

POCONO TOWNSHIP COMMISSIONERS
MEETING AGENDA
April 17, 2017
6:00 p.m.

- 1) Pledge of Allegiance
- 2) Roll Call
- 3) Announcements:
 - a. Executive Session was held April 3, 2017 on litigation matters. No action was taken.
 - b. A Work Session was held April 11, 2017 to discuss job descriptions and related matters. No action was taken
 - c. Executive Session was held April 11, 2017 on personnel matters. No action was taken.
 - d. Hearing is scheduled for 6:00pm Tuesday April 18, 2017 for the Board to receive testimony regarding the proposed Resort Re-Use Overlay District Petition. The meeting will be held at St. Luke's Ambulance Building.
 - e. A Work Session is scheduled for Thursday April 20, 2017 to discuss the DCED Report and D'Huy Facilities Study.

4) Public Comments on matters not on the agenda

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)

- 5) Approval of Minutes:
 - a. Meeting of April 3, 2017
 - b. Work Session of April 11, 2017
 - c. Work Session of April 13, 2017
- 6) Approval of Bills and Transfers
 - a. Check and Transfer Listing dated April 17, 2017
 - b. Check Ratification list for current period dated April 17, 2017
 - c. Check Ratification list for Pay Period 6
- 7) Report of the President
- 8) Commissioners Comments

Bob DeYoung, Vice President

Jerry Lastowski, Commissioner

Judi Coover, Commissioner

Ellen Gndt, Commissioner

- 9) Reports:
 - a. Police Report

- b. Civil Service Commission Update
- c. Pocono Township Volunteer Fire Company
- d. St. Luke's Ambulance
- e. Administration – Manager's Report
 - i. Extension of Time for Schlier Completion of Conditions – Resolution 2016-27
 - ii. Highmark Health Reimbursement Account Monitoring and Processing.
 - iii. Emergency Management Coordinator Position
- f. Public Works Report
 - i. Plaza 611 Update
 - ii. Camp Lindenmere Route 715 Detour Update.
- g. Finance Committee
- h. Township Solicitor Report
 - i. Gypsy Moth Spraying – Notice Requirements
 - ii. Summit Health Request for Agreement to Start Construction before Receipt of HOP from PADOT.
- i. Township Engineer Report
 - i. Trap Enterprises DeSaki Hotel Condition Status – see Resolution 2014-29
 - ii. Status Report on Sewer Redesign and Air Valve Replacement.
 - iii. MS4 Update.
 - iv. Route 611 Sewer Line Relocation Work – Construction Inspection.
 - v. Northampton Community College Request for Release of remaining letter of credit for Monroe Campus Land Improvements.
 - vi. Robert Ace Request for Release of Remaining Letter of Credit.
 - vii. Carriage House at Pocono Manor Request for Release of Letter of Credit.

10) Presentations:

11) Resolutions and Ordinances:

12) Further Public Comments.

Please limit individual comments to 3 minutes to allow time for others wishing to speak and direct all questions and comments to the President.

13) Executive Session, if necessary

14) Adjournment

Meeting Minutes for April 3rd, 2017

Called to Order at 6:00pm

Present: Ellen Gndt, Bob DeYoung, Harold Werkheiser, Jerry Lastowski, and Judi Coover.

1. JL made a motion to suspend the agenda and have presentations moved forward. Second RD.

All in favor
Motion carried

Presentations

PennDot present the bridge/tunnel road closure planned on 191 next summer.

Police Chief Werkheiser made a 25 year service award to Officer Scott Kresge.

2. JC made a motion to accept the March 20th meeting minutes. Second EG

EG: Yes, RD: Abstain, HW: Abstain, JL: Yes, JC: Yes
Motion carried

3. EG made a motion to approve the Work session Minutes for March 30th, 2017. Second, JL.

EG: Yes, RD: Yes, HW: Yes, JL: Abstain, JC: Yes
Motion carried

4. JL made a motion to approve the bills and transfers dated April 3, 2017. Second, EG.

All in favor
Motion carried

5. JL made a motion to ratify check list dated April 3, 2017. Second, EG.

All in favor
Motion carried

6. JL made a motion to TABLE the ratification of the March 15th payroll. Second, EG

All in favor
Motion carried

JL made a request to have the board consider a records access policy.

JC requested a work session to discuss job description and evaluation process. Special work session will be held April 11th at 5:30 pm.

7. JC made a motion to appoint Judith Linder as Deputy Tax collector to fill the vacancy left by Beth Martin. Second, EG.

All in favor
Motion carried

Meeting Minutes for April 3rd, 2017

8. JL made a motion to approve, pursuant to Ordinance 2015-09, the 2 fireworks permits requested by Camelback for 7/1/2017. Second, JC

All in favor
Motion carried

9. JC made a motion to refer to the civil service commission and to authorize public notice of a Civil Service Hearing to determine the continuing applicability of payments of heart and lung benefits to Patrolman Chris Staples. Second, EG

All in favor
Motion carried

10. EG made a motion to appoint Thomas L. Heimbach of FLAMM WALTON HEIMBACH & LAMM PC as special counsel pursuant to the terms of his engagement letter dated a March 30th, 2017. Second, JC

All in favor
Motion, Carried

11. JL made a motion to TABLE action on 2017 fee schedule. Second, EG.

All in favor
Motion, Carried

12. JL made a motion to notify Dean Hartshorn of a temporary change of schedule effective April 13th. Second, JC.

All in favor
Motion, Carried

Charlie Vogt noted the need for a work session to review the DCED report, facilities study and CIP. Work session is scheduled for April 20th at 9 am.

13. JC made a motion to TABLE action on gypsy moth spraying contract. Second, EG.

All in favor
Motion, Carried

14. JC made a motion to approve Traffic Signal Improvements Easement Agreement between Sanofi and Pocono Township at Discovery Drive. Second EG.

All in favor
Motion, Carried

15. JC made a motion to approve Traffic Signal Maintenance Agreement between Pocono Township, Sanofi, and Mr. and Mrs. Vincent Trapasso for the signal at Discovery Drive. Second, JL

Meeting Minutes for April 3rd, 2017

All in favor
Motion, Carried

16. JC made a motion to TABLE Summit Health's request to begin site preparation and construction before obtaining an HOP from PennDot subject to a satisfactory written agreement indemnifying the township and agreeing to complete demolition of all new construction if HOP is denied. Second, JL.

All in favor
Motion, Carried

17. JL made a motion to have a letter sent to PMSD to access to TLC for the purpose of removing the underground tank and to name Charlie Vogt as the contact person. Second, RD.

All in favor
Motion, Carried

18. JC made a motion to approve the estimated expenditures of \$40,000 to \$45,000 as outlined in B&J email dated 3/22/2017 for work necessitated by the MS 4 permitting process.
Second EG

All in favor
Motion, Carried

Jon Tresslar reported that Trijay has declined to work on the sewer valve replacement project. Jon will search for another contractor.

19. No action taken on release of remaining letter of credits for NCC.
20. No action taken on release of remaining letter of credits for Robert Ace.
21. No action taken on release of remaining letter of credits for Carriage House at Pocono Manor.

Resolutions

22. JC made a motion to approve Resolution 2017-08 granting Conditional Approval of Brookdale Minor Subdivision. (Larson) Second, JL. (Fee in lieu of : \$1,400)

All in favor
Motion, Carried

23. JL made a motion to approve Resolution 2017-09 granting Conditional Approval of Kinsley.
Second, JC. (Fee in lieu of : \$ 4,200)

All in favor
Motion, Carried

Meeting Minutes for April 3rd, 2017

24. JL made a motion to approve Resolution 2017-10 granting Conditional Approval of Weis Markets Store No. 166 Gas N Go Land Development Plan. Second, RD. (Fee in lieu of: \$ 868)

All in favor
Motion, Carried

25. JC made a motion to approve Resolution 2017-11 granting Conditional Approval of Sanofi Pasteur Tier One parking Deck Land .Development Plan. Second, EG. (Fee in lieu of: \$300.34)

All in favor
Motion, Carried

26. EG made a motion to approve Resolution 2017-12 Granting Conditional Approval of Sanofi Pasteur Discovery Drive Turn Lane Land Development Plan. Second, JC. (Fee in lieu of \$1,036)

All in favor
Motion, Carried

27. JC made a motion TABLE the Resolution 2017 ___to deny Preliminary Plan Approval of Spa Castle Grand Pocono Resort Land Development Plan. Second, RD.

All in favor
Motion, Carried

28. EG made a motion to approve Resolution 2017-13 Budget appropriations dated April 3rd, 2017. Second, JC.

All in favor
Motion, Carried

Public Comment

Doug Olmstead requested a special meeting to discuss the plaza 611 project. The board agreed to start its April 13th work session at 8 am hear his project report

Rich Wielebinski asked the status of audit and the price. The audit is on track and the cost for the 2015 is \$14,500.

Dean Hartshorn spoke in opposition to the temporary changing of his schedule as park director. He asked why he had not been consulted. He was encouraged to request a meeting with the board if he wanted to pursue his concern.

Jerrold Belvin asked what was going to be done to back fill when Dean goes on the new schedule at the park. Dean always goes to the park during the summer the only change is the work days. Jerrod followed up with the concern about the road crew being down a member. That is a separate matter from the schedule change for the park director.

Meeting Minutes for April 3rd, 2017

Charlie Trapasso spoke about the park and schedule change, the way Stroud does it and the need for management there on the weekends. She mentioned that Stroud utilizes school security personnel on the weekends. Jerrod Belvin commented that there is a difference in the law.

Meeting adjourned into an executive session to discuss a possible litigation matter, no decision would be made and the board would not return.

DRAFT

POCONO TOWNSHIP BOARD OF COMMISSIONERS
WORK SESSION MINUTES

DATE: April 11, 2017

TIME: 5:30pm

PLACE: Township Building

PRESIDING COMMISSIONER: Bob DeYoung

ROLL CALL: Ellen Gndt, Present
Bob DeYoung, Present
Harold Werkheiser, Absent
Jerry Lastowski, Present
Judi Coover, Present
Charlie Vogt, Manager, Present

NO CITIZENS APPEARED OFFICIALLY AND TESTIFIED.

NO OFFICIAL ACTIONS OR ROLL CALL VOTES WERE TAKEN.

THE WORK SESSION WAS ADJOURNED AT: 7:00pm

**POCONO TOWNSHIP BOARD OF COMMISSIONERS
WORK SESSION MINUTES**

DATE: April 13, 2017

TIME: 9:00am

PLACE: Township Building

PRESIDING COMMISSIONER: Bob DeYoung

ROLL CALL: Ellen Ghandt, Present
Bob DeYoung, Present
Harold Werkheiser, Absent
Jerry Lastowski, Present
Judi Coover, Present
Charlie Vogt, Manager, Present

Tony Farda and Jen Fischer from Parks and Recreation Board
appeared to discuss Park staffing and operations

NO CITIZENS APPEARED OFFICIALLY AND TESTIFIED.

NO OFFICIAL ACTIONS OR ROLL CALL VOTES WERE TAKEN.

THE WORK SESSION WAS ADJOURNED AT: 1:00pm

POCONO TOWNSHIP CHECK LISTING
April 17, 2017

	<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
General Fund					
	04/12/2017	55594	Teamster Local 773	Non uniform union dues	561.00
	04/12/2017	55595	Teamster Local 773	Police union dues	1,139.00
	04/12/2017	55596	A-1 Lock & Safe, LLC	Lock repair Twp. Building	140.00
	04/12/2017	55597	Bartonsville Printing	Thursday on the Green Flyers	296.00
	04/12/2017	55598	BIU of PA, Inc.	SEO/ZO/BIU Services	8,330.29
	04/12/2017	55599	Boucher & James, Inc.	Engineering	948.00
	04/12/2017	55600	Brodhead Creek Regional Authority	Sewer Bill	208.34
	04/12/2017	55601	Broughal & DeVito, L.L.P.	Legal-PC/General/Police/Civil	9,660.00
	04/12/2017	55602	Bucciero, Donna	Tax refund	16.11
	04/12/2017	55603	D.G. Nicholas Co.	Park Supplies	105.45
	04/12/2017	55604	DCEd	UCC Fees	160.00
	04/12/2017	55605	Donna Kenderdine Reporting	Hearing/ZHB	185.00
	04/12/2017	55606	Double M Productions	T-shirts/jezrees - Public Works	699.75
	04/12/2017	55607	E.M.Kutz, Inc.	Truck #5 - Part	508.13
	04/12/2017	55608	Friedman Electric	Lights	137.77
	04/12/2017	55609	Fuller Paper Company	Garbage liners	300.45
	04/12/2017	55610	Gotta Go Potties, Inc.	Basketball courts	85.00
	04/12/2017	55611	HUNTER KEYSTONE PETERBILT	Parts	65.97
	04/12/2017	55612	J & B Auto	Police repair	952.50
	04/12/2017	55613	Johanna Distributions	Coffee and Supplies	88.00
	04/12/2017	55614	Keystone Business Products	Checks	199.20
	04/12/2017	55615	Kimball Midwest	Parts	383.06
	04/12/2017	55616	Lawrence B. Fox P.C.	Legal - Civil Service	4,244.31
	04/12/2017	55617	Lawson Products	Supplies	616.60
	04/12/2017	55618	Maille	Audit	1,760.00
	04/12/2017	55619	Manual, Jack	Uniform Allowance	59.74
	04/12/2017	55620	Medico Industries, Inc.	Case 621 Repair and filters	1,510.25
	04/12/2017	55621	Metropolitan Telecommunications	Phones	532.81
	04/12/2017	55622	Monroe County Control Center	2nd Quarter	15,131.39
	04/12/2017	55623	Network Fleet	GPS Service	325.45
	04/12/2017	55624	Otto, Carol	Cleaning	550.00
	04/12/2017	55625	PAPCO, Inc.	Gas/Diesel	3,236.02
	04/12/2017	55626	PMHIC	Health Insurance - May	59,994.55
	04/12/2017	55627	Pocono Record	Advertisement	343.40
	04/12/2017	55628	PPL Electric Utilities	Electric	2,675.65
	04/12/2017	55629	Reliable Sign and Striping	Sign	29.85
	04/12/2017	55630	Scutella, Michael	Uniform Allowance	91.00
	04/12/2017	55631	Sparkle Car Wash	Police - Car washes	58.00
	04/12/2017	55632	Staples Advantage	Office Supplies	53.75
	04/12/2017	55633	State Workers Insurance Fund	Installment 5 of 11	21,314.00
	04/12/2017	55634	Stiff Oil Company	Heating Oil	1,306.35
	04/12/2017	55635	Stroud Township	Mulch for Park	460.00
	04/12/2017	55636	STTC Service Tire Truck Centers, INC.	Tire repair	46.45
	04/12/2017	55637	Sundance Networks, Inc.	IT Service	288.79
	04/12/2017	55638	ULINE	Park Supplies	189.84
	04/12/2017	55639	UNIFIRST Corporation	Carpets/Uniforms	326.20
	04/12/2017	55640	Unum Life Insurance	Life Insurance	2,006.00
	04/12/2017	55641	Van Duyn, Ernie	Pavilion Reimbursement	48.25
	04/12/2017	55642	Wilson Products Compressed Gas Co.	Supplies	6.75
				TOTAL General Fund	\$142,362.52

POCONO TOWNSHIP CHECK LISTING
April 17, 2017

Sewer Operating Fund

04/12/2017 1798	Pocono Management Associates LLC	Pat Breigel	2,220.85
04/12/2017 1799	EEMA O&M Services Group, Inc.	Sewer O&M April	5,403.50
04/12/2017 1800	PPL Electric Utilities	Electric for pump stations	2,141.70
04/12/2017 1801	Pennsylvania One Call System, Inc	Sewer marking	121.03
04/12/2017 1802	BLUE RIDGE COMMUNICATIONS	Cable for pump stations	120.88
04/12/2017 1803	Want To Inc.	Maintenance for March	1,650.00
04/12/2017 1804	BRODHEAD CREEK REGIONAL AUTHORITY	May 2017 sewer treatment	81,299.00
04/12/2017 1805	Boucher & James, Inc.	Engineering for operations	98.00
		TOTAL Sewer Operating Fund	<u>\$93,054.96</u>

Sewer Construction Fund
4/13/2017 207

Boucher & James	Engineering for construction	6,823.50
	TOTAL Sewer Construction Fund	<u>\$6,823.50</u>

ESSA

TOTAL General Fund

\$142,362.52

Transferred by:

TOTAL Sewer Construction
Fund

\$6,823.50

TOTAL ESSA Transfer

\$149,186.02

Wayne Bank

TOTAL Sewer Operating
Fund

\$93,054.96

Authorized by:

Pocono Township Check Listing
Ratify
April 17, 2017

	<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
General Fund					
Payroll	4/14/2017			Pay 8 2017	80,520.08
				TOTAL PAYROLL	<u>\$80,520.08</u>
	4/7/2017	55592	Pentefedata	Cable for township	184.90
	4/7/2017	55593	Metropolitan Telecommunication	Police Phones	283.95
				TOTAL General Fund	<u>\$468.85</u>
Sewer Operating Fund					
	4/7/2017	1796	Metropolitan Telecommunications	Phone for pump station	53.81
	4/7/2017	1792	Pentefedata	Cable for pump stations	299.75
				TOTAL Sewer Operating	<u>\$353.56</u>

TOTAL General Fund

\$80,988.93

Transferred by:

TOTAL Sewer Operating

\$353.56

Authorized by:

Pocono Township Check Listing

Ratify

April 17, 2017

	<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
General Fund					
Payroll	3/15/2017			Pay 6 2017	76,921.92
				TOTAL PAYROLL	<u>\$76,921.92</u>

TOTAL General Fund

\$76,921.92

Transferred by:

Authorized by:

KENT J. WERKHEISER
Chief of Police



570-629-7200

Office

9-1-1

Emergency Number

570-629-1501

Fax Number

570-992-9911

Dispatch

POCONO TOWNSHIP POLICE

110 TOWNSHIP DRIVE
TANNERSVILLE, PA 18372

POLICE REPORT FOR MARCH, 2017

The following are the recorded activities of the Pocono Township Police Department for the month of March 2017. Also listed are the available recorded activities for March 2016.

	MAR. 2017	Y-T-D 2017	MAR. 2016	Y-T-D 2016
Incidents Investigated	379	1116	396	1086
Burglary Alarms Answered	82	235	94	223
Reportable Accidents Investigated	19	67	19	63
Non-Reportable Accidents	38	85	23	73
Criminal Investigations	28	98	31	106
Criminal Arrests	29	105	48	125
Juvenile Detentions	2	5	0	2
Property Receipts	41	96	28	86
Notification of Faulty Equipment	104	423	139	429
Vehicle Reports	2	4	0	5
Death Investigations	2	5	2	5
Written Warnings	111	490	177	492
Missing Persons	1	1	2	3
Traffic Citations Issued	85	353	143	432
Non-Traffic Citations Issued	26	85	26	81
Ski Thefts	0	0	0	0
911 Hang-up Calls	57	168	60	159

Mileage all Vehicles: 16,257

Income from Report Fees: \$500.00



1727 Jonathan Street • Allentown, PA 18104
Phone: (610) 776-6700 • Fax: (610) 776-1190 • www.bencivil.com

April 12, 2017

Pam Tripus
Township Secretary
Board of Supervisors
Pocono Township
P.O. Box 197
Tannersville, PA 18372
ptripus@poconopa.gov

RE: Jimmy Schlier Motorcycle Dealership
Pocono Township, Monroe Co., PA
Benchmark Project No. 647002

Dear Pam:

On behalf of our Client, Jimmy Schlier, we are respectfully requesting a 6 month extension to comply with consideration of plan approval. Remaining outstanding conditions concerning PennDOT are requiring additional time.

Please contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard M. Telatovich", with a long horizontal line extending from the end of the signature.

Bernard M. Telatovich, P.E.

BMT/slc

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2016-27

**A RESOLUTION GRANTING CONDITIONAL
APPROVAL OF THE JIMMY SCHLIER MOTORCYCLE DEALERSHIP
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN**

WHEREAS, the applicant, Jimmy Schlier, submitted a plan application titled "Jimmy Schlier Motorcycle Dealership" (the "Plan"). The applicant proposes the development of a motorcycle sales and service facility. The parcel is owned by Jimmy A. Schlier and is known as Monroe County Tax ID No. 12/8/2/23, PIN No. 12637201178772; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated March 24, 2016 and April 21, 2016; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional plan approval of the Plan at a meeting held on and April 25, 2016; and

WHEREAS, the Pocono Township Board of Commissioners desires to take final 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:

That the following requirement of the Subdivision and Land Development Ordinance is hereby deferred:

1. SALDO Section 3.608: Sidewalk installation within the street right-of-way.

That the following requests for modification from Subdivision and Land Development Ordinance are hereby granted:

1. SALDO Sections 2.106 and 2.200: The initial plan submitted to the Commission for review shall be considered the Official Preliminary Plan. *The applicant shall be permitted to submit a preliminary/final land development plan.*
2. SALDO Section 2.302.D.15: Community Impact Analysis. *The applicant shall not be required to submit a community impact analysis on condition that all of the information related to the environmental analysis is provided.*
3. SALDO Section 3.207.B: Drainage Easements. *The applicant shall not be required to a ten (10) foot easement along the east side of the property or along the property frontage, conditioned upon the applicant working with the Township Engineer to provide an easement for Hill Motor Lodge Road.*
4. SALDO Section 3.208.H: Right of Way. *The applicant shall not be required to dedicate*

~~additional right-of-way along Hill Motor Lodge Road.~~

5. SALDO Section 3.307: All Subdivisions and Land Developments containing...twenty thousand (20,000) or greater square feet of gross floor area, shall be provided with at least two (2) separate and distinct means of access to the Subdivision or Land Development. *The applicant shall be permitted to provide one point of access to Hill Motor Lodge Road conditioned upon the applicant providing a copy of the Fire Chief's review letter.*
6. SALDO Section 3.612: Landscaping. *The applicant shall not be required to plant street trees.*


That the "Jimmy Schlier Motorcycle Dealership" as shown on the plan prepared by Benchmark Civil Engineering Services, Inc., dated November 23, 2015, as revised, 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:

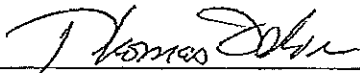
1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer's letter dated April 21, 2016.
2. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security, if deemed necessary by the Township.
3. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security, if deemed necessary by the Township.
4. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township, if deemed necessary by the Township.
5. 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 Plan.
6. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.
7. The applicant shall provide three (3) mylars for recording the plans and eight (8) sets of paper prints which are signed and notarized by the owner and sealed by the engineer.
8. The applicant shall meet all conditions of the plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.
9. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

-----**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 2nd day of May, 2016.

ATTEST:

Township of Pocono
Board of Commissioners

By: 
Print Name: Pamela Finkbeiner
Title: Secretary

By: 
Print Name: Thomas Felver
Title: President

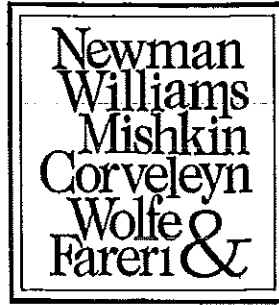
Daniel M. Corveleyn
Marc R. Wolfe
James V. Fareri
Gerard J. Geiger
Vincent Rubino
David L. Horvath

Aaron M. DeAngelo
J. Zac Christman*
Robert J. Kidwell

Of Counsel:
Samuel W. Newman
Todd R. Williams
Ronald J. Mishkin

**Member of NJ and PA Bar*

ATTORNEYS AT LAW



A PROFESSIONAL CORPORATION

P. O. Box 511
712 Monroe Street
Stroudsburg, PA 18360-0511

April 3, 2017

Telephone
570.421.9090

Fax 570.424.9739

www.newmanwilliams.com

Pocono Township Board of Commissioners
Attention: Harold Werkheiser, President
P.O. Box 197
Tannersville, PA 18372

**RE: Lehigh Valley Hospital - Pocono - Summit Health Campus
Our File No. 49765**

Dear Commissioners:

This letter follows my attendance at the March 20, 2017 Commissioners meeting at which I discussed the request of Pocono Medical Center t/d/b/a Lehigh Valley Hospital - Pocono (the "Hospital") that the Township approve the commencement of construction of its new hospital and medical office building in the Summit Health Campus (the "Project") prior to the Hospital's receipt of the Main Entrance Driveway HOP required for the Project, all at the Hospital's sole risk and cost.

To summarize, it is reasonably anticipated that issuance of the Main Entrance Driveway HOP for the Project will involve a process that will consume approximately twelve (12) to eighteen (18) months, more or less. In order to avoid delaying commencement of construction of the Project by such an extended period of time, the Hospital requests that the Township approve the Hospital's commencement of grading, site work, and construction of the Project in accordance with the Land Development Plans as may be hereafter approved by the Township prior to the issuance of the Main Entrance Driveway HOP. Construction activities would not begin until: (i) Final Land Development Plan approval is obtained; (ii) the Hospital is issued all required permits necessary for the proposed grading, site work, and construction to include the NPDES and the Earth Disturbance permits; (iii) the HOP for the Construction Entrance Driveway is issued; (iv) the Hospital consummates closing and acquisition of title to Condominium Unit No. 1 in the Summit Health Campus; and (v) the Hospital delivers to the Township an Indemnity Agreement satisfactory to the Township. Please note that the HOP for the Main Entrance Driveway is for the Main Entrance Driveway for the Project which is separate and apart from the Construction Entrance Driveway. Accordingly, each driveway will be separately permitted by PADOT.

It is acknowledged that the Hospital will be unable to obtain a Certificate of Occupancy from the Township for the Project buildings until such time as the Main Entrance Driveway HOP is issued. Based

April 3, 2017

upon current discussions with the Pennsylvania Department of Transportation ("PADOT") the Hospital reasonably anticipates that its Traffic Engineer and other consultants will be able to resolve all PADOT requirements and concerns such that at the conclusion of the Main Entrance Driveway HOP process PADOT will issue the Main Entrance Driveway HOP for the Project.

The proposed grading, storm water, and site work that the Hospital desires to construct pending receipt of the Main Entrance Driveway HOP will include: (i) demolition of the existing Summit Resort structures within the Project area; (ii) construction of the stormwater management facilities within the Project area including the basins; and (iii) preparation and grading of the building pads.

In addition to the aforesaid site and grading work, the Hospital also desires to commence vertical construction of the proposed Summit Health Campus buildings pending issuance of the Main Entrance Driveway HOP. The estimated time to complete construction of the new buildings is eighteen (18) months from the date foundation work commences.

It is readily apparent that if the Commissioners approve the Hospital's request to commence the aforesaid site and construction work pending receipt of the Main Entrance Driveway HOP that the Hospital will be able to more quickly provide needed medical services to the citizens of the Township and of the County at its Summit Health Campus facilities. The Hospital recognizes that any construction activities it undertakes prior to the issuance of the Main Entrance Driveway HOP will be at its sole risk, cost and expense.

The Hospital will be pleased to attend an upcoming Commissioners meeting or Commissioners Workshop meeting at a time convenient to the Commissioners to discuss these requests. Please advise as soon as is reasonably possible if the Commissioners plan to discuss the issues at the April 17th Commissioners meeting so that the Hospital representatives can plan their schedules accordingly.

Lastly, please advise if the Township requires any additional information to evaluate these requests.

Thank you for your anticipated prompt attention to this matter.

Very truly yours,

Marc R. Wolfe

MRW/aml

cc: Leo DeVito, Jr., Esq.
Charles J. Vogt, Esq.
Jon S. Tresslar, P.E.
Stephen J. Cunningham, FACHE
Nate Oiler, P.E.

TOWNSHIP OF POCONO, MONROE COUNTY,
PENNSYLVANIA

RESOLUTION NO. 2014-29

A RESOLUTION GRANTING CONDITIONAL FINAL APPROVAL OF
THE TRAP ENTERPRISES DESAKI HOTEL FINAL
LAND DEVELOPMENT PLAN

WHEREAS, the applicant, Trap Enterprises, LLC, submitted a final land development plan application for a plan titled "Trap Enterprises Desaki Hotel Project" (the "Plan"). The Plan proposes the subdivision of an existing 5.44 acre tract, located in the C Commercial Zoning District. The applicant is proposing to construct a five (5) story, 100 room hotel. The proposed building will have a 10,125 square foot footprint with a total area of 50,625 square feet. The property is located on the west side of Route 611, approximately 1,000 feet (0.2 miles) south of the intersection with Discovery Drive, identified as Monroe County Tax Parcel I.D. 12/11/1/8-3, PIN Number 112-6364-04-74-8985; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letter dated May 21, 2014; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional final plan approval of the Plan at a meeting held on June 9, 2014; and

WHEREAS, the Pocono Township Board of Commissioners desires to take final 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:

That the following requests for modification from the Subdivision and Land Development Ordinance are hereby granted:

1. SALDO Section 2.303.3.B.4: *Proposed and existing streets and lot layout on immediately adjoining tracts, including name and right-of-way widths that fall within 300 feet distance from the project boundary lines.* Waiver to limit the requirement to show all existing off-site features within 300 feet to the features currently on the Plan.
2. SALDO Section 3.209.B.1: *No more than thirty five (35%) percent of the original ground cover within any designated steep slope area on the property may be disturbed by grading, filling or other means. At least sixty five (65%) percent of the original ground cover must remain undisturbed during the establishment, alteration or maintenance of the property.* Waiver to grant relief from the steep slope disturbance requirements to allow for eighty-seven percent (87%)

disturbance of existing steep slopes.

3. SALDO Section 3.209.B.5: *The Final Plan shall be recorded with a steep slope easement. The easement shall be comprised of at least sixty five (65%) percent of the total existing area and located within the original boundaries of the steep slope area. Allocation of the easement should be made as evenly as possible throughout the lots to allow each lot adequate room for additional grading, accessory structures, etc.* Waiver to grant relief from the steep slope disturbance requirements to allow for thirteen percent (13%) of the existing slopes to be preserved within steep slope easements.
4. SALDO Section 3.306.B: *Non-residential and multi-family use driveways shall be a minimum width of twelve (12) feet and maximum width of twenty-four (24) feet at the street right-of-way line.* Waiver to grant relief from the driveway width requirements to permit a driveway width of forty-one feet (41') which is necessary to meet the requirements of the Pennsylvania Department of Transportation.
5. SALDO Section 3.605.A: *Minimum curb construction standards shall include plain cement concrete in accordance with Pennsylvania Department of Transportation standards.* Waiver to grant relief from the requirement of an 8-inch curb reveal to allow a 6-inch curb reveal as shown on the Plan.

That the following request for waiver from the Brodhead/McMichael Creek Stormwater Management Ordinance is hereby granted:

1. Section 301.L: *Roof drains should not be connected to storm sewers in order to promote overland flow and infiltration/percolation of stormwater.* Waiver permitting the roof drains to connect directly to the storm sewer.

That the "Trap Enterprises Desaki Hotel Project" as shown on the final land development plan prepared by prepared by Pennoni Associates, Inc., containing 17 sheets, dated November 25, 2013, last revised April 25, 2014, 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 21, 2014.
2. The applicant shall provide to the Township a title search for that portion of Township Road 629, being a portion of old State Route 168, lying within Birch Street, which applicant desires be vacated.
3. The applicant shall provide copies of the sewer easement and right-of-way agreement referenced in Paragraph 24 of the General Comments section of the May 21, 2014 letter, for review and comment by the Township Solicitor.

4. The applicant shall provide copies of the deeds referenced in Paragraph 25 of the General Comments section of the May 21, 2014 letter, for review and comment by the Township Solicitor.
5. The applicant shall comply with all of the conditions and requirements identified in the Pocono Township Volunteer Fire Department letter dated April 2, 2014.
6. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security.
7. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security.
8. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township.
9. Prior to the recording of the Plan, the applicant shall pay all necessary fees associated with the Plan, including but not limited to any outstanding plan account charges, all professional services fees, and an open space/recreation fee in an amount to be determined by the Board of Commissioners.
10. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.
11. The applicant shall provide three (3) mylars for recording the plans and eight (8) sets of paper prints which are signed and notarized by the owner and sealed by the engineer.
12. The applicant shall meet all conditions of the final plan approval, and Plan shall be recorded within twelve (12) months of Conditional Final Plan approval, and agrees that if such conditions are not met, the Conditional Final Plan approval will be considered void.
13. 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 7th day of July, 2014.

ATTEST:

Township of Pocono
Board of Commissioners

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

By: Richard Wielebinski
Print Name: Richard Wielebinski
Title: President





Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

Fountainville Professional Building
1456 Ferry Road, Building 500
Doylestown, PA 18901
215-345-9400
Fax 215-345-9401

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408
www.bjengineers.com

February 23, 2017

William Smith
Northampton Community College
3835 Green Pond Road
Bethlehem, PA 18020-7599

**SUBJECT: ESCROW ACCOUNT
NORTHAMPTON COMMUNITY COLLEGE
PROJECT 0930237C**

Dear Mr. Smith:

Northampton Community College (NCC) has requested release of its remaining monies (\$336,994.00) being held to complete improvements required for its Pocono Campus.

This office sent correspondence dated January 22, 2015, revised February 10, 2015, recommending reduction of the escrow account to its current balance. We recommended holding release of money until NCC satisfactorily addressed two outstanding items:

- 1) Improper functioning of stormwater management basins, and
- 2) Overlay of Railroad Avenue.

A copy of the correspondence is attached.

I am also attaching an internal memo describing the depth of overlay thickness and areas of concern on Railroad Avenue.

Please contact me, or have your engineer contact me with a plan to resolve these issues, so that upon satisfactory completion of these items, we can release the remaining escrow balance.

Sincerely,

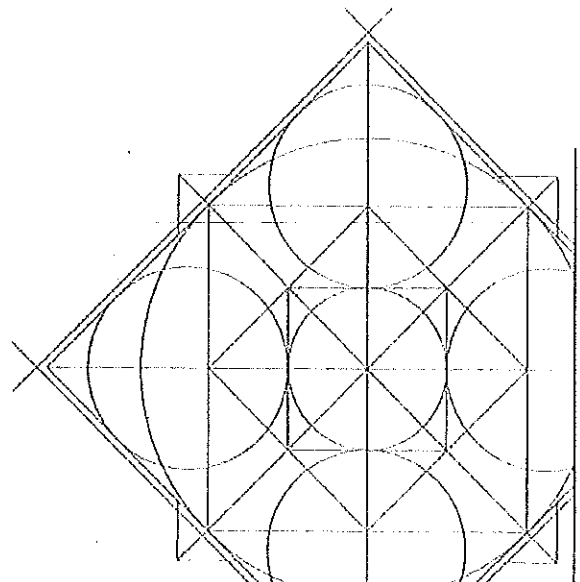
Jon S. Tresslar, P.E., P.L.S.
Township Engineer

JST/cg

Enclosures

cc: Charles Vogt, Township Manager
Pam Tripus
Lisa Pereira, Esquire
Leo DeVito, Township Solicitor

S:\2009\0930237C\Escrow\lfr.AccountStatus.docx





Boucher & James, Inc.
CONSULTING ENGINEERS

Fountainville Professional Building
1456 Ferry Road, Building 500
Doylestown, PA 18901
215-345-9400
Fax 215-345-9401

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

www.bjengineers.com

January 22, 2015

Revised February 10, 2015

Lisa Pereira
Broughal & DeVito, LLP
38 West Market Street
Bethlehem, PA 18018-5703

**SUBJECT: ESCROW RELEASE NO. 1
NORTHAMPTON COMMUNITY COLLEGE
POCONO TOWNSHIP, MONROE COUNTY, PA
PROJECT NO. 0930237A**

Dear Ms. Pereira:

At the request of the Applicant we are offering this correspondence in support of a partial release of monies for improvements constructed at the Northampton Community College site. Our records indicate there are two agreements under which funds were escrowed. They were prepared by the Applicant's Engineer, Herbert, Rowland & Grubic Inc. and both are dated April 22, 2014. The Public Improvement Cost Estimate totaled \$1,298,179.20. The Stormwater Improvement Cost Estimate totaled \$593,280.00

Based on our field observations we offer the following comments:

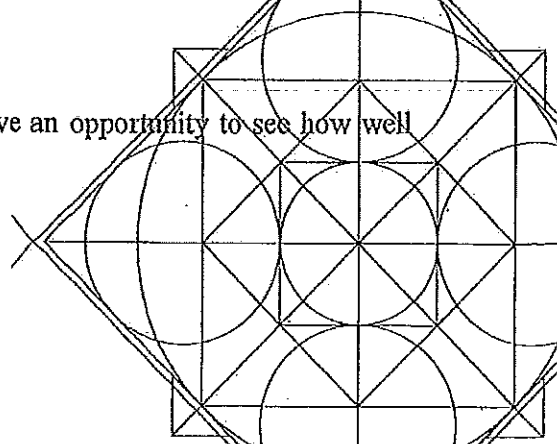
Public Improvement Cost Estimate

Item C. 1 ½" Overlay to Railroad Avenue

We recommend releasing \$37,356.00 (50%) at this time. We were never notified when paving took place for this line item and was unable to observe the placement, material type and depth of the overlay. We recommend the Applicant obtain core borings at suitable intervals and obtain a lab analysis to provide us with depth and composition of material, along with a certification that it meets the design specifications. Upon receipt of a satisfactory report the remaining monies may be released.

Item D. Required Landscaping

We recommend releasing \$76,128 (75%) until we have an opportunity to see how well the plantings have survived their first winter season.



Stormwater Improvements Cost Estimate

On two different occasions, site observations indicated standing water in Basins A2, H2 & H3 after the period of time in which all water should have infiltrated. Therefore, we conclude these basins do not function per design and ordinance requirements. An investigative course of action should be recommended by the Applicant's Engineer followed by recommendations for remediation. That process cannot begin until there is no danger of frost in the ground. Until this is resolved we recommend retaining Item A in the amount of \$64,875.00 (100%) in the escrow account. The amounts in Items B & C may be released.

Based on our review of this request, we recommend the Applicant receive a reduction to its posted escrow as follows:

Public Improvements Cost Estimate

A. 100% Reduction	\$ 42,000.00
B. Separate Account	
C. Reduce all items by 100% except 1 ½" overlay on Railroad Avenue (50%)	
Total Reduction	\$ 768,756.00
D. Reduce by 75%	\$ 76,128.00
E. Reduce by 100%	\$ 132,200.00
Total Reduction	\$1,019,084.00
Total Remaining	\$ 62,732.00

Admin, Engineering, legal, and construction observation can be reduced 75%	\$ 81,136.20
Total Retained	\$ 27,045.40

10 (ten) percent retainage (\$108,181.60) should remain in escrow throughout the maintenance period.

Stormwater Improvements Estimate

A. No Reduction	
B. Reduce by 100%	\$183,700.00
C. Reduce by 100%	\$245,825.00
Total Reduction	\$429,525.00
Total Retained	\$ 64,875.00

Admin, Engineering, legal, and construction observation can be reduced 50%	\$ 24,720.00
--	--------------

10% (ten percent retainage (\$49,440.00) should remain in escrow throughout the maintenance period.

Ms. Lisa Periera

January 22, 2015, *Revised February 10, 2015*

Page 3 of 3

Total Retainage to remain is as follows:

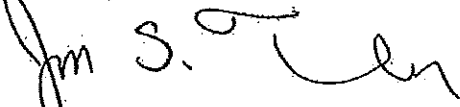
Public Improvement, Cost Estimate	\$62,732.00
Admin, Engineering, Legal and Construction Observation	27,045.40
10% Escrow	<u>108,181.60</u>
Subtotal	\$197,959.00

Stormwater Improvements Estimate	\$64,875.00
Admin	24,720.00
10% Escrow	<u>49,440.00</u>
Subtotal	\$139,035.00

Total Public Improvements and Stormwater Improvements	\$336,994.00
---	--------------

If you have any questions concerning this information, please contact me.

Sincerely,



Jon S. Tresslar, P.E., P.L.S.
Township Engineer

JST/cg

cc: Gregg Schuster, Pocono Township, (via email)
Herster, Newton, & Murphy - Applicant's Attorney
Jamie Keener, Herbert, Rowland, & Grubic, Inc. (via email)
Eric Stump, Herbert, Rowland, & Grubic, Inc. (via email)
Christopher W. Dellinger, P.E., Herbert, Rowland, & Grubic, Inc. (via email)
William Smith, Northampton Community College - Applicant (via email)

Memo

To: Jon Tresslar
From: Phil Ivins
Subject: Railroad Avenue Reports – Northampton Community College
Date: October 9, 2015

Sample 1 located approximately 1,576.5' from Rt 715 on the left side of the road. The thickness appears to be 1-3/4".

Sample 2 located approximately 1,582' from Rt 715 on the right side of the road. The thickness appears to be 1".

Sample 3 located approximately 2,112' from Rt 715 on the left side of the road. The thickness appears to be 1-1/2".

Sample 4 located approximately 2,112.5' from Rt 715 on the right side of the road. The thickness appears to be 1-3/4".

Sample 5 located approximately 2,455' from Rt 715 on the right side of the road. The thickness appears to be 1/4". **THERE IS AN AREA APPROXIMATELY 2' X 6' WHERE THE ROAD IS FAILING.**

Sample 6 located approximately 2,455' from Rt 715 on the right side of the road. The thickness appears to be 3/4". This sample 6 was taken 4' from sample 5 in the same lane.

Sample 7 located approximately 608.5 from Rt 715 on the right side of the road. The thickness appears to be 1-1/2".

Enclosure(s)

S:\2009\0930237C\Memo.To.JTresslar.reRailroadAvenue.doc



Boucher & James, Inc.



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

Fountainville Professional Building
1456 Ferry Road, Building 500
Doylestown, PA 18901
215-345-9400
Fax 215-345-9401

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408
www.bjengineers.com

March 24, 2017

Robert K. Ace, Jr.
Robert K. Ace, Jr. Construction, LLC
6252 Cardinal Drive
East Stroudsburg, PA 18301

**SUBJECT: LEARN ROAD OFFICE BUILDING
CONSTRUCTION PUNCHLIST NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
B&J PROJECT NO. 1730038C**

Dear Mr. Ace:

This letter is to serve as a punchlist of items to be completed for the project and should not be construed as a final punchlist or a notice of substantial completion. The punch list items are provided as a result of an observation by Boucher & James, Inc. on March 9, 2017.

1. Curb stops or bollards must be installed per the approved plan.
2. Three (3) shrubs must be installed per the approved plan.
3. A van accessible sign must be installed per the approved plan.
4. Areas around the installed business sign, adjacent to the front porch, along the new sidewalk leading to Learn Road, and adjacent to the loading area, must be stabilized.
5. The stockpile adjacent to the loading area must be removed from the site.
6. Ponding is present between the new sidewalk to Learn Road and the existing gravel driveway. The area shall be corrected to provide positive drainage and to eliminate ponding. This area must also be stabilized.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

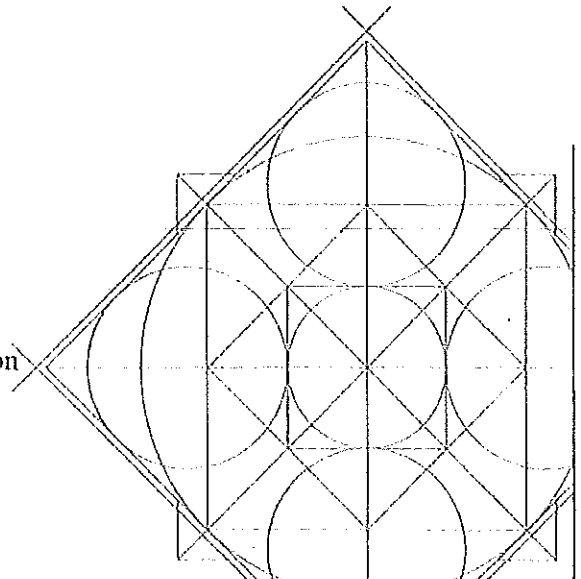
Jon S. Tresslar
(cc)

Jon S. Tresslar, P.E., P.L.S.
Township Engineer

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Tripus, Township Secretary
Charles H. Niclaus, P.E. – Niclaus Engineering Corporation
Melissa E. Prugar, P.E. – Boucher & James, Inc.

S:\2017\1730038C\Documents\Correspondence\ltr_Learn.Road_Punchlist.2017.03.docx





Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

Fountainville Professional Building
1456 Ferry Road, Building 500
Doylestown, PA 18901
215-345-9400
Fax 215-345-9401

2738 Rimrock Drive
Stroudsburg, PA 18360
570-629-0300
Fax 570-629-0306

559 Main Street, Suite 230
Bethlehem, PA 18018
610-419-9407
Fax 610-419-9408
www.bjengineers.com

March 24, 2017

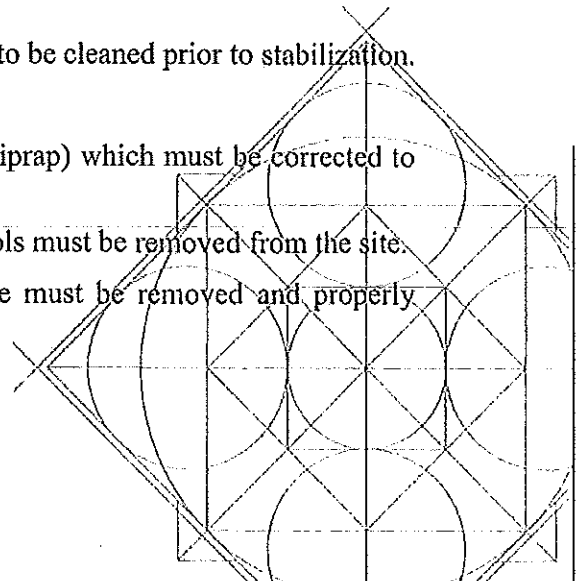
Robert Bourke
Carriage House Country Club, Inc.
390 Manor Drive
P.O. Box 125
Pocono Manor, PA 18349

**SUBJECT: POCONO MANOR CARRIAGE HOUSE COUNTRY CLUB
CONSTRUCTION PUNCHLIST NO. 1
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
B&J PROJECT NO. 1730037C**

Dear Mr. Bourke:

This letter is to serve as a punchlist of items to be completed for the project and should not be construed as a final punchlist or a notice of substantial completion. The punchlist items are provided as a result of an observation by Boucher & James, Inc. on March 9, 2017.

1. Topsoil shall be placed on the areas located in front of and to the east and west of the Carriage House. These areas must also be stabilized.
2. Stone and concrete located within the areas to be stabilized in front of the Carriage House must be removed.
3. The embankment to the west of the Carriage House entrance includes rock, vegetative debris and concrete that shall be removed prior to stabilization.
4. The white parking space line at the new eastern driveway must be removed as indicated on the approved plan.
5. The area of pavement over the storm sewer installed across the existing driveway must be corrected.
6. The basin bottom is full of vegetative debris and needs to be cleaned prior to stabilization.
7. The basin bottom and side slopes must be stabilized.
8. Ponding is occurring at the basin inlet (over the rock riprap) which must be corrected to provide positive infiltration and/or discharge.
9. Upon stabilization, all erosion and sedimentation controls must be removed from the site.
10. All garbage and construction materials that are onsite must be removed and properly disposed of.



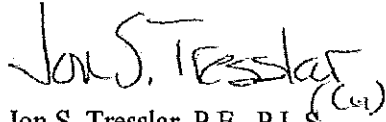
Robert Bourke, Carriage House Country Club, Inc.

March 24, 2017

Page 2

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Jon S. Tresslar" with a stylized flourish at the end.

Jon S. Tresslar, P.E., P.L.S.
Township Engineer

JST/mep/cg

cc: Charles J. Vogt, Township Manager
Pam Tripus, Township Secretary
Michael Tripus, Township Zoning Officer
Andrew Woods, P.E. – Arthur A. Swallow Associates
Melissa E. Prugar, P.E. – Boucher & James, Inc.

S:\2017\1730037C\Documents\Correspondence\lrr_Carriage.House_Punchlist.03.2017.docx