

POCONO TOWNSHIP COMMISSIONERS
COMBINED MEETING AGENDA
February 21, 2017
6:00 p.m.

- 1) Pledge of Allegiance
- 2) Roll Call
- 3) Announcements:
 - a. Executive Session was held February 11, 2017 on personnel matters. No action was taken.
 - b. Executive Session was held February 16, 2017 on personnel matters. No action was taken.
- 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 February 6, 2017
 - b. Work Session of February 16, 2017
- 6) Approval of Bills and Transfers
 - a. Check and Transfer Listing dated February 21, 2017
 - b. Check Ratification list dated February 21, 2017
- 7) Report of the President
- 8) Commissioners Comments

Bob DeYoung, Vice President

Jerry Lastowski, Commissioner

Judi Coover, Commissioner

Ellen Gndt, Commissioner

- 9) Reports:
 - a. Chief Werkheiser Report
 - b. Civil Service Commission Update

- c. Pocono Township Volunteer Fire Company
- d. St. Luke's Ambulance
- e. Administration – Manager's Report
 - i. February 13, 2017 PML Capitol Conference – Harrisburg.
 - ii. Clarification of Payroll Status of Certain Employees.
 - iii. Change of Pay Days from Wednesday-Tuesday to Monday-Sunday (Tabled from February 6, 2017 Meeting).
- f. Public Works Report
 - i. Tobyhanna Township Purchased Additional 324 EDUs for Kalahari.
 - ii. Plaza 611 Easements Update.
 - iii. FOG Issue with PS #2.
 - iv. BCRA Work Related to VS #1.
- g. Finance Committee
- h. Township Solicitor Report
 - i. PMSD – TLC Park Tank Removal Agreement
- i. Township Engineer Report
 - i. Status Report on Sewer Redesign and Air Valve Replacement.
 - ii. Larson Subdivision Steep Slope Waiver Issue
 - iii. Northampton Community College Request for Release of remaining \$336,994.00 letter of credit for Monroe Campus Land Improvements.

10) Presentations:

11) Resolutions and Ordinances:

- a. Resolution 2017-05 Confirming Correct Address for Corona Deli.
- b. Resolution 2017-06 Appointing Auditor for 2015-2016.
- c. Proposed Yard Sale Ordinance Submitted by Township Zoning Officer

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

14) Adjournment

POCONO TOWNSHIP BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

FEBRUARY 6, 2017 6:00 P.M.

DRAFT

The Regular meeting of the Pocono Township Commissioners was held on 02/06/2017 at the Pocono Township Municipal Building, Tannersville, PA and was opened by Vice-President Bob DeYoung at 6:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Ellen Ghandt, present; Bob DeYoung, present; Harold Werkheiser, absent; Jerry Lastowski, present; and Judi Coover, present.

Leo DeVito, Solicitor, Broughal & DeVito; Jon Tresslar, Township Engineer, Boucher & James, Inc.; Charles Vogt, Township Manager; and Pamela Tripus, Township Secretary, were present.

ANNOUNCEMENT:

- 1) An executive session was held on January 17th, 2017 to discuss litigation matters.
- 2) An executive session was held on January 21st, 2017 to discuss personnel matters.
- 3) An executive session was held on January 27th, 2017 to discuss personnel matters.
- 4) An executive session was held on January 30th, 2017 to discuss personnel matters.
- 5) An executive session was held on February 6th, 2017 to discuss litigation matters.

PUBLIC COMMENTS: Wasil Senkoruk, Twp. resident, question concerning sewer connections. Discussion followed. C. Vogt will meet with him to discuss. Maxine Turbolski, Twp. resident, question concerning employee's use of time clocks.

Chris Ortolan, Twp. resident, spoke concerning time clocks.

MINUTES:

J. Coover made a motion, seconded by J. Lastowski, to approve the regular meeting minutes of 01/17/2017. Roll call vote: E. Ghandt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Lastowski made a motion, seconded by J. Coover, to accept into record the Brookdale Presentation minutes of 01/19/2017 with correction - E. Ghandt, 'present'. Roll call vote: E. Ghandt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Lastowski made a motion, seconded by J. Coover, to approve the work session minutes of January 21st, 2017. Roll call vote: E. Ghandt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Lastowski made a motion, seconded by J. Coover, to approve the work session minutes of January 30th, 2017. Roll call vote: E. Ghandt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

MINUTES CONT:

J. Lastowski made a motion, seconded by J. Coover, to approve the work session minutes of February 2nd, 2017. Roll call vote: E. Gndt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

BILLS AND TRANSFERS:

J. Lastowski made a motion, seconded by E. Gndt, to approve the check list dated 02/06/2017. Discussion followed. Roll call vote: E. Gndt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Lastowski made a motion, seconded by E. Gndt, to approve the transfer list 02/06/2017. Discussion followed. Roll call vote: E. Gndt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

J. Lastowski made a motion, seconded by J. Coover, to approve the Ratification list dated 02/06/2017. Roll call vote: E. Gndt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

REPORT OF THE PRESIDENT: Absent

REPORT OF THE COMMISSIONERS:

Bob DeYoung, Vice President, none.

Jerry Lastowski, Commissioner, none.

Judi Coover, Commissioner, noted a 7:00 p.m., 02/27/2017 meeting at Hughes Library to discuss the County wide property reassessment.

Ellen Gndt, Commissioner, requested an additional work session to discuss non-union personnel.

Emergency Management - E. Gndt noted Tom Kresge was the EMC on record. C. Vogt was appointed but the paperwork was not completed, ie. governor appointment. C. Vogt noted he will work with Tom Kresge to discuss the appointment and the updating of the Township's emergency management plan.

REPORTS:**ADMINISTRATION:**

Boucher & James Professional Services Agreement - J. Coover made a motion, seconded by E. Gndt, to approve the 05/18/2016 Boucher & James Professional Services Agreement revised 01/05/2017. Roll call vote: E. Gndt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

PJJWA Board Vacancy - J. Coover made a motion, seconded by E. Gndt, to appoint Chris Ortolan to the PJJWA Board. Roll call vote: E. Gndt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Kettle Creek Donation - C. Vogt noted a \$100.00 donation will be sent.

ADMINISTRATION CONT:

Revised Purchasing Policy - J. Coover made a motion, seconded by E. Gnanadt, to approve the revised Purchasing Policy 2017 including limits and reference to McCabe Opinion, pending final review. Roll call vote: E. Gnanadt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Change of Pay Days from Wednesday - Tuesday to Monday-Sunday - J. Coover made a motion, seconded by J. Lastowski, to table the change of pay days to a Monday-Sunday schedule. Roll call vote: E. Gnanadt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

PUBLIC WORKS REPORT:

DCNR Sewer Connection - J. Coover made a motion, seconded by E. Gnanadt, to authorize the Township Solicitor to send a formal notice to DCNR that the Township will not pursue the agreement to update their lateral. Roll call vote: E. Gnanadt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

PMSD Sewer Connection EDU Calculation and Cost - Discussion followed. No action taken.

Pocono Volunteer Fire Company - Pocono Volunteer Fire Company has requested the Township Public Works Department to assist with their sewer connection. J. Coover made a motion, seconded by J. Lastowski, to authorize the Public Works Department to offer in-kind service to install the Pocono Township Volunteer Fire Company Sewer Connection. Roll call vote: E. Gnanadt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

FINANCE COMMITTEE: First Keystone Loan - E. Gnanadt made a motion, seconded by J. Lastowski, recommending paying the 1st Keystone Loan #5000230987 in the estimated amount of \$766,689.67. Roll call vote: E. Gnanadt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

TOWNSHIP SOLICITOR REPORT:

PMSD Removal of Underground Tank at TLC Park - J. Lastowski made a motion, seconded by E. Gnanadt, to authorize the Township Solicitor to send the draft agreement to PMSD's Solicitor. Roll call vote: E. Gnanadt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Adams Conditional Use Application - J. Coover made a motion, seconded by J. Lastowski, to send the Casciano/Adam's Outdoor Conditional Use application to the Planning Commission for review and authorize the Township Solicitor to meet with the other solicitors. Roll call vote: E. Gnanadt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

Police Union Arbitration Status - L. DeVito updated the Board.

TOWNSHIP ENGINEER REPORT:

Boucher & James System Redesign/Repair Report - J. Tresslar gave his report on the status of the project.

PRESENTATION: None

RESOLUTIONS:

Resolution 2017-04 - Kelly Minor Subdivision - J. Lastowski made a motion, seconded by B. DeYoung, to adopt Resolution 2017-04 Conditional Approval of Kelly Minor Subdivision Plan. Roll call vote: E. Gndt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

DRAFT

PUBLIC COMMENT:

Maxine Turbolski, Twp. resident, commented on the status of the Brookdale Treatment Center. Discussion followed.

Diane Zwiefel, Twp. resident, questioned the medical marijuana petition and Spa Castle.

Mary Agnes Larson, Twp. resident, questioned if the Brookdale information would be made public.

Jack Burns, Twp. resident, commented on Harold Werkheiser attendance at the meetings.

Steve Larson, Twp. resident, questions concerning Brookdale connecting to the Sewer system.

ADJOURNMENT:

J. Lastowski a motion, seconded by E. Gndt, to adjourn the meeting at 7:23 p.m., until 02/21/2017 at 6:00 p.m., at the Pocono Township Municipal Building, Tannersville, PA. Roll call vote: E. Gndt, yes; B. DeYoung, yes; J. Lastowski, yes; and J. Coover, yes. Motion carried.

*A recording of the entire meeting will be kept on file at the Township for perpetuity and will be made available to anyone who may wish to obtain the verbatim meeting.

POCONO TOWNSHIP BOARD OF COMMISSIONERS
WORK SESSION MINUTES

DATE: February 16, 2017

TIME: 8:00am

PLACE: Township Building

PRESIDING COMMISSIONER: Bob DeYoung, Vice President;

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

THE COMMISSIONERS DISCUSSED THE PETITION FOR A RESORT RE-USE
OVERLAY DISTRICT ORDINANCE WITH THEIR ENGINEER JON TRESSLAR,
REPRESENTATIVES OF THE PETITIONER AND INTERESTED RESIDENTS TO
OBTAIN A BETTER UNDERSTANDING OF THE PROPOSAL AND ISSUES.

NO OFFICIAL ACTIONS OR ROLL CALL VOTES WERE TAKEN.

Executive Session to discuss personnel matters was held.

THE WORK SESSION WAS ADJOURNED AT: 1:55pm

POCONO TOWNSHIP CHECK LISTING

February 21, 2017

| General Fund | Date | Check | Vendor | Memo | Amount |
|--------------|------------|-------|---------------------------------------|---------------------------------------|-----------|
| | 02/15/2017 | 55397 | Anglemyer, Aaron | Uniform Allowance | 674.99 |
| | 02/15/2017 | 55398 | BIU of PA, Inc. | ZO Services/Permits | 4,300.90 |
| | 02/15/2017 | 55399 | Brodhead Creek Regional Authority | Sewer bill | 208.34 |
| | 02/15/2017 | 55400 | Cardmember Service | Sealan/Office 365/Toner | 283.12 |
| | 02/15/2017 | 55401 | Broughal & DeVito, L.L.P. | Legal | 4,854.76 |
| | 02/15/2017 | 55402 | Cardmember Service | PA Municipal/Funeral Flowers - Smiley | 222.50 |
| | 02/15/2017 | 55403 | Cargill Incorporated | Salt | 12,749.19 |
| | 02/15/2017 | 55404 | Chemung Supply Corporation | Chains for Trucks | 665.75 |
| | 02/15/2017 | 55405 | CVA Plumbing/Heating/A/C, Inc. | Heat pump repairs | 2,014.00 |
| | 02/15/2017 | 55406 | Cyphers Truck Parts | Truck parts | 58.11 |
| | 02/15/2017 | 55407 | D.G. Nicholas Co. | Supplies | 242.59 |
| | 02/15/2017 | 55408 | DES | Recycling | 25.00 |
| | 02/15/2017 | 55409 | Donna Kenderline Reporting | ZHB Court reporter | 560.00 |
| | 02/15/2017 | 55410 | E.M.Kutz, Inc. | Chains | 181.60 |
| | 02/15/2017 | 55411 | Family Care Centers, Inc. | New hire screening | 676.00 |
| | 02/15/2017 | 55412 | Fasco Inc. | Evidence Locker | 4,968.00 |
| | 02/15/2017 | 55413 | Friedman Electric | Outside lights | 259.63 |
| | 02/15/2017 | 55414 | Hanson Aggregates Pennsylvania LLC | 1/4" Wash | 4,742.73 |
| | 02/15/2017 | 55415 | HUNTER KEYSTONE PETERBILT | Truck #12 | 546.13 |
| | 02/15/2017 | 55416 | IAPE | Evidence Training - Kresge/Anglemyer | 700.00 |
| | 02/15/2017 | 55417 | Jack Williams Tire Company, Inc. | #95 Tires | 133.87 |
| | 02/15/2017 | 55418 | Kimball Midwest | Parts | 159.79 |
| | 02/15/2017 | 55419 | Koch 33 Auto | Valve replacement #95 | 76.15 |
| | 02/15/2017 | 55420 | Kost Tire & Auto Service | Vehicle repairs | 598.68 |
| | 02/15/2017 | 55421 | Lawrence B. Fox P.C. | Legal - Civil Service | 2,901.00 |
| | 02/15/2017 | 55422 | Metropolitan Telecommunications | Phones - Twp/Park | 539.66 |
| | 02/15/2017 | 55423 | Metropolitan Telecommunications | Phones - Police | 283.04 |
| | 02/15/2017 | 55424 | Network Fleet | GPS service | 325.45 |
| | 02/15/2017 | 55425 | Otto, Carol | Cleaning | 550.00 |
| | 02/15/2017 | 55426 | PAPCO, Inc. | Gasoline/Diesel | 2,564.10 |
| | 02/15/2017 | 55427 | PMHIC | Health Insurance - March | 59,894.55 |
| | 02/15/2017 | 55428 | Pocono Record | Advertising | 463.80 |
| | 02/15/2017 | 55429 | PPL Electric Utilities | Twp/Park/Traffic Signals | 2,519.46 |
| | 02/15/2017 | 55430 | Praxair Dist Mid-Atlantic | Cylinder rental | 25.14 |
| | 02/15/2017 | 55431 | PSATS | Associate Membership | 500.00 |
| | 02/15/2017 | 55432 | Sparkle Car Wash | Car washes | 42.00 |
| | 02/15/2017 | 55433 | Staples Advantage | Office supplies | 76.04 |
| | 02/15/2017 | 55434 | Starr Uniform Center | Equipment for new hires | 312.95 |
| | 02/15/2017 | 55435 | State Workers Insurance Fund | Installment 3 of 11 | 42,628.00 |
| | 02/15/2017 | 55436 | STTC Service Tire Truck Centers, INC. | Tires | 422.42 |
| | 02/15/2017 | 55437 | Sundance Networks, Inc. | IT Services | 387.50 |
| | 02/15/2017 | 55438 | Tulpehocken Mountain Spring Water Inc | Water | 205.29 |
| | 02/15/2017 | 55439 | UNIFIRST Corporation | Carpets/Uniforms | 163.10 |
| | 02/15/2017 | 55440 | Unum Life Insurance | Insurance | 2,006.00 |
| | 02/15/2017 | 55441 | Verizon Wireless | Phones - Police | 613.75 |
| | 02/15/2017 | 55442 | Wilson Products Compressed Gas Co. | Supplies | 8.50 |
| | 02/15/2017 | 55443 | YIS/Cowden Group Inc | Calibrations | 241.50 |
| | 02/15/2017 | 55444 | PPL Electric Utilities | Alger Ave. Ligh | 14.52 |

POCONO TOWNSHIP CHECK LISTING

February 21, 2017

| | | | |
|--------------------|---------------------------------|---|---------------------|
| 02/15/2017 55445 | Verizon Wireless | IPAD charges | 60.86 |
| 02/15/2017 55446 | Kettle Creek Environmental Fund | Donation | 100.00 |
| 02/15/2017 55447 | Aflac | Voluntary supplemental insurance | 396.08 |
| 02/15/2017 55448 | Pocono Township | Tank abandonment fee transfer to Sewer Op | 375.00 |
| TOTAL General Fund | | | <u>\$158,619.54</u> |

Sewer Operating Fund

| | | | |
|----------------------------|-----------------------------------|-------------------------------|-----------------------|
| 02/15/2017 1757 | Pennsylvania One Call System, Inc | Mapping | 74.30 |
| 02/15/2017 1758 | BLUE RIDGE COMMUNICATIONS | Cable for pump stations | 181.32 |
| 02/15/2017 1759 | PPL Electric Utilities | Electric for pump stations | 2,067.37 |
| 02/15/2017 1760 | METROPOLITAN TELECOMMUNICATIONS | Phone for pump stations | 58.81 |
| 02/15/2017 1761 | EEMA O&M Services Group, Inc. | Operations and Maintenance | 5,703.50 |
| 02/15/2017 1762 | BRODHEAD CREEK REGIONAL AUTHORITY | Treatment charges March | 81,299.00 |
| 02/15/2017 1763 | Want To Inc. Brennan Electric | Repairs | 1,325.00 |
| 02/15/2017 1764 | TRIJAY Systems | Quarterly maintenance billing | 600.00 |
| 02/15/2017 1765 | Prosser Laboratories, Inc. | Sewer markings | 4,680.00 |
| 02/15/2017 1766 | Pocono Management Associates LLC | Pat Briegel | 2,167.04 |
| 02/15/2017 1767 | Pocono Township | 2017 transfer per budget | 2,381,940.00 |
| TOTAL Sewer Operating Fund | | | <u>\$2,480,096.34</u> |

Sewer Construction Fund

| | | | |
|-------------------------------|-------------------|------------------------|-----------------|
| 02/15/2017 202 | Broughal & DeVito | Legal for construction | 420.00 |
| TOTAL Sewer Construction Fund | | | <u>\$420.00</u> |

ESSA

| | | |
|-------------------------------|---------------------|-----------------|
| TOTAL General Fund | \$158,619.54 | Transferred by: |
| TOTAL Sewer Construction Fund | \$420.00 | |
| TOTAL ESSA Transfer | <u>\$159,039.54</u> | |

Wayne Bank

| | | |
|----------------------------|----------------|----------------|
| TOTAL Sewer Operating Fund | \$2,480,096.34 | Authorized by: |
|----------------------------|----------------|----------------|

Pocono Township Check Listing
Ratify
February 21, 2017

| | <u>Date</u> | <u>Check</u> | <u>Vendor</u> | <u>Memo</u> | <u>Amount</u> |
|--------------------|-------------|--------------|---------------------|-----------------|---------------------|
| General Fund | | | | | |
| Payroll | 1/8/2017 | | Pay 1 2017 | | 81,739.72 |
| | 1/20/2017 | | Pay 2 2017 | | 62,195.00 |
| | 2/3/2017 | | Pay 3 2017 | | 78,572.39 |
| | 2/17/2017 | | Pay 4 2017 | | 78,912.42 |
| TOTAL PAYROLL | | | | | <u>\$321,419.53</u> |
| TOTAL General Fund | | | <u>\$321,419.53</u> | Transferred by: | |

Authorized by: _____



Boucher & James, Inc.
CONSULTING ENGINEERS

AN EMPLOYEE OWNED COMPANY

INNOVATIVE ENGINEERING

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

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www.bjengineers.com

February 10, 2017

Pocono Township Planning Commission
112 Township Drive
P.O. Box 197
Tannersville, PA 18372

**SUBJECT: LARSON MINOR SUBDIVISION ON BROOKDALE ROAD REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1630029R**

Dear Planning Commission Members:

Pursuant to the Township's request, we have completed our second review of the Larson Minor Subdivision Plan Application. The submitted information consists of the following items.

- Response letter prepared by Niclaus Engineering Corporation, dated January 26, 2017.
- Monroe County Parcel data for Parcel Nos. 12/11/1/31 and 12/11/1847.
- Lot Closure for Lot 1 Net Area prepared by Niclaus Engineering Corporation, dated January 3, 2017.
- Lot Closure for Lot 2 Net Area prepared by Niclaus Engineering Corporation, dated January 3, 2017.
- Lot Closure for Lot 3 Net Area prepared by Niclaus Engineering Corporation, dated January 3, 2017.
- Lot Closure for Lot 4 Net Area prepared by Niclaus Engineering Corporation, dated January 3, 2017.
- Minor Subdivision Plan (2 sheets) prepared by Niclaus Engineering Corporation, dated November 2016, last revised January 16, 2017.

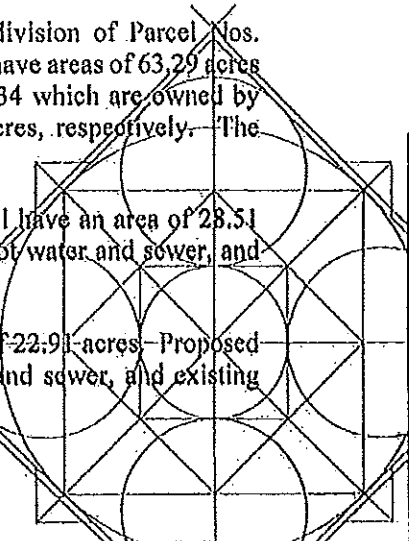
BACKGROUND INFORMATION

The Applicant, Steven Larson, is proposing a minor subdivision and lot line adjustment on the southwestern side of Brookdale Road, approximately $\frac{3}{4}$ miles northwest of the intersection with State Route 611. The existing properties are located within the RD, Recreation Zoning District.

The proposed minor subdivision plan includes the consolidation and subdivision of Parcel Nos. 12/11/1/13 and 12/11/1847, which are owned by Larson, Jacob & Higgins and have areas of 63.29 acres and 13.42 acres, respectively, and of Parcel Nos. 12/11/1/31-6 and 12/11/1/34 which are owned by Steven and Mary Agnes Larson and have areas of 0.38 acres and 0.41 acres, respectively. The subdivision of these properties includes three (3) proposed lots.

Proposed Lot 1 will be conveyed to Steven and Mary Agnes Larson and will have an area of 28.51 acres. Proposed Lot 1 will consist of the existing Larson dwelling with on-lot water and sewer, and existing wetlands and woodland areas. Scot Run traverses the proposed lot.

Proposed Lot 2 will be conveyed to Veronica Higgins and will have an area of 22.91 acres. Proposed Lot 2 will consist of an existing single family dwelling with on-lot water and sewer, and existing wetlands and woodland areas. Scot Run traverses the proposed lot.



Proposed Lot 3 will be conveyed to Gerard Jacob and Coleen Higgins and will have an area of 22.94 acres. Proposed Lot 3 consists of existing wetlands and woodland areas. Scot Run traverses the proposed lot.

In addition to the proposed lot consolidation and subdivision, a lot line adjustment is proposed for Parcel No. 12/11/1/31-3, owned by Howard Seidel & Carol Ann Held. The existing property is bordered by Proposed Lot 1 on three (3) sides, has an area of 0.34 acres and consists of a single family residential dwelling with on-lot water and sewer. The proposed lot line adjustment will increase the lot area to 0.82 acres.

An existing 1.01-acre property is located within Existing Parcel No. 12/11/1/13 (Proposed Lot 1). This property is proposed to remain.

Based upon our review of the Minor Subdivision, we offer the following comments and/or recommendations for your consideration.

ZONING ORDINANCE COMMENTS

1. In accordance with Section 404.B.1.f, single family dwellings are permitted within the RD, Recreation Zoning District. *(Previous Comment) The existing and future uses of the proposed lots is single family dwellings which is permitted in the RD, Recreation Zoning District. No further action is required.*
2. In accordance with Section 404.C.1.a, the minimum lot area is two (2) acres. *Existing Lots 1 have a total area of 0.73 acres and are existing non-conformities. These lots are proposed to be consolidated with Proposed Lot 1 which has an area of 28.51 acres and eliminates the non-conformities. In addition, Existing Lot 4 has an area of 0.34 acres and is also an existing non-conformity. The proposed lot line adjustment creates an area of 0.82 acres on Proposed Lot 4 which reduces the existing non-conformity.*

In accordance with Article II, Lot Area is defined as "the computed area contained within the lot lines, excluding space within all road rights-of-way and within all permanent drainage easements, but including the areas of all other easements, as required by the Pocono Township Subdivision and Land Development Ordinance." The plan shows the gross lot area of all proposed lots. The net lot area for each proposed lot must also be provided on the plan to determine compliance with Section 404.C.1.a. (Previous Comment) No further action is required.

3. In accordance with Section 404.C.1.b, the minimum lot width is 200 feet. *Existing Lots 1 have lot widths less than 200 feet and are existing non-conformities. These lots are proposed to be consolidated with Proposed Lot 1 and eliminated the existing non-conformities. In addition, Existing Lot 4 has a lot width of 100 feet and is an existing non-conformity. The proposed lot line adjustment creates a lot width of 150 feet on Proposed Lot 4 which reduces the existing non-conformity. (Previous Comment) No action is required.*
4. Comment satisfied.
5. In accordance with Sections 404.C.2.a, 404.C.2.b, and 404.C.2.c, the required front, side, and rear yard depths are 50 feet, 25 feet, and 40 feet, respectively. *The required, and existing*

and/or proposed front, side, and rear yards must be shown on the plan to determine compliance with these Sections. (Previous Comment) The existing house on Existing Lots 1 is located within the required 25-foot side yard and is an existing non-conformity. These lots are proposed to be consolidated with Proposed Lot 1 and eliminates the existing non-conformity. The required front, side, and rear yard setbacks must still be shown on Proposed Lot 4, and Note 2 must still be revised to include the provided setbacks at each proposed lot.

6. In accordance with Sections 404.C.2.d and 404.C.2.e, the required well and septic setbacks are 15 feet and 10 feet, respectively. *The existing and/or proposed well and septic setbacks must be dimensioned on the plan to determine compliance with these Sections. The existing well servicing Existing Lot 4 is not located on the property and is an existing non-conformity. The proposed lot line adjustment places the existing well within Proposed Lot 4 which reduces the existing non-conformity. (Previous Comment) No action is required.*
7. Comment satisfied.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

8. Comment satisfied.
9. In accordance with Section 2.304.B.4, the Final Minor Subdivision Plan must include "sufficient data, acceptable to the Engineer to determine readily the location, bearing and length of every boundary, street and lot line (based upon accurate field survey, closed with an error not to exceed one in five thousand and balanced). All dimensions shall be shown in feet and hundredths of a foot with all bearings shown to the nearest one second of an arc. The area of each lot or parcel." *On Proposed Lot 4, the bearing along Brookdale Road is not consistent between the plan and lot closure report, and must be revised. In addition, metes and bounds, and lot closures in support of the net lot areas must be provided for each proposed lot. (Previous Comment) The following comments are related to our review of the submitted lot closures for the gross and net lot areas of all proposed lots.*
 - a. *All bearing and distances along the Ultimate Right-of-Way must be shown on the plan. In addition, all distances (i.e., 30-feet at bearing S32°14'19"W shared with Proposed Lots 1 and 2) must be taken to the hundredth decimal place.*
 - b. *On Proposed Lot 1, the distances at bearings N01°23'18"E and N54°22'01"E (as shown on the plan) for the net lot area must be provided on the plan. In addition, the bearings N54°22'01"E and S43°19'41"W, and the distance along bearing S43°19'41"W, as shown on the plan, are inconsistent with that in the closure report for the net lot area, and must be revised.*
 - c. *The distance of 95-feet along bearing S45°16'27"W shared between Proposed Lots 1 and 4 is not consistent with that in the closure report for the net lot area and must be revised.*
10. Comment satisfied.
11. In accordance with Section 2.304.B.7, the Final Minor Subdivision Plan must include "building setbacks. Any existing buildings located on the tract being subdivided shall be platted, to demonstrate compliance with setback requirements." *The required and existing and/or*

proposed building setbacks must be shown on the plan. (Previous Comment) The required building setbacks must still be shown on Proposed Lot 4, and Note 2 must still be revised to include the provided setbacks at each proposed lot.

12. Comment satisfied.

13. In accordance with Section 2.304.B.10, the Final Minor Subdivision Plan must include the "Certificate of Ownership and Acknowledgement of plan in the form set forth in Appendix C, which shall be accurately completed, signed by the Owner of the property, dated and notarized". *A Certificate of Ownership and Acknowledgement of Plan and a Permit Certification are provided on Sheet 1 and are both signed by Steven Larson. Notarized statements from the property owners Gerard Jacob & Colleen Higgins Jacob, Carol Ann Held, and Veronica Higgins have been provided with the submission permitting Steven Larson to proceed with the proposed subdivision. (Previous Comment) We request the Township Solicitor review these statements and the plan certifications. Any comments from the Township Solicitor must be addressed prior to plan recordation.*

14. Comment satisfied.

15. Comment satisfied.

16. Comment satisfied.

17. Comment satisfied.

18. In accordance with Section 3.209.B.4, "all subdivisions and land development plans shall include a delineation of the steep slope areas, as defined herein." *The existing steep slopes per Section 3.209.A must be shown on the plan. (Previous Comment) The existing steep slopes must still be shown on the plan in order to provide the required easement that is to be recorded with the property deeds.*

19. In accordance with 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 percent (65%) 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." *The plan must show the required steep slope easement. (Previous Comment) The steep slope easement must be shown on the plan as this is required to be recorded with the property deeds.*

20. Comment satisfied.

21. In accordance with Section 3.209.B.7, "all deeds for lots created by subdivision and all land developments to which the provisions of this Section 3.209 are applicable shall contain language detailing the easements' location and the restrictions imposed". *The recorded property deeds must contain all required language. (Previous Comment)*

22. Comment satisfied.

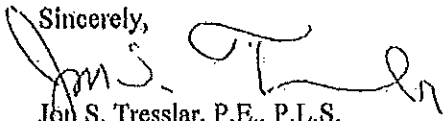
MISCELLANEOUS COMMENTS

23. Comment satisfied.

24. Note 2 on Sheet 1 must be revised to include all required zoning data and all proposed and/or existing data for each proposed lot. *(Previous Comment) The provided front, side, and rear yard setbacks for each proposed lot must still be provided in Note 2.*
25. Comment satisfied.
26. Note 13 on Sheet 1 references a reserve area for the shared use by Larson, Higgins, and Jacobs, Tenants in Common. This area shall be designated by an easement and provided in the recorded deed. In addition, septic areas are shown as proposed within this area. These areas must be removed, or addressed. *(Previous Comment) The reserved area on Proposed Lot 1 is for an entity that differs from the property owner of Proposed Lot 1. Therefore, an easement consistent with the 4.82 acres \pm of reserved area must be shown on the plan and provided in the recorded deed, or the reserved area notation and Proposed Lot 1 area of 22.81 acres shall be removed from the plan.*
27. Comment satisfied.
28. Comment satisfied.
29. Comment satisfied.
30. Comment satisfied.

If you should have any questions regarding the above comments, please call me.

Sincerely,



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
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Broughal & DeVito, LLP
Charles Nicolaus, P.E., Nicolaus Engineering Corporation – Applicant's Engineer
Steven and Mary Agnes Larson – Applicant/Owner
Gerard F. Jacob & Coleen P. Higgins-Jacob – Owner
Howard Seidel and Carol Ann Held – Owner
Veronica M. Higgins – Owner
Melissa E. Prugar, P.E. – Boucher & James, Inc.



Northampton Community College

Date: January 18, 2017

RECEIVED
JAN 20 2017
POCONO TOWNSHIP

Regina Zuvich/Treasurer
Pocono Township
P.O. Box 197
112 Township Drive, Tannersville PA 18372

RE: Northampton Community College Letter of Credit No. 7785012252

Dear Ms. Zuvich,

NCC is asking for the release of the remaining \$336,994.00 for our Monroe Campus land Improvements Irrevocable Letter of Credit, completed in 2015. NCC is requesting that Pocono Township contact ESSA bank in writing at your earliest convenience to facilitate the release.

Please contact me if you have any questions at 610-861-4109.

Sincerely,

William S. Smith

NCC Project Manager/Assistant Director of Building Services

cc: Christopher W. Dellinger, P.E./ HRG Sr. Project Manager



February 25, 2015

Pocono Township Commissioners
P.O. Box 197
112 Township Drive
Tannersville PA 18372

Attn: Regina Zuvich, Treasurer

Re: Irrevocable Letter of Credit #7785012252
Northampton County Area Community College

Dear Ms. Zuvich:

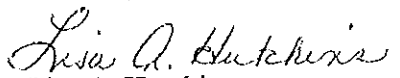
In accordance with your letter dated February 23, 2015, ESSA Bank & Trust has modified the above referenced Letter of Credit as follows:

- Reduced the commitment from \$1,891,459.20 to \$336,994.00

Please keep this letter in your file with the original Letter of Credit. All other terms and conditions shall remain the same and in full force and effect.

If you have any questions please don't hesitate to contact me at 570-422-0190.

Sincerely,


Lisa A. Hutchins
VP, Commercial Loan Officer

Cc: Northampton County Area Community College



POCONO TOWNSHIP

www.poconopa.gov

February 23, 2015

ESSA Bank and Trust
200 Palmer Street
Stroudsburg, PA 18360

Re: Irrevocable Letter of Credit No. 7786012252
Northampton Country Area Community College

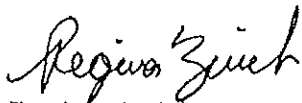
Dear Ms. Hutchins,

The Pocono Township Commissioners at their February 17, 2015 meeting approved the release of \$1,554,465.20 from the above referenced Letter of Credit for Northampton Country Area Community College. The Township Engineer has inspected the property and given approval as per their letter dated January 22, 2015.

Please send an amendment to the existing Letter of Credit showing the release of the requested \$1,554,465.20.

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 570-629-1922 ext. 221 or email at rzuvich@poconopa.gov.

Sincerely,



Regina Zuvich
Treasurer
Pocono Township

cc: W. Smith



Herbert, Rowland & Grubic, Inc.
Engineering & Related Services

369 East Park Drive
Harrisburg, PA 17111
(717) 564-1121
FAX (717) 564-1158
www.hrg-inc.com

November 4, 2014

RECEIVED
NOV 10 2014
POCONO TOWNSHIP

Pocono Township Commissioners
Pocono Township Municipal Building
P.O. Box 197, 112 Township Drive
Tannersville, Pennsylvania 18372

Re: Northampton Community College
Pocono Township, Monroe County, PA

Dear Commissioners:

On behalf of Northampton Community College, please accept this request for a reduction/release of the Letter of Credit for the above referenced project. The work associated with the public improvements is complete.

Please contact my office prior to any inspections of the completed improvements so I can inform the College of your or your engineer's visit and accompany them during the inspection.

Please call if you have any questions. Thank you.

Sincerely,

Herbert, Rowland & Grubic, Inc.

Christopher W. Dellinger, P.E.
Sr. Project Manager

CWD/pk

003486.0013

P:\00341003486_0013\Admin\Corres\Sent\2014.11.04 - Letter of Credit Reduction.doc



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 18, 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 & Grubio 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. The total security provided was \$1,891,459.20 based on these estimates.

Based on our field observations we offer the following comments:

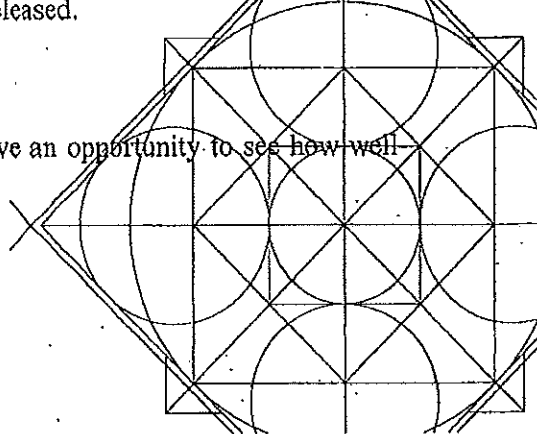
Public Improvement Cost Estimate

Item C. 1 1/2" 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.

The Total Amount recommended to be released is \$1,554,465.20.

Ms. Lisa Periera
January 22, 2015, *Revised February 18, 2015*
Page 3 of 3

Total Retainage to remain is as follows:

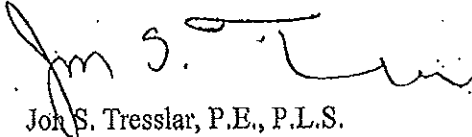
| | |
|--|-------------------|
| Public Improvement, Cost Estimate | \$62,732.00 |
| Admin, Engineering, Legal and Construction Observation | 27,045.40 |
| 10% Escrow | <u>108,181.60</u> |
| Subtotal | \$197,959.00 |

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

Total Amount remaining in Public Improvements and Stormwater Improvements Escrow is \$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)



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

RECEIVED
FEB 17 2015

POCONO TOWNSHIP

**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:

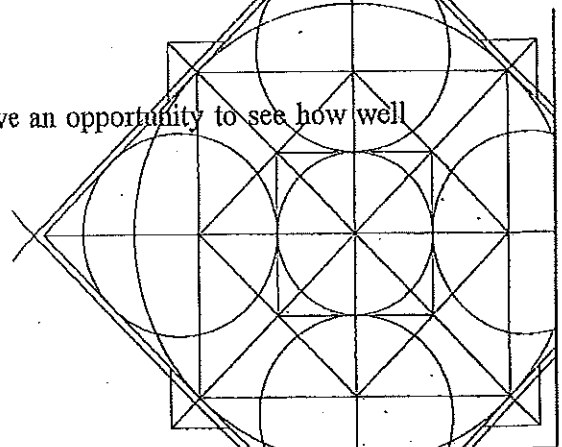
Public Improvement Cost Estimate

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.



Ms. Lisa Periera

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

Page 2 of 3

Stormwater Improvements Cost Estimate

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

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| A. 100% Reduction | \$ 42,000.00 |
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Admin, Engineering, legal,
and construction observation

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| can be reduced 75% | \$ 81,136.20 |
| Total Retained | \$ 27,045.40 |

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and construction observation

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|--------------------|--------------|

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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 |
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| 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)

IRREVOCABLE LETTER OF CREDIT

Borrower: Northampton County Area Community College
(TIN: 23-6417444)
3835 Green Pond Road
Bethlehem, PA 18020

Lender: ESSA Bank & Trust
200 Palmer Street
Stroudsburg, PA 18360

Beneficiary: Township of Pocono
112 Township Drive
Tannersville, PA 18372

NO.: 7785012252

EXPIRATION DATE. This letter of credit shall expire upon the earlier of the close of business on 02-07-2017 and all drafts and accompanying statements or documents must be presented to Lender on or before that time, or the day that Lender honors a draw under which the full amount of this Letter of Credit has been drawn (the "Expiration Date").

AMOUNT OF CREDIT. Lender hereby establishes at the request and for the account of Borrower, an Irrevocable Letter of Credit in favor of Beneficiary for a sum of One Million Eight Hundred Ninety-one Thousand Four Hundred Fifty-nine & 20/100 Dollars (\$1,891,459.20) (the "Letter of Credit"). These funds shall be made available to Beneficiary upon Lender's receipt from Beneficiary of sight drafts drawn on Lender at Lender's address indicated above (or other such address that Lender may provide Beneficiary in writing) during regular business hours and accompanied by the signed written statements or documents indicated below.

WARNING TO BENEFICIARY: PLEASE EXAMINE THIS LETTER OF CREDIT AT ONCE. IF YOU FEEL UNABLE TO MEET ANY OF ITS REQUIREMENTS, EITHER SINGLY OR TOGETHER, YOU SHOULD CONTACT BORROWER IMMEDIATELY TO SEE IF THE LETTER OF CREDIT CAN BE AMENDED. OTHERWISE, YOU WILL RISK LOSING PAYMENT UNDER THIS LETTER OF CREDIT FOR FAILURE TO COMPLY STRICTLY WITH ITS TERMS AS WRITTEN.

DRAFT TERMS AND CONDITIONS. Lender shall honor drafts submitted by Beneficiary under the following terms and conditions: Lender shall honor drafts submitted by Beneficiary under the following terms and conditions: 1. The Original Letter of Credit and any amendments thereto 2. A statement purportedly signed by an authorized official of Pocono Township stating that Northampton County Area Community College is in default under a Land Development Agreement dated July 24, 2014 by and between Northampton County Area Community College and the Township of Pocono 3. All Sight Drafts must be marked "Drawn under ESSA Bank & Trust Irrevocable Letter of Credit #7785012252 dated August 7, 2014".

Upon Lender's honor of such drafts, Lender shall be fully discharged of Lender's obligations under this Letter of Credit and shall not be obligated to make any further payments under this Letter of Credit once the full amount of credit available under this Letter of Credit has been drawn.

Beneficiary shall have no recourse against Lender for any amount paid under this Letter of Credit once Lender has honored any draft or other document which complies strictly with this Letter of Credit, and which on its face appears otherwise in order but which is signed, issued, or presented by a party or under the name of a party purporting to act for Beneficiary, purporting to claim through Beneficiary, or posing as Beneficiary without Beneficiary's authorization. By paying an amount demanded in accordance with this Letter of Credit, Lender makes no representation as to the correctness of the amount demanded and Lender shall not be liable to Beneficiary, or any other person, for any amount paid or disbursed for any reason whatsoever, including, without limitation, any nonapplication or misapplication by Beneficiary of the proceeds of such payment. By presenting upon Lender or a confirming bank, Beneficiary certifies that Beneficiary has not and will not present upon the other, unless and until Beneficiary meets with dishonor. Beneficiary promises to return to Lender any funds received by Beneficiary in excess of the Letter of Credit's maximum drawing amount.

USE RESTRICTIONS. All drafts must be marked "DRAWN UNDER ESSA Bank & Trust IRREVOCABLE LETTER OF CREDIT NO. 7785012252 DATED 08-07-2014," and the amount of each draft shall be marked on the draft. Only Beneficiary may complete a draft and accompanying statements or documents required by this Letter of Credit and make a draw under this Letter of Credit. This original Letter of Credit must accompany any draft drawn hereunder.

Partial draws are permitted under this Letter of Credit. Lender's honor of a partial draw shall correspondingly reduce the amount of credit available under this Letter of Credit. Following a partial draw, Lender shall return this original Letter of Credit to Beneficiary with the partial draw noted hereon; in the alternative, and in its sole discretion, Lender may issue a substitute Letter of Credit to Beneficiary in the amount shown above, less any partial draw(s).

PERMITTED TRANSFEREES. The right to draw under this Letter of Credit shall be nontransferable, except for:

A. A transfer (in its entirety, but not in part) by direct operation of law to the administrator, executor, bankruptcy trustee, receiver, liquidator, successor, or other representative at law of the original Beneficiary; and

B. The first immediate transfer (in its entirety, but not in part) by such legal representative to a third party after express approval of a governmental body (judicial, administrative, or executive).

TRANSFEREES REQUIRED DOCUMENTS. When the presenter is a permitted transferee (i) by operation of law or (ii) a third party receiving transfer from a legal representative, as described above, the documents required for a draw shall include a certified copy of the one or more documents which show the presenter's authority to claim through or to act with authority for the original Beneficiary.

COMPLIANCE BURDEN. Lender is not responsible for any impossibility or other difficulty in achieving strict compliance with the requirements of this Letter of Credit precisely as written. Beneficiary understands and acknowledges: (i) that unless and until the present wording of this Letter of Credit is amended with Lender's prior written consent, the burden of complying strictly with such wording remains solely upon Beneficiary, and (ii) that Lender is relying upon the lack of such amendment as constituting Beneficiary's initial and continued approval of such wording.

NON-SEVERABILITY. If any aspect of this Letter of Credit is ever declared unenforceable for any reason by any court or governmental body having jurisdiction, Lender's entire engagement under this Letter of Credit shall be deemed null and void ab initio, and both Lender and Beneficiary shall be restored to the position each would have occupied with all rights available as though this Letter of Credit had never occurred. This non-severability provision shall override all other provisions in this Letter of Credit, no matter where such provision appears within this Letter of Credit.

GOVERNING LAW. This Agreement will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the Commonwealth of Pennsylvania without regard to its conflicts of law provisions, and except to the extent such laws are inconsistent with the 2007 Revision of the Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce, ICC Publication No. 600. This Agreement has been accepted by Lender in the Commonwealth of Pennsylvania.

EXPIRATION. Lender hereby agrees with Beneficiary that drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored if presented to Lender on or before the Expiration Date unless otherwise provided for above.

Dated: August 7, 2014

IRREVOCABLE LETTER OF CREDIT
(Continued)

Loan No: 7785012252

Page 2

RENEWAL.

This Letter of Credit expires on February 7, 2017, provided however, that this Letter of Credit shall be automatically extended for a period of one (1) year from the present or any future expiration date unless ESSA Bank & Trust notifies you, in writing, by United States certified mail, return receipt requested, at least sixty (60) days prior to the expiration date that this Letter of Credit will not be renewed.

LENDER:

ESSA BANK & TRUST

By: Lisa A. Hutchins (Seal)
Authorized Signer

ENDORSEMENT OF DRAFTS DRAWN:

| Date | Negotiated By | Amount In Words | Amount In Figures |
|------|---------------|--------------------|----------------------|
|------|---------------|--------------------|----------------------|

**TOWNSHIP OF POCONO, MONROE COUNTY
PENNSYLVANIA**

RESOLUTION NO. 2017- 05

**A RESOLUTION ACKNOWLEDGING THE PRECISE PHYSICAL ADDRESS OF
CORONA CAFÉ & DELI, LLC FOR LIQUOR LICENSE NO. E-5245 TRANSFER**

WHEREAS, the Board of Commissioners adopted Ordinance No. 2017- 01 on January 3rd, 2017, approving the intermunicipal transfer of eating place retail dispenser Liquor License No. E-5245 into Pocono Township; and

WHEREAS, Ordinance No. 2017-01 did not list the precise physical address for Corona Café & Deli, LLC; and

WHEREAS, Corona Café & Deli, LLC has since been assigned a precise physical address and the Board has been notified of said address; and

WHEREAS, the Board acknowledges the precise physical address for Corona Café & Deli is:

2541 Route 611, Suite 102, Pocono Township, Scotrun, PA 18355

NOW, THEREFORE, BE IT ADOPTED AND RESOLVED that the Liquor License No. E-5245 shall be transferred to Corona Café & Deli, LLC located at 2541 Route 611, Suite 102, Pocono Township, Scotrun, PA 18355.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 21st day of February, 2017.

ATTEST:

Township of Pocono
Board of Commissioners

By: _____
Pamela Tripus
Township Secretary

By: _____
Harold Werkheiser
President

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

RESOLUTION 2017-06

A RESOLUTION APPROVING ENGAGEMENT OF AN AUDIT FIRM FOR 2015-2016

WHEREAS, Pocono Township desires to have audits performed for the 2015 and 2016 fiscal years; and

WHEREAS, Requests for Proposal were submitted to qualified firms and Proposals were received from qualified firms interested in performing the required statutory annual audits for the Township for those years; and

WHEREAS, Commissioners have reviewed the proposals received and determined that all firms were equally qualified to perform the audit.

NOW, THEREFORE, BE IT ADOPTED AND RESOLVED that the Township engages _____ to perform the 2015 and 2016 audits in accordance with the terms of that firm's proposal.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 21st day of February, 2017.

ATTEST:

**Township of Pocono
Board of Commissioners**

By _____
Pamela Tripus
Twp. Secretary

By: _____
Harold Werkheiser
President

Commissioners;

During the months of spring to fall, the zoning office is inundated with complaint calls about yard sales. These sales are sometimes held on every weekend creating undue noise and inconvenience to the adjoining property owners. Due to the fact these sales are most often held in residential neighborhoods and generate increased traffic parking on the sides of the street restricts the flow of traffic creating safety concerns and in some cases damage to surrounding properties.

With that in mind, I have taken the liberty of doing a draft of an Ordinance for these types of sales for your review and consideration.

Respectfully;

Michael Tripus

Zoning Officer

Pocono Township

POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWNSHIP OF POCONO, COUNTY OF MONROE
COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING REGULATIONS FOR
YARD SALES IN THE TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA,
REQUIRING A PERMIT THEREFORE AND PRESCRIBING PENALTIES FOR VIOLATIONS.**

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Commissioners, Pocono Township, Monroe County, Pennsylvania, 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. DEFINITION, The following term shall have the meanings ascribed unless a contrary meaning is expressly set forth in the text.

YARD SALE – The term Yard Sale shall include any type of such sale of items from any property in Pocono Township regardless where on the premises the items for sale are actually located. The term Yard Sale shall include, but is not limited to the following terms: garage sale, tag sale, porch sale, attic sale basement sale, rummage sale, flea market sale, and any similar casual sale of personal property.

SECTION 2. PERMIT REQUIRED; FEE FOR PERMIT.

It shall be unlawful for any owner of property in Pocono Township to conduct, or allow to be conducted, a Yard Sale upon the premises unless a Yard Sale permit is first obtained from Pocono Township. Fees for said permit will set forth by Resolution of the Pocono Township Board of Commissioners.

SECTION 3. YARD SALE REGULATIONS.

The following regulations shall apply to all Yard Sales in Pocono Township:

- (a). There shall be no more than five (5) Yard Sales conducted on any one property in any year.
- (b) No Yard Sales shall continue for more than three (3) consecutive days.
- (c) The sale shall be held at the property specified on the permit application.
- (d) No sale shall commence before 9:00am and sale shall end at 5:00 pm.
- (e) Traffic flow shall not be interrupted by the sale activity.
- (f) Due to the fact the sale is temporary in nature and held in residential districts, the sale shall not create excessive noise or other disturbance to the neighboring residents.
- (g) It shall be unlawful to engage or employ any individual, agency, organization to arrange

promote or conduct the sale.

SECTION 4. SIGNAGE.

One sign may be erected on the property to promote the Yard Sale. Signs advertising the sale are permitted to be erected forty-eight (48) hours prior to the sale and must be removed within twenty-four (24) hours after the sale. No sign shall be placed on any post or pole used for utilities, traffic signs or signals and shall comply with the Pocono Township ordinance.

SECTION 5. VIOLATIONS AND PENALTIES.

Any person who shall violate or fail to comply with any provisions of this Ordinance shall, upon conviction thereof in a summary proceeding before any District Justice in the County of Monroe, be sentenced to pay a fine of (TBD) and the cost of prosecution. Each day's violation of any of the provisions of this Ordinance shall constitute a separate violation.