

POCONO TOWNSHIP COMMISSIONERS
MEETING AGENDA
February 5, 2018 5:45 p.m.

1) Pledge of Allegiance

2) Roll Call

3) Interviews –

- Vacancy Board
- Planning Commission
- Civil Service Commission
- Zoning Hearing Board

4) Announcements:

Executive Session – January 31, 2018 – personnel

5) Public Comments on all matters

Comments are for any topic the public wishes to discuss. Please limit individual comments to 3 minutes to allow time for others wishing to speak and direct all questions and comments to the President.

6) Presentations –

7) Approval of Minutes

- a. Meeting – January 16, 2018
- b. Work Session – January 31, 2018

7) Approval of Bills and Transfers

- a. Check ratification list for prior period dated February 5, 2018
- b. Check Listing dated February 5, 2018

8) Report of the President

Vacancy Board Appointment
Planning Commission Appointment
Civil Service Commission Appointment
Zoning Hearing Board Appointment

9) Commissioners Comments

Bob De Young – Vice President
- PJJWA

Harold Werkheiser – Commissioner

Rich Wielebinski – Commissioner
- Sidewalks
- Dangerous Structures

Jerrold Belvin – Commissioner

10) Reports

- a. Finance Committee
- b. Sewer Committee
Kalahari
- c. Administration – Manager's Report
ZHB Secretary
Management Letter for 2017 audit
Close Citizens Bank Account
CD Investment
Civil Service 2017 Annual Report
Peace Officer's Day
- d. Public Works Report
Wilke Road
- e. Township Engineer Report
Status Report on Sewer Redesign
Route 611 Sewer Line Relocation Work Update
Sanofi Sanitary Sewer Easement
Simpson Lot Line Adjustment
Milnes Change Orders #3 and #4
- f. Township Solicitor Report
Exxon Monitoring Wells Agreement
American Candle Hearing
Road Vacation Hearing
Kopelson
Sign Ordinance
Plaza 611 Easement

11) Resolutions and Ordinances

- Resolution 2018 – 29 - Appointment of Zoning Hearing Board Secretary
- Resolution 2018 – 30 – Brookdale Minor Subdivision
- Resolution 2018 – 31 – Classic Quality Homes

12) Further Public Comment

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

13) Executive Session – if necessary

Adjournment

POCONO TOWNSHIP
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
January 16, 2018, 6:45 P.M.

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President Gerald Lastowski opened the meeting at 6:55 p.m. followed by the Pledge of Allegiance.

ROLL CALL: Richard Wielebinski, present; Robert M. DeYoung, present; Harold Werkheiser, absent; Gerald Lastowski, present; and Jerrod Belvin, present.

PRESENT: Donna Asure, Township Manager, and Pamela Tripus, Township Secretary were present.

Leo DeVito, Township Solicitor, and Jon Tresslar, Township Engineer by phone.

INTERVIEW FOR VACANCY BOARD CHAIRMAN: Due to weather, the interview was postponed.

ANNOUNCEMENTS:

- 1) An Executive Session was held on 01/10/2018 to discuss personnel matters.
- 2) An Executive Session was held prior to the regular meeting on 01/16/2018 to discuss personnel matters.

PUBLIC COMMENT: None

PRESENTATIONS: None

MINUTES:

B. DeYoung made a motion, seconded by R. Wielebinski, to approve the 01/02/2018 reorganizational and regular meeting minutes with correction. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Belvin made a motion, seconded by B. DeYoung, to approve the 01/10/2018 work session minutes. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

BILLS AND TRANSFERS:

B. DeYoung made a motion, seconded by J. Belvin, to ratify the check list for the prior period dated 01/16/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by B. DeYoung, to approve the check list and transfer list dated 01/16/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

REPORT OF THE PRESIDENT:

- 1) Reinvest \$1 ESSA CD due 02/03/2018 -
D. Asure, Twp. Manager, explained she is reviewing options to reinvest the funds into a CD at the best rate.

R. Wielebinski made a motion, seconded by J. Belvin to authorize the Township Manager, Treasurer and Bookkeeper to find/negotiate the best interest rate and term to reinvest the \$1 million currently invested in a ESSA CD coming due 02/03/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

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2) Parliamentarian -

J. Belvin made a motion, seconded by R. Wielebinski, to authorize Leo DeVito, Township Solicitor, to act as Parliamentarian to the Board of Commissioners. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

3) Exxon Monitoring Wells -

Lawrence Paul Lopresti, PE, PLS, of United Environmental Services, Inc., addressed the board and explained DEP is requesting a well be installed in the bedding of the Township sewerline on the Dairy Queen property to monitor the plume of the gasoline coming from the Exxon Gasoline station tank. L. Lopresti noted it would be a soft dig using hand shovels and vacuums to find the estimated 12' deep sewer line. J. Tresslar, joined by phone, noted they have reviewed the plans and found it acceptable conditioned upon meeting the requirements of the Twp. Engineer's letter dated 01/08/2018. R. Wielebinski and J. Lastowski questioned who would be responsible for Township costs. Leo DeVito, Twp. Solicitor, and Jon Tresslar, Twp. Engineer, stated they will work together to draw up the agreements to protect the Township and establish the responsibility for the costs. L. Lopresti stated no work would be done until agreements were completed.

Chad Kilby, Twp. resident, questioned how far the contamination had spread. L. Lopresti noted monitoring wells on both the rear of the Dairy Queen and Resort Beverage properties have been clean. J. Lastowski requested L. Lopresti keep the Township informed of any findings. L. Lopresti will have someone from his office contact the Township to explain the process for notifications.

4) Fire Alarms

J. Lastowski noted he met with the Chief of the Fire Company concerning the automatic fire alarms at Camelback. The Chief will review the calls and report to the board.

5) Medivac

J. Lastowski noted Medcom has agreed to dispatch the closest appropriate the closest helicopter in the case of an emergency. Rodney Wolf, St. Luke's, noted he is monitoring the calls and will report back to the Township.

Vacancy Board Appointment - No action.

COMMISSIONER'S COMMENTS:

Robert M. DeYoung, Vice-President, no comment.

Harold Werkheiser, Commissioner - Absent

Richard Wielebinski, Commissioner -

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1) Sewer Management Ordinance Notification to residents -

R. Wielebinski requested the notifications to residents concerning cleaning their septic systems be sent out issued by areas. B. DeYoung requested a list of pumpers be placed on the website once the postcards are sent out. Chris Ortolan, Twp. resident, questioned the residents that are currently maintaining their systems. J. Lastowski explained it was for residents whom currently do not comply.

2) Public Comment -

R. Wielebinski requested public comments at the beginning and end of the meeting allow for all comments, including agenda item comments. Ellen Gndt, Twp. resident, commented on the sunshine law requirements for public comments. L. DeVito, Twp. Solicitor, read the section for public participation which allows 'Board or Council to accept all public comments at the beginning of the meeting.' J. Lastowski noted if an item is not on the agenda, comments would be allowed at that time. R. Wielebinski made a motion, seconded by B. DeYoung, to have public comment on all issues, including agenda item comments, at beginning and at the end of meeting only. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

J. Lastowski will restate the motion at future meetings and requested D. Asure, Twp. Manager, to change Note 5 on the agenda to reflect the change to public comment.

Jerrold Belvin, Commissioner -

Emergency Management -

1) NEJTTF - Photo Ids - J. Belvin noted he attended FEMA training and orientation at Monroe County Control Center. He found that Pocono Township is behind in issuing Photo IDs for employees and Commissioners. He will be photographing any employees and Commissioners who do not have photo IDs.

2) Public Information Officer - J. Belvin explained PEMA requires a Public Information Officer. It will be placed on a future agenda.

3) Deputy Emergency Management Coordinator

J. Belvin recommended appointing Charles Dickinson as Deputy Emergency Management Coordinator.

COMMISSIONER J. BELVIN, CONT.

J. Belvin made a motion, seconded by R. Wielebinski, to appoint Charles Dickinson as Deputy Emergency Management Coordinator for Pocono Township. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

4) Civil Service Work Related Injury Policy

J. Belvin recommended the Township adopt the Civil Service Work Related Injury Policy. Don Simpson, Twp. Safety Committee, noted the safety committee recently discussed a uniform work related injury policy for all employees. Discussion followed.

J. Belvin made a motion, seconded by R. Wielebinski, to approve the Work-related injury policy as recommended by the Civil Service Commission. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

EMERGENCY SERVICES REPORTS:

Police - Pocono Township Police Chief Kent Werkheiser gave his monthly report and reported on the homicides at 145 Marcelle Terrace. Due to the type of incident, the Pennsylvania State Police were called and were able to apprehend the suspect within 14 hours of discovery. J. Lastowski asked if a support system was in place for Officers. K. Werkheiser noted it is available to the Officers. J. Lastowski on behalf of the Board thanked the Pocono Township Police officers and State Police officers who handled the incident.

J. Belvin noted the increase in mileage on the Police vehicles and if it is in line with the DCED recommendations for replacement. K. Werkheiser noted 120,000 miles is the standard for replacement of vehicles. He noted 5 vehicles are over 100,000 miles. J. Belvin explained by keeping the cars for so long, they are of little value when sold. Discussion followed on the status of the LSA Grant and replacement schedule of vehicles. No action taken.

Pocono Township Fire Company - J. Lastowski read the report for the Pocono Township Fire Company. A total of 527 calls were attended to in 2017.

St. Luke's Ambulance - Rodney Wolf Jr., St. Luke's Director & Transport Services, gave his report. He is meeting other Monroe County EMS partners to better improve the mutual aid for all Monroe residents.

Park and Recreation

Charlie Trapasso, President of the Park and Recreation Board, introduced Nate Laubach and Jen Fisher, park board members and gave her report on the activities and future activities for the Park Board. She noted the Board is working on a Recreation plan, events and activities such as Thursday on the Green and sports activities through a partnership with NCC, Veteran's Art Show, and partnership with MCCD to host nature events at the Park. She noted the park board is interested in hosting a Community Day and a future workshop will be held with D. Asure, Twp. Manager, to review the RecDesk program for on-line reservations and reservation of fields.

FINANCE COMMITTEE

J. Lastowski made a motion, seconded by J. Belvin, to appoint Commissioner R. Wielebinski and B. DeYoung to the finance committee. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

SEWER COMMITTEE

J. Lastowski noted they have met with Solicitor Tim McManus who previously worked with the Township concerning the Tobyhanna agreements and issues with Kalahari. J. Lastowski spoke to Anne Lambert, Tobyhanna Supervisor, concerning a meeting scheduled on 01/17/2018 to discuss Tobyhanna's future plans for sewage, and they agreed to postpone the meeting to a later date.

ADMINISTRATION - MANAGER'S REPORT:1) Council of Government Representative

B. DeYoung made a motion, seconded by J. Lastowski, to appoint Jerrod Belvin as Pocono Township representative to the Council of Governments (COG). Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

2) Use of Heritage Center for polling place

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the use of the Heritage Center by Monroe County as a polling place for the 2018 elections. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

3) Resignation of Peter Hensel from the Civil Service. The Board accepted his resignation letter.4) Bills and Transfers

J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the Township Manager to direct payment of discount Vendors such as Cramer's Home Bldg. Center, Kimball Midwest, Lawson Products, Emergency Systems Service Co, and Steele's Hardware; vendors who charge late fees; Penteledata, Blue Ridge Cable; and recurring bills; such as payroll, payroll taxes, Insurance Unum, Nationwide and PMHIC Health Insurance, Utilities and BCRA - prior to Board approval in order to take advantage of discounts offered, avoid late fess being assessed, and pay certain recurring expenses. The list may be amended by the Board from time to time. All such payments are to be ratified by the Board of Commissioners at their next regularly scheduled public meeting. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

5) Safety Committee

R. Wielebinski made a motion, seconded by J. Belvin, to acknowledge the Pocono Township Safety Committee with representatives from Administration, Police Department, Public Works, Fire Company and Parks and Recreation Board. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

6) Volunteers

B. DeYoung made a motion, seconded by J. Belvin, to advertise for volunteers to serve on the Township sewer and renovation committees, following the volunteer procedures of advertising for two weeks and to interview all applicants. Roll call vote: Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.
J. Belvin suggested the original CIP committee members be contacted to serve on the renovation committees. J. Lastowski requested D. Asure reach out to the original CIP members, Scott Gilliland, Jeremy Sawicki, and Mary Riley. B. DeYoung suggested Brad Wise for the Sewer committee.

7) 2018 Purchases

J. Lastowski made a motion, seconded by J. Belvin, to authorize the Township Manager to use quotes, sealed bids/co-stars/PennBID to purchase the items authorized in the 2018 Capital budget including:

- a) 3 Police Cars
- b) Enclosure for Valve Station 5
- c) Additional Road Paving Projects
- d) Trucks - Tandem and Single Axle
- e) Road Materials

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

8) D. Asure noted a request from Gary Hoffman to notify the Control Center for the Township designated Fire and EMS services.

J. Lastowski made a motion, seconded by R. Wielebinski, to designate Pocono Township Volunteer Fire Company and St. Luke's EMS as the service providers for Pocono Township and to authorize the Twp. Manager to notify the Monroe County Control Center. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

9) Christopher Staples - D. Asure noted a motion dealing with the Settlement agreement.

R. Wielebinski made a motion, seconded by J. Belvin to authorize the following:

- A) Christopher Staples is to receive an Honorable discharge
- B) Authorize the Twp. Manager to contact Pension Company to calculate disability pension starting October 1st, 2017.
- C) Authorizing the paying of back taxes for 2016 in the amount of \$959.46

CHRISTOPHER STAPLES CONT:

D) To authorize the payment of 50% of his sick time (453 hours) in the amount of \$7,809.72.

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

10) Removal of former Commissioners Gndt and Coover as signatories -

J. Belvin made a motion, seconded by B. DeYoung, to remove former Commissioners Gndt and Coover as signatories from all Pocono Township bank accounts. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

PUBLIC WORKS:

1) Wilkie Road Repair -

D. Asure, Twp. Manager, noted the permit is open from 1/1 to 3/1 if the weather breaks. The work is estimated to take one day.

2) Road Master Position -

D. Asure noted she is working with Paola Razzaq, Bookkeeper, is create different options for the Road Master Positions. She will present to the Board very soon.

TOWNSHIP ENGINEER REPORT: Due to the weather Jon Tresslar did not attend the meeting. D. Asure updated the board on the items on his report.

A) Status Report on Sewer Redesign - Valve Station #1 is scheduled to be completed by the middle of next week, weather permitting.

B) Route 611 Sewer Line Relocation Work Update - Christopher Ortolan, Twp. resident, commented on the potholes in the 611 construction zone. J. Lastowski noted he received an email from PA Senator Scavello's office stating the contractor would be repairing the potholes.

C) Sanofi Sanitary Sewer Easement - no report

D) Classic Quality Homes - Lot Consolidation - L. DeVito will prepare a Resolution for the Lot Consolidation and it will be ready for the next meeting.

E) Payment Request #4 - Milnes Company

B. DeYoung made a motion, seconded by J. Belvin, to approve Payment Request #4 to the Milnes Company in that amount of \$10,566.00 as recommended by Boucher & James, Inc. in their letter dated 01/04/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

F) Meyer's Subdivision

L. DeVito, Twp. Solicitor, explained the plan dates back to 2003, since then Mr. Meyer passed away and the improvements were never completed. Louise Krieder is requesting the escrow be returned. D. Asure explained the lots were recently sold and it needs to be determined who is responsible for the improvements.

G) Flood Plain Administrator

D. Asure explained the original ordinance stated the Zoning Officer would serve as Flood Plain Administrator. She reached out to Building Inspector Underwriters and they do not offer Flood Plain Administration.

J. Lastowski made a motion, seconded by R. Wielebinski, to authorize the use of Boucher & James, Inc. as the Pocono Township Flood Plain Administrator. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

H) White Oak Drive Culvert

Proposal for engineering services for the Culvert Replacement on White Oak Drive.

R. Wielebinski made a motion, seconded by J. Belvin, to approve the proposal dated 01/10/2018 from Boucher & James, Inc. for engineering services for replacement of the culvert on White Oak Drive in the amount of \$18,500.00. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

TOWNSHIP SOLICITOR REPORT - L. DeVito reported by phone.

A) Resolution 2018-26 - Loan Modification - Agreement with ESSA Bank and Trust.

R. Wielebinski made a motion, seconded by B. DeYoung, to approve Resolution 2018-26 to execute the loan modification documents concerning the loan agreement with ESSA Bank & Trust. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

B) Resolution 2018-27 - Employment Agreement - Kent Werkheiser

J. Lastowski made a motion, seconded by J. Belvin, to adopt Resolution 2018-27, entering into an employment agreement with Kent Werkheiser as Pocono Township Chief of Police for 2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

C) Resolution 2018-28 - Employment Agreement - Donna M. Asure

J. Lastowski made a motion, seconded by B. DeYoung, to adopt Resolution 2018-28, entering into an employment agreement with Donna M. Asure as Pocono Township Manager for 2018. Discussion followed on the previous agreements. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

D) Resolution 2018-25 - Township Secretary

B. DeYoung made a motion, seconded by R. Wielebinski to approve Resolution 2018-25 rescinding the appointment of Donna M. Asure as interim Township Secretary and appointing Pamela Tripus as Township Secretary. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

E) Resolution 2018-29 - Outlining the Authority of the Park Board - L. DeVito explained the Resolution outlined the Authority of the Park Board for approval of expenditures by the park board. No action taken.

F) Resolutions

J. Lastowski made a motion, seconded by R. Wielebinski to approve:

2018-01 Recording Secretary -Secretary
 2018-02 Recording Secretary Planning Commission
 2018-03 Meeting Times and Dates
 2018-04 Depositories
 2018-05 Signatories
 2018-06 Interim Treasurer
 2018-07 Township Manager
 2018-08 Chief of Police
 2018-09 BIU Agreement SEO/ZO/CODES
 2018-10 Township Solicitor
 2018-11 Township Solicitor for Union Negotiations
 2018-12 Township Engineer
 2018-13 Interim Township Secretary
Right to Know Officer and Assistant Right to Know
 2018-14 Officer
 2018-15 Reappointment Scott Gilliland and Sawicki
 2018-16 Reappointing Don Simpson - Civil Service
 2018-17 Reappointing PJJW Christopher Ortolan & Randy Peechkata
 2018-18 BCRA Representative - Tom Wise
 2018-19 Fire Police
 2018-20 Monroe County Tax Collector Committee - Tom Felver
 2018-21 Emergency Manager Coordinator - Jerrod Belvin
 2018-22 Mileage Rate
 2018-23 Deputy Tax Collector - Judith Linder
 2018-24 Eastern Monroe Cty Library - Marie Candelaria
Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

G) Confidentiality Agreements

J. Lastowski made a motion, seconded by B. DeYoung, to authorize the President of the Board of Commissioners and Township Secretary to execute the Confidentiality Agreements with:

- a) Donna M. Asure - Township Manager
- b) Kent Werkheiser - Chief of Police

- c) Frank Celali - Interim Treasurer
- d) Pamela Tripus - Township Secretary
- e) Denise (Dee) Ackerman - Receptionist
- f) Christine Brodsky - Administrative Assistant
- g) Paola Razzaq - Bookkeeper

DRAFT

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

NEW BUSINESS:

B. DeYoung made a motion, seconded by J. Belvin, to hire Christine Brodsky as a full time Administrative Assistant at an hourly rate of \$15.00 per hour, effective 01/17/2018. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to authorize the Twp. Zoning Officer to investigate the abandoned buildings at the intersection of Warner Road and Rt. 611. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

PUBLIC COMMENT: Don Simpson, Civil Service Commission, requested the Board add the replacement of former Police Officer Jack Manuel, who recently left the force.

J. Lastowski made a motion, seconded by J. Belvin, to have the Civil Service Commission prepare the list of potential officers to replace the three (3) officers that have left. J. Belvin asked for the opinion of the Police Chief. Kent Werkheiser, Police Chief, noted in his opinion an additional detective should be hired. J. Lastowski requested the Chief meet with the Board to discuss. Discussion followed. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

Don Simpson, Civil Service Commission, asked the Board to review and approve the revised Civil Service rules. The Board requested D. Asure to print out copies for the Board to review.

Don Simpson, Civil Service Commission, noted the annual report will be ready soon.

Charlie Trapasso, Park Board, requested the Board include the Park Board in discussion on the proposed Resolution for the Park Board. She explained some of the expenses are 'sale based'. J. Lastowski requested the Park Board submit a list of recommendations for the board.

ADJOURNMENT:

J. Lastowski made a motion, seconded by R. Wielebinski, to adjourn the meeting at 9:05 p.m., until February 5th, 2018 at 7:00 p.m. at the Pocono Township Municipal Building. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; B. DeYoung, yes; and J. Belvin, yes. Motion carried.

POCONO TOWNSHIP BOARD OF COMMISSIONERS
Work Session Minutes

DATE: January 31, 2018
TIME: 5:00 pm
PLACE: Township Building
PRESIDING COMMISSIONER: Jerry Lastowski
ROLL CALL:

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

Also, present Chief Kent Werkheiser, Sgt. Shawn Goucher, Leo DeVito-Solicitor, Jon Tressler – Engineer, Donna Asure-Township Manager

Public Present –
Keith Meeker, Ellen Gndt – Township Resident

The work session was called to order at 5:00pm by President Lastowski.

- Jon Tressler – B&J – Township Engineer
 - change orders - #3 and #4 from Milnes Co. concerning the sewer were discussed and will be placed on the February 5, 2018 agenda for board decision
 - Brookdale minor subdivision – a five lot minor subdivision which will possibly be placed on the February 5th agenda for conditional approval. The Board discussed whether to request additional Right of Way from the land owners
 - Simpson Lot Line adjustment – still open issues pending
 - Classic Quality Homes – lot line adjustment which will be on the February 5th agenda for decision on conditional approval

The Board adjourned into executive session for personnel matters at 5:45pm.

Board members, Solicitor DeVito, Chief Werkheiser, Sgt. Goucher and Donna Asure were included in the executive session.

The Board reconvened the work session at 6:30pm to continue with the agenda. No decisions were made during executive session. The public was invited back into the work session.

- Police – the Chief and Sergeant discussed several things with the board
 - Peace Officers Day Budget – The Chief is requesting a budget of \$1200 to assist the American Legion with Peace Officers' Day at the TLC Park
 - Purchase of vehicles – 5 vs 3 – a discussion took place as to whether to purchase three vehicles budgeted in the 2018 budget plus two more through the LSA grant or some lesser number. February 5th agenda item
 - LSA grant – insurance issue – The solicitor will reach out to the township's insurance agent to clarify the insurance language in the contract
 - Guns to former officers – there was discussion as to the guidelines for a police officer to receive his/her duty weapon. The Chief will work on criteria for the future.

- Committee approval of Staples pension (per ordinance committee is finance committee and Chief) – the board recessed the work session at 7:22pm so the pension committee made up of Commissioner DeYoung, Commissioner Wielebinski and Chief Werkheiser could meet on the Staples pension. Motion by Commissioner Wielebinski, seconded by Commissioner DeYoung and carried to approve the pension for Christopher Staples.
The work session reconvened at 7:25pm.
Chief Werkheiser and Sgt. Goucher left the work session at this time.
- President –
 - Chain of Command – Discussion took place concerning the chain of command for both the board and the staff. The Board reviewed the organizational chart and asked for it to be reviewed concerning the police.
- Commissioner Werkheiser – Though Commissioner Werkheiser was unable to attend the work session he asked that the board be informed that he believes the township should purchase a bucket truck.
- Solicitor –
 - Site 2 – insurance issue – the township's insurance policy will not provide coverage as requested by this contract. The manager will contact the company to see if some agreement may be reached
 - Exxon Monitoring Wells – a copy of an agreement concerning the requested monitoring wells on Dairy Queen property next to the township's sewer main too place.
 - American Candle – The new owners have requested a hearing be held by the BOC concerning their application for a liquor license for the property. This will be placed on the Feb. 5th meeting
 - Running Lane – this concerns the requested road vacation on Wiscasset Lane in front of Pocono Brew Company. It will be placed on the Feb 5th agenda
 - Park Board Resolution – the board, after some discussion, requested a work session with representatives of the park board. The manager will arrange
 - NCC MOU – the solicitor reviewed the document and the board asked that he change the MOU to an agreement and see if NCC is agreeable with the change
 - Conservation District Agreement for animal shows – after discussion the solicitor was asked to write a one-page agreement for the programs.
 - Walk-in-the-Park in park utilizing Camelback Road – after discussion the board concurred that a Walk-in-the-park was a very good idea but could not go outside of the park onto state roads
 - Kopelson Land Development Plan – discussion concerning the plans that have been submitted took place and the solicitor was asked to revise the resolution granting preliminary plan approval and granting a 12-month extension from the time PennDot announces their final 715/611 realignment plan
- Emergency Management Photos – Commissioner Belvin discussed the different color coding of the photo ID's.
- Donation to Kettle Creek – a request was received asking for a donation to Kettle Creek. The Board agreed the organization has wonderful programs. The manager was asked to see what other township do when asked for donations.

- Manager Ordinance – the board will review the three version of the manager’s ordinance
- Personnel –
 - Job descriptions
 - ZHB Secretary
 - Performance Evaluations - management
 - Road Master/road supervisor/sewer consultant

Discussion took place surrounding all items listed above under personnel. The manager distributed draft copies of updated job descriptions for the board to review and discuss at a later time. ZHB Secretary will be placed on the Feb. 5th agenda.

- Architect – Discussion surrounding the renovation of the current property took place. The architect met with staff and is preparing a written plan for the BOC which will be ready for a work session with the board in about 3 – 4 weeks.
- MCTA Road dedication – the board asked the manager to contact MCTA and have them come to a regular board meeting to do a presentation of their request
- Tobyhanna meeting concerning Kalahari – The manager will contact Tim McManus and Tobyhanna to arrange a small meeting
- Police Roof – The board was informed that the leak issue at the police building hopefully has been resolved and repaired with the bill being \$2741.00 to do this repair
- Letter to concur with 715/611 realignment – the manager was asked to contact Senator Scavello’s office to see if there is a time frame for a public announcement of the project and the township’s role.
- Committees –
 - Finance Committee – would like to arrange a conference call with PFM
 - Sewer Committee – the board is considering volunteers from the township.
 - Renovation Committee – Members of the former CIP have indicated their interest in serving on this committee
- Purchasing Policy – kept on agenda as commissioners may wish to review
- Sign Ordinance – planning commission reviewed and recommended some changes. Placed on Feb 5th agenda for discussion and possible hearing date. It was also requested that the Planning Commission be asked to review the temporary sign section of the ordinance for possible revisions
- PSATS Conference – April 22nd thru 25th - this will be placed on Feb. 5th agenda to approve attendance

- Civil Service Rules and Regulations and 2017 Annual Report – the board will review the revisions to the rules and regulations for discussion at the Feb. 20th regular meeting. The manager will report on Feb. 5th the receipt of the annual report
 - SMO – the board was given an update on enforcing the mandatory ordinance
 - Permit Manager being updated
 - Bulk mailing stamp
 - Postcard
 - Underground Storage Tanks – the project is moving forward with a tentative removal date of late March
 - \$1M CD – ESSA – coming due February 3rd – the manager and book keeper have been receiving quotes from several banks for another CD. This will be placed on the Feb. 5th agenda
 - Ordinance –
 - Dangerous Structures – this will be placed on Feb. 5th agenda for a discussion/presentation by the ZO
 - Fire Alarms – checking with fire company
 - Correspondence File
 - Filing Cabinet for Commissioners
- The board was advised that a filing cabinet and correspondence file had been set up in the manager's office for the board.

The Board adjourned into executive session to discuss personnel and negotiation issues at 9:16pm announcing to the public that they would not reconvene the regular meeting.

Board members, Solicitor DeVito and Donna Asure were included in the executive session.

The Board came out of executive session and ended the work session at 10:03pm.

No decisions were made during executive session.

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

The work session ended at 9:00pm.

Submitted by:

Donna M. Asure
Township Manager

POCONO TOWNSHIP
Monday, February 05, 2018

SUMMARY

Ratify

General Fund	\$	246,056.55
Sewer Operating	\$	694.98
Sewer Construction	\$	-

Bill List

TOTAL General Fund	\$	133,845.62
TOTAL Sewer <u>OPERATING</u> Fund	\$	22,859.75
TOTAL Sewer <u>CONSTRUCTION</u> Fund	\$	71,359.16
TOTAL Capital Reserve Fund	\$	610.50

<u>Budget Adjustments</u>	\$	-
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<u>Budget Appropriations</u>	\$	-
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Notes:

POCONO TOWNSHIP CHECK LISTING
RATIFY
Monday, February 05, 2018

	<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
General Fund					
Payroll	01/19/2018			Pay 01, 2018	87,823.93
	01/17/2018			2017 Employer Portion Taxes (Short term disability wages)	540.97
	02/02/2018			Pay 02 2018	91,271.07
				TOTAL PAYROLL	\$179,635.97
General Expenditures					
	1/18/2018	56681	Verizon Wireless	Phones Police	648.40
	1/18/2018	56682	Nationwide	457 Plan	5,993.58
	1/18/2018	56683	AFLAC	Supplemental Insurance	431.92
	1/19/2018	56684	MRM Workers Compensation	Workers Comp	44,609.62
	1/23/2018	56685	Verizon Wireless	Ipads Police	70.06
	1/23/2018	56686	Verizon Wireless	Phones Township	589.78
	1/23/2018	56687	Danlet Kresge	Sick Time Payout	14,087.22
				TOTAL General Fund Bills	\$66,420.58
Sewer Operating Fund					
	01/26/2018	2035	Blue Ridge	Internet Pump Stations	60.67
	01/26/2018	2036	Verizon	Modems Pump Stations	80.02
	01/26/2017	2037	Blue Ridge	Internet Pump Stations	121.34
	01/29/2017	2038	Met-Ed	Electric Bill	432.95
					\$ 694.98
Sewer Construction Fund					
				TOTAL Sewer Construction Fund	\$ -
Capital Reserve Fund					
				TOTAL Capital Reserve Fund	\$ -
TOTAL General Fund					
					\$246,058.55
TOTAL Sewer Operating					
					\$ 694.98
TOTAL Sewer Construction					
					\$ -
				Transferred by:	
					\$246,751.53
				Authorized by:	

2/2/2018

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
General Fund				
02/01/2018	56688	Anglemyer, Austin	Police Uniform Allowance	\$ 185.11
02/01/2018	56689	BIU of PA, Inc.	ZO/SEO Services	\$ 5,217.50
02/01/2018	56690	Boucher & James, Inc.	Engineering	\$ 1,587.00
02/01/2018	56691	Broughal & DeVito, L.L.P.	Legal	\$ 4,982.25
02/01/2018	56692	Cargill Incorporated	Salt/Clearlane	\$ 15,561.40
02/01/2018	56693	Cefall and Associates PC	Treasurer	\$ 175.00
02/01/2018	56694	Cyphers Truck Parts	Truck #3	\$ 166.71
02/01/2018	56695	D.G. Nicholas Co.	Parts/Supplies	\$ 163.94
02/01/2018	56696	DES	Recycling	\$ 24.00
02/01/2018	56697	E.M.Kutz, Inc.	Tire Chains	\$ 185.90
02/01/2018	56698	Fastenal Company	Parts	\$ 5.93
02/01/2018	56699	Flamm, Walton Helmback & Lamm, PC	Legal	\$ 2,548.00
02/01/2018	56700	Hanson Aggregates Pennsylvania LLC	1/4" Wash	\$ 6,377.92
02/01/2018	56701	Highmark Inc.	Health Spending Account	\$ 2,746.60
02/01/2018	56702	HUNTER KEYSTONE PETERBILT	Truck Repairs	\$ 1,247.99
02/01/2018	56703	J. P. Mascaro & Sons	Garbage - Twp	\$ 245.28
02/01/2018	56704	Lawson Products	Fittings/Parts	\$ 150.71
02/01/2018	56705	Leam, Olive S.	Refund prior year taxes	\$ 13.03
02/01/2018	56706	Monroe County District Attorney Office	Refund for overpayment	\$ 93.33
02/01/2018	56707	Nauman Mechanical Inc.	Township Building heating repair	\$ 617.65
02/01/2018	56708	Otto, Jamle Lynn	Cleaning - 01/25 and 02/01	\$ 550.00
02/01/2018	56709	P & D Emergency Services	Repair #88	\$ 157.00
02/01/2018	56710	PA Chiefs of Police Association	Corporal Test Packages	\$ 475.00
02/01/2018	56711	PAPCO, Inc.	Diesel/Gasoline	\$ 8,875.45
02/01/2018	56712	PennStar, LLC	Grease	\$ 116.00
02/01/2018	56713	PENTELEDATA	Internet - Twp/Police/Park	\$ 254.97
02/01/2018	56714	PMHIC	Health Insurance - February	\$ 61,933.39
02/01/2018	56715	Pocono Management Associates LLC	Contracted Services	\$ 1,605.94
02/01/2018	56716	Pocono Record	Advertising	\$ 604.78
02/01/2018	56717	PPL Electric Utilities	Alger Ave/Traffic Signal	\$ 63.26
02/01/2018	56718	Praxair Dist Mid-Atlantic	Cylinder Rental	\$ 25.64
02/01/2018	56719	Sirchie Fingerprint Laboratories	Finger print supplies	\$ 309.40
02/01/2018	56720	SPW Cleaning Services	Floor Maintenance - Police Building	\$ 100.00
02/01/2018	56721	Staples Advantage	Office Supplies	\$ 340.97

2/2/2018

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
02/01/2018	56722	Staples Credit Plan	Office Supplies	\$ 165.48
02/01/2018	56723	Steele's Hardware	Supplies	\$ 294.00
02/01/2018	56724	Stiff Oil Company	Heating oil - Maint. Building	\$ 1,636.66
02/01/2018	56725	Stroudsburg Electric Motor Service	Motor - Heater - Maint. Building	\$ 214.43
02/01/2018	56726	Tulpehocken Mountain Spring Water Inc	Water	\$ 100.80
02/01/2018	56727	UNIFIRST Corporation	Carpets/Uniforms	\$ 211.97
02/01/2018	56728	YIS/Cowden Group Inc	Repair speed trailer	\$ 600.50
02/01/2018	56729	Staples, Chris	Reimbursement of taxes withheld	\$ 959.46
02/01/2018	56730	Pocono Township	Petty Cash Replenishment	\$ 145.70
02/01/2018	56731	US BANK - Lockbox CM9722	Police Pension Employee Cont.	\$ 5,104.77
02/01/2018	56732	MetLife - Non Unl. Pen. Plan	6104951	\$ 3,569.66
02/01/2018	56733	Teamster Local 773 - Police	016346990-02	\$ 1,048.00
02/01/2018	56734	Teamster Local 773 - Non-Uniform	016346990-01	\$ 594.00
02/01/2018	56735	Lincoln Life	V1 CR15239	\$ 300.00
02/02/2018	56736	Belvin, Jerrod	PSATS training	\$ 365.00
02/02/2018	56737	Cyphers Truck Parts	Quick Release	\$ 15.16
02/02/2018	56738	D.G. Nicholas Co.	Parts	\$ 283.72
02/02/2018	56739	Francis Smith & Sons Inc	Troubleshoot Tank monitor System	\$ 197.50
02/02/2018	56740	Highmark Inc.	Spending Account	\$ 153.76
TOTAL General Fund				\$ 133,845.62

Sewer Operating

02/02/2018	2042	Want To Inc.	Electrical Contractor Work	\$ 2,108.00
02/02/2018	2043	Steele's Hardware	Rodent Prevention	\$ 14.98
02/02/2018	2044	Pocono Management Associates LLC	Pat Briegel Contrated Services	\$ 3,613.95
02/02/2018	2045	PENTELEDATA	Internet Connection	\$ 299.75
02/02/2018	2046	Leon Clapper, Inc.	Equipment Repair	\$ 199.00
02/02/2018	2047	J P Mascaro & Sons	Garbage collection sewer stations	\$ 94.50
02/02/2018	2048	Emergency Systems Service Co.	2018 service contract	\$ 4,273.80
02/02/2018	2049	EEMA O&M Services Group, Inc.	Operations & Maintenance JAN 2018	\$ 6,113.59
02/02/2018	2050	Cramer, Swetz, McManus & Jordan	Professional Services Legal	\$ 1,491.00
02/02/2018	2051	Boucher & James, Inc.	Project # 1731010 Inv 84242, 84248, 84249 MT POCONO/TOBYHANNA expanded service area	\$ 4,651.18
TOTAL Sewer Operating				\$ 22,859.75

Sewer Construction Fund

2/2/2018

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
02/02/2018	240	Want To Inc	PROJECT 1631006C	\$ 3,125.00
02/02/2018	241	Boucher & James	PROJECT 1631006C	\$ 5,168.95
02/02/2018	242	Keystone Engineeering Group Inc.	PROJECT 1631006C	\$ 8,095.00
02/02/2018	243	Keystone Engineeering Group Inc.	PROJECT 1631006C	\$ 17,473.09
02/02/2018	244	Keystone Engineeering Group Inc.	PROJECT 1631006C	\$ 34,499.12
02/02/2018	245	Keystone Engineeering Group Inc.	PROJECT 1631006C	\$ 5,000.00
TOTAL Sewer Construction Fund				\$ 71,359.16

Capital

02/02/2018	189	Phillips & Donovan Architects LLC	Police Site Visit	\$ 610.50
TOTAL Capital Reserve Fund				\$ 610.50

ESSA

TOTAL General Fund	\$	133,845.62	
TOTAL Sewer Construction Fund	\$	71,359.16	
TOTAL ESSA TRANSFER	\$	205,204.78	Transferred by: _____

Wayne

Sewer Operating	\$	22,859.75	
Reserve	\$	610.50	Authorized by: _____
TOTAL WAYNE TRANSFER	\$	23,470.25	

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2012 - 03
DANGEROUS STRUCTURES**

AN ORDINANCE OF POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA, PROVIDING FOR THE VACATING, REMOVAL, REPAIR, OR DEMOLITION OF ANY STRUCTURES DANGEROUS TO THE HEALTH, MORALS, SAFETY, OR GENERAL WELFARE OF THE PEOPLE OF POCONO TOWNSHIP; AND FOR THE ASSESSMENT OF THE COST OF VACATION, REMOVAL, REPAIR, OR DEMOLITION THEREOF AS A MUNICIPAL LIEN OR ASSESSMENT AGAINST SUCH PREMISES; PROVIDING FOR THE RECOVERY OF SUCH COSTS IN AN ACTION AT LAW; AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, in the Township of Pocono, Monroe County in the Commonwealth of Pennsylvania ("Township"), there are or may be in the future structures that are dilapidated, unsafe, dangerous, unsanitary, or any two or more from among these; and

WHEREAS, these aforementioned buildings or structures constitute a menace to the health, morals, safety, and general welfare of the people of the Township; and

WHEREAS, these aforementioned buildings or structures constitute a public nuisance and may also tend to constitute a fire menace; and

WHEREAS, the Township has determined that the enactment of the foregoing Ordinance is necessary to enable the Township to effectively exercise its police power to protect the health, safety and general welfare of the people the Township; and

WHEREAS, the Township has the statutory power to enact such an ordinance pursuant to Section 66533 of the Pennsylvania Second Class Township Code, 53 P.S. § 66533.

AND NOW, THEREFORE, be it enacted and ordained by the Board of Supervisors for the Township of Pocono, and it is hereby enacted and ordained by their authority of the same, as follows:

SECTION I: SHORT TITLE

This ordinance shall be known as and may be cited as the "Pocono Township Dangerous Structure Ordinance."

SECTION 2: APPLICATION

This ordinance shall apply uniformly to all persons, business organizations, nonprofit organizations, and all other legal entities; and, it shall apply uniformly to all property and all property owners within the Township.

SECTION 3: DEFINITIONS AND WORD USAGE

Unless otherwise specifically defined below, words or phrases used herein shall be interpreted so as to give them the same meaning as they have in common usage and so as to give the ordinance its most reasonable application consistent with its intent.

- a. The word "shall" is always mandatory and not merely directory.
- b. The word "Board" shall mean the Board of Supervisors of the Township.
- c. The word "Township" shall mean the Township of Pocono, County of Monroe in the Commonwealth of Pennsylvania.
- d. The words "dangerous structure" shall mean all buildings or structures, including but not limited to residences, dwellings, garages, sheds, outhouses, barns, commercial buildings, and industrial buildings, which have one or more of the following defects:
 - i. Those which have suffered damage or deterioration as a result of fire, water, wind, earth movement, act of God, act of man, or other cause so as to fail utterly to provide the amenities essential to decent living and are unfit for human habitation;
 - ii. Those which have suffered damage or deterioration as a result of fire, water, wind, earth movement, act of God, act of man, or other cause so as to have become dangerous to the life and safety, morals, or the general health and welfare of the occupants or other people of the Township;
 - iii. Those which have become or are so dilapidated, decayed, unsafe, unsanitary, or which so utterly fail to provide the amenities essential to decent living so that they are unfit for human habitation;
 - iv. Those which have become or are so dilapidated, decayed, unsafe, unsanitary, or which so utterly fail to provide the amenities essential to decent living are likely to cause accidents, sickness, or disease, so as to work injury to the health, morals, safety, or general welfare of the people of the Township;

- v. Those which have parts thereof which are so attached that they might fall and injure members of the public or cause damage to adjoining property;
or
- vi. Those which because of their general condition are unsafe, unsanitary, or dangerous to the health, morals, safety, or general welfare of the people of the Township.

Words used in the present text include the future and past, words in the plural number include the singular, words in the singular number include the words in the plural, and words either in the feminine, masculine, or neuter, shall include words of the other two genders.

SECTION 4: DANGEROUS STRUCTURES AS NUISANCES

- a. All "dangerous structures" are hereby declared to be public nuisances and shall be repaired, vacated, or demolished as hereinabove and hereinafter provided.
- b. Each day a nuisance in the form of a "dangerous structure" continues, after notice is given pursuant to Section 7 of this ordinance that said dangerous structure is to be repaired, vacated, or demolished, shall constitute a separate offense in violation of this ordinance.

SECTION 5: INVESTIGATION PROCEDURE

Whenever it shall be reported or come to the attention of any Township official that any structure, completed or in the process of construction, or any portion thereof, is in a dangerous condition, such person shall report same to the Board in person at a regularly scheduled township meeting or by written letter, signed by the complainant, identifying the property in question, naming the property owner, and briefly explaining the nature of the dangerous structure. The Board shall immediately designate a Township official, employee, or construction code official to make an investigation and examination of such structure. If such investigation or examination indicates such structure to be a "dangerous structure", a written report of such investigation shall be sent to the Board, specifying the exact condition of such structure and setting forth whether or in what respect the structure is dangerous and whether the structure is capable of being properly repaired or whether it shall be removed as a "dangerous structure".

SECTION 6: STANDARDS FOR REPAIR, VACATION, OR DEMOLITION

The following standards shall be followed by the Board in ordering the repair, vacation, or demolition of a dangerous structure:

- a. If the "dangerous structure" can be repaired as determined by the Board so that it will no longer exist in violation of the terms of this ordinance, it shall be ordered to be repaired.
- b. If the "dangerous structure" is in such condition as to make it dangerous to the health, morals, safety, or general welfare of its occupants, it shall be ordered to be vacated.
- c. If the "dangerous structure" cannot be reasonably repaired as determined by the Board, or if its potential to harm the life and safety, morals, or the general health and welfare of the occupants or other people of the Township cannot be mitigated by repair, it shall be demolished and the debris from such demolition shall be properly disposed of in accordance with all applicable laws and regulations.
- d. If the "dangerous structure" is a fire hazard or is existing or erected in violation of the terms of this ordinance, any other ordinance of the Township, or any statute of the Commonwealth of Pennsylvania, it shall be demolished and the debris from such demolition shall be properly disposed of in accordance with all applicable laws and regulations.

SECTION 7: ENFORCEMENT PROCEDURES

- a. If any structure is deemed to be a "dangerous structure" pursuant to the standards of this ordinance, the Board shall forthwith cause notice to be served upon the owner or owners of such dangerous structure as determined by the records in the Office of the Recorder of Deeds/Tax Assessment Office in and for the County of Monroe, or failing to find any owner or owners, then such notice shall be posted on the property for a period of not less than ten (10) days and mailed to the last known address of the owner.
- b. The notice required by this section shall be sent by certified mail to the owner or owners of a "dangerous structure" at the last known address according to the records in the Tax Assessment Office in and for the County of Monroe.
- c. Such notice shall identify the structure deemed dangerous, contain a statement of the particulars which made this structure a dangerous structure, and include an order requiring the same to be put in such condition as to conform with the terms of this ordinance; provided further in any case where the notice prescribes the repair of any structure, the owner thereof shall have the option to remove such structure in lieu of making the repairs thereto within the time period provided.
- d. Such notice shall require any person notified to repair, vacate, or demolish any structure to commence the work or act required by the notice within fifteen (15) days of such notice and to comply with such repair, vacation, or demolition within sixty (60) days from the receipt of such notice.

SECTION 8: PENALTIES

- a. All fines provided for in this section shall be in addition to costs.
- b. Any person who shall fail to comply with any notice or order to repair, vacate, or demolish any "dangerous structure", which notice is served in accordance with this ordinance shall, upon conviction before a District Justice in an action brought by or on behalf of the Township, be subject to a fine of three hundred (\$300.00) dollars per violation. Every day that a person fails to comply with any notice or order to repair, vacate, or demolish any dangerous structure shall be deemed a separate violation of this ordinance.
- c. Any person who wrongfully removes the notice provided for in Section 7 (a) shall, upon conviction before a District Justice in an action by or on behalf of the Township, be subject to a fine of one hundred (\$100.00) dollars.
- d. Any person having an interest in any structure who fails to comply with any notice or order to repair, vacate, or demolish any dangerous structure by commencing said repair, vacation, or demolition within fifteen (15) days of the receipt of such notice, by such failure, does empower the Board to cause such structure to be repaired, vacated, or demolished by the Township and to cause the costs of such repair, vacation, or demolition together with a penalty of ten (10%) percent to be charged upon the land upon which the structure exists as a municipal lien, or alternatively to recover such costs and penalty together with reasonable attorney fees incurred by the Township, in a suit at law against the owner or owners, but, failing to recover same, the judgment therefore shall be charged upon the land as a lien; and, this subsection is separate from and in addition to the fine, penalty, and costs which may be imposed by any other subsection of this ordinance.

SECTION 9: EMERGENCY CASES

In all cases where it reasonably appears that the continued existence of a "dangerous structure" in its then-present form presents an immediate danger to the life or safety of any person or group of persons in the Township unless such "dangerous structure" is immediately repaired, vacated or demolished, the Township official, employee, or construction code official inspecting the "dangerous structure" shall report such facts to the Township and the Township shall cause the immediate repair, vacation or demolition of such "dangerous structure". The costs of such emergency repair, vacation or demolition shall be collected in the same manner as provided in Section 8 hereof.

SECTION 10: SEVERABILITY

The provisions of this ordinance are severable. If any sentence, clause, or section 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 of the remaining provisions, sentences, clauses, or sections of this ordinance. It is hereby declared to be the intent of the Board of Supervisors of Pocono Township that this ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

SECTION 11: EFFECTIVE DATE

This ordinance shall become effective five (5) days after enactment.

SECTION 12: REPEALS

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed insofar as they may be inconsistent herewith.

ENACTED AND ORDAINED into law by the Pocono Township Supervisors this 16th day of July, 2012.

Board of Supervisors of Pocono Township

By: _____

Frank J. Hess, Chairman

By: _____

Harold Werkheiser, Vice-Chairman

By: _____

Henry Bengel, Supervisor

ATTEST:

Township Secretary

