



**POCONO TOWNSHIP COMMISSIONERS
AGENDA**

December 3, 2019 7:00 p.m.

Open Meeting

Pledge of Allegiance

Roll Call

Public Comments

Comments are for any issue. Please limit individual comments to 5 minutes to allow time for others wishing to speak and direct all questions and comments to the President.

Announcements –

Please remember to sign in as you enter the meeting room.

Holiday Tree lighting – Friday, December 6th – 6:00pm

Executive Session held – Thursday, November 21st – sale of real property

Executive Session held – Tuesday, November 26th - personnel

PennDot public plan meeting – December 12th – 5:30pm – St. Luke's Ambulance Building

Hearings –

Presentations –

Bid opening for White Oak Culvert project (possible action item*)

Resolutions -

OLD BUSINESS

1. Motion to approve the minutes of the November 18, 2019 meeting of the Board of Commissioners (action item*)

NEW BUSINESS

1. Personnel

- a. For record purposes – Jack Manuel – seasonal employee – last day of work, Friday, November 22, 2019

2. Financial Transactions

- a. Motion to ratify vouchers payable received through November 27, 2019 in the amount of \$ 830,171.24. (action item*)

- b. Ratify gross payroll for pay period ending November 17, 2019 in the amount of \$ 108,891.65 (action item*)
- c. Motion to approve vouchers payable received through November 27, 2019 in the amount of \$ 50,322.79. (action item*)
- d. Motion to approve capital expenditures received through November 27, 2019 in the amount of \$ 9,206.98 (action item*)

3. Travel/Training Authorizations (Approve/Ratify)

Report of the President

Gerald Lastowski

- a. PennDot request for De Minimis Use determination for easement along TLC Park for 715/611 Improvement Project (possible action item*)

Commissioners Comments

Richard Wielebinski – Vice President

- a. LED Speed signs (possible action item*)
- b. Card key access to municipal building for approximately \$7500.00 (possible action item*)

Keith Meeker - Commissioner

Chad Kilby – Commissioner

- a. Motion to adopt the Pocono Township Safety Manual (action item*)

Jerrold Belvin – Commissioner

Reports

1. Zoning –

a.

2. Public Works Report

- a. Update - road crew projects
- b. Update – ice-rink
- c. Update - lighting issue outside of the Heritage Center
- d. Update – Plaque at TLC Pedestrian Bridge (possible action item*)

3. Administration – Manager's Report

- a. Update – Regional Comprehensive Plan
- b. Update - Traffic Task Force
- c. Update - Business Association – Wednesday, November 20th – 7pm
- d. Update – Green Light Go – 2015
- e. Update – Green Light Go – 2017

- f. Motion to execute agreement with EHD for 2020 Insurance and risk management services (action item*)
- g. Extension received from Tannersville Point through January 31, 2020
- h. Extension received from Sheldon Kopelson – Lot 3 through December 31, 2020 (planning commission recommended a six-month extension) (action item*)
- i. 2020 Polling Places and ADA inspection

4. Township Engineer Report

- a. Update - White Oak Culvert replacement project
- b. Update - Right hand turn lanes from Rt. 611 onto Rimrock and Bartonsville Avenue
- c. Update - TLC Bridge
- d. Update - TLC Dam – submitted for LSA grant
- e. Update - Culvert cleaning maintenance
- f. Update - Master sidewalk plan – multi-modal grant
- g. Update – Learn Road Bridge Inspection/Traffic Study
- h. Update – Well at MVP
- i. Update – generator
- j. Update – Beehler Road traffic study for possible stop sign
- k. Update – Back Mountain Road Traffic Study

5. Township Solicitor Report

- a. Update - Exxon Monitoring wells
- b. Update - easements for White Oak culvert and emergency access
- c. Update – easements – Breezewood Drive
- d. Update – ZHB dates
 - Abrams/LTS – signs – to be rescheduled
 - Feeling Good, LLC – STR – Thursday, December 19 - 5pm
 - J.W. Penney – gas station use – Tuesday, December 10th - 5pm
- f. Update – Reassessment appeals filed at county
- g. Motion to authorize solicitor to advertise for a hearing concerning changes to the Manager's Ordinance for December 16, 2019 (action item*)

Public Comment

Please limit individual comments to 5 minutes to allow time for others wishing to speak and direct all questions and comments to the President.

Executive Session – if necessary

Adjournment

**REGULAR MEETING
MINUTES****November 18, 2019 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on Monday, November 1, 2019 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Gerald Lastowski at 7:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL: Keith Meeker, present; Rich Wielebinski, present; Gerald Lastowski, present; Chad Kilby, present; Jerrod Belvin, present;

IN ATTENDANCE:

Leo DeVito, Twp. Solicitor, Broughal & DeVito; Jon Tresslar, Twp. Engineer, Boucher & James, Inc.; Donna M. Asure, Township Manager; and Dee Ackerman, Administrative Assistant.

PUBLIC COMMENT:

Ellen Gndt, Twp. Resident, questioned the Incident Investigation Policy. Solicitor DeVito gave her his copy. She questioned the petition that was provided to the Board for a rezoning request. Solicitor DeVito defined a conflict. She questioned the difference between the projects on Moss Drive and Robin Lane versus that on Alger Lane. Discussion followed.

Andrew Giambalvo, Twp. Resident, spoke to the closing of a portion of Learn Road. He was advised that he could testify on this issue when the hearing opened.

ANNOUNCEMENTS:

J. Lastowski announced the following –

- Please remember to sign in as you enter the meeting room
- Holiday Tree Lighting – December 6th at 6pm
- Executive Session held – Tuesday, November 12th – personnel
- Executive Session held – Wednesday, November 13th – personnel
- Township Offices are closed – November 28th, 29th and December 2nd
- Board of Commissioners and Sewer Committee meeting scheduled for Monday, December 2nd is rescheduled to Tuesday, December 3rd
- PennDot Public planning meeting – December 12th at 5pm – St. Luke's Ambulance Building – Rt 715/611 project

HEARINGS:

Ordinance 2019-09 - J. Lastowski opened the hearing at 7:10pm. With no comments from the Board or the public, J. Lastowski closed the hearing at 7:11pm.

J. Belvin made a motion, seconded by C. Kilby, to adopt Ordinance 2019-09, amending the code of the township of Pocono by adopting a new Chapter 220, Grading; Erosion and Sedimentation Control. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Ordinance 2019-10 – J. Lastowski opened the hearing at 7:12pm. After testimony, J. Lastowski closed the hearing at 7:37pm. Testimony was received from the public and discussion followed with the Board of Commissioners.

R. Wielebinski made a motion, seconded by K. Meeker, to adopt Ordinance 2019-10, closing a portion of Learn Road (T-537) to through traffic. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, no; C. Kilby, yes; J. Belvin, yes. Motion carried.

PRESENTATIONS:**RESOLUTIONS:**

MINUTES:

J. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 11/4/19 regular meeting of the Board of Commissioners. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

J. Lastowski made a motion, seconded by C. Kilby, to approve the minutes of the 11/13/19 work session of the Board of Commissioners. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

OLD BUSINESS:**NEW BUSINESS:**Personnel –

It was noted for the record that the following park staff will be ending their seasonal employment with Pocono Township – Michael Kresge - last date of work – November 15, 2019 and Jonathan Miller - last day of work – November 16, 2019.

Financial Transactions –Ratify vouchers payable

J. Lastowski a motion, seconded by K. Meeker, to ratify vouchers payable for a period ending November 14, 2019 in the amount of \$ 3,278.59. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Ratify gross payroll -

J. Lastowski made a motion, seconded by R. Wielebinski, to ratify the gross payroll for the pay period ending November 3, 2019 in the amount of \$ 100,814.09. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Vouchers Payable

J. Lastowski made a motion, seconded by C. Kilby, to approve vouchers payable received through November 14, 2019 in the amount of \$ 264,439.67. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Capital Expenditures

J. Lastowski made a motion, seconded by J. Belvin, to approve the capital expenditures received through November 14, 2019 in the amount of \$ 19,006.00. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

TLC Pedestrian Bridge Repair -

J. Lastowski made a motion, seconded by R. Wielebinski, to approve Payment #1 to Mar-Allen Concrete Products for the TLC Park Pedestrian Bridge repair project in the amount of \$ 42,344.69 as recommended by Boucher & James. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Grant Writer -

J. Lastowski made a motion, seconded by C. Kilby, to approve the contract with JDM Consulting to continue the community planning and grant writing services for Pocono Township at \$2500/month (no increase) through November 30, 2020. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

2020 Anti-skid Bid -

COG rejected all anti-skid bids so each township must bid their own.
J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the township manager to solicit sealed bids for Anti-skid for 2020 to be let at the December 16, 2019 commissioners' meeting. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Extended Warranty -

D. Asure explained this is for the body cameras and in car cameras for the police department.

J. Lastowski made a motion, seconded by J. Belvin, to authorize the purchase of an extended warranty from Watch Guard for the body and car cameras at an annual cost of \$ 3, 150.00 as requested by Chief Werkheiser. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Travel/Training Authorizations – noneREPORT OF THE PRESIDENT:

Gerald Lastowski, President –

Commissioner Lastowski discussed the Rimrock Road/Bartonsville Avenue turning lane project. The township has just been awarded an additional \$500,000 from a DCED Multimodal grant bringing the grant funding to \$950,000.00. There is concern that since the project is estimated, at this time, to cost over \$1.6 million dollars, is the state going to cover all expenses and not leave the township responsible for any of these improvements on a state road.

J. Lastowski made a motion, seconded by C. Kilby, to have the township manager send a letter to Senator Scavello outlining the funding concerns for the right hand turn lane project as well as asking for an update on the 5% room tax proposed for Pocono Township. This letter was to be sent as soon as possible. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

COMMISSIONERS COMMENTS

Rich Wielebinski - Vice President –

Commissioner Wielebinski discussed the different proposals for speed limit signs. The proposals were sent to Sgt. Goucher for his thoughts. The Board was asked to review the information in their packets.

Keith Meeker – Commissioner - none

Chad Kilby – Commissioner –

Commissioner Kilby reported that the Green Light Go 2015 optics were currently being installed through the township.

Jerrold Belvin – Commissioner –

Commissioner Belvin reported that Signal Service has already installed the parts approved at the last board meeting for the light at 715/611. The timing of the light is much better and providing a smoother traffic flow.

Commissioner Belvin discussed the security need to have cameras in the township building.

J. Belvin made a motion, seconded by C. Kilby, to purchase a Hikvision DS-7616 Camera kit with wire and connectors for approximately \$1,529.03 to be installed in the township municipal building. It was stated that this price includes installation. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

REPORTS:Emergency Services –

Police - The Board received an updated report in their packet

EMS – the Board received an updated report in their packet.

Fire – No report

Zoning –Public Works

Road Crew Projects - R. Sargent reported they are getting into the winter mode.

Park Operations - R. Sargent reported the staff is done and the split rail fence at TLC is 90% complete. The ice rink should be installed by the end of the week. It should be placed right in the middle of the fenced area. Discussion followed on lining the veteran's memorial with boulders.

Commissioner Lastowski reported that on election day a park staff drove a "four-wheeler" towards the Heritage Center so quickly that he thought the employee was going to roll the vehicle. The Board emphasized the need for all staff to be properly trained on all equipment.

Lighting at Heritage Center - R. Sargent reported that he is waiting on a current quote for this repair. The Board discussed doing this in house as had been discussed months ago. R. Sargent stated he would need to rent a ditchwitch and the process of running conduit and wires.

R. Sargent reported that the Moss Drive project was done but there is a 30" ditch

Administration - Manager's Report

Regional Comprehensive Plan – no update.

Traffic Task Force - no report

Pocono Business Association – The next meeting is set for November 20, 2019 here at the township building at 7pm.

Green Light Go 2015 – reported earlier

Green Light Go 2017 – There is a meeting to discuss technical options on December 4th. The draft of the proposals put even the least costly option above the awarded grant and township budget amount. The Board discussed having to prioritize the lights that can be upgraded while staying within the grant money amount.

Brookdale Road Traffic Study for speed -

D. Asure brought to the Board's attention a resident complaint about the speed limit on Back Mountain Road. The township staff has researched an ordinance setting the speed limit but have been unable to locate such a document.

R. Wielebinski made a motion, seconded by C. Kilby, to authorize a traffic study on Back Mountain Road to determine the speed limit. Under discussion, Ellen Gndt, Township resident asked why the traffic study recently done by Brookdale could not be requested to be used. It was explained that the study done by Brookdale was a traffic impact study and not a speed study as would be needed for this determination. The geometry of the road needs to be taken into consideration to determine at what limit should the speed be set for this road. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Incident Investigation Policy - D. Asure reported that she had drafted an Incident Investigation Policy which will be followed to conduct investigations within the township.

J. Lastowski made a motion. Seconded by C. Kilby, to adopt the Pocono Township Incident Investigation Policy. Under discussion Ellen Gndt, Township Resident, asked why vendors and contractors were listed as being part of this policy. D. Asure reported that vendors and contractors may have complaints lodged against them or may lodge a complaint that would need to be investigated. She also stated that she believed that investigations are usually exempt from the Sunshine privacy act. L. DeVito stated that investigations are not public. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

First Reading of 2020 Budget –

D. Asure reported that this is to be considered the first reading of the draft 2020 budget as required by the first-class township code. The millage has been adjusted to follow the requirements of a township budget the year after a county-wide reassessment. The millage for 2020 will be 2.109 mills.

J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the township manager to make available for public inspection the proposed 2020 Pocono Township budget, as required by the First-class Township Code, as of Wednesday, November 20, 2019, both in hard copy available in the township office and posted on the township website. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Kilby made a motion, seconded by R. Wielebinski, to authorize the township manager to have advertised the 2020 proposed budget as required by the First-class Township Code, at least ten days prior to date for tentative adoption which is scheduled for December 16, 2019 and to advertise for hearing on December 16, 2020 to consider the adoption of the 2020 budget. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

D.ASURE reported to the Board that fifteen Hometown Hero banners have been ordered. The winter banners should be arriving and within a few weeks they should all be here and ready for display.

TOWNSHIP ENGINEER REPORT:

White Oak Culvert replacement project –J. Tresslar reported the pre-bid meeting had about twenty contractors in attendance and bids will be opened on December 2nd and discussed at the December 3rd meeting.

Right Hand Turn Lanes - Discussed earlier under Commissioners' reports

TLC Bridge- J. Tresslar reported that good progress is being made. Many items were discussed as to possible change orders ranging from \$1,775 to over \$18,000.00.

C. Kilby made a motion, seconded by J. Belvin, to approve the change order from Mar-Allen Concrete Products in the amount of \$1,775.00 to replace the missing rocks on the wing walls. J. Tresslar was asked if he knew if Mr. Peechatka had inspected the bridge. It was not known but a follow up call will be made to him. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

TLC Dam – submitted for LSA grant

Culvert Cleaning Maintenance - No report

Master Sidewalk Plan - J. Tresslar reported that the township has just been informed that St. Luke's is working with PennDot for a permit to curb the area in front of their building. This could affect the sidewalk plan.

R. Wielebinski made a motion, seconded by J. Belvin, to send a copy of the draft Master Sidewalk Plan to St. Luke's and to PennDot so they are aware of the concept that is being discussed. Roll Call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; J. Belvin, yes. Motion carried.

Learn Road Bridge Inspection - J. Tresslar stated he has taken measurements and photographs and will have a report by next meeting.

Commissioner Wielebinski discussed the condition of the Leisure Lake bridge.

Well at Mountain View Park - J. Tresslar reported that he has made inquiries to DEP and is told the permit was approved on October 21st but to date nothing has been received. Commissioner Wielebinski will reach out to Representative Rader for assistance.

Generator – J. Tresslar reported that he spoke to the company today and it was stated they have been pulling wire and setting the transfer switch. They will need to shut off electricity to the buildings, probably Friday but will make sure the township is aware prior to that happening.

Beehler Road Traffic Study – J. Tresslar reported that he has started the study. PennDot usually goes by the premise that you don't stop traffic unless you have to. Will have more detail at next meeting.

TOWNSHIP SOLICITOR REPORT

Exxon Monitoring Wells - no report

White Oak Culvert easements - no report

Breezewood Drive Easements – Solicitor DeVito relayed the decision from the last sewer meeting and has not heard anything more.

ZHB Updates -

Solicitor DeVito informed the Board that there are currently three upcoming Zoning Hearing Board appeals.

- Abrams/LTS – signs – waiting to be rescheduled
- Feeling Good, LLC – STR – Thursday, December 19th – 5pm
- J. W. Penney – gas station use – Tuesday, December 10th – 5pm

Assessment Appeals – L. DeVito reported that more and more assessment appeals, filed in Monroe County Courts are being sent each day. He will keep the board informed as to what is going to be the process.

Feeling Good, LLC, Another One bites the Dust and Tatiana Marchenko lawsuit – Solicitor DeVito that the township received the Judge's opinion and the lawsuit against the township was dismissed.

PUBLIC COMMENT:

Virginia Trubiano, Township resident reported that the ducks were back at the pond at TLC. She questioned the spending of \$7,000 for a fountain and was corrected that the cost of the fountain was \$1500.00.

ADJOURNMENT:

J. Lastowski made a motion, seconded by C. Kilby, to adjourn the meeting at 8:41pm. Roll call Vote: K. Meeker, yes; R. Wielebinski, yes; J. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

POCONO TOWNSHIP
Tuesday, December 3, 2019

SUMMARY

Ratify

General Fund	\$	113,568.18
Sewer Operating	\$	823,778.27
Sewer Construction	\$	-
Capital Reserve	\$	1,716.44

Bill List

TOTAL General Fund	\$	33,965.22
TOTAL Sewer <u>OPERATING</u> Fund	\$	16,357.57
TOTAL Sewer <u>CONSTRUCTION</u> Fund	\$	-
TOTAL Capital Reserve Fund	\$	9,206.98
Liquid Fuels	\$	-

<u>Budget Adjustments</u>	\$	-
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<u>Budget Appropriations</u>	\$	-
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Interfund Transfer

Notes:

POCONO TOWNSHIP CHECK LISTING

RATIFY

Tuesday, December 3, 2019

General Fund	Date	Check	Vendor	Memo	Amount
Payroll	11/22/2019			Pay 23 2019 ending 11/17/19	\$ 108,891.65
General Expenditures				TOTAL PAYROLL	\$108,891.65
	11/18/2019	59122	CARD MEMBER SERVICES	TWP & PW LICENSES & SUPPLIES	\$ 1,604.57
	11/18/2019	59123	KYOCERA	TWP & POLICE COPIERS	\$ 366.56
	11/18/2019	59124	VERIZON	TWP & PARK CELL PHONES	\$ 460.99
	11/25/2019	59125	CARD MEMBER SERVICES	POLICE TRAINING & OPS SUPPLIES	\$ 1,561.79
	11/25/2019	59126	VERIZON	POLICE CELL PHONES & IPAS	\$ 682.62
Sewer Operating Fund				TOTAL General Fund Bills	\$ 4,676.53
	11/18/2019	1443	ESSA	PRINCIPAL & INTEREST ESSA NOTE	\$ 184,200.00
	11/18/2019	1444	BLUE RIDGE	INTERNET PUMP STATIONS	\$ 61.79
	11/18/2019	1445	VERIZON	SEWER MODEMS	\$ 120.09
	11/25/2019	1446	BLUE RIDGE	INTERNET PUMP STATIONS	\$ 123.58
	11/25/2019	1447	MET-ED	ELECTRIC SERVICE	\$ 224.80
	11/25/2019	1448	PEOPLES SECURITY BANK	PRINCIPAL & INTEREST PEOPLES NOTE	\$ 406,741.69
	11/25/2019	1449	WAYNE BANK	PRINCIPAL & INTEREST WAYNE NOTE	\$ 232,306.32
Sewer Construction Fund					\$ 823,778.27
Capital Reserve Fund					\$ -
	11/18/2019	1091	CARD MEMBER SERVICES	EMERGENCY SERVICES EQUIPMENT	1,716.44
				TOTAL Capital Reserve Fund	\$ 1,716.44
TOTAL General Fund					\$ 113,568.18
TOTAL Sewer Operating				Authorized by:	823,778.27
TOTAL Sewer Construction					\$ -
Total Capital Reserve				Transferred by:	1,716.44
					\$ 939,062.89

POCONO TOWNSHIP CHECK LISTING

Tuesday, December 3, 2019

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
General Fund				
11/26/2019	59127	ADP, LLC	Payroll / Time & Attendance	\$ 597.06
11/26/2019	59128	AFLAC	Supplemental insurance	\$ 488.42
11/26/2019	59129	Best Auto Service Center	Police vehicle repair	\$ 139.44
11/26/2019	59130	Bianchi Joe	Uniform reimbursement	\$ 721.73
11/26/2019	59131	Boucher & James, Inc.	Engineering services	\$ 4,996.52
11/26/2019	59132	Chemung Supply Corporation	Road materials	\$ 2,005.00
11/26/2019	59133	Cleveland Brothers Equip. Co.	Excavator & Hammer Rental	\$ 2,603.00
11/26/2019	59134	Cramer's Home Building Center	PW supplies	\$ 47.12
11/26/2019	59135	DES	TWP Recycling - October	\$ 12.00
11/26/2019	59136	J. P. Mascaro & Sons	Waste removal	\$ 469.09
11/26/2019	59137	Jack Williams Tire Company, Inc.	Police vehicle repair	\$ 130.16
11/26/2019	59138	Kimball Midwest	PW supplies	\$ 23.07
11/26/2019	59139	Monroe County Info. Services	Tax Reminder Bills/Postage	\$ 351.94
11/26/2019	59140	Morton Salt	Bulk Safe-T-Salt	\$ 3,172.49
11/26/2019	59141	PAPCO, Inc.	Vehicle fuel	\$ 2,859.27
11/26/2019	59142	PSATS	Training	\$ 360.00
11/26/2019	59143	Rileighs Outdoor Decor	Banners/Brackets	\$ 3,039.00
11/26/2019	59144	Royal Security Services, Inc	Alarm system contract	\$ 150.00
11/26/2019	59145	Stiff Oil Company	Heating oil	\$ 1,200.91
11/26/2019	59146	Stroudsburg Electric Motor Service	PW equipment repair	\$ 100.00
11/26/2019	59147	Suburban Testing Labs	SDWA Monthly	\$ 100.00
11/26/2019	59148	Tulpehocken Mountain Spring Water Inc	Water	\$ 129.98
11/26/2019	59149	UNIFIRST Corporation	Uniform & mats	\$ 84.18
11/26/2019	59150	Valentini Julian	Mileage Reimb	\$ 9.27
11/26/2019	59151	WatchGuard Video	Police minor equipment	\$ 5,671.00
11/26/2019	59152	Weitzmann, Weitzmann & Huffman, LLC	Legal services	\$ 1,729.75

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
11/26/2019	59153	Boucher & James, Inc.	Engineering services	\$ 2,624.82
11/26/2019	59154	Loyson, Jim	Boot allowance	\$ 150.00
				<u>\$ 33,965.22</u>

Sewer Operating Fund

11/26/2019	1450	Boucher & James, Inc.	Engineering services	\$ 6,003.81
11/26/2019	1451	EEMA O&M Services Group, Inc.	Contracted services November 2019	\$ 6,885.38
11/26/2019	1452	J P Mascaro & Sons	Waste removal Nov 2019	\$ 99.25
11/26/2019	1453	Pocono Township	Waste removal Nov 2019	\$ 1,196.93
11/26/2019	1454	PUMPING SERVICES INC	Contracted services	\$ 2,172.20
TOTAL Sewer Operating				<u>\$ 16,357.57</u>

Sewer Construction Fund

TOTAL Sewer Construction Fund \$ -

Capital Reserve Fund

11/26/2019	1092	Boucher & James	Engineering services capital projects	\$ 1,787.83
11/26/2019	1093	Dell Marketing	Police servers	\$ 7,419.15
TOTAL Capital Reserve Fund				<u>\$ 9,206.98</u>

LIQUID FUELS

TOTAL Liquid Fuels \$ -

Amount

Memo

Vendor

Check

Date

ESSA

TOTAL General Fund	\$	33,965.22		
TOTAL Sewer Construction Fund	\$	-	Authorized by:	
Sewer Operating	\$	16,357.57		
Capital Reserve	\$	9,206.98		
Liquid Fuels	\$	-		
TOTAL ESSA TRANSFER	\$	59,529.77	Transferred by:	

EHD Fee for Services Agreement

This agreement is made by, and between Pocono Township Board of Commissioners and Engle-Hambright & Davies, Inc. Upon consideration, the parties agree as follows:

1. **Purpose.**

This is an agreement for specified services whereby Pocono Township Board of Commissioners retains EHD to perform insurance and risk management services. EHD will perform its services for the purpose of providing Pocono Township Board of Commissioners with a cost-effective risk financing and risk management program. EHD agrees to represent Pocono Township Board of Commissioners's best interests in all matters with the utmost integrity, and with full disclosure.

2. **Term.**

This agreement shall be effective on January 1, 2020, and the appointment by Pocono Township Board of Commissioners, of EHD shall be for three (3) consecutive renewal periods.

3. **Scope of Services.**

EHD shall provide to Pocono Township Board of Commissioners services under this agreement to include, but not be limited to, the following:

- a. Conducting a Business Risk Evaluation of Pocono Township Board of Commissioners's current insurance program intended to fix coverage gaps, provide optimum risk financing programs, and to implement service strategies designed to reduce Pocono Township Board of Commissioners's direct and indirect insurance costs.
- b. Providing a formal exposure analysis, a policy / coverage review, and an ongoing review of insurance provisions on contracts, leases, and other agreements, as requested.
- c. Processing and checking of all binders, invoices, policies, endorsements, and audits for accuracy and compliance. Also, preparing and issuing all required Certificates of Insurance, including an annual review of insurance certificates.
- d. Performing proposed RISK Control services, including participation in safety committee activities; developing an annual three-party Customized Service Plan (CSP) between Pocono Township Board of Commissioners, EHD, and the insurance company. This includes assistance with all insurance company recommendations and assuring compliance with OSHA and/or other regulatory agency safety requirements.
- e. Performing all proposed Claims Management services, including participation in EHD's Workers' Comp Advocate Program. Claims Management services also include negotiating open claims and reserves, making recommendations for appropriate settlements, completing scheduled claims reviews, and completing an annual pre-unit report consultation for experience modification management purposes.
- f. Conducting an annual Stewardship meeting to review EHD performance against Pocono Township Board of Commissioners's expectations. This meeting will also include an analysis of current insurance market conditions and recommendations for Pocono Township Board of Commissioners's next renewal project.

4. **Insurance Policies Covered.**

This agreement includes the following in-force insurance policies for Pocono Township Board of Commissioners:

- a. Umbrella Liability, including Excess Umbrella
- b. Package Policies
- c. Crime
- d. Other (Directors & Officers, Employment Practices Liability, Fiduciary, Cyber Liability, Environmental, Surety)

5. **Fees.**

As compensation to EHD for the services rendered, Pocono Township Board of Commissioners will pay an annual fee in the amount of \$18,500.00.

Assuming the general scope of services remains the same, the fee for the second and third year annual terms will also remain the same.

Following the initial three (3) year term, this fee will be adjusted annually to account for additional services and/or inflation, subject to the review and approval of Pocono Township Board of Commissioners. EHD may charge an additional fee(s) for any newly-acquired entities or operations, and/or for placing new lines of coverages for an existing entity, subject to negotiation and approval by Pocono Township Board of Commissioners. This includes any 'local' foreign coverage placed by international broker partners.

EHD fees do not include any taxes, surcharges, licenses, fines, penalties, etc., made by any governmental entities or other outside parties. Also, EHD fees do not include any charges or fees made by contracted or sub-contracted third parties or consultants, to be provided only as required, and only with Pocono Township Board of Commissioners's pre-approval.

In addition, EHD, as a company, may, from time to time, earn additional 'contingent commissions' from some insurance companies, based on the volume and/or profitability of the total aggregate insurance premiums, placed by EHD with those insurance companies.

6. **Independent Contractor.**

EHD is an independent contractor, and neither EHD, nor its agents, servants, or employees shall be considered as employees of Pocono Township Board of Commissioners.

7. **Qualifications.**

EHD warrants and certifies that it has the time, abilities, professional expertise, and position in the marketplace to perform the services required under this agreement. EHD warrants and certifies that neither it, nor its officers, agents, and employees, have any personal or financial interest that would conflict with, or interfere with, the provision of services under this agreement to Pocono Township Board of Commissioners.

8. **Indemnification and Insurance.**

EHD shall defend, indemnify, save, and hold harmless Pocono Township Board of Commissioners, its officers, agents, and employees from any claims, suits, or actions that may be brought by third persons, on account of personal injury or death or damages to property, where the third person's claim, suit, or action arises out of any act, error, or omission by EHD while performing the services required under this agreement.

Further, EHD agrees to maintain, in full force and effect, the following policies of insurance and minimum limits during the terms of this agreement.

<u>Insurance Coverage</u>	<u>Limits of Liability</u>
Error & Omissions	\$ \$25,000,000
General Liability	\$ 2,000,000 Per Occurrence
	\$ 4,000,000 General Aggregate
Commercial Automobile	\$ 1,000,000 Combined Single Limit
Workers' Compensation	Statutory Limits
Employer's Liability	\$ 500,000 Each Employee
	\$ 500,000 Each Accident
	\$ 500,000 Disease Policy Limit
Umbrella Liability	\$ 10,000,000

9. **Termination of Services.**

EHD shall have the right to terminate any or all services covered by this agreement by providing at least sixty (60) days written notice to Pocono Township Board of Commissioners. Pocono Township Board of Commissioners shall have the right to terminate any or all of the services covered by this agreement, without having to show cause, upon providing sixty (60) days notice to EHD.

10. **Notice.**

Any notice to be given, related to this agreement, shall be sent Certified Mail, return receipt requested, to the following addresses:

If to EHD:
Rob Thompson
Engle-Hambright & Davies, Inc.
1 Meridian Blvd, Suite 4A01
Wyomissing, PA 19610

If to Pocono Township Board of Commissioners
Donna Asure
Pocono Township Board of Commissioners
112 Township Drive
Tannersville, PA 18372-0197

For Pocono Township Board of Commissioners:

For EHD:

Signature

Signature

Printed Name

Printed Name

Title

Title

Date

Date

CRAMER, SWETZ, McMANUS & JORDAN, P.C.

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and Trial Advocacy by the National Board of Trial Advocacy,
A Pennsylvania Supreme Court Approved Agency

†Also Admitted in Florida

††Also Admitted in New Jersey

November 25, 2019

Via Email Only

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

Attn: Donna Asure, Township Manager

Re: Tannersville Point Luxury Apartments
Project No. 1630006R

Dear Ms. Asure:

Please accept this letter on behalf of the applicant, Tannersville Point, LLC, as a request for extension of the Commissioners' review period on the Lot Improvement Plan and the Land Development Plan in this matter. Per my letter of August 28, 2019, the review period had been extended through November 30, 2019. The applicant is now requesting a further extension of the review period through January 31, 2020.

Please contact me with any questions or concerns. Thank you for your cooperation and consideration.

Very truly yours,

CRAMER, SWETZ, McMANUS & JORDAN, P.C.

BY: 

F. Andrew Wolf, Esquire

FAW:faw

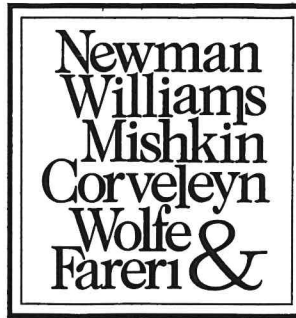
Cc: Jon S. Tresslar, P.E., P.L.S.
Lisa Pereira, Esquire, Broughal & DeVito, LLP
Emmett P. Mancinelli, P.E.
Tannersville Point, LLC

Marc R. Wolfe
James V. Fareri
Gerard J. Geiger
Vincent Rubino
David L. Horvath
Robert J. Kidwell
Aaron M. DeAngelo

Of Counsel:

Samuel W. Newman
Todd R. Williams
Ronald J. Mishkin
Daniel M. Corveleyn

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Stroudsburg, PA 18360-0511

November 12, 2019

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

Pocono Township Board of Commissioners
P.O. Box 197
Tannersville, PA 18372

**RE: Sheldon Kopelson - Commercial Development (Lot 3)
Our File No. 46467**

Dear Planning Commission Members and Commissioners:

You will recall that Mr. Kopelson previously requested extensions of time to submit a Preliminary Land Development Plan and/or additional submissions with regard to the above-referenced matter primarily by reason of the fact that this project may be substantially affected by the PennDOT plans to realign the intersection of S.R. 0611 and S.R. 0715 (the "Realignment Project"). It was hoped that PennDOT would have made a final decision on the route and design of the Realignment Project by the end of this year which is the date the current Township approved extension expires. Unfortunately, based upon the enclosed copy of the October 31, 2019 email from Adam R. Melewsy, PE of Pennoni Engineering which is PennDOT's design consultant for the Realignment Project, PennDOT has not finalized its plans and it does not appear that final plans and design characteristics of the Realignment Project will be available by the end of this year. Rather, PennDOT has scheduled a public meeting for Thursday, December 12, 2019. Moreover, in one of the bullet points in Mr. Melewsy's email you will observe that Mr. Melewsy states that PennDOT has not received notice to proceed on an archeology supplement which has caused a major delay in the progress of the Realignment Project.

Accordingly, in view of the impact the Realignment Project may have on the Kopelson Lot 3 project and the fact that the final design and location of the Realignment Project remains unknown, Mr. Kopelson requests a further reasonable extension of time to submit a Preliminary Land Development Plan and/or additional submissions in the above-referenced matter. It is senseless for the Township to require Mr. Kopelson to make these submissions by December 31, 2019 in view of the undeniable impacts the Realignment Project may have on this project. Any such requirement would be unreasonable, arbitrary,

Pocono Township Planning Commission
Pocono Township Board of Commissioners
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and capricious. It would make more sense for the Township to grant the requested extension so that the final design of the Realignment Project can be incorporated into any additional submissions Mr. Kopelson may file with the Township for the Lot 3 project. It will be a colossal waste of time and a significant waste of money for the Township to require Mr. Kopelson to have Preliminary Land Development Plans prepared and submitted by December 31, 2019. It would also be a waste of time for the Township Commissioners, Planning Commission, the Township Engineer, and the Township Solicitor, among others, to evaluate a Lot 3 submission now when an obviously crucial factor materially impacting the design of the Lot 3 project remains unknown to all involved.

Accordingly, Mr. Kopelson requests a further extension until December 31, 2020 so that once PennDOT announces its decision concerning the final design characteristics and final location of the Realignment Project Mr. Kopelson can then incorporate those design elements into his Lot 3 submissions. It will obviously take Mr. Kopelson and his engineers time to evaluate the final PennDOT design and to make all appropriate revisions in Mr. Kopelson's Lot 3 submissions, thus, the one year extension is fully warranted and justified based upon these extenuating circumstances which are beyond the control of both the Township and Mr. Kopelson.

Thank you for your attention to this matter.

Very truly yours,

Marc R. Wolfe



MRW/aml
Enclosure

cc: Leo DeVito, Jr., Esq., w/enc.
Lisa A. Pereira, Esq., w/enc.
Donna M.ASURE, w/enc.
Jon S. Tresslar, P.E., w/enc.
Sheldon Kopelson, w/enc.

From: "Adam R. Melewsky" <AMelewsky@Pennoni.com>
Date: October 31, 2019 at 11:15:35 AM EDT
To: "skope111@msn.com" <skope111@msn.com>thanks
Subject: SR 715/ SR 611 roadway project

Hello Mr. Kopelson,

It was nice talking to you today. With this email I just to summarize some of the key points of our conversation:

- The public meeting is scheduled for Thursday December 12, 2019.
- You will be receiving an invitation from PennDOT to attend.
- The exhibits will be made available electronically following the meeting.
- I will again discuss with PennDOT the release of the boring information that was done on your property.
- To date we have not received Notice to Proceed on our archeology supplement. There are multiple reasons, and it has caused major delay in progressing the project.
- I know you have concern over you land development plan expiring at the end of the year. Our current schedule doesn't have us starting construction until early 2022. There have been discussions of advancing construction along SR 611 earlier, but we need to get through the public meeting and the archeology before PennDOT decides on that.

Regards,
Adam

Adam R. Melewsky, PE
Transportation Division Manager

Pennoni
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www.pennoni.com | AMelewsky@Pennoni.com



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