



**POCONO TOWNSHIP COMMISSIONERS
AGENDA
November 19, 2018 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 –

Executive Session held November 14, 2018 – acquisition of real property and personnel
Executive Session held November 19, 2018 – personnel

Hearings –

Ordinance 2018-18 – Motion to adopt Ordinance 2018-18, to vacate that section of Wiscasset Drive which lies between the existing right-of-way of State Route 611 and property owned by Brookdale Enterprises (action item*)

Ordinance 2018-19 – Motion to adopt Ordinance 2018-19, establishing a maximum speed limit of 35 miles per hour for motor vehicles on Abeel Road in Pocono Township (action item*)

Ordinance 2018-20 – Motion to adopt Ordinance 2018-20, to amend the Code of Ordinances of Pocono Township, Chapter 200, Fireworks (action item*)

Ordinance 2018-21 – Motion to adopt Ordinance 2018-21, providing for entering into an inter-municipal cooperation agreement for regional comprehensive land use plan updates (action item*)

Ordinance 2018-22 – Motion to adopt Ordinance 2018-22, amending the code of ordinances of Pocono Township, Chapter 60, Salaries and Compensation, Article 1, Commissioners (action item*)

Presentations –

Bid Opening – White Oak Drive culvert (possible action item*)

(Action Item*)

*A matter listed as an “Action Item” on the Agenda is a matter that the Board of Commissioners will discuss and may deliberate or take official action on. A matter listed on the Agenda as an “Action Item” does not require the Board of Commissioners to deliberate or take official action on that matter.

** Change to agenda versus draft posted on website

OLD BUSINESS

1. Motion to approve minutes of November 5, 2018 work session of the Board of Commissioners (action item*)
2. Motion to approve minutes of November 5, 2018 meeting of the Board of Commissioners (action item*)

NEW BUSINESS

1. Personnel

2. Financial Transactions

- a. Motion to ratify vouchers payable received through November 15, 2018 in the amount of \$ 5,085.87 (action item*)
- b. Ratify gross payroll for pay period ending November 4, 2018 in the amount of \$ 98,560.04 (action item*)
- c. Motion to approve vouchers payable received through November 15, 2018 in the amount of \$ 275,828.58 (action item*)
- d. Motion to approve capital expenditures received through November 15, 2018 in the amount of \$ 73,259.39 (action item*)
- e. Motion to add People's Security to the list of approved township depositories (action item*)

3. Travel/Training Authorizations (Approve/Ratify)

Report of the President

- a. Motion to enter into agreement with Penn Strategies for grant writing services at a cost of \$2500.00 per month. (action item*)

Commissioners Comments

Richard Wielebinski – Vice President

- a. Motion to authorize the zoning officer to re-inspect the property at 2990 Route 611 for possible dangerous structure violations (action item*)

Harold Werkheiser – Commissioner

Chad Kilby – Commissioner

Jerrold Belvin – Commissioner

- a. Motion to accept the quote from Signal Services, in the amount of \$ 5,224.00 to install the LED lights already in stock at the township, in all township traffic lights. (action item*)
- b. Motion to authorize the township to go out to bid for the necessary infrastructure resiliency plan / Winter Plan- Traffic Light Plan to outfit the four township traffic lights without generator connections with such with generator connections & Install Backup systems. (action item*)

(Action Item*)

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** Change to agenda versus draft posted on website

- c. Purchase of three VHF radios for emergency service purposes in the amount of \$2,721.00

Reports

1. Zoning

2. Emergency Service

- a. Police
- b. EMS
- c. Fire

3. Park Board

4. Finance Committee

5. Public Works Report

- a. Update on road crew activities

6. Administration – Manager’s Report

- a. First reading of the 2019 Proposed Budget as required by the First-Class Township Code
- b. Motion to authorize the township manager to make available for public inspection the proposed 2019 Pocono Township budget, as required by the First-Class Township Code, as of Wednesday, November 21, 2018, both in hard copy available in township office and posted on township website. (action item*)
- c. Motion to authorize the township manager to have advertised the 2019 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 17, 2018. (action item*)
- d. Motion to accept the proposal from Phillips and Donovan Architects, LLC in the amount of \$18,335.00 plus reimbursable expenses for a conceptual design, facility assessment and project budget (action item*)
- e. Motion to approve the quote for water testing at Mountain View Park by Suburban Testing Labs at an annual cost of \$1,346.00 effective January 1, 2019 (action item*)
- f. Kopelson – Commercial Development (Lot 3) – Letter granting extension until December 31, 2019 and request from Planning Commission for presentation from developer
- g. Acknowledge receipt of letter of resignation from Alex Grum from Park and Recreation Board effective December 31, 2018.

(Action Item*)

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** Change to agenda versus draft posted on website

7. Township Engineer Report

- a. White Oak Culvert replacement project – bid opening
- b. Fish Hill Road Storm System Notice of violation from M CCD
- c. LSA grant for right hand turn lanes from Rt. 611 onto Rimrock and Bartonsville Avenue
- d. TLC Bridge Grant – grant documents signed and returned to state
- e. Culvert cleaning on Learn Road

8. Township Solicitor Report

- a. Update on Exxon Monitoring wells

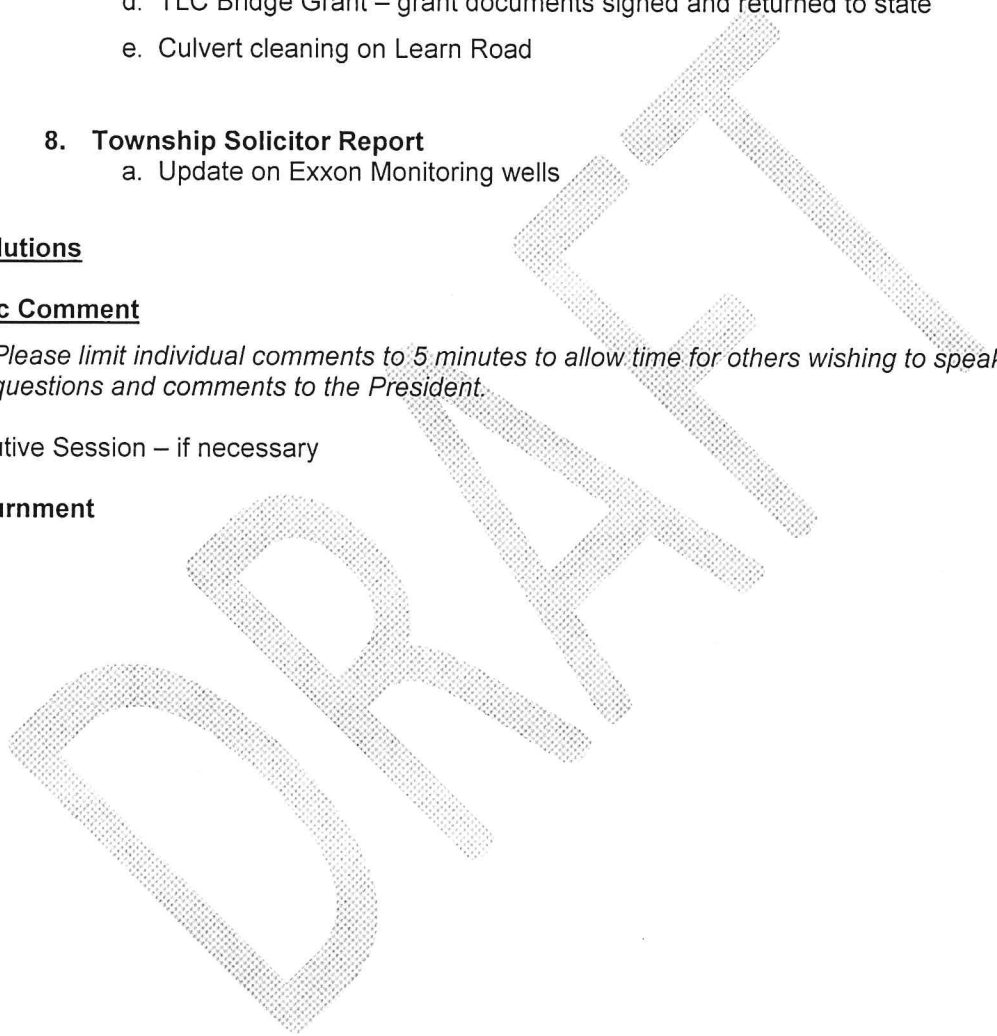
Resolutions

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



(Action Item*)

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** Change to agenda versus draft posted on website

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2018 – 18

AN ORDINANCE PURSUANT TO ARTICLE XX, §2005 OF THE FIRST CLASS TOWNSHIP CODE (53 P.S. §57005), TO VACATE THAT SECTION OF WISCASSET DRIVE (T-629), WHICH LIES BETWEEN THE EXISTING RIGHT-OF-WAY OF STATE ROUTE 0611 AND PROPERTY OWNED BY BROOKDALE ENTERPRISES, LLC, IDENTIFIED BY MONROE COUNTY TAX CODE NO. 12/11/1/32, TRAP ENTERPRISES, LLC, EPA REAL ESTATE LLC, AND NORTHEAST FINANCIAL ADVISORS LLC, IDENTIFIED BY MONROE COUNTY TAX CODE NO. 12/11/1/16, AND VINCENT J. & CHARLIE LYNN TRAPASSO, IDENTIFIED BY MONROE COUNTY TAX CODE NO. 12/11/1/15.

WHEREAS, pursuant to the provisions of Article XX, Section 2005 of the First Class Township Code, 53 P.S. §57005, Pocono Township has the authority, by ordinance, to vacate roads, and parts thereof, which are located wholly or partly in the Township; and

WHEREAS, the portion of the roadway requested to be vacated is no longer used by the traveling public, and the vacation of the same will not be adverse to the health, safety and welfare of the residents of Pocono Township or the traveling public.

NOW, THEREFORE, be it enacted and ordained, by the Board of Commissioners, Pocono Township, Monroe County, Pennsylvania, and it is hereby enacted and ordained by virtue of the activity of the General Assembly of the Commonwealth of Pennsylvania known as the “First Class Township Code, as amended”, as follows:

SECTION 1. That portion of Wiscasset Drive (T-629), between the existing right-of-way of State Route 0611 and property owned by Brookdale Enterprises, LLC, identified by Monroe County Tax Code No. 12/11/1/32, Trap Enterprises, LLC, EPA Real Estate LLC, and Northeast Financial Advisors LLC, identified by Monroe County Tax Code No. 12/11/1/16, and Vincent J. & Charlie Lynn Trapasso, identified by Monroe County Tax Code No. 12/11/1/15, as hereinafter

described, is hereby vacated, and shall no longer constitute part of the Pocono Township public road system.

SECTION 2. The legal description of the area being vacated is attached hereto as Exhibit "A".

SECTION 3. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality illegality or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Commissioners that such remainder shall be and shall remain in full force and effect.

SECTION 4. Any provisions of any existing ordinances, or parts of ordinances, in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

SECTION 5. A copy of this Ordinance shall be filed in the Office of the Clerk of the Monroe County Court of Common Pleas for the Forty Third Judicial District of Pennsylvania.

SECTION 6. This Ordinance shall take effect five (5) days from the date of enactment.

ENACTED AND ORDAINED this 19th of November, 2018.

ATTEST:

**TOWNSHIP OF POCONO
MONROE COUNTY**

**PAMELA TRIPUS
Township Secretary**

**GERALD J. LASTOWSKI
President, Board of Commissioners**

EXHIBIT "A"

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2018 - 19

**AN ORDINANCE OF THE TOWNSHIP OF POCONO,
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA
ESTABLISHING A MAXIMUM SPEED LIMIT OF 35 MILES PER HOUR
FOR MOTOR VEHICLES ON ABEEL ROAD IN POCONO TOWNSHIP;
PROVIDING FOR ENFORCEMENT; PROVIDING FOR THE POSTING OF
SPEED LIMIT SIGNS; AND FURTHER PROVIDING FOR PENALTIES.**

WHEREAS, 75 Pa. C.S. § 3362 (a)(1.2) and § 3363 of the Pennsylvania Motor Vehicle Code authorizes Pennsylvania municipalities to set a maximum speed limit of thirty-five (35) miles per hour on certain locally-owned roads within Pocono Township; and

WHEREAS, no speed limit has been established on Abeel Road and an engineering study, together with the conditions of the road, warrant a maximum speed limit of thirty-five miles per hours; and

WHEREAS, the Board of Commissioners of Pocono Township deems it to be in the best interests, and for the general welfare of the citizens of Pocono Township, to establish a maximum speed limit of thirty-five miles per hour on Abeel Road.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania and it is hereby **ENACTED AND ORDAINED** by virtue of the power vested in the Board of Commissioners by the “First Class Township Code, as amended” and the Pennsylvania Motor Vehicle Code, as follows:

SECTION 1. MAXIMUM SPEED LIMIT OF 35 MPH ESTABLISHED ON ABEEL ROAD.

The maximum speed limit for purposes of enforcement under provisions of 75 Pa. C.S. § 3362, Maximum Speed Limits, (a)(1.2) for the entire length of Abeel Road is established at thirty-five miles per hour (35 mph).

SECTION 2. NOTICE AND POSTING OF SPEED LIMIT SIGNS.

After the effective date of this Ordinance, the Township shall post Abeel Road with official traffic control devices (speed limit signs) erected in accordance with the Pennsylvania Motor Vehicle Code, 75 Pa. C.S. § 3362 (a)(1.2) and the regulations of the Pennsylvania Department of Transportation.

SECTION 3. ENFORCEMENT.

The Pocono Township Police Department, and any and all other duly authorized law enforcement officials of the Commonwealth of Pennsylvania, are hereby authorized to monitor, control and enforce the maximum speed limit of 35 mph on Abeel Road pursuant to the Pennsylvania Motor Vehicle Code, 75 Pa. C.S. § 3362 (a)(1.2) and (c) by use of currently approved speed timing devices, or such other electrical speed timing devices or speed monitoring devices, as may hereafter be authorized, by Pennsylvania.

SECTION 4. PENALTIES AND FINES.

The penalties and/or fines imposed for violation of this Ordinance shall be in accordance with the penalty specified in the Pennsylvania Motor Vehicle Code, 75 Pa. C.S. § 3362 (c), or any successor statute.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are severable, and in the event that any provisions is held invalid, void, illegal, or unconstitutional by any Court, it is the intent of the Board of Commissioners that such determination by the Court shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Board of Supervisors that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment.

SECTION 6. REPEALER.

If any Township Ordinance this is inconsistent or in direct conflict with this Ordinance is hereby repealed, but only to the extent of the inconsistency or conflict.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall take effect five (5) days after the date of its enactment.

ENACTED AND ORDAINED this 19th of November, 2018.

ATTEST:

**TOWNSHIP OF POCONO
MONROE COUNTY**

PAMELA TRIPUS
Township Secretary

GERALD J. LASTOWSKI
President, Board of Commissioners

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2018 - 20

**AN ORDINANCE OF THE TOWNSHIP OF POCONO,
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA
TO AMEND THE CODE OF ORDINANCES OF
POCONO TOWNSHIP, CHAPTER 200, FIREWORKS**

NOW, THEREFORE, pursuant to the Authority contained in the First Class Township Code, as amended, the Board of Commissioners of Pocono Township does hereby **ENACT AND ORDAIN** as follows:

SECTION I. Chapter 200, Section 200-1 of the Pocono Township Code of Ordinances is hereby amended by adding the following Definitions:

C. CONSUMER FIREWORKS

- (1) Any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, is suitable for use by the public, complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16CFR (relating to commercial practices) or any successor regulation and complies with the provisions for "Consumer Fireworks" as defined in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted throughout the Township.
- (2) The term does not include devices as "ground and hand-held sparkling devices", "novelties" or "toy caps" in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted at all times throughout the Township.

D. TEMPORARY STRUCTURES

A structure other than a permanent facility with fixed utility connections, which is in use or in place for a period of 20 consecutive calendar days or has and is dedicated to the storage and sale of Consumer Fireworks and related items. This term includes temporary retail sales, stands, tents, canopies and membrane structures meeting the specifications of NFPA 1124. This term shall not include a facility that is not licensed to all Consumer Fireworks under this Chapter.

F. NFPA 1124

The National Fire Protection Association Standard 1124 Code for the Manufacture, Transportation and Storage of Fireworks and Pyrotechnic Articles, 2006 edition, or any subsequent edition.

SECTION 2. Chapter 200, Section 200-11 shall be amended and renumbered as Section 200-13.

SECTION 3. Chapter 200 shall be amended by adding the following:

§ 200 – 11. Regulations Concerning Consumer Fireworks

A. Conditions. A person who is at least 18 years of age and meets the requirements of this Chapter may purchase, possess and use Consumer Fireworks.

B. Prohibitions – A person shall not intentionally ignite or discharge:

1. Consumer Fireworks on public or private property without the express permission of the owner.
2. Consumer Fireworks or sparkling devices within or throw Consumer Fireworks from a motor vehicle or building.
3. Consumer Fireworks or sparkling devices into or at a motor vehicle or building or another person.
4. Consumer Fireworks or sparkling devices while the person is under the influence of alcohol, a controlled substance or another drug.
5. Consumer Fireworks within 150 feet of an occupied structure.
6. Consumer Fireworks cannot be ignited or discharged in the Township, except during the following Holidays, dates and times:

Memorial Day	4:00 p.m. to 10:00 p.m.
July 4 th	4:00 p.m. to 10:00 p.m.
Labor Day	4:00 p.m. to 10:00 p.m.
December 31 st	4:00 p.m. to 11:59 p.m.
January 1 st	12:00 a.m. to 1:00 a.m.
7. Consumer Fireworks and sparkling devices during any “Burn Ban” imposed by the Township Fire Chief or the Township Manager. It shall be the responsibility of each person to determine whether a

“Burn Ban” is in effect prior to igniting or discharging the Consumer Fireworks.

§ 200-12. Sales Facilities

A. Consumer Fireworks shall only be sold from facilities which are licensed by the Department of Agriculture and that meet the following criteria:

1. The facilities shall comply with the provisions of the Act of March 10, 1999 (P.L. 491, No. 45) known as the Pennsylvania Construction Code Act, also known as the Pennsylvania Uniform Construction Code.
2. The facility shall be a stand-alone permanent structure.
3. Storage areas shall be separated from wholesale or retail sales areas to which a purchaser shall be permitted by appropriately rated fire separation.
4. The facility shall be located no closer than 250 feet from a facility selling or dispensing gasoline, propane, or other flammable products.
5. The facility shall be located at least 1,500 feet from another facility licensed to sell Consumer Fireworks.
6. The facility shall have a monitored burglar and fire alarm system.
7. Quarterly fire drills and pre-planning meetings shall be conducted as required by the Township Fire Department.

B. Conditions for Facilities. In addition to the requirements contained in Act 43 of 2017, the facility shall operate in accordance with the following additional rules:

1. All facilities selling Consumer Fireworks shall comply with all applicable requirements of the Pennsylvania Uniform Construction Code which has been adopted by the Township.
2. All facilities must obtain a Certificate of Occupancy from the Township.
3. Upon request from the Township Fire Chief, Zoning Officer or Code Enforcement Officer, the owner or operator of the facility shall provide written documentation of the total inventory of the facility,

which documentation shall contain the amount of pyrotechnic material of all Consumer Fireworks at the facility at that time.

C. TEMPORARY SALES FACILITIES

Conditions. Notwithstanding § 200-12 or any other provision of law, a Temporary Structure may be licensed by the Department of Agriculture to sell Consumer Fireworks if the temporary structure meets all of the following requirements:

1. The owner or operator of the Temporary Structure has applied for and received a permit from Pocono Township.
2. The temporary structure is located no closer than 250 feet from a facility storing, selling or dispensing gasoline, propane or other flammable products.
3. An evacuation plan is posted in a conspicuous location for a temporary structure in accordance with NFPA 1124.
4. The outdoor storage unit, if any, is separated from the wholesale or retail sales area to which a purchaser may be admitted by appropriately rated fire separation.
5. The temporary structure complies with NFPA 1124 as it relates to retail sales of Consumer Fireworks in temporary structures.
6. The temporary structure is located one of the following distances from a permanent facility licensed to sell Consumer Fireworks under the act of May 15, 1939 (P.L. 134, No. 65), referred to as the Fireworks Law, at the time of the effective date of this article:
 - (i) Prior to January 1, 2023, at least five miles.
 - (ii) Beginning January 1, 2023, at least two miles.
7. The temporary structure does not exceed 2,500 square feet.
8. The temporary structure is secured at all times during which Consumer Fireworks are displayed within the structure.
9. The temporary structure has a minimum of \$2,000,000 in public and product liability insurance.
10. The sales period is limited to June 15 through July 8 and December 21 through January 2 of each year.

11. Consumer Fireworks not on display for retail sale are stored in an outdoor storage unit.

Limitations. The sale of Consumer Fireworks from the temporary structure is limited to the following:

1. Helicopter, Aerial Spinner (APA 87-1, 3.1.2. 3).
2. Roman Candle (APA 87-1, 3.1.2.4).
3. Mine and shell devices not exceeding 500 grams.

SECTION 4. SEVERABILITY.

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provisions or portion of this Ordinance.

SECTION 5. REPEALER.

All Ordinance and parts of Ordinances inconsistent herewith to be and the same are clearly repealed.

SECTION 6. EFFECTIVE.

This Ordinance shall become effective five (5) days from the date of its adoption.

ENACTED AND ORDAINED this 19th of November, 2018.

ATTEST:

**TOWNSHIP OF POCONO
MONROE COUNTY**

PAMELA TRIPUS
Township Secretary

GERALD J. LASTOWSKI
President, Board of Commissioners

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA
ORDINANCE NO. 2018 – 21**

**AN ORDINANCE OF THE TOWNSHIP OF POCONO,
MONROE COUNTY, PENNSYLVANIA PURSUANT
TO THE INTERGOVERNMENTAL COOPERATION ACT,
PROVIDING FOR ENTERING INTO AN INTER-MUNICIPAL
COOPERATION AGREEMENT FOR REGIONAL
COMPREHENSIVE LAND USE PLAN UPDATES**

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa. C.S.A. §§ 2301, et seq. provides that two or more municipalities in the Commonwealth may jointly cooperate in the exercise of their respective governmental functions, powers and representation; and

WHEREAS, the Pocono Township Board of Commissioners, Monroe County, Pennsylvania deems it to be in the best interests of the residents of the Township to enter into a cooperation agreement with Stroud Township, Hamilton Township and Stroudsburg Borough for the preparation of a Multimunicipal Comprehensive Plan; and

WHEREAS, pursuant to 53 P.S. 56502 of the First Class Township Code, the Board of Commissioners is permitted to make and adopt ordinances for the proper management, care and welfare of the Township and its residents; and

WHEREAS, Section 1102 of the Pennsylvania Municipalities Planning Code found at 53 P.S. § 11102, permits municipalities to enter into intergovernmental cooperation agreements to develop, adopt and implant Multimunicipal Comprehensive Plans; and

WHEREAS, the Board of Commissioners wishes to make available the means to enter into an Inter-Municipal Cooperation Agreement for Regional Comprehensive Land Use Plan Update with Stroud Township, Hamilton Township and Stroudsburg Borough, pursuant to the Inter-Municipal Cooperation Agreement.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania as follows:

SECTION 1. Title: This Ordinance shall be known as the “Pocono Township Ordinance Authorizing a Multimunicipal Comprehensive Plan.”

SECTION 2. Approval of Agreement for a Multimunicipal Comprehensive Plan. The “Inter-Municipal Cooperation Agreement for Regional Comprehensive Land Use Plan Update” with the Townships of Pocono, Stroud, Hamilton, and Stroudsburg Borough, marked as Exhibit “A” and attached hereto and incorporated herein by reference, is hereby approved, adopted, and authorized provided that the Townships of Hamilton, Stroud, and Stroudsburg Borough by appropriate official action, approve, adopt, and authorize the execution of the same Agreement.

SECTION 3. Provision of Implementation Resolutions. The Board of Commissioners of Pocono Township may, by resolution, adopt procedures and regulations to implement the Agreement approved by the said municipalities, pursuant to the Intergovernmental Cooperation Act, Act of December 19, 1996, P.L. 1158, No. 177, found at Pa. 53 C.S.A. 2301 et seq.

SECTION 4. Severability. The provisions of this Ordinance are severable, and if any of the provisions hereof shall be found to be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

SECTION 5. Repealer. All ordinances or parts of ordinances or resolutions conflicting or inconsistent with any of the provisions of this Ordinance are hereby repealed insofar as same effect this Ordinance.

SECTION 6. Effective Date. This Ordinance shall take effect five (5) days after the adoption hereof.

ENACTED AND ORDAINED THIS 19th DAY OF NOVEMBER, 2018.

ATTEST:

POCONO TOWNSHIP
MONROE COUNTY

PAMELA TRIPUS
Secretary

By: _____
GERALD J. LASTOWSKI
President

INTER-MUNICIPAL COOPERATION AGREEMENT FOR
REGIONAL COMPREHENSIVE LAND USE PLAN UPDATE

Exhibit A

THIS AGREEMENT entered into as of the 19 day of November, 2018, by and between Hamilton Township of 229 Fenner Avenue, Sciota, PA 18354, hereinafter called "Hamilton", Stroud Township of 1211 North 5th Street, Stroudsburg, PA 18360, hereinafter called "Stroud", Pocono Township of 112 Township Drive, Tannersville, PA 18372 hereinafter called "Pocono" and Stroudsburg Borough of 700 Sarah Street, Stroudsburg, PA 18360 hereinafter called "Stroudsburg",

WITNESSETH:

WHEREAS, the parties hereto propose to prepare a Regional Comprehensive Land Use Plan Update as a joint municipal project; and

WHEREAS, the parties intend to jointly apply for funding from the County of Monroe for the preparation of such joint municipal project; and

WHEREAS, the parties intend to jointly apply for funding from various state agencies for the implementation of such joint municipal project; and

WHEREAS, the parties intend to seek in-kind services from the Monroe County Planning Commission; and

WHEREAS, the parties agree to each contribute up to two thousand five hundred dollars (\$2,500) in funding towards update.

WHEREAS, the parties desire to set forth herein their mutual duties and obligations for preparation of such Regional Comprehensive Land Use Plan Update.

NOW, THEREFORE, intending to be legally bound, the parties hereto agree as follows, to wit:

1. The parties agree to prepare a Regional Comprehensive Land Use Plan Update as a joint municipal project, and to consult and cooperate with each other for the accomplishment of such purpose. The agreement to prepare this Plan for a joint municipal project shall not commit the participating municipalities to carry out the project, up to two thousand five hundred dollars (\$2,500.00) each.
2. The parties agree to contribute for the said project such funds as have been or may be approved by their respective governing bodies, provided all costs of the project shall be borne equally by the participating municipalities.
3. The parties agree to keep accurate and detailed records of all funds expended, all research undertaken, all reports prepared, and all other actions taken, All records pertaining to the scope of the agreement will be open to the other party during the normal office hours of each party.

4. The parties agree to comply with all requirements of the Commonwealth of Pennsylvania and/or the County of Monroe under any grant or program to which the municipalities, upon subsequent adoption or approval, shall be subject.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

HAMILTON TOWNSHIP

Attest: _____
Secretary

By: _____
Chairman

STROUD TOWNSHIP

Attest: _____
Secretary

By: _____
Chairman

POCONO TOWNSHIP

Attest: _____
Secretary

By: _____
President

STROUDSBURG BOROUGH

Attest: _____
Secretary

By: _____
President

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

38 WEST MARKET STREET
BETHLEHEM, PENNSYLVANIA 18018-5703

JAMES L. BROUGHAL
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November 8, 2018

VIA EMAIL AND CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

**RE: *Pocono Township- Advertisement of Legal Notice
Ordinance – Inter-Municipal Cooperation Agreement***

Dear Ms. Meadus:

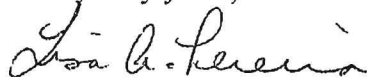
With respect to the above matter, enclosed please find a Legal Notice to be advertised one (1) time in your periodical on ***Saturday, November 10, 2018.***

Please send proof of publication and the invoice to:

Pam Tripus, Township Secretary
112 Township Drive
Tannersville, PA 18372

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

Very truly yours,


Lisa A. Pereira

Enclosures

cc: Donna Asure, Township Manager
Pam Tripus, Township Secretary

LEGAL NOTICE

NOTICE is hereby given that the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, will consider for adoption at a Public Meeting to be held at 7:00 p.m. on the 19th day of November, 2018, at the Pocono Township Municipal Building, 112 Township Drive, Tannersville, Pennsylvania 18372, an Ordinance authorizing the intergovernmental cooperation with Stroud Township, Hamilton Township and Stroudsburg Borough, in entering into an Inter-Municipal Cooperation Agreement for Regional Comprehensive Land Use Plan Update with Stroud Township, Hamilton Township and Stroudsburg Borough, and the execution of the execution of the Inter-Municipal Cooperation Agreement. Copies of the proposed Ordinance are available for review at the Pocono Township Municipal Building located at 112 Township Drive, Tannersville, Pennsylvania 18372, during normal business hours.

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

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2018 - 22

AN ORDINANCE OF THE TOWNSHIP OF POCONO, MONROE COUNTY,
COMMONWEALTH OF PENNSYLVANIA AMENDING THE CODE OF ORDINANCES OF
POCONO TOWNSHIP, CHAPTER 60, SALARIES AND COMPENSATION, ARTICLE I,
COMMISSIONERS.

WHEREAS, the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, under the powers vested in them by the “First Class Township Code” of Pennsylvania, as well as the laws of the Commonwealth of Pennsylvania, do enact and hereby ordain the following amendment to the Code of Ordinances of Pocono Township; and

WHEREAS, the Board of Commissioners desires to amend its Code of Ordinances to provide for minimum meeting attendance requirements for the Commissioners, so as to provide for the effective governance of Pocono Township; and

WHEREAS, the Board of Commissioners of Pocono Township also desires to provide that compensation be paid to a Commissioner only if a Commissioner has attended the required minimum number of meetings as established herein.

NOW, THEREFORE, be it enacted and ordained by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, and the same is hereby ordained and enacted, to wit:

SECTION 1: The Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, under the powers vested in them by the “First Class Township Code,” more particularly, 53 P.S. § 55603 (relating to elected officials being permitted to receive compensation) and 53 P.S. § 55703 (fixing the maximum allowable compensation), as well as other laws of the Commonwealth of Pennsylvania, do hereby ordain and enact the following Amendment to the Code of Ordinances of Pocono Township, Chapter 60, Salaries and Compensation.

SECTION 2: Chapter 60, Salaries and Compensation, Article I, Commissioners, of the Code of Ordinances of Pocono Township is hereby amended by amending § 60-2, Quarterly payments, by adding the following subsections 60-2(A) and 60-2(B):

“60-2(A). In order to receive the compensation established herein, each Commissioner is required to attend a minimum of seventy-five percent (75%) of all of the Board of Commissioners Sewer meetings, the Regular Board of Commissioners meetings and the advertised Workshop meetings of the Board of Commissioners, which occur in any quarter for which compensation is to be paid. Should any Commissioner fail to attend the established minimum number of meetings, that Commissioner or Commissioners shall not receive this compensation for that quarter, unless their absences are excused as set forth in § 60-2(B) hereof.

60-2(B). Should any Commissioner be unable to attend the meetings set forth above, due to medical reasons, such Commissioner may provide a note from a medical provider to the Township Manager and upon the receipt of such note, the Township Manager shall mark that Commissioner as having been excused from such meeting and the excused absence shall not be deemed as a missed meeting to be counted against the required minimum meetings.

SECTION 3: SEVERABILITY

If a court of competent jurisdiction declares any provisions of this amendment to be invalid in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provisions of this amendment shall continue to be separately and fully effective.

SECTION 4: REPEALER

All provisions of Township ordinances and resolutions or parts thereof that are in conflict with the provisions of this Ordinance, are hereby repealed.

SECTION 5: ENACTMENT

This Ordinance shall be effective five (5) days after the adoption hereof.

ENACTED and **ADOPTED** by the Board of Commissioners this 19th day of November, 2018.

ATTEST:

POCONO TOWNSHIP
BOARD OF COMMISSIONERS

By: _____
Pamela Tripus
Township Secretary

By: _____
Gerald J. Lastowski, President

POCONO TOWNSHIP BOARD OF COMMISSIONERS
Budget Work Session Minutes

DATE: November 5, 2018
TIME: 4:00 pm
PLACE: Township Building
PRESIDING COMMISSIONER: Jerry Lastowski
ROLL CALL:

Harold Werkheiser - Absent
Richard Wielebinski – Present
Jerrod Belvin – Present

Also present – Frank Cefali-Township Treasurer, Paola Razzaq- Township Bookkeeper and Donna Asure-Township Manager

The work session was called to order at approximately 4:00 pm by President Lastowski.

There was no public comment.

The following was discussed –

- The Board reviewed the 2019 budget by going through the general fund, capital reserve, liquid fuels, sewer operating and sewer construction funds.
- The Board discussed the funding for various projects.

There was no public comment received.

The Board entered into an executive session to discuss personnel issues and dismissed, Donna Asure, Paola Razzaq and Frank Cefali. The Board invited Chad Kilby to remain in the executive session.

NO OFFICIAL ACTIONS OR ROLL CALL VOTES WERE TAKEN DURING WORK SESSION.

The work session ended at 5:45 pm.

Submitted by:

Donna M. Asure
Township Manager

POCONO TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
NOVEMBER 5th, 2018 7:00 P.M.

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The regular meeting of the Pocono Township Commissioners was held on Monday, 11/05/2018 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: Gerald J. Lastowski, present; Harold Werkheiser, absent; Richard Wielebinski, present; and Jerrod Belvin, present.

IN ATTENDANCE:

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

PUBLIC COMMENT:

Ellen Gandt, Twp. Resident, requested to allow public comment during the Treasurer's report. The Board concurred to allow public comment for the report.

ANNOUNCEMENTS:

Pocono Township Commissioner

District Magistrate Daniel Kresge swore in Pocono Township Commissioner Chad Kilby.

Chad Kilby joined the Board of Commissioners.

Promotion of James Wagner to Sergeant of Detectives

R. Wielebinski made a motion, seconded by J. Belvin, to promote James Wagner to Sergeant of Detectives effective 11/06/2018 at a rate of \$36.94 per hour. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

District Magistrate swore in Pocono Township Police Sergeant of Detectives James Wagner. The Board congratulated James Wagner on his promotion.

An executive session for personnel matters was held 11/05/2018.

An executive session for possible litigation was held on 11/05/2018.

PRESENTATIONS:

Moyer Foundation presentation of defibrillators for the Township and Police Department - Rachael Moyer, Gregory M. Moyer Defibrillator Fund, presented a total of 9 AEDs for the Township, Police Department, and Fire Department. The AEDs were purchased in part by a grant from the Hughes Foundation. She thanked the Board for considering the residents by providing AEDs. G. Lastowski thanked Rachael Moyer on behalf of the Board for her work in saving lives by educating and providing AEDs to the community.

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OLD BUSINESS:

Minutes -

R. Wielebinski made a motion, seconded by J. Belvin, to approve the 10/22/2018 minutes of the regular meeting. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, abstained; and J. Belvin, yes. Motion carried.

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 10/23/2018 Work Session. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, abstained; and J. Belvin, yes. Motion carried.

G. Lastowski made a motion, seconded by R. Wielebinski, to approve the minutes of the 11/01/2018 special meeting. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, abstained; and J. Belvin, yes. Motion carried.

NEW BUSINESS:

Personnel -

Work evaluation for Thomas Lynott

R. Wielebinski made a motion, seconded by G. Lastowski, to ratify the requirements of a return to work fitness for duty evaluation for Thomas Lynott and authorize the Township Manager to attempt to negotiate, if possible, reasonable accommodations pertaining to his return. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

FINANCIAL TRANSACTIONS:

Fiscal Update - 3rd Quarter - Frank Cefali, Treasurer, reviewed the 3rd quarter report. He noted a correction in the tabulations, which did not impact the bottom line.

Ellen Gndt, Twp. Resident, questioned the cable fee. Paula Razzaq, Bookkeeper, noted fees have not been received by the Township as of the report.

E. Gndt, Twp. Resident, questioned how much is owed from the sewer customers. P. Razzaq noted they are waiting for the reports from BCRA. D. Asure, Twp. Manager, explained BCRA has been late with providing their reports and billing due to a new accounting program.

E. Gndt, Twp. Resident, questioned the uncollected sewer operating revenue of \$110,426.17. D. Asure, Twp. Manager, explained it was recommended to be removed by the auditors since it was for a property which was billed but was found to be outside the 300' buffer and not required to connect. L. DeVito, Twp. Solicitor, explained the property owners have recently contacted the Township to connect.

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FINANCIAL TRANSACTIONS CONT:

Budget Adjustments - D. Asure, Twp. Manager, explained the budget adjustments.

R. Wielebinski made a motion, seconded by G. Lastowski, to approve the budget adjustments as recommended by the fiscal department. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Ratify Vouchers Payable

G. Lastowski made a motion, seconded by R. Wielebinski, to ratify vouchers payable received through 11/01/2018 in the amount of \$861.91. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Ratify Gross Payroll

G. Lastowski made a motion, seconded by J. Belvin, to ratify gross payroll for pay period ending 10/21/2018 in the amount of \$120,680.67. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Vouchers Payable

G. Lastowski made a motion, seconded by R. Wielebinski, to approve vouchers payable received through 11/01/2018 in the amount of \$59,023.10. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Capital Expenditures

G. Lastowski made a motion, seconded by J. Belvin, to approve capital expenditures received through 11/1/2018 in the amount of \$2,788.67. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

REPORT OF THE PRESIDENT

G. Lastowski explained the positions of Vice-President and Finance Committee are vacant due to the passing of Robert M. DeYoung.

Appointment of Vice-President -

J. Belvin made a motion, seconded by C. Kilby, to appoint Richard Wielebinski as Vice-President of the Pocono Township Board of Commissioners. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Finance Committee

C. Kilby made a motion, seconded by R. Wielebinski, to appoint the full Board of Commissioners to the Finance Committee. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

L. DeVito, Twp. Solicitor, noted the meetings will require advertisement since it is a full complement of the Board.

COMMISSIONERS REPORT

Harold Werkheiser, Commissioner - Absent

Richard Wielebinski, Commissioner - no report.

Chad Kilby, Commissioner - no report.

Jerrod Belvin, Commissioner -

Critical Systems - J. Belvin explained the switch is needed to complete the repair of the Township's generator.

J. Belvin made a motion, seconded by R. Wielebinski, to ratify approval of a Automatic Transfer Switch for the generator from Critical Systems for \$8,795.00. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Infrastructure resiliency plan/Winter Plan - Traffic light Plan

J. Belvin made a motion, seconded by C. Kilby, to put into place an infrastructure resiliency plan/Winter Plan - Traffic Light Plan - Plan to outfit all traffic lights with generator connection and install back-up systems and to replace incandescent bulbs to LEDs which were previously received through a grant and are stored in public works building. Purchases to accomplish this not to exceed \$20,000.00. G. Lastowski questioned if it was budgeted. D. Asure, Twp. Manager, explained it will be a capital expense. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

REPORTS:

Finance Committee

Public Works Report

Signal Services Inc.

J. Belvin made a motion, seconded by C. Kilby, to renew the contract with Signal Services, Inc. for traffic signal maintenance from 11/1/2018 to 10/31/2020 for a cost of \$4,250.00 per year. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Inspection Reports - Stadden Road and Wilke Road Bridges were received.

- J. Tresslar, Twp. Engineer, suggested budgeting the suggested repairs next year. Discussion followed. R. Wielebinski questioned if grant money maybe available.

E. M. Kuntz - Truck body

D. Asure, Twp. Manager, reported the truck body required to be replaced for the 2006 Dodge Truck has been ordered from E. M. Kuntz in the amount of \$2,465.00.

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Zelenkofske and Axelrod, LLC 2018 Audit proposal - D. Asure, Twp. Manager, explained she contacted Riley & Company, Inc. and Julian Kirk for quotes. Zelenkofske and Axelrod provided the only quote for 2018 audit. G. Lastowski made a motion, seconded by R. Wielebinski, to approve the proposal from Zelenkofske and Axelrod, LLC to perform the 2018 audit at a cost of \$16,000.00. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

American United Life - D. Asure, Twp. Manager, explained by going with American United Life it will save approximately \$3,000.00 per year. R. Wielebinski made a motion, seconded by J. Belvin, to approve entering into an agreement with American United Life Insurance Company for employee life insurance, AD&D and short-term disability, effective 01/01/2019 and authorize the President of the Board of Commissioners to execute all necessary documents. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Municipal Publication - Community Guide- D. Asure, Twp. Manager, explained the company can provide a Township guide and map for the cost of postage, only. G. Lastowski made a motion, seconded by C. Kilby, to enter into an agreement with Municipal Publications to provide a Community Guide for Pocono Township at an approximate cost of mailing of \$3,000.00. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Trash and Recycling Collection

D. Asure, Twp. Manager, explained at a regional comprehensive meeting regional contracting for garbage and recycling collection was discussed. She noted it may result in a saving for residents. Discussion followed on the impact to small haulers, reduction of truck traffic and options for haulers.

American Computing Services - D. Asure, Twp. Manager, reported American Computing Services installed the new copier at the Police Department and a fax line for the Township at no cost.

White Oak Culvert Replacement Project- J. Tresslar, Twp. Engineer, explained it went out to bid. The Contract will be awarded in the spring.

Fish Hill Road Storm System Notice of Violation from MCCD- J. Tresslar, Twp. Engineer, is working with MCCD for the final design. He provided a copy to Robert Sargent, Road Supervisor, to discuss the Public Works possible involvement.

TOWNSHIP ENGINEER REPORT

LSA Grant for right-hand turn lanes from Rt. 611 onto Rimrock and Bartonsville Ave. - J. Tresslar, Twp. Engineer, explained they have obtained the survey information and traffic counts should be completed next week.

TLC Bridge Grant

J. Tresslar, Twp. Engineer, noted the application is ready for signatures. J. Belvin made a motion, seconded by C. Kilby, to authorize the President to sign and execute the TLC Bridge Grant application. G. Lastowski opened the motion to public comment, hearing none. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Culvert cleaning on Learn Road - J. Tresslar, Twp. Engineer, explained they are working on the culvert cleaning.

TOWNSHIP SOLICITOR REPORT

Update on Exxon Monitoring wells - No report.

Discussion on sidewalk ordinance- L. DeVito, Twp. Solicitor, noted the Township currently has a sidewalk requirement in SALDO. He explained the Township has been allowing deferral of sidewalk installation on Rt. 611 projects. Discussion followed on requiring sidewalks for development. G. Lastowski noted he wished to have continuity with an areas of sidewalk development along Rt.611.

RESOLUTIONS

Resolution 2018-56 - Homes of the Poconos, LLC Land Developments Plan- William Cramer, Cramer, Swetz, McManus, and Jordon, P.C., represented the plan. The property is located at 3006 Route 611, Tannersville. G. Lastowski made a motion, seconded by C. Kilby, to adopt Resolution 2018-56 granting conditional final approval to the Homes of the Poconos, LLC Land Development Plan. W. Cramer explained the plan was originally proposed by a Mr. Luckner, ten years ago, but he failed to complete the plan. Debra and Keith Halterman purchased the property and this is to complete the plan. He noted the building has been brought up to code and will be for a used car dealership. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Resolution 2018-57 - CB H2O, L. P. lot 12 & Helipad Final Major LDP - C. Kilby made a motion, seconded by G. Lastowski, to adopt Resolution 2018-57 granting an extension of time to satisfy conditions of the plan approval of the CB H2O, L.P. Lot 12 & Helipad Final Major Land Development Plan for three months contingent upon all outstanding invoices for projects on the property are paid. D. Asure, Twp. Manager,

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noted she spoke to Russell Benner, T&M Associates, concerning the remaining conditions required for the plan. L. DeVito, Twp. Solicitor, explained the helipad needed to install the FAA requirements before the received FAA approval and additional work was completed without review by the Township. Discussion followed on time of the time extension and the remaining items required to complete the plan. Ron Swink, Planning Commission Chairman, commented on the emergency use of the helipad. Discussion followed on the use of the helipad. C. Kilby amended his motion to grant a one (1) month extension instead of a three (3) month extension, seconded by G. Lastowski. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

Resolution 2018-58 - Pocono Logistics- Sean Policelli, Gilmore & Associates, represented the plan. The property is located at 585 Railroad Ave. R. Wielebinski questioned the buffering along the property. S. Policelli noted additional buffering will be installed. J. Belvin questioned the lighting. S. Policelli noted a workorder is in with PPL to shield the lights. L. DeVito, Twp. Solicitor, explained the plan is required to bring the property into compliance. S. Policelli noted the plan for the waterline installation has been approved and will be installed once the plan is recorded.

G. Lastowski made a motion, seconded by R. Wielebinski, to adopt Resolution 2018-58 granting conditional preliminary/final approval of the Pocono Logistics Land Development Plan. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

PUBLIC COMMENT:

Ron Swink, Twp. Resident, questioned the paving of the parking lot. J. Tresslar explained the paving is part of the approval of the plan.

ADJOURNMENT:

G. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting at 8:25 p.m. Roll call vote: R. Wielebinski, yes; G. Lastowski, yes; C. Kilby, yes; and J. Belvin, yes. Motion carried.

POCONO TOWNSHIP
Monday, November 19, 2018

SUMMARY

Ratify

General Fund	\$	99,931.91
Sewer Operating	\$	-
Sewer Construction	\$	-
Capital Reserve	\$	3,714.00

Bill List

TOTAL General Fund	\$	163,810.79
TOTAL Sewer <u>OPERATING</u> Fund	\$	109,517.36
TOTAL Sewer <u>CONSTRUCTION</u> Fund	\$	2,500.43
TOTAL Capital Reserve Fund	\$	73,259.39
Liquid Fuels	\$	-

Budget Adjustments

\$ -

Budget Appropriations

\$ -

Interfund Transfer

Notes:

POCONO TOWNSHIP CHECK LISTING
RATIFY

Monday, November 19, 2018

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
General Fund				
Payroll	11/09/2018		PAY 22 Pay Period ending 11/04/2018	\$ 98,560.04
General Expenditures				
	11/8/2018	57706	KIMBALL MIDWEST	
	11/8/2018	57707	METROPOLITAN COMMUNICATIONS	\$ 547.11
	11/14/2018	57709	KIMBALL MIDWEST	\$ 587.27
			TRUCK STOCK SUPPLIES	\$ 237.49
			PHONES TOWNSHIP/PARK	
			VEHICLE STOCK SUPPLIES	
			TOTAL PAYROLL	<u>\$98,560.04</u>
			TOTAL General Fund Bills	<u>\$ 1,371.87</u>
Sewer Operating Fund				
				<u>\$ -</u>
Sewer Construction Fund				
				<u>\$ -</u>
Capital Reserve				
	11/07/2018	1015	S&S HOME BUILDERS	
			TRAILER FOR GENERATOR	3,714.00
			TOTAL Sewer Construction Fund	<u>\$ -</u>
TOTAL General Fund				
TOTAL Sewer Operating				
TOTAL Sewer Construction				
Total Capital Reserve				
			99,931.91 Transferred by:	
				\$ -
				\$ -
				\$ 3,714.00
			103,645.91 Authorized by:	<u>\$ 3,714.00</u>

POCONO TOWNSHIP CHECK LISTING
Monday, November 19, 2018

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
11/15/2018	57708	Nationwide 457 plan	Supplemental pension pay 22 contribution	\$ 3,082.45
11/14/2018	57710	American Rock Salt Company LLC	Salt	\$ 5,694.53
11/14/2018	57711	ARGS Technology, LLC	IT Services - Twp/Police	\$ 1,625.00
11/14/2018	57712	BIU of PA, Inc.	Permit Fees/Zoning	\$ 28,070.70
11/14/2018	57713	Boucher & James, Inc.	Kollar Minor - Developer's Agreement	\$ 292.25
11/14/2018	57714	Brodhead Creek Regional Authority	Water	\$ 179.48
11/14/2018	57715	Broughal & DeVito, L.L.P.	Legal	\$ 5,789.38
11/14/2018	57716	Cardmember Service	Donations/MS Licenses/Training/Parts	\$ 1,139.94
11/14/2018	57717	D.G. Nicholas Co.	Parts/Supplies	\$ 590.02
11/14/2018	57718	DES	Recycling	\$ 30.00
11/14/2018	57719	Dunne Manning Stores, LLC	Police Vehicle washes	\$ 38.50
11/14/2018	57720	Eureka Stone Quarry, Inc.	9.5	\$ 4,914.36
11/14/2018	57721	Francis Smith & Sons Inc	Operator Services	\$ 250.00
11/14/2018	57722	Hartmann Electrical Contracting , Inc.	Mt. View Park	\$ 170.00
11/14/2018	57723	Huey, Ryan M	Workboot Allowance	\$ 139.99
11/14/2018	57724	Intoximeters	Repair PBT Serial #40036959	\$ 161.00
11/14/2018	57725	J & B Auto	Police Vehicle service	\$ 874.93
11/14/2018	57726	J & Z Professional Services LLC	Cleaning Services - November	\$ 947.50
11/14/2018	57727	Jack Williams Tire Company, Inc.	Unit #93 - Tires	\$ 110.00
11/14/2018	57728	Lawrence B. Fox P.C.	Legal - Civil Service	\$ 262.50
11/14/2018	57729	MRM Worker's Compensation Pooled Trust	Worker's Comp - December 2018	\$ 10,900.09
11/14/2018	57730	My Store	Uniforms	\$ 307.71
11/14/2018	57731	PAPCO, Inc.	Gasoline/Diesel	\$ 4,401.13
11/14/2018	57732	PMHIC	Health Insurance - December	\$ 64,991.44
11/14/2018	57733	PPL Electric Utilities	Twp/Traffic Lights/Mt. View Park	\$ 1,515.57
11/14/2018	57734	Prosser Laboratories, Inc.	Water Testing Park	\$ 303.00
11/14/2018	57735	RecDesk LLC	Annual Subscription	\$ 1,800.00
11/14/2018	57736	Robert B. Turnbull, Jr.	Roadway Tree trimming	\$ 9,450.00
11/14/2018	57737	Royal Security Services, Inc	Heritage Center	\$ 175.00
11/14/2018	57738	Servpro	Police Bldg Mold Scope	\$ 350.00
11/14/2018	57739	Shinetime Auto Wash & Lube	Car Washes - Police	\$ 6.00
11/14/2018	57740	Sparkle Car Wash	Police Vehicles	\$ 22.00
11/14/2018	57741	Staples	Office Supplies	\$ 298.23
11/14/2018	57742	Starr Uniform Center	Ballistic Vest - Kuehner	\$ 1,150.00
11/14/2018	57743	Stroudsburg Electric Motor Service	Repair kit	\$ 29.99

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
11/14/2018	57744	Tulpehocken Mountain Spring Water Inc	Water	\$ 69.30
11/14/2018	57745	UNIFIRST Corporation	Carpets/Uniforms	\$ 155.29
11/14/2018	57746	Waste Management of Pennsylvania, Inc.	Fall Cleanup	\$ 6,749.00
11/14/2018	57747	Wilson Products Compressed Gas Co.	Supplies	\$ 7.00
11/15/2018	57748	Teamster Local 773	Non police union dues	\$ 722.00
11/15/2018	57749	Teamster Local 773	Police union dues	\$ 1,169.00
11/15/2018	57750	ADP, LLC	Payroll 22 Services	\$ 203.00
11/15/2018	57751	Best Auto Service Center	Police Vehicle service	\$ 213.35
11/15/2018	57752	Cardmember Service	Training/Comware/Supplies	\$ 589.37
11/15/2018	57753	Davidheiser's Inc.	Calibration - Tracking Units	\$ 124.00
11/15/2018	57754	Gotta Go Potties, Inc	Handicap Toilet - Park	\$ 310.71
11/15/2018	57755	Howarth, Carl	Coffee Supplies	\$ 51.00
11/15/2018	57756	J & B Auto	Police Vehicce Service	\$ 132.18
11/15/2018	57757	Kost Tire & Auto Service	Tires - Police Vehicles	\$ 1,262.09
11/15/2018	57758	Metropolitan Telecommunications	Phones - Police	\$ 302.94
11/15/2018	57759	Network Fleet	GPS Service	\$ 325.45
11/15/2018	57760	PA Chiefs of Police Association	Test/Study Guide for Sgt. Detective Position	\$ 110.00
11/15/2018	57761	Pocono Record	Advertising - Twp/ZHB	\$ 1,107.82
11/15/2018	57762	Wrecker International Inc.	Tow - Police Vehicle	\$ 65.00
11/15/2018	57763	RR Donnelley	Traffic Citations	\$ 79.60
TOTAL General Fund \$				163,810.79

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
Sewer Operating Fund				
11/15/2018	1097	BLUE RIDGE COMMUNICATIONS	SEWER MODEM CONNECTIONS	\$ 182.88
11/15/2018	1098	BRODHEAD CREEK REGIONAL AUTHORITY	SEWER BILLING & WATER	\$ 84,542.71
11/15/2018	1099	BROUGHAL & DEVITO, L.L.P.	SEWER LEGAL	\$ 405.00
11/15/2018	1100	EASTERN BACKFLOW & DRAIN CLEANING	VS 2 TELEVISED SEWER LINE INSPECTION	\$ 225.00
11/15/2018	1101	EEMA O&M Services Group, Inc.	NOVEMBER 2018 CONTRACTED SERVICES	\$ 6,354.90
11/15/2018	1102	KEYSTONE ENGINEERING GROUP	REPAIR & MAINTENANCE PS3	\$ 1,214.13
11/15/2018	1103	LRM, Inc	INV 18-816/18-817 REPAIR & MAINTENANCE PS3	\$ 1,385.00
11/15/2018	1104	METROPOLITAN TELECOMMUNICATIONS	0100511827-097-6 ELECTRIC SERVICE PUMP STATION 5	\$ 61.35
11/15/2018	1105	PA One Call System, Inc	SEWER MAPPING SERVICES	\$ 73.64
11/15/2018	1106	PFM	LIMITED RATE STUDY PROJECT	\$ 8,775.00
11/15/2018	1107	Pocono Management Associates LLC	PT110518 CONTRACTED SERVICES 11/5 -11/11	\$ 1,508.12
11/15/2018	1108	Pocono Record	0000181467 ADVERTISING	\$ 139.07
11/15/2018	1109	Pocono Township	SEWER ADMIN SERVICES 10/22 -11/4 2018	\$ 1,323.16
11/15/2018	1110	PPL Electric Utilities	49815-62005	\$ 1,716.33
11/15/2018	1107	Pocono Management Associates LLC	PT102918 CONTRACTED SERVICES 10/29 -11/4	\$ 1,611.07
TOTAL Sewer Operating				\$ 109,517.36

Sewer Construction Fund

11/15/2018	276	CARDMEMBER SERVICES	SHELTER LOGIC - SCREW SCREEN COVER	\$ 2,500.43
TOTAL Sewer Construction Fund				\$ 2,500.43

Capital Reserve Fund

11/15/2018	1016	ARGS TECHNOLOGY	CAMERAS AND SETUP FOR PARK	\$ 5,814.12
11/15/2018	1017	CRITICAL SYSTEMS	SETUP AND MATERIALS FOR TOWNSHIP GENERATOR	\$ 3,388.85
11/15/2018	1018	NICE RINK	ICE RINK MATERIALS FOR PARK	\$ 5,549.67
11/15/2018	1019	PHILLIPS AND DONOVAN	ARCHITECTURAL SERVICES 9/25 -11/6/2018	\$ 1,040.50
11/15/2018	1020	POWELL'S SALES & SERVICE	OUTFITTING SINGLE AXLE TRUCK	\$ 57,096.26
11/15/2018	1021	CARDMEMBER SERVICES	TRACTOR SUPPLY 100 GAL. TANK FOR GENERATOR	\$ 369.99
TOTAL Capital Reserve Fund				\$ 73,259.39

LIQUID FUELS

TOTAL Liquid Fuels				\$ -
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Amount

Memo

Vendor

Check

Date

ESSA

TOTAL General Fund	\$	163,810.79		
TOTAL Sewer Construction Fund	\$	2,500.43	Authorized by:	
Sewer Operating	\$	109,517.36		
Capital Reserve	\$	73,259.39		
Liquid Fuels	\$	-		
TOTAL ESSA TRANSFER	\$	349,087.97	Transferred by:	

PENNSTRATEGIES

This contract would formalize an agreement between **Pocono Township (client)** and **JDM Consultants, LLC (contractor)** for community planning and grant writing services.

Term: This agreement shall be effective from December 1, 2018 thru December 1, 2019. This agreement may be terminated by either party with a 15-day notice.

Services: The **contractor** shall provide the professional services listed in Exhibit A.

Fees: The **contractor** shall invoice the **client** for \$2,500 monthly.

Assumptions and Restrictions: The following is a list of assumptions and restrictions that apply to this proposal:

- The client will provide the Penn Strategies Team with access to all relevant background information.
- The client will assist in assuring that their representatives attend relevant and necessary meetings in Pennsylvania.
- The client will respond with timely delivery of reports, data, meeting coordination, and other project assistance that will allow Penn Strategies to meet any deadlines set forth during the performance of this contract.
- Additional compensation for the specified scope of work will be allowed if justified and approved by the client.

Compliance with Laws: Both parties shall comply with all applicable federal, state, and local statutes, rules, regulations or ordinances regarding the performance of its activities under this agreement.

Confidential Nature of this Relationship: This relationship will create and exchange of information, written and oral, between the parties, including but not limited to data, documents, surveys, concepts, drafts, other relationships, strategies and tactics; no disclosure of any such information by either party, without express consent of the other, shall be permitted, except as required by the Pennsylvania Right-To-Know Law. The relationship between the **client** and the **contractor** outlined in this agreement is confidential between the parties and will not be disclosed by either party, either presently or in the future, except as required by the Pennsylvania Right-To-Know Law. This provision, in particular, shall survive the term of this agreement.

Independent Contractor: During the term of this agreement, the **contractor** shall be an independent contractor and not an agent of the **client**.

Governing Law: This agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania.

Entire Agreement: This is the entire agreement of the parties. There are no other representations, understandings, or agreements, oral or written or implied, which are not contained herein.

ADDITIONAL SERVICES

Services not included in the scope and fee described herein may be provided by the Penn Strategies Team upon your request. Proper written authorization must be given prior to initiating any additional services. Additional services would be considered anything not directly mentioned in the scope.

DURATION OF CONTRACT

Penn Strategies is prepared to provide these on-going services to the client as part of a 12 month agreement.

BILLING SCHEDULE

Penn Strategies will invoice you at the end of each four (4) week billing period for work performed during this period. Invoices are payable within thirty (30) days.

PAYMENT SCHEDULE

Payment is due upon presentation of invoice and is past due thirty (30) calendar days from the invoice date. Unpaid invoices in excess of thirty (30) calendar days will be cause to discontinue services until all outstanding invoices are paid. Work stoppages may result in missed deadlines and/or increased project fees including remobilization.

If these terms are acceptable, please print and sign two copies of this document. We will sign both and return one to you for your files. This agreement will then be appropriately executed.

We look forward to serving you. Please feel free to contact Jason Fitzgerald at 570-337-2028 if you have any questions.

Jason M. Fitzgerald
President, JDM Consultants, LLC

DATE

AGREED TO

DATE



Exhibit A

SCOPE OF SERVICES
POCONO TOWNSHIP

Understood Goals

- Develop a Comprehensive Economic Development Plan.
- Work with your grants team to identify state, federal, and private grants to assist with projects or regular Township programs.
- Provide advocacy services on behalf of Pocono Township with the state government, federal government and private foundations.
- Help to write all grant applications.

Economic Development Focus

- Organize and facilitate meetings with key local and state officials to advocate on behalf of Pocono Township and its economic priorities.
- Prepare briefing materials for key meetings with state government officials and attend these meetings to inform them about the effects of particular policy/grant decisions on Pocono Township.
- Work with local private businesses to encourage development by using various county, state, and federal programs as incentives where applicable.
- Promote Pocono Township as a development opportunity to our national contact base.

Funding Assistance Focus

- Monitor state grant opportunities and inform the Township Manager and Commissioners about these opportunities.
- Assist in writing these grants and directing lobby efforts with the pertinent members of the General Assembly and Executive Branch to ensure their approval.

QUOTATION

QUOTE #1074-18BD

SIGNAL SERVICE INC.

Date: NOVEMBER 16, 2018

1020 Andrew Drive
West Chester, PA 19380
Phone: (610) 429-8073
Inside PA: 1-800-851-0606
FAX: (610) 429-8076

To: POCONO TOWNSHIP
P.O. BOX 197
TANNERSVILLE, PA 18372

Attn: DONNA ASURE
570-629-1922 AND 570-629-7325 FAX

DISTRIBUTORS OF TRAFFIC SIGNAL PRODUCTS
ENGINEERING - DESIGN - TECHNICAL SERVICE

For: VARIOUS INTERSECTIONS
LED RETROFIT

ITEM	QUANTITY	DESCRIPTION	UNIT	EXTENDED
A	LS	FURNISH ALL NECESSARY LABOR, EQUIPMENT AND MATERIAL TO INSTALL NEW LED MODULES IN ALL SIGNALS STILL OPERATING ON INCANDESCENT BULBS.	\$5,224.00	\$5,224.00

X

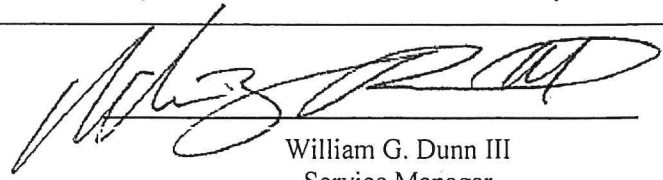
F.O.B. - Shipping Point []
F.O.B. - Shipping Point with []
transportation allowed to destination.
F.O.B - Destination []

SHIPMENT - Based upon today's conditions, can be made within _____ after receipt of your order.

Terms: Net 30 days, subject to credit approval. Unless otherwise stated, applicable State and Local taxes are not included.

Signal Service Inc. retains title to material until paid in full

WE BELIEVE QUANTITIES SHOWN IN THIS ESTIMATE ARE CORRECT PLEASE CHECK AGAINST YOUR OWN TAKE-OFF AND NOTIFY US OF ANY DISCREPANCY BEFORE BIDDING SO WE CAN REVISE OUR QUOTE TO YOU. ALL QUOTATIONS ARE SUBJECT TO GENERAL TERMS ON REVERSE SIDE HEREOF.



William G. Dunn III
Service Manager



RADIO MAINTENANCE, INC.
 1840 Kutztown Road
 Reading, PA 19604
 Phone: (610) 898-1211
 Toll Free: (800) 764-1066
 Fax: (610) 898-1223



KENWOOD

Quotation

Customer

Name: Donna Asure
 Company: Pocono Township
 Address: 112 Township Drive
 City: Tannersville State: PA Zip: 18372
 Phone: 570-629-1922 x212 Fax:

Date: 11/15/18

Prepared by: C. Manspeaker
cmanspeaker@rmimail.com
 Cellular: (610) 914-0982

Comments

Pa Costars Contract, 012-083, Pricing. Please note contract on subsequent PO.

Line	Units	Item Number	Description	Unit Price	Total Price
1	3	XPR7550e	Motorola VHF Portable Radio	\$859.00	\$2,577.00
1A	3	STDACCY	Std battery, desk charger, antenna, and belt clip		\$0.00
			Radios are VHF to match Road/Twp Frequencies.		
1B	2	QA00505	Remote Speaker Microphone	\$72.00	\$144.00
			Speaker Mic Option Sold with Radio at Discount		
			Radio List Price \$1,240.00, less Pa Costars Discount		
				TOTAL PRICE	\$2,721.00

Pocono Township-All Permits Issue Date: 10/1/2018 - 10/31/2018

PermitNo	Issue Date	Owner	Project Addr	Descript
Sewage				
Repair				
Z214437	10/4/2018	PELLETIER WILLIAM J COLETTE J	125 MOCKINGBIRD WAY	REPLACE PUMP
Z214441	10/18/2018	LOVERA JOSELIN	127 LOUISE LN	REPAIR
Z206488	10/31/2018	GOLUSZKA JACEK	1345 SCOTRUN DR	REPAIR
				Total Repair 3
TESTING FOR NEW ESM				
Z214434	10/2/2018	BESECKER C WILLIAM	CHERRY LN RD SR 1001	TESTING
Z214439	10/12/2018	PANCZAK PIOTR	COBBLE CREEK DR	TESTING FOR ESM
Z214440	10/12/2018	VENTURA RAYMOND D	SNOW LN	TESTING FOR ESM
Z214784	10/16/2018	CONNOLLY GLEN ARLENE	HEARTH STONE CIR	TESTING FOR ESM
				Total TESTING FOR NEW ESM 4
				Total Sewage 7

Sign				
FACE CHANGE				
180467	10/5/2018	SCOTRUN STAR LIMITED LIABILITY COMP	2497 ROUTE 611	REFACE SIGN
				Total FACE CHANGE 1
Renewal				
160486	10/9/2018	NJPA INVESTMENTS LLC	2951 ROUTE 611	NEW SIGN
160485	10/9/2018	NJPA INVESTMENTS LLC	2951 ROUTE 611	NON-ILLUMINATED WALL SIGN
				Total Renewal 2
TEMPORAY SIGN				
180468	10/31/2018	POCONO TOWNSHIP	2658 ROUTE 715	2 TEMPORARY SIGNS
				Total TEMPORAY SIGN 1
				Total Sign 4

Zoning				
ADDITION				
180171	10/15/2018	MOREAU JEAN	204 TIMBERLINE DR	ENCLOSE DECKclose Existing Garage to C
180175	10/16/2018	SANOPI PASTEUR INC	110 LAUREL DR	ADDITION TO BLDG 79
				Total ADDITION 2

DECK				
180176	10/18/2018	LINDENMERE SPORTS & ARTS CENTER LL	192 MUNCH DR	NEW DECK
				Total DECK 1

FIT-OUT/RENOVATION				
180174	10/16/2018	SANOPI PASTEUR INC	110 LAUREL DR	RENOVATION B-32
				Total FIT-OUT/RENOVATION 1

NeW SFD				
180177	10/18/2018	CAMELBACK FOUR SEASONS HOMES LP	649 LOWER DEER VALLEY RD	NEW SFD
180178	10/18/2018	CAMELBACK FOUR SEASONS HOMES LP	650 LOWER DEER VALLEY RD	NEW SFD
				Total NeW SFD 2

RENEWAL				
170142	10/23/2018	REVERON PEDRO	126 TULIP LN	NEW SHED
				Total RENEWAL 1

SHED				
180179	10/19/2018	VAN GIESON GLENN A BEATRIZ J	37 HICKORY DR	Shed
				Total SHED 1

SINGLE FAMILY DWELLING				
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PermitNo	Issue Date	Owner	Project Addr	Descript
Zoning				
180168	10/3/2018	D E & S PROPERTIES INC	45 SUNLIGHT CT	NEW SFD
180155	10/18/2018	CAMELBACK FOUR SEASONS HOMES LP	647 LOWER DEER VALLEY RD	SINGLE FaMILY DWELLING
				Total SINGLE FAMILY DWELLING 2
TENANT FITOUT				
180173	10/16/2018	SANOFI PASTEUR INC	110 LAUREL DR	INTERIOR FIT-OUT
				Total TENANT FITOUT 1
TENANT FIT-OUT				
180167	10/1/2018	EPT SKI PROPERTIES INC	193 RESORT DR	TENANT ALTERATION
180169	10/5/2018	GENESIS INTERNATIONAL REALTY LLC	3180 ROUTE 611	TENANT ALTERATION
180170	10/11/2018	POCONO LANE PROPERTIES LLC (William	3361 ROUTE 611	TENANT FIT OUT
180172	10/16/2018	CHELSEA POCONO FINANCE LLC	1000 PREMIUM OUTLETS DR	TENANT FITOUT
180180	10/31/2018	CHELSEA POCONO FINANCE LLC	1000 PREMIUM OUTLETS DR	TENANT FIT-OUT
				Total TENANT FIT-OUT 5
				Total Zoning 16

Total Permits: 27

Pocono Township-Violations: 'OpenDate' 10/1/2018 - 10/31/2018

Number	Code and Code Descript	Descript	OpenDate	Deadline	Closed
Parcel ID	Owner / Current Owner / Tenant	Location			
Sewage					
Open					
180027		SEPTIC MALFUNCTION			
12635300990042	SULLIVAN TRAIL VILLAGE	(- - MH PARK) 204 MOYER CT	10/12/2018	10/28/2018	
Owner:	SULLIVAN TRAIL PARK OF POCONO				

Total number of Open Sewage Violations: 1

Total Violations: 1

Nov. 19th

POLICE REPORT FOR October 2018

The following are the recorded activities of the Pocono Township Police Department for the month of October 2018. Also listed are the available recorded activities for 2018 year to date.

	Oct 2018	Y-T-D 2018	Sept 2018		
Incidents Investigated	1100	9562	945		
Burglary / Fire Alarms Answered	59	523	66		
Motor Vehicle ACC	60	357	40		
Assaults	3	41	12		
Narcotics	10	64	9		
Criminal Arrests	23	323	26		
Theft	17	142	27		
DUI alcohol/drug impaired	12	83	17		
Mental Health	8	44	13		
Vehicle Reports	1	11	1		
Death Investigations	0	11	4		
Assisting other agencies	40	222	28		
Missing Persons	0	6	1		
Traffic Citations Issued	203	918	170		
Written Warnings	338	1597	232		
Traffic & Parking issues	39	224	21		
911 Hang-up Calls	70	810	54		

Mileage all Vehicles: 17,327

Income from Report Fees: \$519.75

ORDINANCE 2018-XX

**AN ORDINANCE OF THE TOWNSHIP OF POCONO, COUNTY OF MONROE,
PENNSYLVANIA, ADOPTING A BUDGET AND APPROPRIATING FUNDS
ESTIMATED TO BE REQUIRED FOR THE PURPOSES OF THE GOVERNMENT OF
THE TOWNSHIP OF POCONO, AND FIXING THE REAL ESTATE MILLAGE RATE
FOR THE 2019 FISCAL YEAR**

WHEREAS, Article XVII, Section 1701, *et seq.*, of the First-Class Township Code, 53 P.S. 56701 *et seq.*, requires, *inter alia*, that the Pocono Township Board of Commissioners prepare and adopt a budget which shall reflect as nearly as possible the estimated revenues and expenditures of the Township for the year for which the budget is prepared; and

WHEREAS, the total appropriation shall not exceed revenues available for the fiscal year; and

WHEREAS, the tax levied by the Pocono Township Board of Commissioners shall be fixed at such figure within the limit allowed by law as with all other sources of revenue shall meet and cover such appropriations.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Pocono, County of Monroe, and Commonwealth of Pennsylvania, as follows:

Section I:

That for the expenses of the Township of Pocono for the fiscal year 2019 the following amounts are hereby approved and appropriated from the receipts estimated to be available for said fiscal year for the specific purposes set forth below, which amounts are more fully itemized in the Budget Form on file in the Office of the Township Manager, as follows:

GENERAL FUND

ESTIMATED RECEIPTS

Taxes	\$ 5,174,347
Licenses and Permits	200,100
Fines & Forfeits	60,000
Interest, Rentals and Royalties	28,000
Intergovernmental Revenues	302,041
Charges for Services	377,100
Special Assessments	0
Other Financing Sources	178,484
Opening Balance	<u>\$2,475,204</u>

TOTAL FUNDS AVAILABLE

\$8,795,276

ESTIMATED EXPENDITURES

General Government	\$ 895,343	
Public Safety	3,622,881	
Public Works	1,403,939	
Cultural-Recreation	136,837	
Debt Service	100,000	
Employer Paid Benefits	235,200	
Insurance	150,500	
TIF	<u>\$ 165,000</u>	
TOTAL EXPENDITURES		<u>\$ 6,709,801</u>
PROJECTED FUND BALANCE		<u>\$ 2,085,475</u>

CAPITAL RESERVE FUND

Estimated Revenues	\$ 65,500*	
Opening Balance	<u>2,751,990</u>	
Total Funds Available	\$ <u>2,817,490</u>	
Estimated Expenditures	<u>2,046,624</u>	
PROJECTED FUND BALANCE		<u>\$770,866</u>

*Source is In Lieu of funds and grant revenue

STATE LIQUID FUELS TAX FUND

Opening Balance	\$ 3,281	
Estimated Receipts	<u>473,119</u>	
Total Fund Balance	476,400	
Estimated Expenditures	<u>472,619</u>	
PROJECTED FUND BALANCE		<u>\$ 3,781</u>

SEWER OPERATING FUND

Opening Balance	\$ 1,387,994
Estimated Revenue	<u>3,958,000</u>
Total Fund Balance	5,345,994
Estimated Expenditures	<u>3,430,254</u>

PROJECTED FUND BALANCE \$ 1,915,740

SEWER CONSTRUCTION FUND

Opening Balance	\$ 2,281,787
Estimated Revenue	<u>200,000</u>
Total Fund Balance	2,481,787
Estimated Expenditures	<u>200,000</u>

PROJECTED FUND BALANCE \$ 2,281,787

Section II:

That real estate taxes are hereby levied for the 2019 Township of Pocono fiscal year at a rate of 16.1 mills per dollar of assessed valuation.

ORDAINED AND ENACTED this 17th day of December 2018 at a regular public meeting after public hearing thereon.

**BOARD OF COMMISSIONERS
OF POCONO TOWNSHIP**

Gerald J. Lastowski,
President

ATTEST:

Pamela Tripus
Township Secretary



PHILLIPS & DONOVAN ARCHITECTS, LLC

Date: 2 November 2018

Proposal for Professional Services

Project Name: Pocono Township
Conceptual Design & Facility Assessment Services
205 Old Mill Road, Tannersville, PA 18372

Client: Pocono Township Board of Commissioners
c/o Donna Asure, Township Manager
P.O. Box 197
112 Township Drive
Tannersville, PA 18372

Proposed Scope of Services & Fees

It is our understanding that Pocono Township would like to undertake a Conceptual Design and Facility Assessment Study for the building located at 205 Old Mill Road, Tannersville, PA. The building was formerly occupied as a classroom building by Northampton Community College. The purpose of this study is to determine how the building and site could be utilized by the Township's Administrative, Police, and Public Works Facilities and to assess the condition of the existing building and site elements in order to assist the Township in deciding whether or not to submit a purchase offer for the building and site.

Phillips & Donovan Architects, LLC will serve as the Prime Consultant and will complete the architectural services, as well as coordinate the services of our other team members. **D'Huy Engineering, Inc.** will complete the facility assessment and budget cost estimating services. **Boucher & James, Inc.** will complete the required civil engineering services. Since they are the Township Engineer, they will bill you directly for their services on an as needed basis. Therefore, we have not included any fees for their services in this Proposal.

In order to complete the Conceptual Design and Facility Assessment Study we propose to complete the following tasks:

Basic Services

Site & Facility Walkthrough

- In this phase we will walk around the site and through the building as a project team to,

George J. Donovan, Architect, Principal Emeritus

P. O. Box 160, Bedminster, PA 18910, Phone: 215-795-2400, Fax: 215-795-2900, Web: phillipsdonovanarchitects.com
210 W. Broad Street, Bethlehem, PA 18018, Phone: 610-317-0221, Fax: 610-317-0227

H. Joseph Phillips AIA, LEED AP, Principal

Proposal for: Conceptual Design & Facility Assessment Study - 205 Old Mill Road

Date: 2 November 2018

Page: 2 of 5

- View the existing conditions and discuss specific opportunities, constraints, and ideas regarding how the existing site and building could be adaptively reused as a municipal complex.
- Become familiar with and analyze the existing site and building conditions.
- Review the existing building documentation that has been provided by the seller's realtor.

Architectural: \$ 1,100.00

Subtotal: \$ 1,100.00

Field Measurement & As-Built Documentation

- It is our assumption that the existing site and building documentation that has been provided by the seller's realtor are of sufficient accuracy, detail, and completeness to complete our work. Therefore, we have not included any fees for existing site or building measurement and documentation. The information provided to us, along with photographs of the existing conditions, will be used as the basis for our work on this Study.

Conceptual Design & Facility Assessment

- Utilizing the information contained in the previously completed Space Needs Assessment / Program Development Phase, as well as the documents of the existing building and site, we will prepare conceptual site and building floor plan designs based on the square footages required by each department and the desired site amenities/improvements. The administrative offices, police offices, library, and community center will be located within the existing building. The public works facility will be located in a freestanding structure(s) in the existing parking lot areas, presumably behind the existing building and adjacent to Route 80.
- In this phase, our work product/deliverables will include preparation of conceptual site and building concept plans showing potential space allocations and the relationship of the buildings to each other and to the site. We will not prepare any exterior elevation designs at this time. Items to be studied will include the following.
 - Internal functions
 - Pedestrian, vehicular, and material flow patterns
 - General Space Allocations
 - Adjacency of uses
 - Special facilities and equipment
 - Flexibility and expandability

- In this Phase we will also prepare our initial Facility Assessment Report. Please see attached Proposal from D'Huy Engineering, Inc. for a description of the scope of Facility Assessment services.
- After completing the conceptual design and initial Facility Assessment Report, we will attend one meeting with township representatives to review our site and building plan concepts, as well as the initial Facility Assessment Report before proceeding with the project budgeting / cost estimating phase.

Architectural:	\$	5,700.00
Facility Assessment:	\$	7,100.00
<hr/>		
Subtotal:	\$	12,800.00

Revisions

- Revisions to the site and building concepts outlined above will be completed on an hourly/as requested basis or by way of a separate proposal.

Project Budgeting / Cost Estimate

- In this phase we will prepare a written architectural scope of work, outlining the anticipated construction types and finishes that will be utilized to accomplish the layout shown on the conceptual design sketches. This information will be forwarded and coordinated with the cost estimating consultant.
- Using the conceptual site and building design sketches and architectural scope of work report, as well as the initial Facilities Assessment Report, our cost estimating consultant will prepare a conceptual design / facility assessment phase budget cost estimate based on the various types of uses and spaces included in the conceptual design and the work required to convert the existing building, building systems, and site into a municipal complex. Our estimate will individually identify the various cost components related to the site and building construction. Please see attached Proposal from D'Huy Engineering, Inc. for a description of the scope of Cost Estimating services. We will attend one meeting with township representatives to review the cost estimate.

Architectural:	\$	1,600.00
Facility Assessment:	\$	2,835.00
<hr/>		
Subtotal:	\$	4,435.00

Proposal for: Conceptual Design & Facility Assessment Study - 205 Old Mill Road

Date: 2 November 2018

Page: 4 of 5

Recap of Fee for Basic Services

• Site & Facility Walkthrough:	\$	1,100.00
• Conceptual Design & Facility Assessment:	\$	12,800.00
• Project Budgeting / Cost Estimate:	\$	4,435.00

Total – Basic Conceptual Design &
Facility Assessment Study Phase Services: \$ 18,335.00

Reimbursable Expenses

The costs of mileage, postage, overnight and express mail or delivery, CAD plots, prints, and copies have been excluded from our fees for professional services and will be billed to you as reimbursable expenses. We will transmit information electronically to the greatest extent possible and will endeavor to minimize providing hard/paper copies.

We exclude any costs for soil engineering, traffic engineering, wetland delineation, appraisals, market analysis and environmental studies. We have assumed that the owner of the building will be able to provide sufficient records and reports to you regarding the building's condition from an environmental hazard standpoint.

Billing rates for additional services not outlined in this proposal will be as outlined in the hourly rate schedule included below.

For services billed hourly, the following rates will apply:

Principal:	\$160.00/hour
Staff:	\$60.00 - \$140.00/hour

If the proposal as described above is acceptable, we would appreciate having a signed copy returned to our office as your authorization for us to proceed. Upon receipt of same, we will schedule the work as soon as possible. Payment for our services will be billed as work progresses.

Proposal for: Conceptual Design & Facility Assessment Study - 205 Old Mill Road
Date: 2 November 2018
Page: 5 of 5

Upon your review of this proposal, if you have any questions, please do not hesitate to give me a call. We look forward to the opportunity of working with Pocono Township on this challenging and interesting project.

Sincerely,



H. Joseph Phillips AIA, Principal
LEED Accredited Professional
Certified Sustainable Building Advisor
Home Efficiency Consultant

This proposal is valid for sixty (60) days from the date of writing. If not accepted by the owner within sixty (60) days, the architect reserves the right to modify the terms, conditions, and professional fees stated herein.

I by my signature below acknowledge receipt of pages 1 through 5 of this proposal.

Accepted by: _____ Date: _____

Engineering Consultants

The following are copies of our engineering consultant's proposals. The fees outlined in these proposals have already been included in the fees for basic services outlined in our proposal. The consultant's fees have been passed on to you at our cost without any markup.



November 1, 2018

H. Joseph Phillips, AIA
Phillips & Donovan Architects, LLC
210 W. Broad Street
Bethlehem, PA 18018

RE: Proposal for Facility Assessment Study
205 Old Mill Road, Tannersville, PA

Dear Mr. Phillips,

We are pleased to provide you with this proposal for professional services related to the Facility Assessment Study for the 36,000 square foot property located at 205 Old Mill Road, Tannersville, PA.

D'Huy Engineering, Inc. (DEI) will include the following tasks in accordance with the information you have provided:

1. Conceptual Design & Facility Assessment
 - a. Visual assessment of building envelope, roof, structural, mechanical, electrical, and plumbing systems.
 - b. Itemized listing of recommended improvement(s) for conditions observed, and cost estimate for each.
 - c. Written narrative describing the systems observed and recommended improvements.
 - d. Attendance at one (1) meeting with Owner and architect to present findings and cost estimates.

Exclusions: assessment of architectural finishes, ADA/code compliance, site/civil conditions; destructive testing such as roof cores, masonry probes, etc.; infrared surveys of roof and electrical systems; environmental investigation such as asbestos, lead, PCB's, etc.

(DEI will include cost estimating for items excluded above if provided with descriptions and quantities from other members of the team).

Fee Proposal Including Reimbursable Expenses: \$7,100

2. Project Budgeting / Cost Estimate
 - a. Cost estimate for one (1) overall conceptual design prepared by Phillips & Donovan for conversion of the existing facility. The level of detail on the estimate will be in accordance with the amount of information provided with the conceptual design.
 - b. Attendance at one (1) meeting with Owner and architect to present the conceptual design and cost estimate.

Fee Proposal Including Reimbursable Expenses: \$2,835

Services not included above shall be performed with a supplementary fee proposal or hourly in accordance with the attached rate schedule, upon request by Phillips & Donovan Architects.

Thank you for the opportunity and we look forward to working with you on this project.

If you are in agreement with this proposal and the attached Terms and Conditions, kindly countersign this letter as your approval and return a copy to DEI for our records.

Sincerely,



M. Arif Fazil, P.E., CCS, CCCA, LEED-AP

Attachments: DEI Terms & Conditions
DEI Fee Schedule

Acceptance: Phillips & Donovan Architects, LLC

Signed: _____

Printed Name: _____

Title: _____

Date: _____



Terms and Conditions

D'Huy Engineering, Inc. (DEI) shall perform the services outlined in this Agreement for the stated fee agreement.

Access to Site

Unless otherwise stated, DEI will have access to the site for activities necessary for the performance of the services. DEI will take precautions to minimize damage due to these activities but has not included in the fee the cost of restoration of any resulting damage.

Fee

The total fee, except stated not to exceed or lump sum, shall be understood to be an estimate, based upon Scope of Services, and shall not be exceeded without written approval of the Client. Where the fee arrangement is to be on an hourly basis, the rates shall be those listed in the attached Fee Schedule.

Billings/Payments

Invoices shall be submitted monthly for services and reimbursable expenses and are due when rendered. Invoices shall be considered PAST DUE if not paid within 30 days after the invoice date and DEI may without waiving any claim or right against Client, and without liability whatsoever to the Client, terminate the performance of the service. Retainers shall be credited on the final invoice. In the event any portion or all of an account remains unpaid 90 days after billing, the Client shall pay cost of collection, including reasonable attorneys' fees.

Indemnifications

The client shall indemnify and hold harmless DEI and all of its personnel from and against any and all claims, damages, losses and expenses (including reasonable attorneys' fees) arising out of or resulting from the performance of the services, provided that any such claims, damage, loss or expense is caused in whole or in part by the negligent act of omission, and/or strict liability of the Client, anyone directly or indirectly employed by the Client (except DEI), or anyone for whose acts any of them may be liable.

Contractor Responsibility

ENGINEER shall not, as a result of performance of services, or site visits, or as a result of such observations of Contractor(s)' work in progress, supervise, direct or have control over Contractor(s)' work nor shall ENGINEER have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s), for safety precautions and programs incidental to the work of Contractor(s) or for any failure of Contractor(s) to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing their work. ENGINEER will not be responsible for any Contractor or other personnel safety or security operations or practices. Any safety or security program issues shall not create any liability for ENGINEER.

Hidden Conditions

A condition is hidden if concealed by existing finishes or is not capable of investigation by reasonable visual observation. If DEI has reason to believe that such a condition may exist, the Client shall authorize and pay for all costs associated with the investigation of such a condition and, if necessary, all costs necessary to correct said condition. If (1) the Client fails to authorize such investigation or correction after due notification, or (2) DEI has no reason to believe that such a condition exists, the Client is responsible for all risks associated with this condition, and DEI shall not be responsible for the existing condition nor any resulting damages to persons or property.

Risk Allocations

In recognition of the relative risks, rewards and benefits of the project to both the Client and DEI, the risks have been allocated so that the Client agrees that, to the fullest extent permitted by law, DEI's total liability to the Client, for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this Agreement, from any cause or causes, shall not exceed the total amount of \$100,000, the amount of DEI's fee (whichever is greater) or other amount agreed upon when added under special conditions. Such causes include, but are not limited to DEI's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

Termination of Services

This Agreement may be terminated upon 10 days written notice by either party should the other fail to perform his obligations hereunder. In the event of a termination, the Client shall pay DEI for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

Ownership of Documents

All documents produced by DEI under this Agreement shall remain the property of DEI and may not be used by this Client for any other endeavor without the written consent of DEI.

Applicable Law

Unless otherwise specified, this Agreement shall be governed by the laws of the principal place of business of DEI.

**D'HUY ENGINEERING, INC.
FEE SCHEDULE**

Effective January 1, 2018

	<u>Hourly Rate</u>
Senior Principal	\$185.00
Principal	\$165.00
Senior Project Manager	\$135.00
Licensed Professional Engineer	\$135.00
Licensed Architect	\$135.00
Project Manager	\$125.00
Project Designer	\$130.00
Technical Specialists	\$125.00
Senior Field Representative	\$125.00
Field Representative	\$100.00
Engineer	\$100.00
Engineer in Training	\$85.00
Senior CAD Operator	\$85.00
CAD Operator	\$75.00
Research Assistant/Data Processor	\$50.00



SUBURBAN TESTING LABS

Quotation for Analytical Laboratory Testing

Effective: 11/05/2018

Client: Pocono Township
112 Township Drive
Tannersville, PA 18372

Project: Pocono Twp SDWA Quote

Client Contact: Donna Asure
(570) 629-1922

Matrix/Test	Method	TAT	Quantity	Unit Price	Total	Comments
SDWA						
Nitrate as N, 300.0	EPA 300.0	3	2	\$27.50	\$55.00	EP 101 and EP 102 Annually
Nitrite as N, 300.0	EPA 300.0	3	2	\$27.50	\$55.00	EP 101 and EP 102 Annually
Sample Collection, Standard	SL0015	3	12	\$65.00	\$780.00	
Total Coliform	SM 9223-B	3	12	\$38.00	\$456.00	

Quote Total: \$1,346.00



Quotation for Analytical Laboratory Testing

Effective: 11/05/2018

Details of Quotation for Analytical Laboratory Testing

Description of Service

The purpose of the laboratory analysis would be providing analytical data in fulfillment of your water, wastewater, or solids testing requirements. Suburban Testing Labs (STL) will provide a measurement of your samples using methods specified in the quotation. Samples will be collected by STL, shipped to us by the client, or picked-up at your facility as agreed upon in advance.

Quality Control Procedures

Quality Assurance/Control procedures will be followed according to STL's NELAP Accredited Quality Assurance Program unless otherwise specified. A copy of our scope of accreditation is available upon request.

Sample Reporting

Analysis Reports will be made available to our Clients through the mail and electronically. Each Client that chooses the option of electronic receipt has the opportunity to receive reports by way of fax, email, or at their convenience using our Online Report Access system via the Internet. STL will release results only to the Client who ordered the

Payment

Payment is to be made within 30 days of receipt of analysis results, unless otherwise agreed between the Client and STL. Prices are valid for 90 days.

Pricing includes chain of custody forms, labels, analysis, standard reporting, sample containers/preservatives as specified in method, and drinking water reporting (if required).

How to begin using our services

At Suburban Testing Labs, we make it easy to begin a working relationship with you by providing a few options for getting started.

1. Contact the client services team member that provided you the quotation.
2. Call us at 1-800-433-6595 or email info@suburbantestinglabs.com
3. Visit our website www.suburbantestinglabs.com and click on "Contact Us"
4. Or, if you're nearby, stop by our facility to get started.

Our team will work with you to provide necessary sample containers and coordination to begin your analytical work. We look forward to partnering with you!

Standard Terms and Conditions

Unless otherwise stated in a formal contract, services provided by Suburban Testing Laboratories, Inc. (STL) are expressly limited to our terms and conditions. Standard terms and conditions are available upon request, or at any time on our website at:

<http://www.suburbantestinglabs.com/resources/standard-terms-and-conditions.html>

Thank you for considering Suburban Testing Labs!
We look forward to the opportunity of working with you.



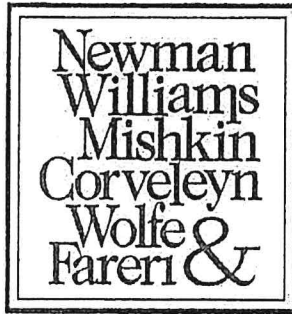
Daniel M. Corveleyn
Marc R. Wolfe
James V. Fareri
Gerard J. Geiger
Vincent Rubino
David L. Horvath

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

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

**Member of NJ and PA Bar*

ATTORNEYS AT LAW



A PROFESSIONAL CORPORATION

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

November 7, 2018

Telephone
570.421.9090

Fax 570.424.9739

www.newmanwilliams.com

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**

Ladies and Gentlemen:

Mr. Kopelson hereby extends the time the Township has to review and act upon the Sheldon Kopelson Lot 3 Land Development Plan until December 31, 2019. Further engineering and Township review of this submission is dependent upon the final decision of PADOT with regard to the location and dimensions of the S.R. 0715 realignment project. PADOT has not provided Mr. Kopelson with a schedule when the final determination of the design of the S.R. 0715 realignment will be made.

The Developer hereby waives any applicable requirement in the Pennsylvania Municipalities Planning Code or the Township Zoning Ordinance that would require the Township to act earlier than the dates hereinabove set forth.

Thank you for your attention to these matters.

Very truly yours,

Marc R. Wolfe

MRW/aml

cc: Leo DeVito, Jr., Esq.
Lisa A. Pereira, Esq.
Donna Asure
Jon S. Tresslar, P.E.
Sheldon Kopelson

November 13, 2018

Dear Pocono Township Board of Commissioners,

I respectfully submit my formal notice of resignation from my position on the Pocono Township Parks & Recreation Board effective Monday, December 31, 2018.

It's been an honor to have served Pocono Township in my role as Vice President and more recently interim President. As I reflect back, I am very proud of what our board has been able to accomplish over the past decade plus since my involvement. Further, I am confident that I am leaving the Board to a group of volunteers that are very competent, capable and passionate about furthering Pocono Township's Parks and Recreation mission to *"permanently preserve, protect, maintain, improve, and enhance its natural resources, park land, and recreational opportunities for current and future generations."*

Respectfully Yours,

A handwritten signature in cursive script that reads "Alexander M. Grum".

Alexander Grum
amgrum@gmail.com



pennsylvania

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

November 8, 2018

RECEIVED
NOV 14 2018
POCONO TOWNSHIP

Shri Yog, Inc.
c/o Mr. Bharat Pandya
RR1 Box 599 Route 611 N
Tannersville, PA 18372

Re: ECB-Storage Tanks Program
SCR/RAP Approval with Modifications Letter
Exxon Mini Mart
Facility ID #: 45-32649
Incident#(s): 47125 and 47212
2909 Route 611
Pocono Township, Monroe County

Dear Mr. Pandya:

The Department of Environmental Protection (Department) has reviewed the documents titled Site Characterization Report, received July 26, 2018, and Remedial Action Plan, received September 10, 2018, for the release referenced above. The documents were prepared by United Environmental Services, Inc. and submitted as a Site Characterization Report (SCR) and Remedial Action Plan (RAP) as required by 25 Pa. Code § 245.310 and § 245.311, respectively. You selected the Non-Residential Statewide Health Standard as the remediation standard for soil and groundwater.

The Department approves the SCR and RAP in accordance with Section 245.311(b)(2) with the following comment and modification:

- 25 Pa. Code § 245.312(a) requires that remedial action shall be implemented upon approval of the RAP according to the schedule contained in the RAP. Although no implementation schedule was provided the soil excavation work is projected to occur simultaneously with the subsequent removal of two (2) closed-in-place USTs (Tanks #001 and #003). Remedial action should, therefore, commence no later than 120 days from the date of this letter and proceed in accordance with this schedule until the selected remediation standard is attained.

Remedial Action Progress Reports (RAPRs) must be submitted to the Department in accordance with Section 245.312(b-d) by the 30th day of the month following the end of each quarter (April 30, July 30, October 30 and January 30). The final RAPR is to be submitted as part of the Remedial Action Completion Report. Your first RAPR is due no later than January 30, 2018, and should address the modification(s) noted above.

Please ensure that your RAPRs are submitted timely and address the elements described within Section 245.312(c), specifically including a discussion of the progress to date toward attainment of the selected remediation standard(s). A copy of Section 245.312 is enclosed for your reference.

Failure to implement remedial action or submit complete progress reports in accordance with the schedule outlined above may result in enforcement action by the Department. If you wish to modify any part of this Remedial Action Plan or select a new remediation standard, you must prepare and submit a new or modified Remedial Action Plan to the Department in accordance with Section 245.312(e).

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

The technical review of this document was conducted under the responsible charge of a Pennsylvania Licensed Professional Geologist. If you have any questions or desire clarification

regarding the above, then please contact Kevin Dougherty, Geologic Specialist who can be reached either by telephone at (570) 826-2589 or through e-mail to kevindough@pa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Supey". The signature is fluid and cursive, with the first name "Eric" written in a larger, more prominent script than the last name "Supey".

Eric Supey
Environmental Program Manager
Environmental Cleanup & Brownfields Program

Enclosure: Section 245.312

cc: Pocono Township/Monroe County
United Environmental Services, Inc.
USTIF