/2/2016 149		<b>TOTAL Capital Reserve Fund</b>	<b><u>\$1,920.69</u></b>

TOTAL General Fund \$81,537.79

TOTAL Sewer Construction Fund \$200,650.38

TOTAL ESSA Transfer \$282,188.17

TOTAL Sewer Operating Wayne Bank \$281,359.82 Authorized by:

TOTAL Capital Reserve \$1,920.69

**MEMORANDUM**

TO: Board of Commissioners

From: Pamela Finkbeiner, Interim Twp. Manager/Secretary

**Interim Manager's Report**  
Period of 05/16/2016 to 06/02/2016

**Meetings:**

Sewer Meeting May 16<sup>th</sup>, 2016

Regular Meeting May 16<sup>th</sup>, 2016

Special Meeting of May 18<sup>th</sup>, 2016 – SALDO Workshop with MCPC

Special Meeting of May 24<sup>th</sup>, 2016

Special Meeting of June 2<sup>nd</sup>, 2016

Code Blue Meeting of May 24<sup>th</sup>, 2016 – County wide effort to assist the homeless during cold weather.

Meeting with Jon Tresslar and Russel Benner to determine Engineer assignments.

I attended the Zoning Hearing Boards for the Archer and Butz appeals

Weis Market – New Gas station – preliminary meeting to discuss their proposed project on May 26<sup>th</sup>, 2016.

Attended the COG dinner on May 23<sup>rd</sup>, 2016.

Attended the Memorial Day Service and Dedication of the Veteran's Park on May 29<sup>th</sup>, 2016

**Personnel:**

Christine Brodksy started 05/18/2016 and is working out very well. Currently she is assisting me, Gina and Jeff with accounting.

**Court:**

Attended the District Court Hearing with Mike Tripus and Leo DeVito on June 1<sup>st</sup> for the Leo Stock, Kleyman, and Kirkman hearings.

**Updates:**

- We received the check from Newman, Williams, Mishkin, Coreleyn, Wolfe & Fareri, for the Griffin judgement.
- Worked with Sundance to configure a Computer for use by Christine Brodsky and other issues.
- Contacted SWM to clean the floors and upholstered chairs. They will clean the meeting room and commissioner's chairs on Saturday, June 4<sup>th</sup>.
- Codification is on hold until adoption of the SALDO Ordinance.
- Sewer Connections are continuing and we expect the last group of notifications to go out later this month.
- A meeting is scheduled for June 3<sup>rd</sup> with Nate Oiler, RKR Hess and Jon Tresslar, to discuss the future Summit Heights Tentative plans.
- I am reviewing the Municipal Building for recommendations for better use of the space.
- Worked with Julian Kirk and Gina Zuvich to complete the 2015 Audit on May 20, 21 and 22<sup>nd</sup>.

Pocono Township Projects  
Engineer assignment

Land Development and Subdivision Applications					
Engineer Assigned	T&M File Number	LDP	LDP Location	LDP Description	Current Review/Construction Status
Boucher & James	POCOR0570	Kinsley Minor subdivision	Abeel Rd and Cherry Lane Road	four lot minor subdivision; single family	Under review by the Planning Commission
Boucher & James	POCOR0610	CM and Kailias Artin Minor Subdivision	Back Mountain Rd and Summit Rd	Four lot minor subdivision; single family	Under review by the Planning Commission
Boucher & James	POCOR0070	Sheldon Kopelson Lot 2 Commercial	PA Route 611 and PA Route 715	135,000 s.f. Commercial building	Conditional Use and Preliminary Plans approved; Final Plans Pending PennDOT solution of 715 alignment
Boucher & James	POCOR0060	Sheldon Kopelson Lot 1 Residential PRD	PA Route 715; 1/4 mile north of PA Route 611	90 unit residential development	Tentative plans conditionally approved; Pending final plan submission
Boucher & James	POCOR0360	Sheldon Kopelson Lot 3	PA Route 611 and PA Route 715	Proposed commercial lot	Preliminary application has been extended numerous times; No new information has been submitted in the last six months
Pennoni - Boucher & James Inspections	POCOR0040	The Spirit of Swiftwater Residential	PA Route 611	Apartment complex	Obtained conditional preliminary approval; improvements currently being installed; final plan application submitted; being reviewed by Pennoni Associates
Pennoni - Boucher & James Inspections	POCOR0050	The Spirit of Swiftwater Hotel	PA Route 611	Hotel	Obtained conditional preliminary approval; final plans pending
T&M Associates - Inspections Boucher & James	POCOR0470	Sanofi Flu Building - Final	PA Route 611 and PA Route 314 North	150,000 s.f. Laboratory building	Obtained final plan approval
T&M Associates	POCOR	Sanofi parking lot expansion	PA Route 611 and PA Route 314	space parking expansion/relocation - Stormwater Review	Currently under staff review
T&M Associates	POCOR0460	Camelback Lot 12 and Helpad	Camelback Road	Space parking lot expansion / relocation and relocated helpad	Obtained conditional preliminary approval
T&M Associates	POCOR0550	Camelback Mountain Slide	Camelback Road	Tubing Ride	Stormwater application under review
T&M Associates	POCOI0120	Camelback Lodge and Water Park	Camelback Road	Hotel and parking lots	Obtained final plan approval. Construction nearly complete except for one infiltration basin.
Boucher & James	POCOR0301	Spa Castle	Birchwood Road	Spa and water park	Preliminary application review on hold as requested by applicant. Review period extend to June 31, 2016.
Boucher & James	POCOR0430	Carriage House		Driveway and pedestrian entrance modifications	Obtained final plan approval

Pocono Township Projects  
Engineer assignment

Land Development and Subdivision Applications					
Engineer Assigned	T&M File Number	LDP	LDP Location	LDP Description	Current Review/Construction Status
Boucher & James	POC0R0370	Sheldon Kopelson Minor Subdivision	PA Route 611 and PA Route 715	3 lot subdivision	Obtained conditional final plan approval
T&M Associates - Boucher & James to do inspections	POC0R0530	Jim Schlier Motorcycle dealership	Route 715 and Motor Hill Lodge Road	Single lot commercial development	Obtained final plan approval - Plan not recorded
T&M Associates - Boucher & James to do inspections	POC0R0500	RKA Construction - Bob Ace	Learn Road	Conversion to commercial use as Contractor's Office/Yard	Obtained final plan approval - Construction permit obtained
Boucher & James	POC0R0510	Pocono Medical Center	PA Route 715	Hospital Land Development - to be submitted	
T&M Associates	POC0R0590	Camelback Hotel and Lot 13	Camelback Road	90 Unit Hotel with support parking lots - to be accepted by PC	
T&M Associates	POC0J0170	Northridge at Camelback	Camelback Road	Multi phased housing development	Under construction Phases 11-17 - Boucher & James new phases? R. Almqvist states this is final phase
T&M Associates		Camelback Lot 13 & Hotel			Plan to be submitted - 06/13/2016
T&M Associates		St. Luke's Hospital	Wigwam Road	Construction near Sewerline	
T&M Associates		Plaza 611 - Langan Engineer	Stroud Twp by Wigwam Road	Construction near Sewerline	
T&M Associates		Pump Station #2 - Hydraulic Analysis			
Boucher & James		611 Realignment			
T&M Associates		Hump Repair			
T&M Associates		Force Main Repairs		PACT TWO CHANGE ORDER	
		Kalahari Resort/Tobyhanna			

POCONO TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA

RECEIVED  
MAY 31 2016

POCONO TOWNSHIP

APPLICATION FOR FIREWORKS DISPLAY PERMIT  
(Application must be made at least 30 days in advance of the date of the display)

Applicant Name Odd Lot Inc. Permit # \_\_\_\_\_  
 Applicant Address: PO Box 404 Tax Parcel # 2/10/1/14-1  
Marshalls Creek Pa 18335 PIN # \_\_\_\_\_  
 Applicant Telephone # 570.350.8881  
 Property Owner Name and Telephone # Great Wolf Lodge 570.688.9809  
 Location of Display Front of Great Wolf Lodge Hotel.  
 Type of Display Consumer Fireworks (1.4G)  
 Date of Display 7.4.2016 Time Display Begins: 9:15pm Ends: 9:40pm  
 Operator Name and Address Odd Lot Inc.  
PO Box 404 Marshalls Telephone # 570.350.8881  
Creek Pa 18335

Applicant Signature [Signature] Date: 5/27/16  
 Property Owner Signature Nadine Mirach Date: 5/27/16

Applicant must provide the following with this application:

- Application Fee (Fee is non-refundable)
- Bond in the amount of \$1,000,000.00
- Liability Insurance in the amount of not less than \$1,000,000.00, naming the Township as an additional insured
- Map showing fireworks site diagram
- Valid certificate of registration with the Pennsylvania Attorney General's Office
- Valid Bureau of Alcohol, Tobacco and Firearms License

Office Use Only

Fee \$ 100.00 Date Paid 5/31/2016 Expiration Date \_\_\_\_\_  
 Date of Approval \_\_\_\_\_ Approved by \_\_\_\_\_  
 Date of Denial \_\_\_\_\_ Denied by \_\_\_\_\_

**DRAYTON INSURANCE BROKERS, INC.**

2500 CENTER POINT ROAD, SUITE 301  
BIRMINGHAM, ALABAMA 35215  
PHONE: (205) 854-5806  
FAX: (205) 854-5899

POST OFFICE BOX 94067  
BIRMINGHAM, ALABAMA 35220  
EMAIL: dib@draytonins.com

**CERTIFICATE OF INSURANCE**

NO. 642501

We certify that insurance is afforded as stated below. This Certificate does not affirmatively or negatively amend, extend or alter the coverage afforded by the insurance policy and the insurance afforded is subject to all the terms, exclusions and conditions of the policy.

**INSURER** Admiral Insurance Company **POLICY NO.** CA000003209-26-1041

**NAMED INSURED** Odd-Lot, Inc.  
D.B.A. Fireworks Outlet  
P.O Box 404  
Marshalls Creek, PA 18335

**POLICY TERM** March 1, 2016 to March 1, 2017; Both Days 12:01 A.M. Standard Time

**COVERAGE** Commercial General Liability:  Occurrence Basis  Claims Made Basis

**LIMIT OF LIABILITY** \$2,000,000 each occurrence, \$2,000,000 general aggregate, \$2,000,000 products/completed operations aggregate  
The limit of liability shall not be increased by the inclusion of more than one insured or additional insured.

**RESTRICTION** This policy applies only to displays which comprise solely Class "C" Fireworks (Explosives Classification 1.4), pyrotechnics special effects (including indoor pyrotechnics), propane, open flame effects, lasers and other non-pyrotechnic special effects. Excluding the use of Class "B" fireworks (Explosives Classification 1.3).

**INSURED OPERATIONS** Public fireworks display and special effects contractor

It is certified that, if named below, this policy includes as Additional Insureds 1) the sponsor(s), promoter(s), organizer(s) (including other entities having similar interests), of insured pyrotechnic events and/or 2) the owner(s) of real property (or barges) at which insured pyrotechnic events are held and/or 3) the owner(s), manager(s), tenant(s), mortgagee(s) (including other entities having similar interests), of buildings, stadiums, arenas and similar facilities at which insured pyrotechnic events are held and/or 4) the licensing or permitting authority, or other authority having jurisdiction, issuing licenses/permits for insured pyrotechnic events and/or 5) any other entity for which the insurance is required to be afforded under written contract. Coverage applies only as respects the legal liability of such Additional Insured(s) for bodily injury and property damage caused by the operations of the Named Insured. The insurance afforded any Additional Insured does not include coverage for any bodily injury or property damage arising from the failure of such Additional Insured to fulfill its obligations specified in its contract with the Named Insured.

**NAME(S) OF  
ADDITIONAL INSURED(S)**

Great Wolf Lodge

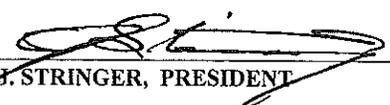
**DISPLAY LOCATION** **DISPLAY DATE(S)**

1 Great Wolf Drive  
Scotrun, PA 18355  
July 4, 2016

It is certified that this policy requires a 30 day mutual notice of cancellation between the Insurer and the Named Insured. In the event of such cancellation we will endeavor to mail 10 days written notice to the Additional Insured(s), whose name and address is shown hereon, but failure to mail such notice shall impose no obligation or liability of any kind upon the insurer and/or the undersigned.

DRAYTON INSURANCE BROKERS, INC.

May 19, 2016  
DATE OF ISSUE

  
A.J. STRINGER, PRESIDENT

Commonwealth of Pennsylvania



**Office of Attorney General**  
**Fireworks Displays or Exhibitions**  
**Certificate of Registration**

*Be it known that:* Odd-Lot Inc.  
d/b/a Fireworks Outlet  
P.O. Box 404  
Route 209  
Marshalls Creek, PA 18335  
President: Ken Schuchman

is registered with the Office of Attorney General, Commonwealth of Pennsylvania, to perform, provide or supervise fireworks displays for profit within this Commonwealth.

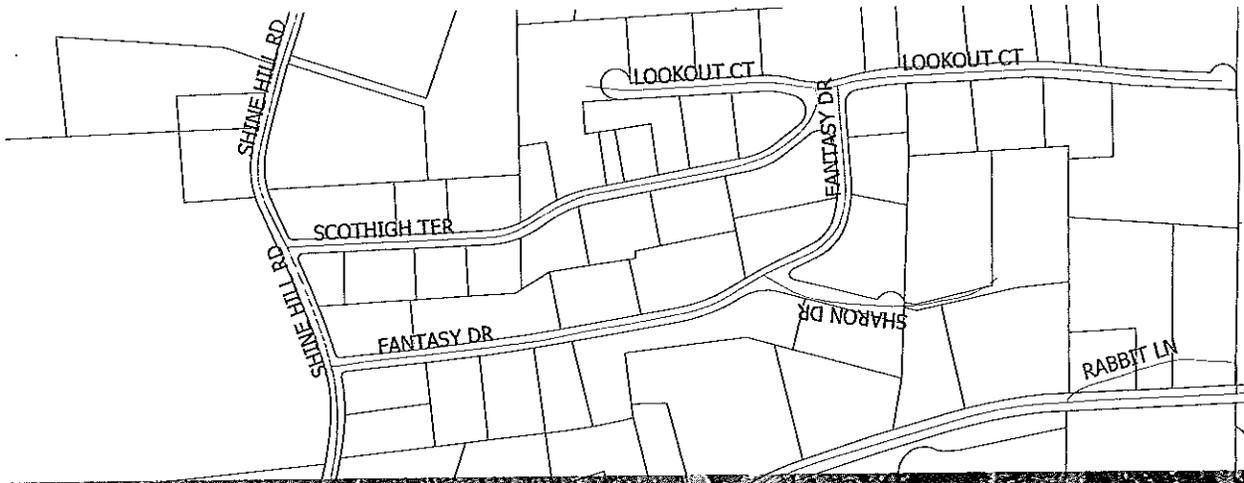
This Certificate is evidence of registration with the Office of Attorney General only. The competence, financial fitness and compliance with local requirements by the above individual or entity are not herein certified.

A handwritten signature in cursive script, reading "Lawrence M. Cherba".

Lawrence M. Cherba  
*Executive Deputy Attorney General*  
*Director, Criminal Law Division*

June 25, 2015  
Date

**Registration Expires: June 25, 2016**



Sharon site

Fee 2016: \$100.00

POCONO TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA  
Pocono Township, Municipal Bldg. PO Box 197, Tannersville, PA 18372  
APPLICATION FOR FIREWORKS DISPLAY PERMIT  
(Application must be made at least 30 days in advance of the date of the display)

Applicant Name Camelback Mountain Permit # \_\_\_\_\_

Applicant Address: 1 Camelback Road Tax Parcel # \_\_\_\_\_

Tannersville, PA 18372 PIN # \_\_\_\_\_

Applicant Telephone # 570 629 1661x1149

Property Owner Name and Telephone # same

Location of Display Camelback Mountain property

Type of Display 1.3G Firework display

Date of Display 7/2/16 Rain Date 7/3/16 Time Display Begins: at dark Ends: 15 to 30 min.

Operator Name and Address Young Explosives Corporation-Display Fireworks

PO Box 18653, Rochester, NY 14618 Telephone # 585.394.1783

Applicant Signature \_\_\_\_\_ Date: \_\_\_\_\_

James R Young on behalf of Camelback Mt.  
Property Owner Signature \_\_\_\_\_ Date: \_\_\_\_\_

James R Young, President Young Explosives Corp.

Applicant must provide the following with this application:

- Application Fee (Fee is non-refundable)
- Bond in the amount of \$1,000,000.00 customer obtaining Bond
- Liability Insurance in the amount of not less than \$1,000,000.00, naming the Township as an additional insured
- Map showing fireworks site diagram
- Valid certificate of registration with the Pennsylvania Attorney General's Office
- Valid Bureau of Alcohol, Tobacco and Firearms License

Office Use Only

Fee \$ \_\_\_\_\_ Date Paid \_\_\_\_\_ Expiration Date \_\_\_\_\_

Date of Approval \_\_\_\_\_ Approved by \_\_\_\_\_

Date of Denial \_\_\_\_\_ Denied by \_\_\_\_\_



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
5/26/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 216-658-7100 E-MAIL ADDRESS:	FAX (A/C, No): 216-658-7101
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Young Explosives Corporation P.O. Box 18653 Rochester NY 14618	<b>INSURER A:</b> James River Insurance Co	
	<b>INSURER B:</b> Everest National Insurance Company	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
<b>INSURER F:</b>		<b>NAIC #</b> 10120

**COVERAGES**

CERTIFICATE NUMBER: 2076949375

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	Y	Y	S18GL00353-161	3/20/2016	3/20/2017	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$500,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS - COMP/OP AGG	\$2,000,000
								\$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	S18CA00054-161	3/20/2016	3/20/2017	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y	Y	00056893-3	3/20/2016	3/20/2017	EACH OCCURRENCE	\$5,000,000
							AGGREGATE	\$5,000,000
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS	OTHER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

Date (s): Name Update\*\*\*Saturday, July 2 Rain Date: Sunday, July 3, 2016

Location: Mid Mountain 1 Camelback Rd

Additional Insured: CBH2O, LP; dba Camelback Mountain; Pocono Township; Village of Tannersville;

Group Code: Certificate#0098

**CERTIFICATE HOLDER****CANCELLATION**
 CBH2O, LP  
 dba Camelback Mountain  
 1 Camelback Road  
 Tannersville PA 18372

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Commonwealth of Pennsylvania



Office of Attorney General  
Fireworks Displays or Exhibitions  
Certificate of Registration

*Be it known that:* Young Explosives Corp.  
P.O. Box 18653  
Rochester, NY 14618  
President: James R. Young

is registered with the Office of Attorney General, Commonwealth of Pennsylvania, to perform, provide or supervise fireworks displays for profit within this Commonwealth.

This Certificate is evidence of registration with the Office of Attorney General only. The competence, financial fitness and compliance with local requirements by the above individual or entity are not herein certified.

*Lawrence M. Cherba*

Lawrence M. Cherba  
Executive Deputy Attorney General  
Director, Criminal Law Division

March 2, 2016  
Date

Registration Expires: March 2, 2017

Federal Explosives License/Permit  
(18 U.S.C. Chapter 40)

91 2017 FEB 10 10 00 AM '17

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To  
ATF - Chief, FELC  
244 Needy Road  
Martinsburg, WV 25405-9431

License/Permit Number  
**6-NY-069-24-8K-00339**

Chief, Federal Explosives Licensing Center (FELC)  
*Christopher R. Reeves*

Expiration Date  
**October 1, 2018**

Name  
YOUNG EXPLOSIVES CORP

Premises Address (Changes? Notify the FELC at least 10 days before the move.)  
**2165 NEW MICHIGAN ROAD  
CANANDAIGUA, NY 14424-0000**

Type of License or Permit  
**24-IMPORTER OF EXPLOSIVES**

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

YOUNG EXPLOSIVES CORP  
PO BOX 18653  
ROCHESTER, NY 14618-0000

*[Signature]*  
Licensee/Permittee Responsible Person Signature  
*James R. Young*  
Printed Name

*President*  
Position/Title  
*10/7/2015*  
Date

ATF Form 6409-1495469-15 Part 1  
Revised October 2011

Previous Edition is Obsolete 10/25/11 10/25/11 00272155 NEW 02/28/13 REVO 10/28/13 NY 055-24-01 02/28/13 02/28/13 2/11/14 9/25/15 10/27/15

Federal Explosives License/Permit  
(18 U.S.C. Chapter 40)

91 2017 FEB 10 10 00 AM '17

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To  
ATF - Chief, FELC  
244 Needy Road  
Martinsburg, WV 25405-9431

License/Permit Number  
**6-NY-069-21-8K-00338**

Chief, Federal Explosives Licensing Center (FELC)  
*Christopher R. Reeves*

Expiration Date  
**October 1, 2018**

Name  
YOUNG EXPLOSIVES CORP

Premises Address (Changes? Notify the FELC at least 10 days before the move.)  
**2165 NEW MICHIGAN ROAD  
CANANDAIGUA, NY 14424-0000**

Type of License or Permit  
**21-MANUFACTURER OF EXPLOSIVES**

Purchasing Certification Statement

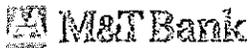
The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

YOUNG EXPLOSIVES CORP  
P O BOX 18653  
ROCHESTER, NY 14618-0000

*[Signature]*  
Licensee/Permittee Responsible Person Signature

*President*  
Position/Title



**M and T Bank**  
Trade Finance Operations  
1800 Washington Boulevard 8th Floor, MC-MD1-MP37  
Baltimore, MD 21230  
Tel: Letters of Credit: (410) 244-4475 / 4587  
Tel: Collections: (410) 244-4566  
SWIFT: MANTUS33INT

**Irrevocable  
Standby Letter of Credit No.:  
SB1944270001**

**Beneficiary:**  
POCONO TOWNSHIP  
P.O. BOX 197  
112 TOWNSHIP DRIVE  
TANNERSVILLE, PA 18372 United States

**Applicant:**  
CBH20, LP  
1 CAMELBACK ROAD  
TANNERSVILLE, PA 18372 United States

**Date of Issue:**  
May 26, 2016

**Date and Place of Expiry:**  
May 24, 2017 AT ISSUING BANK'S COUNTERS

**Amount:**  
Not Exceeding USD 100,000.00 One Hundred Thousand and  
00/100 United States Dollars

\*\*\*\*LC FOR DRAFT PURPOSES ONLY\*\*\*\*  
\*\*\*\*NOT INTENDED AS A LIVE INSTRUMENT\*\*\*\*

WE HEREBY AUTHORIZE YOU TO DRAW ON US FOR THE ACCOUNT OF CBH20 LP, HAVING AN ADDRESS OF 301 RESORT DRIVE, TANNERSVILLE, PA 18372, UP TO THE AGGREGATE OF ONE HUNDRED THOUSAND AND 00/100 U.S. DOLLARS (\$100,000.00), AVAILABLE ONE HUNDRED (100%) PERCENT BY YOUR DRAFTS AT SIGHT, FOR THE PAYMENT OF ALL DAMAGES CAUSED TO ANY PERSON OR PERSONS AND TO ANY PROPERTY BY REASON OF THE LICENSED DISPLAY AND ARISING FROM ANY ACTS OF THE LICENSEE, HIS OR ITS AGENTS, EMPLOYEES, OR SUBCONTRACTORS IN ACCORDANCE WITH THE FIREWORKS AS DEFINED IN 1.3G OF THE POCONO TOWNSHIP ORDINANCE 2015-09.

*Licensee*

ALL OF THE DRAFTS DRAWN ON THIS LETTER OF CREDIT SHALL BE ACCOMPANIED BY:

A WRITTEN SIGNED STATEMENT OF TOWNSHIP OF POCONO LETTERHEAD, STATING THAT THE TOWNSHIP DEEMS CBH20, LP TO BE IN DEFAULT PURSUANT TO THE TERMS AND CONDITIONS OF THE POCONO TOWNSHIP ORDINANCE 2015-09.

DRAFTS MUST BE DRAWN AND NEGOTIATED NO LATER THAN MAY 24, 2017 OR ANY FUTURE EXPIRATION DATE. EACH DRAFT MUST STATE THAT IT IS "DRAWN UNDER LETTER OF CREDIT ON M AND T BANK, NO. (INPUT LC NUMBER) DATED (INPUT ISSUANCE DATE)."

THIS ORIGINAL SIGNED LETTER OF CREDIT IS THE OPERATIVE INSTRUMENT. THIS ORIGINAL SIGNED LETTER OF CREDIT MUST BE PRESENTED AT THE TIME OF DRAFTING WITH ANY AMENDMENTS THEREOF.

THIS LETTER OF CREDIT MAY BE REDUCED. SUCH REQUESTS MUST BE SUBMITTED IN WRITING AND SIGNED BY AN AUTHORIZED TOWNSHIP OFFICIAL.

THIS LETTER OF CREDIT EXPIRES ON MAY 24, 2017, AND ANY DRAFTS PRESENTED AFTER MAY 24, 2017 WILL NOT BE HONORED, PROVIDED, HOWEVER, THAT M AND T BANK AGREES THAT NO LATER THAN SIXTY (60) DAYS PRIOR TO THE EXPIRATION DATE, IT WILL NOTIFY YOU IN WRITING, BY REGISTERED MAIL, RETURN RECEIPT REQUESTED, AT THE ADDRESS AS NOTED ABOVE, THAT THIS LETTER OF CREDIT WILL NOT BE EXTENDED. UPON RECEIPT OF SUCH NOTICE, YOU MAY DRAW ON US BY MEANS OF YOUR DRAFT FOR THE REMAINING BALANCE OF THE LETTER OF CREDIT ACCOMPANIED BY YOUR STATEMENT THAT THE LETTER OF CREDIT HAS NOT BEEN EXTENDED. IF M AND T BANK FAILS TO GIVE YOU SUCH NOTICE AT LEAST SIXTY (60) DAYS PRIOR TO THE EXPIRATION DATE, THEN THE EXPIRATION DATE OF THE LETTER OF CREDIT SHALL BE EXTENDED AUTOMATICALLY FOR AN ADDITIONAL YEAR.

WE HEREBY AGREE WITH THE DRAWERS, ENDORSERS AND BONA FIDE HOLDERS OF ALL DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH THE TERMS OF THIS CREDIT THAT SUCH DRAFTS WILL BE DULY HONORED UPON PRESENTATION TO THE DRAWEE.

UNLESS OTHERWISE EXPRESSLY STATED, THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (2007 REVISION), INTERNATIONAL CHAMBER OF COMMERCE, PUBLICATION NO. 600.

SINCERELY,

\_\_\_\_\_  
AUTHORIZED SIGNER

\_\_\_\_\_  
AUTHORIZED SIGNER

## **Pam Finkbeiner**

---

**From:** Jeffry Clapper  
**Sent:** Friday, June 03, 2016 9:22 AM  
**To:** Pam Finkbeiner  
**Subject:** 2016 Dump Truck Purchase

Pam-

After discussing the various options with some of the commissioners, I request that you place the Dump Truck Purchase on the June 6<sup>th</sup> agenda for the BOC consider.

The following is what I understand to be acceptable options.

2017 Peterbilt cab and chassis with a 345 HP, 1150 Lb. Ft Torque Paccar PX-9 (Cummins) Motor and an Allison 3000 RDS Automatic Transmission.

Galion Aluminum bed, Gledhill 11HSBPR2 snow plow, Cirrus Hydraulics and other appurtenances per EM Kutz proposal dated April 28, 2016.

Total Cost for Truck complete = \$ 153,017

2016 Budget Amount is \$ 150,000

Jeff

***Jeffry D. Clapper***

Pocono Township  
Public Works Director  
484-553-3336 cell  
570-629-1922 x 217 office

MEMO

To: Pocono Township Commissioners

From: Michael Shay, Chief - Pocono Township Volunteer Fire Company



Subject: Pocono Township Fire Police Appointment

Date: June 1, 2016

The enclosed is a nominee of the Pocono Township Volunteer Fire Company for your appointment as Fire Police for the year 2016. Please place this appointment on your agenda for appointment as a Pocono Township Fire Police.

ANGELA TULIO

EXCEL ENTERTAINMENT SERVICES LLC

# Invoice

730-16 MILFORD ROAD  
 EAST STROUDSBURG, PA 18301  
 570 982 -2841 347 231-9439

Date	Invoice #
8/3/2015	quote

<b>Bill To</b>
Pocono Township Route 611 Tannersville Pa

<b>Ship To</b>

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			8/3/2015			

Quantity	Item Code	Description	Price Each	Amount
1	misc	CCS 1000 D Control Unit with Recorder		0.00T
1	misc	USB Flash Drive		0.00T
10	misc	CCS 1000 D Discussion Device, long microphone		0.00T
1	misc	Extension cable assembly, 5 m		0.00T
1	misc	Extension cable assembly, 10 m		0.00T
1	misc	60 watt mixer amplifier		0.00T
1	misc	Wireless Handheld Microphone System Shure		0.00T
2	misc	1/2 Wave Omnidirectional Antenna		0.00T
1	misc	Weighted Microphone Stand		0.00T
1	misc	Installation Hardware, Connectors and Cable		0.00T
1	misc	Floor Rack 16SP (28) OAK RACK, 18DEEP		0.00T
1	misc	Glass Door 16SP GLS DR FOR BRK/OBRK		0.00T
1	misc	2sp Utility Drawer Black		0.00T
1	misc	9OUT, 15A. Rackmount Power Panel		0.00T
2	misc	Black Rack Panels		0.00T
1	misc	Small Floor Trak, Brown; 10'		0.00T
4	misc	Cieling Mount Speakers		0.00T
	Shipping	shipping	0.00	0.00T
	misc	Audio EguipmentTotal	6,176.98	6,176.98T
	Labor	Labor/Programing/intallation and Tranning for 4 Hours		
		Labor!Prograning/Tranning For 4 hours	3,000.00	3,000.00T
		Out-of-state sale, exempt from sales tax	0.00%	0.00

Thank you for your business.	<b>Total</b>	\$9,176.98
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# APPLICATION FOR A HEARING REQUIRING ACTION BY THE POCONO TOWNSHIP ZONING HEARING BOARD POCONO TOWNSHIP, P.O. BOX 197, PENNSYLVANIA 18372

ACTION REQUESTED: Special Use or Exception  Variance \_\_\_\_\_  
Appeal  Interpretation

Date: May 3, 2016

FEE \$ 300.00

- Applicant's Name Leo F. Stock, Sr.  
Address 3381 Route 715, Henryville, PA 18332; 3385 Route 715, Henryville, PA 18332  
Phone \_\_\_\_\_
- Applicant's Attorney Mark A. Primrose, Esq.  
Address 17 North 6th Street  
Stroudsburg, PA 18360
- Interest of Applicant Record owner of Property
- If interest is other than owner, furnish name and address of owner: \_\_\_\_\_
- Property Location 3385 Route 715, Henryville, PA 18332  
Property Tax Map # 12/4/1/16 Zone \_\_\_\_\_ Present Use \_\_\_\_\_  
PIN # 12638403229517
- Interpretation, Special Use or Exception, or Variance sought: Notice of Violation, suspension of non-conformity use via special permits and appeal.
- Grounds for appeal or interpretation or reasons for special use or variance are: I am opposed to determination and judgment pursuant to Notice of Violation; I consider interpretation of matters previously decided.
- For an appeal for interpretation, attach a true copy of the order, requirement, decision or determination of the Zoning Official.
- Number of copies: 11

[Signature]  
Signature of Applicant

RECEIVED  
MAY 10 2016  
POCONO TOWNSHIP

Received _____	Fees _____	Received _____
Publication _____	Notices _____	
Hearing _____	Referred to Planning Commission _____	
Order _____	Planning Commission Action _____	

NOTE: This application must be accompanied by a detailed site plan indicating property boundaries, relation to existing streets or roads, buildings, etc., proposed buildings, parking areas, landscaping or screening, lighting, signs, etc. This plan shall include all necessary dimensions, including yards and North shall be indicated by arrow. All information submitted supporting this application shall become a part of the record and cannot be returned.



# Pocono Township

Tannersville, PA

Zoning Officer

October 29, 2015

Mr. Leo Stock Sr.  
Mr. Leo Stock Jr.  
3381 Route 715  
Henryville, PA 18332

---

Re: Results of Inspection of Your Property; Violations Outstanding; 3385 Route 715,  
PIN 12638403229517, Pocono Township, Monroe County, PA

Dear Sirs:

After reviewing the file, inspecting your property, and reviewing the zoning ordinance; I have reached the following conclusions concerning your property and they are:

I completely understand that each auto part on your property, whether it be a chassis for your son's truck or for your granddaughter's car or a vehicle left behind by a client who owes your son money for repairs, or a pile of scrap metal you take twice yearly to a recycler, or cars waiting for to be picked up by their owners, or automobile bumpers that are for your personal use- that these items and many more on your property have a personal story, a history, and a future purpose for you and/or your son.

According to the Municipal Planning Code which sets the legal standard zoning officers are required to follow, I must literally interpret the Township's zoning ordinance. I am not permitted to grant waivers, grant exceptions or variances. That responsibility is exclusively reserved for the Zoning Hearing Board. My decisions are based upon the black ink and the white pages of the township's zoning ordinance and how site conditions either comply or do not comply with the zoning ordinance and other laws referenced in that ordinance.

In order to make the following determinations, I had to first review your file, your zoning hearing transcript, and all four court decisions. My reasoning behind the research was to ascertain the extent of your non-conforming use that was upheld by the Commonwealth Court, review your minor subdivision that was approved after the final Commonwealth court decision, and make a determination on how much additional expansion, if any, you are allowed. Based upon my research and subsequent inspection I have concluded:

A. JUNK AND JUNKYARD; UNLICENSED AND/OR UNINSPECTED VEHICLES

During the course of my inspection of your property, you and your son stated several times that vehicles, parts, and scrap metal I was observing was your personal property, including but not limited to: tires, bumpers, vehicle chassis/frames, a Hudson automobile, several unlicensed vehicles, scrap pile, vehicle mechanical parts. You did not believe that these items were incidental to the auto body and vehicle repair business.

Ordinance No. 18 as amended by Ordinance No 22A, Section 5.2 deems it unlawful to keep junk vehicles on your property. Under Section 5.1(a) a

“junk vehicle is defined as any motor vehicle that does not display a current license plate or valid inspection sticker, or is otherwise partially dismantled, wrecked, or has major parts missing. “

Your property has more than one vehicle and you meet the definition of Junked Vehicle and Junkyard under Section 5.1(b) and therefore you are in violation of Ordinance No. 18, as amended, for your junk vehicles.

Under Article II, Section 202, Definitions of the Pocono Township Zoning Ordinance, your property does meet the definition of a junkyard. Under Section 202 A., Junk is defined as

Any discarded material or articles, including but not limited to scrap metallic or nonmetallic items, abandoned vehicles and equipment, paper, glass, containers and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal.

Under Section 202B, A junkyard is defined as:

Any lot where junk is stored, accumulated, disassembled or disposed of and is consistent with Pocono Township Ordinance No. 18.

Your property meets the definition of a junkyard due to the large number junk present on your property and is in violation of Section 5.2 of the Pocono Township Zoning Ordinance.

B. LOT CONSOLIDATION MINOR SUBDIVISION

Thank you for showing me where the property pins were for the original tract that was the subject of your zoning hearing and court decisions.

---

My inspection confirmed the following: You have migrated the storage of automobile body parts, unlicensed vehicles, and customer vehicles that have been repaired and are waiting for pick-up onto areas of your property that were previously separate from your tract and not the subject of your zoning hearings on September 12, 2001 and October 3, 2001. Your lot consolidation subdivision is dated 2011.

On the consolidated area of your property, I observed several unlicensed vehicles, body parts, mechanical automobile parts, and customer vehicles, and scrap metal. You and your son stated (during my inspection) that many of these items were unrelated to your business and were personal items. What is not incidental storage for your business meets the definition of junk. Both uses violate the zoning ordinance of Pocono Township.

Expanding the size of your property does not automatically give you the right to expand your degree of non-conformance to include the expanded property area. You did not obtain a Special Exception permit for such an expansion and any expansion must be contained to the original tract that was the subject of your zoning hearing approval and later approved by the courts.

Article V, Section 510C.1. Specifically states:

C. Any non-conforming use may be continued indefinitely, provided that any such use:

1. Shall not be enlarged, altered, extended, reestablished, restored, or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this Ordinance, without a Special Exception from the Zoning Hearing Board.

a. Any modification of the non-conforming use shall take place only on the same lot as that existing at the time the use became non-conforming.

If I accept your argument that all items, except customer cars, are your personal property, then you are operating a junkyard in violation of the ordinance. But I am not accepting your argument in full. You are in the business of body shop and auto repair. The vast majority of items are vehicular in nature and, in my view, incidental to your body shop and auto repair business. *You are in violation of both Article II, sections 202B and Article V, Section 510 of the Pocono Township Zoning Ordinance.*

---

C. EXPANSION OF YOUR NON CONFORMING USE

You have argued that the basement under the existing home was utilized for auto repair, approximately 1500 square feet of area, according to your testimony on September 12, 2001. Under Article V, Section 510.C.1.c you are permitted an additional expansion of your non-conforming use. The results of my review have concluded:

Your detached garage, originally permitted for personal use, is  $24' \times 36' = 864$  s.f. The paved parking area in front of your garage, by your own testimony at your September 12, 2001 zoning hearing is  $20' \times 40' = 800$  s.f. for total area of 1664 s.f. that you testified was in use at the time of your zoning hearings in 2001.

My inspection confirmed that you have installed two military grade storage units next to your auto body and repair garage. When I asked you the purpose of those two units, you replied that one unit was a storage unit for automobile parts, the second unit contained a compressor and other equipment used in the operation of your business.

The units appear to be approximately  $8' \times 8'$ . Please confirm the size of these two structures. Based upon my approximation, this represents an additional 128 s.f. of unauthorized expansion of your non-conforming use and a violation of Article V, Section 510.C.1. of the township's zoning ordinance.

Directly behind your commercial garage and in very close proximity to your original boundary line, is a very large pile of scrap metal which includes scrap generated from your repair business. Your pile is approximately 10 feet wide, 10 feet high, and 20 feet long, which represents an additional 200 s.f. of area that is incidental to your existing use.

There is a white S.U.V., a blue sports car, a vehicle covered with a tarp, and a truck chassis/frame that are located on the original tract. Your son stated that the sports car was being removed, the white SUV had been there for 4-5 years due to non-payment of a bill, and that the truck chassis/frame was purchased to replace one on his own truck. The vehicle under the tarp may be an antique vehicle and your personal property.

---

The above cited area represents approximately 400 s.f. of original property located directly behind the fence that separates your property from the rear of your neighbor's property, of which the majority of items are, in my view, incidental to your body shop repair business.

Based upon my inspection, I have determined that you have already met your 50% expansion beyond the original 1500 s.f. and that you have done this in violation of Article V, Section 510.C.1.a. Here are my calculations:

Basement of home and outside; Non-conforming Use Area = 1500 s.f.  
50% maximum allowable expansion = 750 s.f.  
Total allowable area = 2250 s.f.

Garage = 864 s.f.  
Paved area = 800 s.f.  
Storage units = 164 s.f. estimate  
Pile of Scrap Area of use = 200 s.f.  
Vehicles/Parts = 400 s.f. + not located in paved area/behind stockade fence

Total minimum area now in use: 2428 s.f.

This number while approximate due to the nature of your business and the constant movement of parts and automobiles incidental to your business is my best effort to create a starting point for you, myself, and the zoning hearing board, should you appeal my decision. It can also be a guide to understanding my decision and to assist in developing a plan for your property that would better organize your business in a manner that fully complies with the zoning ordinance.

HOW TO CORRECT YOUR VIOLATIONS:

- a. Junk Vehicles - You may not have more than one junk vehicle (non-related to your existing business). Remove all junk and junk vehicles from the premises within 30 days receipt of this decision. You have the option of licensing your junk vehicles or obtaining inspection approvals, but the vehicles must be fully operable. All junk that is not incidental to your business and located within an area designated for your business must be removed from the premises.

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- b. Lot Consolidation Area - All vehicles, including customer cars, junk vehicles, and all vehicle parts, and/or any other items that are defined as junk by the zoning ordinance shall be removed from the lot area that was not a part of your original property that was the subject of the Commonwealth Court decision, within 30 days receipt of this decision.
- c. You may not park any vehicles incidental to your auto body and repair business, store parts, or use in any way for your auto body and repair business that the new lot area created by your subdivision. Your non-conforming use shall only be conducted on the original tract and driveway access that existed prior to your subdivision.
- d. Expansion of Your Non-Conformance- Prepare a Site Plan that accurately shows the existing conditions, the original boundary line you are required to stay within with your non-conforming use, and a proposed area for expansion that complies with Article V, Section 510 of the Pocono Township Zoning Ordinance.
- e. File an application to the Zoning Hearing Board for a Special Exception permit request for your expansion, both existing and proposed within 60 days receipt of this notification.

YOU HAVE THE RIGHT TO APPEAL THIS NOTICE OF VIOLATION TO THE ZONING HEARING BOARD OF POCONO TOWNSHIP. You must apply within 30 days receipt of this Notice to the Pocono Township Zoning Hearing Board. Accompanying your appeal should be a check in the amount of three hundred dollars (\$300.00) made payable to "Pocono Township". Please include written reasons for your appeal. Applications are available from the Township office at the address listed below:

Very truly yours,



Rick Fisher  
Zoning Officer  
Pocono Township

Leo Stock Sr.  
10/29/15  
addendum

**Section 510. Non-Conforming Uses.** A. A non-conforming use is any use, whether of a building or lot or both, legally existing on the effective date of this Ordinance, or any amendments hereinafter enacted, which does not conform to the use regulations of the District in which it is located. B. The following provisions shall apply to all uses legally existing on the effective date of this Ordinance which do not conform to the requirements set forth in this Ordinance and to all legally existing uses that become non-conforming by reason of any subsequent amendment to this Ordinance. C. Any non-conforming use may be continued indefinitely, provided that any such use: 1. Shall not be enlarged, altered, extended, reestablished, restored, or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this Ordinance, without a Special Exception from the Zoning Hearing Board. a. Any modification of the non-conforming use shall take place only on the same lot as that existing at the time the use became non-conforming. b. Any modification of the non-conforming use shall conform with the area, building height, parking, sign and other requirements of the district in which said modification is located. c. The proposed alteration shall not exceed 50 percent of the floor area and/or ground area devoted to the nonconforming use at the time of the enactment of this Ordinance.

**Section 908. Violations and Penalties.**

Any person, partnership, corporation or other entity who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the township, pay a judgment of not more than \$500, plus all court costs, including reasonable attorney's fees incurred by the township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice who has jurisdiction over the action. If the defendant neither pays nor timely appeals the judgment, the township may enforce the judgment pursuant to the applicable Rules of Civil Procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership, corporation or other entity violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable Attorney's fees collected for the violation of this Ordinance shall be paid to the township for its general use.

P.O. Box 197 112 Township Drive Tannersville, PA 18372  
570-629-1922 ext. 215 fax 570-629-7325  
email: rfisher@poconopa.gov

N/  
D

LINE TO BE REMOVED

N 81°39'18"  
52.30'

1 STORY HOME  
2048

GARAGE  
926

2500

PERSONAL  
1000

35" E 427.45'

SOIL DIVISION LINE

N/F MARVIN KRIEGER  
DB 1925 PAGE 1004

ORIGINAL 4548 + 504, 278  
PRESENT 3436  
EXPANDED 3136  
PERSONAL 1000

N/F JUDI COOVER  
DB 1927 PAGE 440

56'19" E 1,21,20.00 N

N 00°46'48" W 162.95'

N 00°40'56" W 165.32'  
129.29'

36.03'

GREEN HOUSE

214.49'  
715  
IF WAY

2224

**APPLICATION FOR A ZONING PERMIT OR APPEAL  
REQUIRING ACTION BY THE ZONING BOARD OF ADJUSTMENT  
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA**

ACTION REQUESTED: Special Use or Exception \_\_\_\_\_ Variance \_\_\_\_\_  
Appeal X Interpretation \_\_\_\_\_

Date Apr. 12, 2016 FEE \$ 300.00

1. Applicant's Name Prograde Fireworks Superstore, LLC  
Address 1 Sullivan Trail, Tannersville, PA 18372  
Phone 570-629-3621

2. Applicant's Attorney H. Clark Connor, Esq.  
Address P.O. Box 235  
Swiftwater, PA 18370 (670) 695-4003

3. Interest of Applicant Applicant is in same business on same local road.

4. If interest is other than owner, furnish name and address of owner: Percudant House, III, LP

5. Property Location 103 Camelback Road, Tannersville, PA 18372

PIN # (Property Identification Number) 12636304719838 Zone RD Present Use vacant 3 years/prev. use office building

6. Interpretation, Special Use or Exception, or Variance sought: Property is subject to change of use and is located in a Recreational District

7. Grounds for appeal or interpretation or reasons for special use or variance are: Please see attached.

8. For an appeal for interpretation, attach a true copy of the order, requirement, decision or determination of the Zoning Official.

9. Number of copies: 16

Russell Williams  
Signature of Applicant Russell Williams, Member

**RECEIVED**  
APR 15 2016

POCONO TOWNSHIP

Received \_\_\_\_\_ Fees \$300 - CK# 4969 Received 4/15/2016  
Publication \_\_\_\_\_ Notices \_\_\_\_\_  
Hearing \_\_\_\_\_ Referred to Planning Commission \_\_\_\_\_  
Order \_\_\_\_\_ Planning Commission Action \_\_\_\_\_

NOTE: This application must be accompanied by a detailed site plan indicating property boundaries, relation to existing streets or roads, buildings, etc., proposed buildings, parking areas, landscaping or screening, lighting, signs, etc. This plan shall include all necessary dimensions, including yards and North shall be indicated by arrow. All information submitted supporting this application shall become a part of the record and cannot be returned.

125

H. CLARK CONNOR  
P. O. Box 235  
Swiftwater, Pa. 18370  
570-595-7914  
e-mail [hconnor@ptd.net](mailto:hconnor@ptd.net)

April 12, 2016

Pocono Township Zoning Hearing Board  
c/o Mark Love Esq. Chairman  
112 Township Drive  
Tannersville, PA 18372

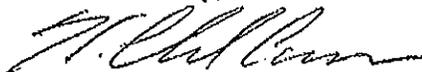
HAND DELIVERED

Re: Appeal of the Zoning Officer's decision granting a use  
zoning permit for property located at 103 Camelback  
Road, Tannersville, Pennsylvania

Dear Mr. Love:

Enclosed are an original and sixteen copies of the above referenced zoning appeal for  
your consideration. If you require additional information, kindly contact the undersigned.

Sincerely,



H. Clark Connor

RECEIVED  
APR 15 2016  
POCONO TOWNSHIP

Pro-grade Fireworks Superstore, LLC is appealing the decision of the Pocono Township Zoning Officer in granting the attached zoning permit to Percudani House III L. P. to operate, as a matter of right, a retail business involving the retail sale of fireworks on a parcel of land identified as 103 Camelback Road, Tamersville, PA, Parcel ID 12636304719838, Tax ID # 12/10/1/23-1. The permit was signed by the Zoning officer on February 25, 2016, but not signed by the applicant until April 4, 2016. The appellant received notice of the granting of the permit on April 7, 2016. The subject property is located in the RD Recreational Zoning District.

The building on the property has been vacant for approximately three years if not longer, and the most recent prior use of the property was a professional real estate sales office.

The appellants own and operate a substantially similar retail business on the same local road approximately 1 mile from the subject property. The failure of the Zoning Office to require the applicant to adhere to the provisions of the Pocono Township Zoning Code as set forth below impacts negatively on the appellants business which was required to follow the same provisions of the code at substantial expense. The issuance of the zoning permit was contrary to the provisions of the Zoning Code as follows:

1. The only retail establishment permitted by right in the RD Recreational Zoning District are those businesses " related to the service of tourists, vacationers and the visiting public". Section 404B(1)(c). The list of such businesses does not include the sale of fireworks which does not provide such a service.

2. The proposed use is a change of use from the prior use, and would require a change of use zoning permit. The requirements for such a permit are located at Section 902 A-G of the code. There is no indication that these requirements were satisfied prior to the issuance of the permit.

3. Any prior use has been abandoned under Section 5104.C.4. The requirements of Section 902 A-G would have to be satisfied prior to a zoning permit being issued.

4. The On-Lot Sewage Disposal System has been abandoned and must comply with current Township and Department of Environmental Resources regulations. There is no evidence that the Sewage Enforcement Officer has made a determination whether there is a functioning on-lot system nor to the extent that the existing on-lot system conforms to the Township ordinance under Pocono Township On-Lot Sewage Disposal System Management Ordinance.

The appellants reserve the right to supplement the foregoing at time of hearing.



**Pocono Township**  
 112 Township Dr PO Box 197 Tannersville PA, 18372  
 Ph: (570) 629-1922 Fax: (570) 629-7325

**FILE COPY**

**Zoning-Permit**

**TENANT OCCUPANCY**

Permit No: 160017 Occupancy: M  
 Issue Date: 2/25/2016 Expire Date: 2/25/2017 Constr Code: IBC 2009  
 Building No: \_\_\_\_\_ Sewage No: \_\_\_\_\_ Well No: \_\_\_\_\_  
 Driveway No: \_\_\_\_\_

Purpose: RETAIL RETAIL  
 Descript: General Merchandise-Fireworks Retail Store

Dwelling Units:  Bedrooms:  Baths:   
 Bldg Length:  Width:  Height:  Stories:

Total SqFtg: \_\_\_\_\_ Basement SqFt: \_\_\_\_\_ Attic SqFt: \_\_\_\_\_  
 Garage SqFt: \_\_\_\_\_ Porch SqFt: \_\_\_\_\_ Deck SqFt: \_\_\_\_\_  
 Other SqFtg: \_\_\_\_\_

Permit Fee:	Type	SubType	Date	Fee
	Zoning	Use Permit	2/25/2016	\$50.00
	Zoning	CO FEE IN ADVANCE	2/25/2016	\$50.00
	Total Fees:			\$100.00

Parcel ID: 12636304719838 Account: 12/10/1/23-1  
 Subdivision: INDIVIDUAL LOT Deed Owner: PERCUDANI HOUSE III LP  
 Section: \_\_\_\_\_ Block: \_\_\_\_\_ Address: 2138 CROASDALE RD  
 Lot: 12636304719838 Zone: \_\_\_\_\_ STROUDSBURG, PA 18360  
 Address: 103 CAMELBACK RD  
TANNERSVILLE, PA 18372  
 Applicant: PERCUDANI HOUSE III LP Contractor: PERCUDANI HOUSE III LP  
 Address: 2138 CROASDALE RD Address: 2138 CROASDALE RD  
STROUDSBURG, PA 18360 STROUDSBURG, PA 18360

[Signature] 2-25-16  
 Zoning Officer Signature Date

[Signature] 4/16/16  
 Owner Signature Date

**POCONO TOWNSHIP ZONING OFFICE**  
 112 TOWNSHIP DRIVE  
 P.O. BOX 197  
 TANNERSVILLE, PA 18372



**BEFORE THE ZONING HEARING BOARD OF POCONO TOWNSHIP**

**MONROE COUNTY, PENNSYLVANIA**

**IN RE: ANTHONY COVELLO and                    )**  
**ADAMS OUTDOOR                                    )**  
**ADVERTISING, INC.                                )**

**REASONS FOR APPEAL**

**I.     BACKGROUND**

Anthony Covello (Covello) is the record owner of property located on the East side of Pa. Route 611, Pocono Township, Monroe County, Pennsylvania 18370 having a property address of 2039 Route 611, Swiftwater, Pennsylvania. The Tax Property No. is 12/11/1/6, the Pin Number is 12636402854242. The land is located in the Commercial (C) Zoning District. An outdoor advertising sign is located on the South side of the property which was constructed prior to zoning in Pocono Township, and is therefore non-conforming as to zoning subsequently enacted in Pocono Township. The land is also now used by Covello as a residence. The sign is double faced and illuminated and more fully described hereafter. Permits relating to the sign were issued to Adams Outdoor Advertising, Inc., (Adams) and its predecessor in interest, Pocono Outdoor Advertising Company, Inc. Covello and Adams propose to remove the existing sign, and erect a new sign approximately 300 feet North of its present location.

The reason for the removal and reconstruction of the sign is that the sign is interfering with a PennDOT highway construction project.

As stated, the existing sign is non-conforming, and the proposed sign will likewise be non-conforming. The degree of nonconformity between the existing sign and the proposed sign does not vary significantly. Indeed, it is expected the extent of overall nonconformity will be diminished.

The existing outdoor advertising sign is an illuminated, double-faced “V-shaped” sign having a total sign area on one side of 12 feet x 24 feet (288 square feet), reading to southbound traffic, and 5 feet by 10 feet (50 square feet) reading to northbound traffic. The sign observes a height of 15’9”. The sign was erected prior to Zoning Ordinance No. 68 enacted in 1995.

The existing sign became non-conforming under Ordinance No. 110 adopted November 17, 2003.

A comparison of the dimensional setback of the existing sign, and proposed sign are as follows:

Ordinance Section	Existing Advertising Sign Structure	Proposed Advertising Sign Structure	Variance
<b>701B(2)</b> Advertising signs must be on vacant land	Residence on parcel	Residence on parcel	Yes
<b>701B(2)(a)</b> Maximum sign face size of 50 sq. ft. <sup>1</sup> - Face 1 - Southbound - Face 2 - Northbound	288 sq. ft. 50 sq. ft.	288 sq. ft. 288 sq. ft.	Yes - 238 sq. ft. Yes - 238 sq. ft.
<b>701B(2)(b)</b> Total Height - 15' Area below sign face - not less than 3' - Face 1 - Southbound - Face 2 - Northbound	15'9" 4'10" 10'8"	17' 5' 5'	Yes - 2' No No
<b>701B(2)(c)</b> Minimum parcel setbacks - Front 15' - Side - North 50' - Side - South 50' - Rear 50' Minimum spacing to other signs 300'	-4' 432' 128' 286' >300'	18' 117' 458' 237' >300'	No No No No No
<b>701B(2)(d)</b> Illumination - External/Indirect	Yes	Yes	No
<b>701B(2)(e)</b> No sign in clear sight triangle	No	No	No
<b>702R</b> No more than 2 signs No interior angle	2 Interior Angle 27' V	2 Interior Angle 9' 9 7/8" V	No Yes

The basis for zoning relief is stated hereafter.

<sup>1</sup> Adams believes 50 square feet is de facto/dejure exclusionary. The standards in the industry are 300 square feet for paper posters (erected along secondary highways), and 672 square feet (erected along interstates). If zoning relief is not granted given the reasons set forth herein, Adams reserves its right to bring a validity challenge to the dimensional requirements contained in the Ordinance.

## **II. SPECIAL EXCEPTION/VARIANCE**

### **(a) Statutory Relief**

Covello introduced the sign use prior to zoning in Pocono Township. The existing sign is as much a business use made by Covello as any other business use.

Covello/Adams request zoning relief under Section 510.C.1 of the current Zoning Ordinance of Pocono Township (Ordinance) which permits a non-conforming use to be “enlarged, altered, extended, reestablished, restored. . .” by special exception from the Zoning Hearing Board. The proposed special exception request meets all of the specific requirements of Section 510.C.

Similarly, under Section 511, the non-conforming structure may be “. . . structurally altered. enlarged” providing that such action does not increase the degree of or create any new non-conformity. As previously noted, in some respects the dimensional nonconformity will be diminished.

Given the foregoing, Covello/Adams respectfully request the grant of special exception/variance relief under provisions contained in the Ordinance so as to permit the existing non-conforming sign to be removed, and a new sign erected.

### **(b) Case Law**

The law protects non-conforming uses/structures. In the case of *Hanna v. Board of Adjustment*, 408 Pa. 306 at p. 312, 183 A.2d 539 at p. 543 (1962), the Pennsylvania Supreme Court stated the following:

“. . . the continuance of nonconforming uses under zoning ordinances is countenanced because it avoids the imposition of a hardship upon the property owner and because the refusal of the continuance of a conforming use would be of doubtful constitutionality. . .”

A statement of the applicable law is contained in *Pierce Appeal*, 384 Pa. 100, 105, 119 A.2d 506, 509 (1956). The Pennsylvania Supreme Court stated the following:

“The clear implication of our decision in *Humphreys v. Stuart Realty Corporation*, 364 Pa. 616, 621, 73 A.2d 407, is that a nonconforming use may be extended in scope, as the business increases in magnitude, over ground occupied by the owner for the business at the time of the enactment of the zoning ordinance. As our present Chief Justice pertinently stated in the *Humphreys* case supra, ‘a nonconforming use cannot be limited by a zoning ordinance to the precise magnitude thereof which existed at the date of the ordinance; it may be increased in extent by natural expansion and growth of trade, neither is it essential that its exercise at the time that the ordinance was enacted should have utilized the entire tract upon which the business was being conducted. . . .’”

Under applicable case law, zoning relief should be granted.

### III. VARIANCE

#### (a) Minor Changes

The changes to the dimensional requirements under the Ordinance are minor.

In *Hertzberg v. Zoning Board of Adjustment of the City of Pittsburgh*, 554 Pa. 249, 721 A.2d 43 (1998) the Pennsylvania Supreme Court recognized that the hardship to justify a dimensional variance is much less than a use variance. The Pennsylvania Supreme Court stated the following:

“In addition we now hold that in determining whether unnecessary hardship has been established, courts should examine whether the variance sought is use or dimensional. To justify the grant of a dimensional variance, courts may consider multiple factors, including the economic detriment of the applicant if the variance is denied, the financial hardship created by any work necessary to bring the building into strict compliance with the zoning requirements and the characteristics of the surrounding neighborhood. To hold otherwise would prohibit the rehabilitation of neighborhoods by precluding an applicant who wishes to renovate a building in a blighted area from obtaining the necessary variances. 72 A.2d at 50”

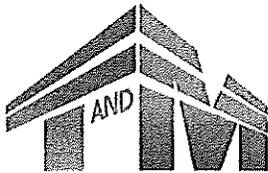
The hardship which Covello/Adams suffer is that PennDOT needs the land where the sign is erected. The Board will observe that the variance relief is minimal.

The need to erect a new sign is not self-created. A hardship is stated.

Zoning relief is requested.

**(b) De Minimus Change**

In *Pzydrowski v. Pittsburgh Board of Adjustment*, 437 Pa. 481, 263 A.2d, 426 (1970), the Pennsylvania Supreme Court adopted the doctrine of a de minimus variance relief. The case law moreover developed so that a de minimus request to vary the provisions of an ordinance require no hardship at all.



**YOUR GOALS. OUR MISSION.**

May 24, 2016

Harold Werkheiser, President  
Pocono Township Board of Commissioners  
Pocono Township Municipal Building  
P.O. Box 197  
Tannersville, Pa. 18372

**Re: Wendy's – Release of Escrow – Improvements  
Letter of Credit  
T&M file #POCO R0310**

Dear Mr. Werkheiser:

T & M Associates has received a letter from the Applicant's Engineer requesting the release of all escrow in the amount of \$91,768.60.

The monies held in escrow were primarily for the proper materials and installation of erosion/sedimentation control features, as well as all stormwater related facilities. Included in the escrow were site lighting improvements as well as permanent monumentation.

T & M's site inspections confirmed that the secured improvements have been installed per plan specifications. Consequently, T & M recommends to the Board that the full \$91,768.60 be released.

If you have any questions regarding the above, please contact me.

Very truly yours,  
T & M Associates

Russell Benner, P.E.

**Cc: Pam Finkbeiner, Interim Township Manager  
Lisa Pereira, Broughal and DeVito  
Kevin Jones, Wen-Tann Partners, LLC  
Bernard M. Teletovich, P.E., Benchmark Civil Engineering Services**

## Pam Finkbeiner

---

**From:** Rader, David <DRADER@pa.gov>  
**Sent:** Tuesday, May 31, 2016 8:33 AM  
**To:** Pam Finkbeiner  
**Cc:** Jeffry Clapper  
**Subject:** RE: PennDOT SR 0611 Section 04S Safety Improvements Project - Pocono Township Sewerline Relocation - Project No. 10247.031  
**Attachments:** PennDOT Billings.pdf; image2015-03-16-082308.pdf

Pam,

Yes the changes will be eligible for 75% reimbursement in accordance with agreement 05U226.

I also wanted to point out that you can submit prorated periodic invoices in accordance with the agreement. You can just e-mail me directly rather than sending them to Harrisburg.

Please see the attached documents and let me know if you have any questions.

Dave Rader  
[drader@pa.gov](mailto:drader@pa.gov)

**From:** Pam Finkbeiner [mailto:[Pfinkbeiner@poconopa.gov](mailto:Pfinkbeiner@poconopa.gov)]  
**Sent:** Friday, May 27, 2016 5:23 PM  
**To:** Rader, David <DRADER@pa.gov>  
**Cc:** Jeffry Clapper <[jclapper@poconopa.gov](mailto:jclapper@poconopa.gov)>  
**Subject:** FW: PennDOT SR 0611 Section 04S Safety Improvements Project - Pocono Township Sewerline Relocation - Project No. 10247.031

Dear Dave,

I have been appointed as Pocono Township's Interim Manager, replacing Gregg Schuster who has left for another position.

I am requesting the verification that this change order will be eligible for reimbursement.

All the best.

*Pamela Finkbeiner*

Interim Manager/Township Secretary  
Pocono Township  
PO Box 197  
Tannersville, PA 18372  
(570) 629-1922 ext. 219



Please consider the environment before printing this email.

CONFIDENTIALITY NOTICE: The information contained in this electronic communication, and any attachment thereto, is privileged, confidential, and proprietary. As such, it is intended only for the use of the individual(s) and/or entities named above. If you are not the intended recipient or the recipient's authorized agent, you are hereby notified that any unauthorized disclosure, copying or dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately, then delete and destroy the original and any copies of this communication and attachments thereto.

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**From:** Russ Scott [mailto:rscott@rkrhess.com]

**Sent:** Thursday, May 26, 2016 5:26 PM

**To:** Pam Finkbeiner

**Subject:** FW: PennDOT SR 0611 Section 04S Safety Improvements Project - Pocono Township Sewerline Relocation - Project No. 10247.031

**From:** Russ Scott

**Sent:** Monday, May 23, 2016 4:27 PM

**To:** 'Pam Finkbeiner'

**Cc:** Jeff Clapper (jclapper@poconopa.gov); Audrey Jones; Mike Chang

**Subject:** PennDOT SR 0611 Section 04S Safety Improvements Project - Pocono Township Sewerline Relocation - Project No. 10247.031

Dear Pam,

I hope this email finds you well. I am writing to you in your capacity as the Interim Township Manager for Pocono Township.

On April 11, 2016 and April 13, 2016, we received notifications from Dewberry Engineers, the design consultant for PennDOT on the Rt. 611 Section 04S (Scotrun to Swiftwater) Safety Project, that they had made additional changes to their highway improvements design, particularly to the horizontal location and depth of some of the proposed storm sewer culverts crossing Rt. 611. Dewberry has requested that we review the revised plans to verify that there are no additional impacts to the existing sewerlines.

On April 25, 2016, we received PennDOT Plan Check review comments from Dewberry Engineers on the Sewerline Relocation Plans that were previously submitted for incorporation into PennDOT's overall construction plan set. The review comments were generally minor, relating to plan presentation items, such as shifting locations of the graphic scales on the plan sheets and the incorporation of additional text and notes for clarification. However, we were informed by Dewberry that there may be additional comments from PennDOT's Contract Management Section. Dewberry does not know when they will be receiving these comments from PennDOT Contract Management, but presumably, it will need to be soon, given the proposed bidding schedule.

In addition, on May 10, 2016, we received a request from Dewberry, to assist them in converting the sewerline relocation data from AutoCAD (commercial software application for computer aided design and drafting utilized by architects and engineers, and utilized by RKR Hess) to a format better suited for conversion to MicroStation (also a commercial software application for computer aided design and drafting utilized by architects and engineers, and a standard software utilized by PennDOT and its consultants). It should be noted that our design data had been periodically shared and provided to Dewberry throughout the project. We were only recently informed (on May 10<sup>th</sup>) that Dewberry has had trouble converting the information directly to MicroStation. We did not anticipate this request in our scope of work under the Contract. While the proposed conversion process is somewhat complicated, we feel that it is prudent to do our best to accommodate this request. It is in all parties best interests to minimize the potential for discrepancies or errors in translation between the drawings.

Please note that our last revisions to the sewerline relocation plans that were prepared on behalf of the Township, were completed at the end of March 2016. At that time, we provided a letter stating that the Sewer Relocation Plans and Specifications were ready for incorporation into PennDOT's overall construction plan set. A copy of the letter to Dewberry Engineers along with a copy of the transmittal to the Township are attached for your reference.

Based upon a brief, cursory review of the revised highway improvements plans, we do not immediately see any major, additional impacts to the sewerlines. However, a more detailed review is in order to avoid unexpected conflicts at the

time of bidding. The review of additional utility impacts at this late stage of the project was not included in our original scope of work. We recommend that performance of the following additional tasks be approved by the Township:

- 1) RKR Hess will review the revised PennDOT Highway Improvements design plans from late April, 2016, for the purpose of identifying any additional conflicts with the existing and proposed sewerlines. Assuming that no major conflicts are identified, we will update the sewer relocation plans, specifically for the purpose of incorporating the revised PennDOT base mapping. This update will provide consistency between the various highway improvements plans and sewerline relocation plans.
- 2) RKR Hess will revise the Pocono Township Sewerline Relocation Plans to incorporate the aforementioned minor plan check comments from PennDOT.
- 3) RKR Hess will Resubmit the complete set of Sewer Relocation Plans to PennDOT's Consultant.
- 4) RKR Hess will convert the sewerline relocation data to another format to assist Dewberry in bringing the proposed relocation data into MicroStation.
- 5) Should there be comments from PennDOT's Contract Management Section, RKR Hess will review the comments and incorporate them, if appropriate, on the Pocono Township plans and specifications.
- 6) If needed, RKR Hess will resubmit the complete set of Sewer Relocation Plans and Specifications to PennDOT's Consultant.

The net increase resulting from this Change of Scope is a fixed fee of **\$5,900**, plus reimbursibles (mileage, copy costs, phonecalls, postage, etc), to be billed under Project No. 10247.031.

In the interest of keeping the project on schedule and meeting PennDOT milestones, we have continued to work with PennDOT's consultants to address these remaining issues, but we will require the Township's authorization before proceeding further with this additional work. If you need a formal Change of Scope Contract Document, please let me know. It is our understanding from previous conversations with Dave Rader, PennDOT Utility Coordinator, that the additional work will be eligible for reimbursement at a 75% share by PennDOT, under the Township's Cost Sharing Agreement. However, you may want to verify with Dave Rader again, if you feel it's appropriate.

As you may be aware, PennDOT was previously proposing a "Let" date (bid advertisement date) of June 23, 2016. However, it has since been delayed by three (3) weeks, to July 14.

On a related note, given the revised Let Date of July 14, and the likelihood that portions of the sewerline relocation work will be performed fairly early on in the project, Pocono Township and the Township Engineer should begin planning for and lining up construction inspectors for the sewerline relocation construction. Please note that we received a preliminary construction schedule from Dewberry on May 20<sup>th</sup> (attached for your reference) that indicates the sewerline relocation work will begin around late September of this year. However, this schedule may be subject to change as Dewberry has informed us that the Notice to Proceed of July 29, 2016 as depicted on the schedule, will likely be postponed to August 29, 2016.

As always, if you have any questions, please contact me at 570-421-1550 ext. 502.

Very truly yours,  
Russell D. Scott IV, P.E.  
Environmental Section Manager  
RKR Hess, a Division of UTRS, Inc.

**TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE SPIRIT OF SWIFTWATER PHASE I – APARTMENTS FINAL LAND DEVELOPMENT PLAN**

**WHEREAS**, the applicant, The Spirit of Swiftwater, Inc., submitted a final land development plan application titled "Final Land Development Plan, Phase I - Apartments, Lands of The Spirit of Swiftwater, Inc." (the "Plan"). The Plan proposes the construction of two (2) buildings (with eleven units) containing sixty six (66) apartments, located on a 26.86 acre site in the C Commercial Zoning District, along SR 611, identified as Monroe County Tax Parcel I.D. 12/12/2/8, PIN Number 12636402678251; and

**WHEREAS**, the preliminary land development plans received conditional plan approval on July 7, 2014; and

**WHEREAS**, the Township Engineer has reviewed the Plan and offered comments in his letter dated May 5, 2016; and

**WHEREAS**, the Pocono Township Planning Commission recommended the conditional final plan approval of the Plan at a meeting held on May 9, 2016; and

**WHEREAS**, the Pocono Township Board of Commissioners desires to take action on this Plan.

**NOW THEREFORE BE IT HEREBY RESOLVED** by the Board of Commissioners of Pocono Township, County of Monroe, and Commonwealth of Pennsylvania:

The following requests for modification from the Subdivision and Land Development Ordinance were previously granted:

1. SALDO Section 2.302.A: *Plans are to be prepared on a standard sheet size of 12 x 18 inches, 18 x 24 inches, or 24 x 36 inches.*
2. SALDO Section 3.307: *Emergency Access Requirements – at least two separate and distinct means of access shall be provided.*
3. SALDO Section 3.402: *Setback and spacing for multi-family dwellings require the space between buildings to be greater than the height of the building.*
4. SALDO Section 3.403: *The maximum number of multi-family dwelling units is 12 per building.*
5. SALDO Section 3.208.F: *The minimum offset or distance between centerlines of parallel streets intersecting across the street from opposite directions shall be 800 feet for arterial*

*streets.*

The following request for modification from the Subdivision and Land Development Ordinance is hereby granted:

1. SALDO Section 2.303.A: *Plans are to be prepared on a standard sheet size of 12 x 18 inches, 18 x 24 inches, or 24 x 36 inches.*

That the Phase I - Apartments as shown on the final land development plan prepared by prepared by Niclus Engineering Corporation, containing 18 sheets, dated April 27, 2007, last revised March 10, 2016, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer's letter dated May 5, 2016.
2. The applicant shall obtain approval of the extension request for the Water Obstruction Permit issued by the Pennsylvania Department of Environmental Protection through December 31, 2018 to permit the construction of the new bridge to the reserved parking area, depicted on the Plan. A note shall be placed on the Plan identifying the procedure by which the construction of the reserved parking will be triggered.
3. The applicant submit design and engineered bridge plans and cost estimate to Pennoni Associates for their review and approval.
4. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security at the time of Final Plan approval.
5. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security at the time of Final Plan approval, if deemed necessary.
6. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township at the time of Final Plan approval.
7. The applicant shall pay all necessary fees associated with the Plan, including but not limited to any outstanding plan account charges and all professional services fees, prior to the recording of the Final Plan.
8. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Final Plan for signatures.
9. The applicant shall comply with all final plan requirements identified in the Subdivision and Land Development Ordinance, subject, however, to any waivers or modifications granted by the Board of Commissioners.

10. The applicant shall provide three (3) mylars for recording the final plans and eight (8) sets of paper prints which are signed and notarized by the owner and sealed by the engineer.
11. The applicant shall complete the development in strict accordance with the Plan, notes on the Plan, this conditional Final Approval, including any waivers or modifications granted by the Board of Commissioners, and the Improvements Agreement (except as said Plan or conditions of approval may be revised during the Final Plan approval process).
12. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the application is denied.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Harold Werkheiser  
Title: President

LAW OFFICES  
BROUGHAL & DeVITO, L.L.P.

38 WEST MARKET STREET  
BETHLEHEM, PENNSYLVANIA 18018-5703

JAMES L. BROUGHAL  
LEO V. DeVITO, JR.  
JOHN S. HARRISON  
JAMES F. PRESTON\*  
WENDY A. NICOLOSI  
LISA A. PEREIRA\*

\*ALSO MEMBER NEW JERSEY BAR

TELEPHONE  
(610) 865-3664

FAX  
(610) 865-0969

E-MAIL  
lawyers@broughal-devito.com  
WEBSITE  
www.broughal-devito.com

May 25, 2016

**VIA EMAIL AND CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Patricia Meadus, Legal Clerk  
Pocono Mountains Media Group  
511 Lenox Street  
Stroudsburg, PA 18360

**RE: Pocono Township- Advertisement of Legal Notice  
Ordinance: Township Manager**

Dear Ms. Meadus:

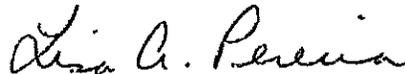
With respect to the above matter, enclosed please find a Legal Notice to be advertised one (1) time in your periodical on *Friday, May 27, 2016*.

Please send proof of publication and the invoice to:

Pam Finkbeiner, Township Secretary  
112 Township Drive  
PO Box 197  
Tannersville, PA 18372

Also, enclosed is a certified copy of the proposed Ordinance for your records only (**not to be advertised**). Should you have any questions, please do not hesitate to contact me. Thank you for your assistance in this matter.

Very truly yours,



Lisa A. Pereira

Enclosures

cc: Pam Finkbeiner, Interim Township Manager (Via Electronic Mail, w/encl.)

**LEGAL NOTICE**

NOTICE is hereby given that the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, will consider for adoption at a Public Meeting to be held at 7:00 p.m. on the 6<sup>th</sup> day of June, 2016, at the Pocono Township Municipal Building, 112 Township Drive, Tannersville, Pennsylvania 18372, an Ordinance providing for the creation of the Office of Township Manager, setting forth the term of office, qualifications, bonding requirements, and compensation, and further establishing the powers and duties of the Township Manager.

Copies of the proposed Ordinance are available for review at the Pocono Township Municipal Building located at 112 Township Drive, Tannersville, Pennsylvania 18372, during normal business hours.

Leo V. DeVito, Jr., Solicitor  
Pocono Township  
38 West Market Street  
Bethlehem, PA 18018

**POCONO TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2016 -X**

**AN ORDINANCE OF THE TOWNSHIP OF POCONO,  
COUNTY OF MONROE, COMMONWEALTH OF  
PENNSYLVANIA, PROVIDING FOR THE CREATION OF  
THE OFFICE OF TOWNSHIP MANAGER AND  
ESTABLISHING THE POWERS AND DUTIES OF THE  
TOWNSHIP MANAGER**

**BE IT ENACTED AND ORDAINED**, by the Board of Commissioners, Pocono Township, Monroe County, Pennsylvania, and it is hereby **ENACTED AND ORDAINED** by virtue of the activity of the General Assembly of the Commonwealth of Pennsylvania known as the "First Class Township Code, as amended", as follows:

**SECTION 1. SHORT TITLE.** This Ordinance shall be known as the "Township Manager Ordinance of Pocono Township."

**SECTION 2. CREATION AND AUTHORITY.** The office of the Township Manager is hereby created pursuant to the First Class Township Code, subject to the right of the Township, by ordinance, at any time to abolish such officer.

**SECTION 3. TERM OF OFFICE.** As soon as practicable after the enactment of this chapter, the Township Commissioners shall elect, by a majority vote of all its members, one person to fill the Office of Township Manager, who shall begin his or her term of office upon his or her appointment or as soon thereafter as possible. The Township Manager shall serve at the pleasure of the Board of Commissioners. The Board may enter into an employment agreement with the Township manager. The employment agreement may set forth the terms and conditions of employment and provide that it shall remain in effect for a specified period terminating no later than two years after the effective date of the agreement of the date of the Board of Commissioners organizational meeting following the

next municipal election, whichever shall first occur. Said office shall be filled biennially thereafter. In case of a vacancy, the Commissioners shall fill said office by majority vote of all members. The Township Manager shall, however, be subject to removal at any time by a majority vote of all the members of the Board of Commissioners.

**SECTION 4. QUALIFICATIONS.** The Township Manager shall be chosen solely on the basis of his or her executive and administrative qualifications, with special reference to his or her actual experience in or his or her knowledge of accepted practices in respect to the duties of the office as herein outlined. The Township Manager need not be a resident of the Township or of the State of Pennsylvania at the time of his or her appointment, but must reside in Pocono Township within 3 month of the effective date of his or her employment unless stated otherwise in their employment agreement. No Commissioner shall be appointed as Township Manager during his or her term for which he or she shall have been elected nor within one year after the expiration of his or her term. The Township Manager shall have no interest in contracts of the Township, shall not be in debt to the Township and shall not at any time during his or her employment be blood relative or spouse of any of the Township Commissioners.

**SECTION 5. BOND AND SURETY.** Before entering upon his or her duties, the Township Manager shall give a bond to the Township with a bonding company as surety, in an amount as amended from time to time by resolution, conditioned for the faithful performance of his or her duties, premium for the said bond to be paid for by the Township of Pocono. The bond of the Township Manager may be included in, and the Manager may be bonded under and covered by the blanket bond now in force and effect for all Township employees in the aforesaid amount, as amended from time to time by resolution.

**SECTION 6. COMPENSATION.** The Township Manager shall receive such compensation as shall be fixed from time to time by resolution or through an employment agreement.

**SECTION 7. MANAGER / ADMINISTRATIVE OFFICER.** The Manager shall be the Chief Administrative Officer of the Township, and shall be responsible to the Board of Commissioners as a whole for the proper and efficient administrations of the affairs of the township. His or her powers and duties shall relate to the general management of all Township business not expressly by statute or ordinance imposed or conferred upon other Township officers.

**SECTION 8. POWERS AND DUTIES.** Subject to recall by ordinance, the powers and duties of the Manager shall include the following:

- A. Supervise township personnel and be responsible for the activities of all Township Departments, unless the Board of Commissioners shall take action to the contrary.
- B. Serve as HR manager and, subject to Board Approval, appoint and, when deemed necessary for the good of the Township, suspend or discharge, all employees under his or her supervision; provided, nevertheless, that persons covered by the Civil Service provisions of the First Class Township Code shall be appointed, suspended or discharged in accordance with such provisions. Prior to appointing, suspending or discharging any employee, the Township Manager shall provide the Board of Commissioners with written notice of his or her intention to take such action, which notice shall include an independent, professional, written rationale therefor. Such notice shall be given to the Board of Commissioners not less than 5 days in advance of a public meeting of the Board of Commissioners and prior to the Township Manager taking such action. Township Manager may temporarily suspend any employee under his or her supervision, with or without pay or other compensation,

when he or she shall deem such temporary suspension necessary for the good of the township, without providing prior notice to the board of Commissioners. In the event of such temporary suspension, the Board of Commissioners shall be notified of the suspension, who was suspended and the reason within 24 hours.

In the event the Township Manager shall deem the creation of a new position of employment or the appointment of any additional employees to current positions of employment to be necessary for the good of the Township, he or she shall obtain the prior approval of the Board of Commissioners. Hiring of the person recommended for a new position or additional employees shall be the responsibility of the Township Manager subject to prior Board approval, which shall not be unreasonable withheld.

- C. Prepare and submit to the Board of Commissioners before the close of the fiscal year or on such alternate date as the Board of Commissioners shall determine, but no later than September 30, a budget for the next fiscal year and an explanatory budget message. In preparing the budget, the Township Manager, or an officer designated by him or her, shall obtain from the head of each department, agency, board or officer, estimates and supporting data.
- D. Be responsible for the administration of the budget after its adoption by the Board of Commissioners and will provide not less than quarterly updates on revenues and expenses.
- E. Under the direction of the Board of Commissioners, execute and enforce the nonpenal laws of the Commonwealth and nonpenal ordinances, resolutions and bylaws of the Township, and he shall establish necessary procedures and forms, violation notices and other documents.

- F. Attend all meetings of the Township Board of Commissioners and of its committees, with the right to take part in the discussion and he or she shall receive notice of all regular and special meetings of the Board of Commissioners and of its committees.
- G. In coordination with the members of the Board, shall prepare the agenda for each meeting of the Board of Commissioners including all supporting documentation and referenced reports.
- H. Keep the Board of Commissioners informed as to the condition of the Township affairs, submit periodic reports on the condition of the Township finances and such other reports as the Board of Commissioners shall request and shall make such recommendations to the Board of Commissioners as he or she deems necessary.
- I. Submit to the Board of Commissioners, as soon as possible after the close of the fiscal year, a complete report on the financial and administrative activities of the Township for the preceding year.
- J. Provide proper administration all franchises, leases, permits and privileges granted by or to the Township and ensure that all terms and conditions are faithfully kept and performed.
- K. With Board Approval, attend to the negotiation and letting of contracts in due form of law, and he or she shall supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed upon some other Township officer by statute.
- L. Ensure that all money owed the Township is promptly paid and that proper proceedings are taken for the security and collection of all the Township's claims.

- M. Act as purchasing officer of the township and shall purchase, in accordance with the provisions of the First Class Township Code, all supplies and equipment for the various agencies, boards, departments and other offices of the Township. He or she shall have authority to make purchases to the extent and within the limitations established from time to time by resolution of the Board of Commissioners. He or she shall keep an account of all purchases and shall, and provide such information upon request. He or she shall also issue rules and regulations subject to Approval of the Board of Commissioners governing the requisition and purchasing of all Township supplies and equipment, including all appropriate checks and balances. Township Manager shall be responsible for the correct and proper accounts payable obligations of the Township and shall review and represent to the Board that all invoices submitted for approval are owed, correct and timely.
- N. Handle all complaints regarding services or personnel of the Township and or an officer designated by him or her, shall investigate and dispose of such complaints and shall report all complaints to the Board of Commissioners, in writing.
- O. Assist the public by informing them of Township rules and laws, explaining laws, explaining procedures, hearing complaints and either resolving them or referring them to the responsible official.
- P. Annually review existing job classifications and salary ranges of all Township employees and present recommendations for additions, changes or modifications to the Board of Commissioners based on the local economic environment and PSAT/PSATC salary data where available.
- Q. Be responsible for the annual review and evaluation of all Township employees and/or final review and evaluations delegated to others in supervisory positions.

The Township Manager shall be responsible for the review and evaluation of Township department heads and report findings to the Board of Commissioners for their information.

- R. Make recommendations to the Board of Commissioners on operations, policies, resolutions, ordinances, proclamations and other matters for the good of the Township.
- S. Obtain and maintain current knowledge regarding existing and changing legislative requirements for general operations and alert the Board of Commissioners as to issues that may affect the Township. Provide options and recommend to the Board of Commissioners the adoption of such measures as may be advisable for the continued development and well-being of the Township.
- T. Work with other municipalities, the County, State and Federal Government on projects and obtaining funding, financing and grants for the Township.
- U. Work with the Township Engineer and/or the Township Solicitor on Township matters as the need arises.
- V. Shall assist the Board of Commissioners in the preparation of short and long term planning for the Township.
- W. Shall manage, supervise, and oversee authorized projects undertaken by the Township. Ensure efficient and cost effective administration of the general office and other functions of the township operations. Manage Township staff and resources in a manner that is resident and business friendly by dealing conscientiously, fairly, promptly and diplomatically with public requests and concerns.

- X. Perform such other duties as may be required by the Board of Commissioners not inconsistent with the First Class Township Code, the law relating thereto and ordinances of the Township.

Any power, duty, or function granted to the Township Manager may be delegated by the Township Manager to others in the employ of the Township however any such delegation shall not reduce or diminish the responsibility of the Manager for full and proper fulfillment or execution of all power, duty, or function granted hereunder.

**SECTION 9. APPOINTMENT, SUSPENSION AND DISCHARGE OF TOWNSHIP EMPLOYEES; BOARD COMMUNICATIONS WITH TOWNSHIP EMPLOYEES.**

Unless warranted by the nature of the matter or an emergency situation, for the purpose of assuring a clear line of administrative authority, neither the Board of Commissioners nor any of its members shall give orders or directives, publicly or privately, directly to any Township employee under the supervision of the Township Manager. All orders and directives of the majority of Board of Commissioners shall be issued at a duly convened public meeting or via email and shall be given to the Township Manager for execution. While communications between members of the Board of Commissioners and Township employees should ordinarily take place in the form of inquiry to the Township Manager for further communication to the heads of Township departments and from the heads of Township departments to subordinate employees, for reply by the Township Manager to the Board of Commissioners, the members of the Board of Commissioners shall have the right, for the purposes of inquiry and information exchange, to communicate with Township employees under the supervision of the Township Manager and such employees shall have the right to communicate with the members of the Board of Commissioners for such purposes.

**SECTION 10. ABSENCE OR DISABILITY.** In case of illness or absence of the Manager from the Township, the Board of Commissioners shall designate the replacement who shall perform the duties of the Manager during his or her absence or disability.

**SECTION 11. SEVERABILITY; CONFLICT WITH OTHER PROVISIONS.** If any section, subsection or sentences, clause or phrase of this chapter is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this chapter. All ordinances of the Township prescribing the duties of heads of departments shall remain in full force and effect insofar as they do not conflict with the provisions of this chapter in which case the provisions of this chapter shall govern.

**SECTION 12. EFFECTIVE DATE.** This Ordinance shall be effective five (5) days after enactment.

ENACTED AND ORDAINED this \_\_\_\_\_ of \_\_\_\_\_ 2016.

ATTEST:

TOWNSHIP OF POCONO  
MONROE COUNTY

\_\_\_\_\_  
PAMELA FINKBEINER  
Township Secretary

\_\_\_\_\_  
HAROLD WERKHEISER  
President, Board of Commissioners

I hereby certify that the within is a true and correct copy of the proposed Ordinance in this matter.



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Leo V. DeWito, Jr., Esquire  
Solicitor  
Pocono Township, Monroe County