



POCONO TOWNSHIP COMMISSIONERS
AGENDA

July 20, 2020 7:00 p.m.

TELECONFERENCE DIAL-IN #: 978-990-5000

ACCESS CODE: 358952

Open Meeting

Pledge of Allegiance

Roll Call

Public Comments

We ask that any resident making public comment, including those who may have dialed in by phone, please identify yourselves, provide your street address and state the spelling of your name when addressing the Commissioners.

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

Announcements

- An executive session was held on Thursday, July 20, 2020 to discuss potential litigation and personnel issues.
- Township Residents are encouraged to please respond to the 2020 Census by going to www.2020census.gov. It is critical that Pocono Township receives an accurate census count, so the Township receives the state and federal funds due the Township for the next 10 years.
- If you have not already, we would encourage you to sign up for the Township newsletter at www.poconopa.gov, follow our Facebook page for frequent community updates and subscribe to our township-wide Savvy Citizen notification system at www.savvycitizenapp.com.

Hearings

Ordinance 2020-04 – Motion to adopt Ordinance 2020-04 amending Article IV, Benefits, Section 4.1(a) of the Code of Ordinance of Pocono Township pertaining to the Police Pension Plan to reduce the retirement age. **(Action Item)**

Presentations

- Mr. Minu Desai, Owner of Wine Press Inn – Discussion regarding Mr. Desai's interest in purchasing a Township-owned property on Bartonsville Avenue, adjacent to the Wine Press Inn.
- Opening of Sealed Bids – Public Works Building Partial Roof Replacement Project

Resolutions

- Resolution 2020-14 – Motion to grant conditional approval of the Sanofi Pasteur, Inc. B-85 Solid Waste and Recycling Building preliminary/final land development plan. **(Action Item)**
- Resolution 2020-15 – Motion to grant conditional approval of the Sanofi Pasteur, Inc. Perimeter Protection Phase II preliminary/final land development plan. **(Action Item)**

OLD BUSINESS

- Motion to approve the minutes of the July 6, 2020 regular meeting of the Board of Commissioners. **(Action Item)**

NEW BUSINESS

1. Personnel

2. Financial Transactions

- a. Motion to ratify vouchers payable received through July 16, 2020 in the amount of \$133,513.95. **(Action Item)**
- b. Ratify gross payroll for pay period ending July 12, 2020 in the amount of \$131,691.96. **(Action Item)**
- c. Motion to approve vouchers payable received through July 16, 2020 in the amount of \$306,083.22. **(Action Item)**
- d. Motion to approve capital fund expenditures through July 16, 2020 in the amount of \$5,477.04. **(Action Item)**

3. Travel/Training Authorizations

Report of the President

Richard Wielebinski

- Motion to authorize the Township Solicitor to prepare an amendment to the Township Amusement Tax Ordinance to reduce the Amusement Tax rate from 5% to 3%; to make further language amendments as recommended by special tax counsel, Eckert Seamans; and to advertise for public hearing. **(Action Item)**
- Proposed FY 2021 budget work session date – Wednesday, August 19, 2020 at 6:00 PM
- Update - LED Speed Signs

Commissioner Comments

Jerrold Belvin – Vice President

- COVID-19/Emergency Management Update

Ellen Gmandt – Commissioner

- Review of year-to-date Township financials – budget versus actual

Jerry Lastowski – Commissioner

- Update – Special allocation to fire company for costs incurred at Pocono Manor fire

Keith Meeker – Commissioner

Reports

Zoning

Emergency Services

- Police
- EMS
- Fire

Public Works Report

- Update – Road Crew Projects
- Update – 2020 Road Paving Projects
- Discussion regarding Robin Lane drainage issues
- Discussion regarding purchase of a Marathon power sprayer/tack distributor
- Update – Lighting at MVP and Heritage Center
- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant
- Update – Well Work at MVP and Replacement Fixtures

Administration – Manager's Report

- Greater Lehigh Valley Chamber of Commerce – Main Street Grant Award of \$1,200
- Update on pending grant applications
- Underground Storage Tanks Class A/B Operator Training Completed by Commissioner Belvin
- Fireworks signs and public notice
- Enterprise Fleet Management Meeting – Investigating potential savings of leasing all township vehicles including Police and Public Works
- 2020 Census Response
- Update – Regional HSPS Comprehensive Plan – Thursday, August 20 at 6:00 p.m.
- Update – MS4 requirements

Township Engineer Report

- St. Paul's Lutheran Drainage Basin
- Roof Replacement on Maintenance Building
- Archer Lane Drainage Issues
- Update – Right hand turn lanes from Rt. 611 onto Rimrock and Bartonsville Avenue
- Update – TLC Bridge & TLC Dam

Township Solicitor Report

- Discussion regarding Planning Commission's recommended amendments to the Township's Junk Yard and Junk Vehicle Ordinance (**Possible Action Item**)
- Discussion regarding amendment to the HJP Park cooperation agreement (**Possible Action Item**)
- Update – Pocono Jackson Joint Water Authority (PJJWA)
- Update – ZHB – Johnson Appeal for Transient Dwelling Unit postponed from March 24, 2020
- Update – Electric contract discussion – further research needed regarding limitation of liability

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.

Adjournment

**Pocono Township Board of Commissioners
Regular Meeting Minutes
July 6, 2020 7:00 p.m.**

The regular meeting of the Pocono Township Commissioners was held on July 6, 2020 at the Pocono Township Municipal Building, Tannersville, PA, and opened by President Rich Wielebinski at 7:01 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; Ellen Gnanndt, present; Jerry Lastowski, present via Teleconference; Keith Meeker, present; and Rich Wielebinski, present.

In Attendance: L. DeVito, Township Solicitor, Broughal & DeVito; Jon Tresslar, Township Engineer, Boucher & James, Inc.; Taylor Muñoz, Township Manager, and Dee Ackerman, Administrative Assistant.

Public Comments

Sandra Kuzar (1230 Sunflower Court, Pocono Highland Estates) – Asked why the Township does not have a noise ordinance. Stated she is having ongoing problems with disruptive neighbors and when the police were contacted, they stated there is no noise ordinance to enforce. Joe Folsom, a Township resident in Pocono Highland Estates, stated the HOA Board has contacted their lawyer to address the noise complaints and were told specific calibrated equipment is necessary to prove noise levels and that a noise ordinance would be necessary. S. Kuzar indicated the neighbors retaliate after she calls the police. L. DeVito suggested the Township evaluate harassment and disorderly conduct; obscene language/gestures; and creating a hazardous or physically offensive condition which would be enough to address harassment issues with the neighbor under the PA Crimes Code. T. Muñoz will speak to the Police Chief.

Susan Fraunberger, (Mikes Road, Bartonsville) – Indicated fireworks are being set off every day and night which creates issues with pets and wildlife. Stated people should not be allowed to set off fireworks every day of the week. R. Wielebinski indicated Pocono Township has a Fireworks Ordinance that only allows four days of fireworks per year. Discussion followed on identifying specific locations where incidents are occurring.

Deborah Conners via Teleconference (219 Red Oak Lane in Tannersville) – Also expressed concerns with fireworks going off in neighborhood seven days a week until the early hours of the morning. She called 9-1-1 and provided information about a specific location and stated that nothing happened. Discussion followed on the Township's ordinances and ways the public can access them.

Announcements

- An executive session was held on Monday, June 22, 2020 to discuss personnel issues.
- Township Residents are encouraged to please respond to the 2020 Census by going to www.2020census.gov. It is critical that Pocono Township receives an accurate census count, so the Township receives the state and federal funds due the Township for the next 10 years.
- If you have not already, we would encourage you to "get in the know" with Pocono Township news. You can sign up for the Township newsletter at www.poconopa.gov, follow our Facebook page for frequent community updates and subscribe to our township-wide Savvy Citizen notification system at www.savvycitizenapp.com.

Hearings – No hearings.

Presentations

- Interviews, discussion, and consideration of appointments for alternate members to the Planning Commission

- Joseph Folsom – Responded to questions from the Board. He is committed to attending regular meetings. Cited sewage capacity and fire alarm systems as township challenges to address. He is involved as an HOA board member, loves Pocono Township and looks at his service on the Planning Commission as a way to get involved in the Township. R. Wielebinski commended him for regular attendance at Township meetings.
- Christina Kauffman – Responded to questions from the Board. He is committed to attending regular meetings. She has been a township resident for most of her adult life. She believes that the Township needs to grow in a systematic manner, and not a haphazard way. She also served on Planning Commission previously in the late 1970's and early 1980's.

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Joseph Folsom and Christina Kauffman as alternates to the Pocono Township Planning Commission. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Interviews, discussion, and consideration of appointments for alternate members to the Zoning Hearing Board
 - Natasha Leap – Has worked as a maintenance supervisor and property manager for a property management company in the Poconos for over eight years, managed over 700 units, is familiar with different city and zoning ordinances in other areas and is a Real Estate Agent who abides by the Fair Housing Code of Ethics in everyday life. She would be neutral and fair in her decisions.

E. Gndt made a motion, seconded by J. Belvin, to appoint Natasha Leap as alternate Zoning Hearing Board member. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Lyndia Meaade-Jonas – Works as a real estate agent and drives for Pocono Pony, which enables her to hear residents' concerns. She would be neutral and fair in her decisions.

E. Gndt made a motion, seconded by R. Wielebinski, to appoint Lyndia Meaade-Jonas as alternate Zoning Hearing Board member. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

Resolutions – No resolutions.

OLD BUSINESS

- Motion to approve the minutes of the June 15, 2020 regular meeting of the Board of Commissioners -

R. Wielebinski made a motion, seconded by E. Gndt to approve the minutes of the June 15, 2020 regular meeting of the Board of Commissioners. Under discussion, E. Gndt made correction to Page 6 clarifying she is not opposed to a shared park director, but she supports an unpaid, volunteer park board versus someone paid by the Township. Roll call vote with correction: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

NEW BUSINESS

1. **Personnel** – No new business.
2. **Financial Transactions**

R. Wielebinski made a motion, seconded by J. Belvin, to ratify vouchers payable received through June 30, 2020 in the amount of \$258,175.78. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by E. Gndt, to ratify gross payroll for pay period ending June 28, 2020 in the amount of \$204,116.10. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to approve vouchers payable received through June 30, 2020 in the amount of \$127,841.00. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve capital fund expenditures through June 30, 2020 in the amount of \$5,750.38. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

3. Travel/Training Authorizations - None

Report of the President

Richard Wielebinski

- Update - LED Speed Signs – No report.
- Sullivan Trail – 1563 Sullivan Trail has added more junk vehicles on the property with a total of at least nine vehicles.

R. Wielebinski made a motion, seconded by J. Belvin, to have the Township Solicitor and Township Zoning & Building Code Administrator be authorized to file a lawsuit in the Court of Common Pleas of Monroe County against the owner of property located at 1563 Sullivan Trail, Tannersville, PA to seek removal of junk vehicles on the property and seek remediation of the dangerous structure located on the property. Under discussion, L. DeVito indicated it has been difficult to serve the property owner and when a Sheriff indicates he cannot serve the individual, the Township can petition the court for alternate service and the court would have to grant permission. The Township would have to show all steps taken to try and identify location of owner. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to approve a four-year police contract with Teamsters Local Union 773 through December 31, 2023 with contract terms that include a three percent wage increase annually, a \$500/1,500 deductible health plan with three percent member premium contributions, a retirement age of 53 with 25 years of service, capped longevity pay for new hires and no post-retirement healthcare of new hires. Discussion followed to add short-term disability changes agreed upon prior to the motion. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

Commissioner Comments

Jerrold Belvin – Vice President

- COVID-19/Emergency Management Update – No update.

Ellen Gndt – Commissioner

- Discussion regarding work session for FY 2021 budget and review of Township financials. A work session to discuss financials will be scheduled.
- Toilets at MVP park are not in and bathrooms are not operational. R. Wielebinski explained due to COVID-19, there have been delays in shipping parts. R. Sargent will further discuss the toilet issue under his report.
- Discussion as to whether all payment plans for driveway pipes are current and on schedule. T. Muñoz will verify with Paola Razzaq, financial administrator.

Jerry Lastowski – Commissioner

- Update – Special allocation to fire company for costs incurred at Pocono Manor fire – No new information.

Keith Meeker – Commissioner – No comment.

Reports

Zoning – No Zoning report.

Emergency Services

- Police – Report was sent to the Commissioners Friday.
- EMS – No report.
- Fire – No report.

Public Works Report

- Update – 2020 Road Paving Projects - Road projects are 50% done. Main roads are complete, and contractor is working on development roads. Seal coat projects will commence on July 13, 2020.
- Discussion regarding Robin Lane drainage issues. Property owners affected by water running off Fish Hill Road and impacting properties below. Previous attempts were made to alleviate issues with a two-foot ditch and the issues persisted. The only way to alleviate the problem is to use piping underground at a cost of approximately \$14,054.40 for materials only, with the manpower provided by the public works crew. L. DeVito said the Township needs written permission from three adjoining landowners before the project can proceed and an easement agreement is necessary. E. Gnandt stated she believed keeping water flowing down Fish Hill versus onto adjoining properties makes more sense and asked whether residents would pay for the piping under their driveways. Stated she wants the best management solution for this project and not a quick fix. B. Sargent said a closed system is proposed which is different than previous projects where pipes are open and residents responsible for maintenance. E. Gnandt inquired whether there would be any issues with damaging wells on either side and whether it was an MS-4 area. J. Tresslar indicated this is not an MS-4 area and R. Sargent said concrete, lining, or hardscaping can be used to get water past wells. J. Belvin asked how many D boxes would be included in the project. R. Sargent indicated one D Box which would alleviate some of the issues with volume on other Township-owned facilities. E. Gnandt noted the need for consistency in other areas of the Township in addressing similar drainage issues.

R. Wielebinski made a motion, seconded by K. Meeker, to have the Public Works road crew move forward with the project at a cost of \$14,054.40 with review/approval by the Township Engineer, J. Tresslar, and Township Solicitor, L. DeVito, ensuring all legal documentation is in order. Under discussion: John Vandeventer, Township Resident at 116 Robin Lane, stated water comes down Fish Hill, turns right and accumulates in a saddle at the front of his driveway. He feels a drop box is needed at the saddle to bring water into underground pipes and divert the water and encouraged the Board to act to address the issues. Roll call vote: J. Belvin, yes; E. Gnandt, yes; J. Lastowski, yes; K. Meeker, yes, R. Wielebinski, yes. Motion carried.

- Discussion regarding purchase of a Marathon power sprayer/tack distributor for blacktop projects. The trailer would apply tack, creating a sealed surface binding new surface to old. Tacking is required on projects that receive liquid fuel monies. R. Wielebinski asked T. Muñoz to sit down with R. Sargent and make recommendation on analysis of equipment, warranty on new equipment, etc. Discussion followed on the need for a tack trailer.
- Update – Lighting at MVP and Heritage Center. Stanchions are in, wiring is complete, and poles are erected. High lift will be used to install lights. Project should be complete by end of the week.

- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant. Grant application has been submitted to MCCD. Meeting being held on July 13, 2020 with some MCCD Board members which R. Sargent and our engineer from Boucher & James were asked to attend. Grant application is for approximately \$85,000. Township commitment of \$31,000, which includes manpower and miscellaneous equipment that will be used.
- Update – Well Work at MVP and Replacement Fixtures. Part for well pump delivered and will be installed Wednesday. The carriers that hold the toilets are three-bolt, which do not comply with 4 bolt toilets purchased.
- Route 611/Brookdale Road realignment and Frantz Hill realignment. D'Amico's property is impacted and decision was made to convene an onsite meeting to try and meet needs of the business owner.

Administration – Manager's Report

- Update on pending grant applications. An Automated Red-Light Enforcement (RLE) grant for \$275,000 has been submitted which includes upgrades to the Rimrock Road/SR 611 traffic lights to bring them into the same system as the lights further south on Rt. 611 in Stroud Township. This will help eliminate backlog on that corridor during peak traffic volume times. A DCED Multimodal grant will be completed by the end of July and submitted that will also help wrap up project items. The Local Share Account (LSA) grant application window is opening through the end of September and that would be the 3rd part in a trifecta of grant applications to complete the Rimrock Road project. There is also a grant application being submitted on behalf of the PJJWA for federal monies to help with upgrades to their water system that serves both Pocono and Jackson Township residents. Our grant writer has assisted in filing for that grant application using the same data as was used for a state grant program under DCED.
- Underground Storage Tanks Class C Operator Training. T. Muñoz has completed the training. Discussion followed on having more than one Class C operator. Francis Smith & Sons are paid monthly to be the Township's Class A/B Operator. Further discussion regarding having R. Sargent trained as an additional Class C Operator.
- A resident requested to host yoga classes at Mountain View Park. A certificate of insurance and hold harmless agreement must be presented.

R. Wielebinski made a motion, seconded by K. Meeker, to grant permission to all a yoga instructor to host free yoga classes at Mountain View Park. Roll call vote: J. Belvin, yes; E. Gmandt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Discussion regarding developer interest in Township-owned property parcel adjoining the Wine Press Inn. A new owner of the Wine Press Inn is interested in adjoining Township-owned property. Discussion followed on whether the land owned by the Township would be affected and how the Township acquired the property. The Deed will be inspected for owner information. R. Wielebinski would like to see what cannot be built on the property. Mr. Desai, the interested party, will be invited to the next BOC meeting to discuss the parcel further.
- Discussion ongoing regarding potential contracting with Enterprise Fleet Management to lease Township vehicles.
- The Township is lagging in responses due to COVID. Township residents are encouraged to go on-line at www.census2020.gov to fill out the census. Alternate ways for the residents to respond were discussed.
- Update – Regional HSPS Comprehensive Plan. A Regional Comprehensive Plan meeting is scheduled for Thursday, July 16, 2020 at 6:00 p.m. at the Stroud Township municipal building. This would be a once-a-month process for the next 12 months to get a Regional Comprehensive Plan updated between Hamilton Township, Stroud Township, Pocono Township and Stroudsburg

Borough, the current group that is included in the Township's Comprehensive Plan. All board members are welcome to attend.

- Update – MS4 requirements – Public Works Training. Information was distributed to Public Works employees about identifying illicit discharges around the Township and making sure the Public Works crew knows the resources and processes to follow for compliance with our MS4 requirements as a Township. We are moving forward and working with Missy from Boucher & James to make sure we follow the MS4 requirements.

Township Engineer Report

- St. Paul's Lutheran Drainage Basin. No communication from St. Paul's in last two weeks. Will reach back out to them.
- Sanofi Pasteur – B-85 Building Land Development Plan. Comprehensive review completed on land development plan. Approval was recommended to the Board of Commissioners, conditioned on meeting outstanding comments in review letter. A revised plan has been submitted back to J. Tresslar and another review letter will be sent out by next week. The Plan will be ready for Board of Commissioner's action at the next meeting in July.
- Roof Replacement on Maintenance Building. Two attendees were at pre-bid meeting and the question period is still open. Bids will be opened at next Board of Commissioners meeting on July 20, 2020.
- Archer Lane Drainage Issues. Resident is retaining an attorney to appeal the enforcement notice sent out by Township Zoning Officer.
- Update – TLC Bridge & TLC Dam - Waiver was received from DEP to begin work on TLC Dam. A permit was received from DEP.

Township Solicitor Report

- Motion to authorize the Township Solicitor to prepare an amendment to the Township Police Pension Ordinance due to a reduction in retirement age and to advertise for public hearing.

R. Wielebinski made a motion, seconded by K. Meeker, to authorize L. DeVito, Township Solicitor, to prepare an amendment to the Township Police Pension Ordinance due to the reduction of the police retirement age from 55 to 53 with 25 years of service. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Motion to authorize the Township Solicitor to prepare an amendment to the Township Amusement Tax Ordinance and to advertise for public hearing. This amendment deals with potential litigation, so the Board went into a brief executive session for further discussion on action items.

J. Belvin made a motion, seconded by E. Gndt, to table the amendment to the Township Amusement Tax Ordinance until the mid-July meeting. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to retain Eckert Seamans Cherin & Mellott, LLC, a law firm specializing in tax law, to assist in review of the Township Amusement Tax Ordinance. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

- Discussion regarding amendment to the HJP Park Cooperation Agreement. Hamilton Township would like to deed their interest in the park to Jackson and Pocono Townships. Harrisburg has indicated that because a state grant was used to acquire the property, additional information is required to indicate the park would still be used for public purposes. E. Gndt questioned

whether Pocono Township wants the deed. Discussion followed on who maintains the park, Jackson Township wanting to split the property between Townships and whether splitting the property would put us in default of the grant monies received.

- Update – Pocono Jackson Joint Water Authority (PJJWA). Municipalities went to First Northern Bank & Trust required that any loan funds be secured with a cash match from Jackson and Pocono Townships. T. Muñoz reached out to ESSA with the same information given to First Northern Bank. ESSA indicated they have what they need to provide a loan match for the Authority's grant application and a terms letter is expected before the next BOC meeting.
- The hearing for the ZHB Johnson Appeal for Transient Dwelling Unit will be held later in July.
- Update – Electric contract discussion. Further research is needed regarding limitation of liability.

Public Comment – No 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.

Adjournment

R. Wielebinski made a motion, seconded by E. Gndt, to adjourn the meeting at 9:26 p.m. Roll call vote: J. Belvin, yes; E. Gndt, yes; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020 - 04

**AN ORDINANCE OF POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
AMENDING, ARTICLE IV, BENEFITS, SECTION 4.1(A) OF THE POCONO
TOWNSHIP POLICE PENSION PLAN.**

WHEREAS, Pocono Township enacted a Police Pension Plan Ordinance, Ordinance No. 33, which was amended in 2005 by Ordinance No. 115, in 2006 by Ordinance No. 125 in 2010 by Ordinance No. 145, and in 2018 by Ordinance No. 2018-11; and

WHEREAS, it is the desire of the Pocono Township Board of Commissioners to amend the Pocono Township Police Pension Plan to reduce the retirement age.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

SECTION 1.

Article IV, Benefits, Section 4.1 (a) of the Pocono Township Police Pension Plan is hereby amended as follows:

“Normal Retirement Date. The Normal Retirement Date for a participant shall be the first day of the month following the later of his or her fifty-third (53rd) birthday, and the completion of twenty-five (25) years of service.”

SECTION 2. REPEALER

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed upon the effective date of this Ordinance.

SECTION 3. SEVERABILITY

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 of the remaining provisions, sentences, clauses, sections or parts of this Ordinance.

SECTION 4. EFFECTIVE DATE

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

ENACTED and **ORDAINED** this ____ day of _____, 2020.

ATTEST:

**TOWNSHIP OF POCONO,
MONROE COUNTY**

TAYLOR MUNOZ
Township Manager

RICHARD WIELEBINSKI
President, Board of Commissioners

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 14

**A RESOLUTION GRANTING CONDITIONAL
APPROVAL OF THE SANOFI PASTEUR, INC. B-85 (SOLID WASTE AND
RECYCLING BUILDING) PRELIMINARY/FINAL LAND DEVELOPMENT PLAN**

WHEREAS, the applicant, Sanofi Pasteur, Inc., submitted a plan application titled “Preliminary/Final Land Development Plans, Sanofi Pasteur Inc., B-85 (Solid Waste and Recycling Building)” (the “Plan”). The applicant proposes to construct a waste and recycling building on its existing property. The property is owned by Sanofi Pasteur, Inc., and is known as Monroe County Tax ID No. 12/12/2/10-2, PIN No. 12636402969225; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated June 19, 2020 and July 15, 2020; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional plan approval of the Plan at a meeting held on June 22, 2020; and

WHEREAS, the Pocono Township Board of Commissioners desires to take final action on this Plan.

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Commissioners of Pocono Township, County of Monroe, and Commonwealth of Pennsylvania:

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

1. SALDO Section 390-29.G.(7): A viewshed analysis must be submitted. *The applicant shall not be required to provide a viewshed analysis as seed lab is more than 2,000 feet from any roads in an already developed site.*
2. SALDO Section 390-29.J.(6): Title search must be provided. *The applicant shall not be required to provide a title search. The applicant has provided a deed evidencing ownership of the property.*
3. SALDO Sections 390-32.B and 390-35: Performance Guarantee. *The applicant shall not be required to provide a performance guarantee as a condition of recording the plan as no public improvements are proposed.*
4. SALDO Section 390-41: Development Agreement. *The applicant shall not be required to enter into a development agreement as a condition of recording the plan as no public improvements are proposed.*
5. SALDO Section 390-50.D: Design Criteria for Detention and Retention Basins

- a. Section 390-50.D.(5): Max slopes shall be 4:1. *The applicant shall be permitted to have slopes of 3:1.*
 - b. Section 390-50.D.(7): Top of berm shall be 10 feet. *The applicant shall be permitted to have berm width of 2 feet.*
 - c. Section 390-50.D.(11)(j): Emergency Spillway with 1-foot of freeboard shall be required. *The applicant shall not be required to provide 1 foot of freeboard.*
 - d. Section 390-50.D.(12)(a): Anti-seep collars shall be provided for basin discharge pipe. *The applicant shall not be required to provide anti-seep collars.*
 - e. Section 390-50.D.(13)(a): Basin discharge pipe shall be reinforced concrete with watertight joints. *The applicant shall be permitted to provide plastic pipe.*
6. SALDO Section 390-55.F.(3): Buffering requirements along property lines and rights-of-way. *The applicant shall not be required to install additional plantings due to the existing woodlands.*

That the following requests for modification of the Brodhead and McMichael Creeks Stormwater Management Ordinance are hereby granted:

1. SMO Section 365-14.A: Emergency spillway with 1-foot of freeboard shall be provided. *The applicant shall not be required to provide 1 foot of freeboard.*

That the “Preliminary/Final Land Development Plans, Sanofi Pasteur Inc., B-85 (Solid Waste and Recycling Building)” as shown on the plan prepared by Borton Lawson Engineering, dated May 28, 2020, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer’s letters dated June 19, 2020 and July 15, 2020.
2. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township, if deemed necessary by the Township.
3. The applicant shall pay all necessary fees associated with the Plan, including but not limited to a fee in lieu of dedicating open space in the amount of \$3,500.00, any outstanding plan account charges and all professional services fees, prior to the recording of the Plan.
4. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.
5. The applicant shall provide three (3) mylars for recording the plans and eight (8) sets of paper prints which are signed and notarized by the owner and sealed by the engineer.
6. The applicant shall meet all conditions of the plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.

7. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the _____ day of _____, 2020.

ATTEST:

Township of Pocono
Board of Commissioners

By: _____
Print Name: Taylor Munoz
Title: Township Manager

By: _____
Print Name: Richard Wielebinski
Title: President

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 15

**A RESOLUTION GRANTING CONDITIONAL
APPROVAL OF THE SANOFI PASTEUR, INC. PERIMETER PROTECTION PHASE II
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN**

WHEREAS, the applicant, Sanofi Pasteur, Inc., submitted a plan application titled "Preliminary/Final Land Development Plans, Sanofi Pasteur Inc., Perimeter Protection Phase II" (the "Plan"). The applicant proposes to construct a waste and recycling building on its existing property. The property is owned by Sanofi Pasteur, Inc., and is known as Monroe County Tax ID No. 12/12/2/10-2, PIN No. 12636402969225; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated May 9, 2019, November 7, 2019 and July 1, 2020; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional plan approval of the Plan at a meeting held on December 9, 2019; and

WHEREAS, the Pocono Township Board of Commissioners desires to take final action on this Plan.

NOW THEREFORE BE IT HEREBY RESOLVED by the Board of Commissioners of Pocono Township, County of Monroe, and Commonwealth of Pennsylvania:

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

1. SALDO Section 390-29.G.(7): A viewshed analysis must be submitted. *The applicant shall not be required to provide a viewshed analysis as seed lab is more than 2,000 feet from any roads in an already developed site.*
2. SALDO Section 390-29.J.(6): Title search must be provided. *The applicant shall not be required to provide a title search. The applicant has provided a deed evidencing ownership of the property.*
3. SALDO Sections 390-32.B and 390-35: Performance Guarantee. *The applicant shall not be required to provide a performance guarantee as a condition of recording the plan as no public improvements are proposed.*
4. SALDO Section 390-41: Development Agreement. *The applicant shall not be required to enter into a development agreement as a condition of recording the plan as no public improvements are proposed.*
5. SALDO Section 390-48.W.(1): Maximum slope of earth embankment or excavation shall

not exceed one foot vertical to three feet horizontal unless stabilized by a retaining wall or cribbing. *The applicant shall be permitted to have slopes of 2:1.*

6. SALDO Section 390-50.D: Design Criteria for Detention and Retention Basins

- a. Section 390-50.D.(5): Max slopes shall be 4:1. *The applicant shall be permitted to have slopes of 3:1 for Rain Garden #1.*
- b. Section 390-50.D.(7): Top of berm shall be 10 feet. *The applicant shall be permitted to have berm width of 2 feet.*
- c. Section 390-50.D.(11)(j): Emergency Spillway with 1-foot of freeboard shall be required. *The applicant shall not be required to provide 1 foot of freeboard for Rain Gardens #2 and #3.*
- d. Section 390-50.D.(12)(a): Anti-seep collars shall be provided for basin discharge pipe. *The applicant shall not be required to provide anti-seep collars.*
- e. Section 390-50.D.(13)(a): Basin discharge pipe shall be reinforced concrete with watertight joints. *The applicant shall be permitted to install the proposed Rain Gardens with maximum depths of 1-foot.*

7. SALDO Section 390-55.F.(3): Buffering requirements along property lines and rights-of-way. *The applicant shall not be required to install additional plantings due to the existing woodlands.*

That the following requests for modification of the Brodhead and McMichael Creeks Stormwater Management Ordinance are hereby granted:

1. SMO Section 365-10.I.(6)(b)[1]: An Existing Resources and Site Analysis plan must be submitted for review under the application. *The applicant shall be permitted to submit a summary of impacts and justification.*
2. SMO Section 365-10.I.(8)(b): An Existing Resources and Site Analysis plan to show the proposed construction must be submitted for review under the application. *The applicant shall be permitted to submit a summary of impacts and justification.*
3. SMO Section 365-14.A: Emergency spillway with 1-foot of freeboard shall be provided. *The applicant shall not be required to provide 1 foot of freeboard for Rain Gardens #2 and #3.*

That the "Preliminary/Final Land Development Plans, Sanofi Pasteur Inc., Perimeter Protection Phase II" as shown on the plan prepared by Borton Lawson Engineering, dated April 12, 2019, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer's letters dated May 9, 2019, November 7, 2019 and July 1, 2020.

2. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township, if deemed necessary by the Township.
3. The applicant shall pay all necessary fees associated with the Plan, including but not limited to a fee in lieu of dedicating open space in the amount of \$10,010.00, any outstanding plan account charges and all professional services fees, prior to the recording of the Plan.
4. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.
5. The applicant shall provide three (3) mylars for recording the plans and eight (8) sets of paper prints which are signed and notarized by the owner and sealed by the engineer.
6. The applicant shall meet all conditions of the plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.
7. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the _____ day of _____, 2020.

ATTEST:

Township of Pocono
Board of Commissioners

By: _____
Print Name: Taylor Munoz
Title: Township Manager

By: _____
Print Name: Richard Wielebinski
Title: President

POCONO TOWNSHIP
Monday, July 20, 2020

SUMMARY

Ratify

General Fund	\$	133,327.50
Sewer Operating	\$	186.45
Sewer Construction	\$	-
Capital Reserve	\$	-

Bill List

TOTAL General Fund	\$	211,202.94
TOTAL Sewer <u>OPERATING</u> Fund	\$	94,880.28
TOTAL Sewer <u>CONSTRUCTION</u> Fund	\$	-
TOTAL Capital Reserve Fund	\$	5,477.04
Liquid Fuels	\$	-

Budget Adjustments

\$ -

Budget Appropriations

\$ -

Interfund Transfer

Notes:

POCONO TOWNSHIP CHECK LISTING

Monday, July 20, 2020

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
General Fund				
07/16/2020	59854	Access Office Technologies	3Q 2020 TWP Copiers	\$ 408.08
07/16/2020	59855	ADP, LLC	Payroll services	\$ 572.06
07/16/2020	59856	ARGS Technology, LLC	June 2020 Police & TWP IT Services	\$ 3,125.00
07/16/2020	59858	Brodhead Creek Regional Authority	TWP Monthly Sewer	\$ 177.08
07/16/2020	59859	Broughal & DeVito, L.L.P.	Legal services	\$ 7,518.45
07/16/2020	59860	Cardmember Service	Licenses and township operation supplies	\$ 316.01
07/16/2020	59861	Cardmember Service	Licenses and township operation supplies	\$ 739.93
07/16/2020	59862	Cardmember Service	Police license and operation supplies	\$ 4,689.92
07/16/2020	59863	Cefali and Associates PC	May TWP Treasury Services	\$ 362.50
07/16/2020	59864	Cyphers Truck Parts	PW truck supplies	\$ 126.21
07/16/2020	59865	D.G. Nicholas Co.	PW operation supplies	\$ 42.87
07/16/2020	59866	DES	Recycling pickup	\$ 30.00
07/16/2020	59873	E.M.Kutz, Inc.	PW truck maintenance	\$ 3,505.10
07/16/2020	59874	Eureka Stone Quarry, Inc.	Road materials	\$ 11,531.08
07/16/2020	59875	Francis Smith & Sons Inc	A&B operator	\$ 250.00
07/16/2020	59876	GFOA	Membership renewal	\$ 190.00
07/16/2020	59877	H. M. Beers, Inc.	June 2020 SEO Services	\$ 2,100.00
07/16/2020	59878	HUNTER KEYSTONE PETERBILT	PW truck maintenance	\$ 105.77
07/16/2020	59879	J & Z Professional Services LLC	July 2020 Cleaning Services & COVID Cleaning	\$ 1,895.12
07/16/2020	59880	Jack Williams Tire Company, Inc.	Police vehicle maintenance	\$ 738.60
07/16/2020	59881	JDM Consultants, LLC	July 2020 Grant Consulting & Advocacy	\$ 2,500.00
07/16/2020	59882	Kimball Midwest	PW equipment maintenance	\$ 227.77
07/16/2020	59884	Medico Industries, Inc.	MPO102	\$ 39.00
07/16/2020	59885	Mid-Atlantic Fire & Air	Emergency services supplies	\$ 1,360.00
07/16/2020	59886	Network Fleet	Police GPS services	\$ 325.45
07/16/2020	59888	PAPCO, Inc.	Vehicle fuel	\$ 3,012.33
07/16/2020	59889	PMHIC	Insurance premium	\$ 136,366.02
07/16/2020	59890	Pocono 4 Wheel Drive Center	PW supplies	\$ 108.00
07/16/2020	59891	Pocono Record	Advertisement	\$ 839.08

<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
07/16/2020	59892	Pocono RV Sales & Service	PW supplies	\$ 118.00
07/16/2020	59893	PPL Electric Utilities	Electric Service	\$ 1,246.35
07/16/2020	59894	Praxair Dist Mid-Atlantic	PW supplies	\$ 29.22
07/16/2020	59895	Reliable Sign and Striping	Signs	\$ 375.50
07/16/2020	59896	Site2	Backup services police and twp	\$ 804.00
07/16/2020	59898	State Workers Insurance Fund	Fire department workers comp.	\$ 2,006.00
07/16/2020	59899	Steele's Hardware	Operation supplies	\$ 840.92
07/16/2020	59900	Steele's Hardware	Operation supplies	\$ 285.83
07/16/2020	59901	Tulpehocken Mountain Spring Water Inc	TWP water	\$ 90.19
07/16/2020	59902	U.S. Municipal	Sweeper repair	\$ 21,681.82
07/16/2020	59903	UNIFIRST Corporation	PW uniforms & mats	\$ 256.18
07/16/2020	59904	Welch, Christopher	8/30/20 Pavilion 3 Rental Refund	\$ 100.00
07/16/2020	59905	Wilson Products Compressed Gas Co.	PW supplies	\$ 7.50
07/16/2020	59906	Wittel, Jason	Truck Lettering	\$ 160.00
TOTAL General Fund				\$ 211,202.94

Sewer Operating Fund

07/16/2020	1649	BRODHEAD CREEK REGIONAL AUTHORITY	SEWER TREATMENT AUG 2020	\$ 76,336.25
7/16/2020	1650	BROUGHAL & DEVITO, L.L.P.	LEGAL SERVICE GENERAL SEWER	\$ 601.75
7/16/2020	1651	EEMA O&M Services Group, Inc.	O&M SERVICES JULY 2020	\$ 7,359.00
7/16/2020	1652	KEYSTONE ENGINEERING GROUP	ENGINEERING SERVICES	\$ 2,213.86
7/16/2020	1653	METROPOLITAN TELECOMMUNICATIONS	PHONE SERVICE PUMP STATION	\$ 264.10
7/16/2020	1654	Multi-Dimensional Integration Inc.	PROFESSIONAL SERVICES	\$ 3,750.00
7/16/2020	1655	Pennsylvania One Call System, Inc	SEWER MAPPING SERVICES	\$ 83.14
7/16/2020	1656	Pocono Township	PTW ADMIN SERVICES	\$ 577.47
7/16/2020	1657	PPL Electric Utilities	49815-62005	\$ 1,711.06
7/16/2020	1658	Utility Locator LLC	UTILITY LOCATORS SERVICES	\$ 1,950.00
7/16/2020	1659	Verizon	SCADA LINE	\$ 33.65
TOTAL Sewer Operating				\$ 94,880.28

Sewer Construction Fund

TOTAL Sewer Construction Fund	\$ -
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Capital Reserve Fund				<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
<u>Date</u>	<u>Check</u>					
7/16/2020	1138		BROUGHAL & DEVITO	WHITE OAK CULVERT LEGAL SERVICES	\$	116.25
7/16/2020	1139		CARDMEMBER SERVICES	RJ WALKER/MT View Well Project	\$	296.00
7/16/2020	1140		COOPER ELECTRIC	MT VIEW LIGHTING	\$	60.99
7/16/2020	1141		D'HUEY ENGINEERING	PW Roof replacement project	\$	2,887.50
7/16/2020	1142		FRY PLASTIC LLC	MT VIEW WELL PROJECT	\$	1,436.94
7/16/2020	1143		STEELE'S HARDWARE	MT VIEW WELL & LIGHTING PROJECTS	\$	222.31
7/16/2020	1144		CARDMEMBER SERVICES	RJ WALKER	\$	457.05
TOTAL Capital Reserve Fund					\$	5,477.04

LIQUID FUELS

ESSA

TOTAL General Fund	\$	211,202.94	
Sewer Operating	\$	94,880.28	
TOTAL Sewer Construction Fund	\$	-	Authorized by: _____
Capital Reserve	\$	5,477.04	
Liquid Fuels	\$	-	
TOTAL ESSA TRANSFER	\$	311,560.26	Transferred by: _____