



POCONO TOWNSHIP COMMISSIONERS  
AGENDA

March 4, 2024 | 6:00 p.m.

112 Township Drive, Tannersville, PA

**Dial-In Option: 646 558 8656**

**Meeting ID: 892 102 5946**

**Passcode: 18372**

**Zoom Link:**

**<https://us06web.zoom.us/j/8921025946?pwd=Q1VtaFVkVEpRWtUvdIFrSHJ1cE1Td09>**

**Open Meeting**

**Pledge of Allegiance**

**Roll Call**

**Public Comment**

*For any individuals wishing to make public comment tonight, including those dialed in by phone, please state the spelling of your name and identify whether you are a taxpayer of Pocono Township.*

*Please limit individual comments to five (5) minutes and direct all comments to the President. Public comment is not for debate or answering questions, rather it is for "comment on matters of concern, official action or deliberation...prior to taking official action" [PA Sunshine Act, Section 710.1].*

**Announcements**

- Mark your calendars for the annual Pocono Township Fishing Derby on April 13, 2024 at TLC Park. Registration instructions will be included on the Township Facebook and website. Any questions or concerns can be forwarded to Jennifer Gambino via the main Township phone number or email.
- The Board of Commissioners held an executive session on Monday 2/26 and prior to this meeting for the purpose of discussing personnel matters and the possible acquisition of real estate.

**Presentations**

- Special Fire Company Presentation – Township and State recognition.

**Hearings**

Ordinance 2024-01 – Wawa Inc. (2977 PA Route 611, Tannersville) – Public hearing for consideration of Ordinance 2024-01 authorizing the transfer of Restaurant Liquor License No. R-19903 to a new Wawa facility located in Tannersville.

- Motion to open the public hearing. **(Action Item)**

- Motion to close public hearing. **(Action Item)**
- Motion to approve Ordinance 2024-01 approving the transfer of Restaurant Liquor License No. R-19903 from Middle Smithfield Township to the Wawa facility located at 2977 PA Route 611, Tannersville.

### **Resolutions – None**

### **Consent Agenda**

- Motion to approve a consent agenda of the following items:
  - Old business consisting of the minutes of the February 20, 2024 regular meeting and reorganizational meeting of the Board of Commissioners.
  - Financial transactions through February 29, 2024 as presented, including ratification of general fund expenditures, sewer operating expenditures and gross payroll; vouchers payable, sewer operating expenditures, construction fund expenditures, capital reserve expenditures and transfers. **(Action Items)**

### **NEW BUSINESS**

#### **1. Personnel**

- Motion to authorize the hiring, including re-hiring, of seven (7) seasonal park employees. The lead and assistant lead are to receive \$19.50 and \$18.00 per hour respectively, with five additional crew members to receive \$17.00/hour. **(Action Item)**
- Discussion and possible action regarding the advertising of the Pocono Township Manager position. **(Action Item)**

#### **2. Travel/Training Authorizations**

### **Commissioner Comments**

Richard Wielebinski – President

- Motion to approve Payment Application No. 2 payable to PIM Corporation in the amount of \$3,679.50 for completion of the 2023 Sanitary Sewer Manhole Rehabilitation Contract, as recommended for approval by the Township engineer's review later dated February 28, 2024. **(Action Item)**
- Motion to advertise the 2024 Material Bids with a bid opening date of April 1, 2024. **(Action Item)**
- Motion to ratify the advertisement of the Pocono Township Spring & Fall Cleanup bid with a bid opening date of March 18, 2024. **(Action Item)**
- Discussion and possible action regarding passage of a Memorandum of Understanding (MOU) with Teamsters Local 773 to establish a second notary among the clerical administrative staff at an additional rate of \$.50 per hour. **(Action Item)**
- Discussion and possible action regarding passage of a Memorandum of Understanding (MOU) with Teamsters Local 773 to establish a second JNET certification among the police administrative staff at an additional rate of \$.50 per hour. **(Action Item)**
- Motion to execute a sale agreement for the purchase of 103 Kenny's Way in Tannersville. **(Possible Action Item)**
- Motion to authorize PFM to put out an RFP for bank financing sufficient for the purchase of 205 Old Mill Road (the old NCC campus) and 103 Kenny's Way. **(Action Item)**
- Motion to advertise for public hearing an ordinance consolidating the Township's police pension ordinance amendments and adding language to incorporate provisions establishing a Deferred Retirement Option Plan (DROP). **(Action Item)**
- Motion to appoint Jon Tresslar as the Pocono Township Engineer. **(Action Item)**
- Motion to authorize the destruction of Township accounts receivable, accounts payable, payroll and banking files for the year 2016. **(Action Item)**

Jerrod Belvin – Vice President

- Emergency Management Update
- Update – Archer Lane.
- Update – Laurel Lake Dam

Ellen Gndt – Commissioner

- Update – SBA Cell Tower
- Update – DEP Warehouse Hearing

Natasha Leap – Commissioner

- Discussion and possible action regarding the advertisement of a vacant Planning Commission Alternate position. **(Possible Action Item)**

Mike Velardi – Commissioner

- Discussion and possible action to formally authorize the Township Zoning Officer to investigate and generate a report regarding 229 Hemlock Drive, as required by the Township's Dangerous Structure Ordinance. **(Action Item)**

## **Reports**

### **Zoning**

#### **Police Report**

- Department updates.
- Discussion and possible action regarding setting a policy where the Township will accept police officer applications from candidates without their Act 120 certification and, should a conditional offer be offered, the Township cover the cost of the Police Academy subject to specific parameters and state agency cost offsets. **(Possible Action Item)**

#### **Ambulance Report**

#### **Public Works Report**

- Sewer Updates.
- Cobble Creek Drainage Project. **(Possible Action Item)**
- Current Public Works Projects.
- Mountain View Park Updates.
- TLC Park Updates.
- Old Learn Farm parking access.

#### **Administration – Manager's Report**

- Motion to approve a Storage Agreement with Northampton Community College for the purpose of storing donated office furniture at the 205 Old Mill Road property. **(Action Item)**
- Thank You Message from the Township Manager.

#### **Township Engineer Report**

- Sewer Updates
- Learn Road safety enhancement project and roundabout survey work.
- Update – TASA SR 611 sidewalk project.
- In Progress – Discussion and possible action regarding the Township's revised Act 167 stormwater ordinance, incorporating changes to the ordinance as prepared by the Township engineer and as required by PA DEP.

**Township Solicitor Report**

- Sewer Legal Update.
- General legal update.
- Zoning Hearing Board updates.
  - February 22 – PoconoPlaces, LLC
  - February 27 – MCTI Variance Hearing
  - March 6, 2024 – 154 Ruby Lane.
- Update – Johnson Appeal Commonwealth Court argument.

**Public Comment**

*For any individuals wishing to make public comment tonight, including those dialed in by phone, please state the spelling of your name and identify whether you are a taxpayer of Pocono Township. Please limit individual comments to five (5) minutes and direct all comments to the President.*

**Adjournment**

**ORDINANCE NO. 2024-01**

**AN ORDINANCE OF THE TOWNSHIP OF POCONO, COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA, APPROVING THE INTERMUNICIPAL TRANSFER OF RESTAURANT LIQUOR LICENSE NO. R-19903 INTO POCONO TOWNSHIP FROM MIDDLE SMITHFIELD TOWNSHIP, MONROE COUNTY, PENNSYLVANIA, PURSUANT TO THE PENNSYLVANIA LIQUOR CODE.**

**WHEREAS**, Act 141 of 2000 (“the Act”) authorizes the Pennsylvania Liquor Control Board (“PLCB”) to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in Pocono Township, Monroe County, Pennsylvania, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

**WHEREAS**, amendments to the Liquor Code stipulate that, prior to adoption of an ordinance by the receiving municipality, at least one public hearing be held for the purpose of permitting individuals residing within the municipality to make comments and recommendations regarding the applicant’s intent to transfer a liquor license into the receiving municipality; and

**WHEREAS**, an application for transfer filed under the Act must contain a copy of the Ordinance adopted by the municipality approving the transfer of a liquor license into the municipality; and

**WHEREAS**, the Board of Commissioners of Pocono Township, Monroe County, has held a public hearing to receive comments on the proposed liquor license transfer and, after consideration of the issues, finds that the intermunicipal transfer of restaurant liquor license no. R-19903 into Pocono Township, Monroe County, Pennsylvania, will not be detrimental to the health, welfare, peace and morals of Pocono Township, Monroe County, Pennsylvania or its residents; and

**WHEREAS**, the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, pursuant to the Pennsylvania Liquor Code, 47 P.S. §4-461, as amended, hereby ordains and enacts the following ordinance:

**BE IT ENACTED AND ORDAINED**, by the Commissioners of Pocono Township, Monroe County, Pennsylvania, wherein, it is hereby enacted and ordained by the authority of same, and pursuant

to the authority granted to the Board of Commissioners by the Legislature of the Commonwealth of Pennsylvania and the “First Class Township Code,” as amended, of the Commonwealth of Pennsylvania, as follows:

**SECTION 1. APPROVAL OF INTERMUNICIPAL TRANSFER OF LIQUOR LICENSE.**

The request by Wawa, Inc. to transfer Restaurant Liquor License No. R-19903 from Lakeside Manor Inn, LLC, formerly located at 33 Leisure Lands, 3336 Frontier Road, East Stroudsburg, PA 18301 by Wawa, Inc. to a restaurant facility to be located at 2977 PA Route 611, Tannersville, Pocono Township, Monroe County, Pennsylvania 18372, is hereby approved.

**SECTION 2. REPEALER.** All ordinances and parts of ordinances inconsistent herewith be, and the same hereby are, repealed.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be effective five (5) days after its adoption of the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania.

**ENACTED AND ADOPTED** by the Board of Commissioners this 4<sup>th</sup> day of March, 2024.

**ATTEST:**

**POCONO TOWNSHIP BOARD OF  
COMMISSIONERS:**

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**TAYLOR MUNOZ  
TOWNSHIP MANAGER**

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**RICHARD WIELEBINSKI  
PRESIDENT, BOARD OF  
COMMISSIONERS**

**Pocono Township Board of Commissioners  
Regular Meeting Minutes  
February 20, 2024 | 6:29 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on February 20, 2024 and was opened by President Rich Wielebinski at 6:29 p.m. followed by the Pledge of Allegiance.

**Roll Call:** Jerrod Belvin, present; Ellen Gndt, present via Zoom; Natasha Leap, present; Mike Velardi, present; and Rich Wielebinski, present via Zoom.

**In Attendance:** Taylor Munoz, Township Manager; Leo DeVito, Township Solicitor; Jon Tresslar, Engineer; Pat Briegel, Public Works Director; Lindsay Scerbo, Zoning Officer present via Zoom; and Jennifer Gambino, Administrative Assistant.

**Public Comment** – None

**Announcements**

- The Pocono Township Ice Rink is open on a weather-permitting basis at TLC Park. Individuals interested in skating will find the latest information available on the Township Facebook page or can call the Township office in advance to check on current conditions. Please note that several days of below-freezing temperatures are needed to have a skateable surface.
- An executive session was held before the meeting to discuss litigation and potential real estate acquisition.

**Presentations**

J. Belvin made a motion, seconded by M. Velardi, to approve the promotion of Detective Earl Ackerman to the position of Detective Sergeant for the Pocono Township Police Department. All in favor. Motion carried.

The swearing-in ceremony will take place in March due to illness.

**Hearings** – None

**Resolutions**

J. Belvin made a motion, seconded by N. Leap, to approve Resolution 2024-02 approving the Township Manager as authorized signatory to execute the TASA reimbursement agreement for the SR 611/Learn Road (SR 611 sidewalk project). All in favor. Motion carried.

**Consent Agenda**

- Motion to approve a consent agenda of the following items:
  - Old business consisting of the minutes of the February 5, 2024 regular meeting and reorganizational meeting of the Board of Commissioners.
  - Financial transactions through February 15, 2024 as presented, including ratification of general fund expenditures, sewer operating expenditures and gross payroll; vouchers payable, sewer operating expenditures, construction fund expenditures, capital reserve expenditures and transfers.

J. Belvin made a motion, seconded by M. Velardi, to approve the consent agenda. All in favor. Motion carried.

**NEW BUSINESS**

**1. Personnel**

J. Belvin made a motion seconded by M. Velardi, to approve a contract with James Wagner as Pocono Township Chief of Police. All in favor. Motion carried.

J. Belvin made a motion, seconded by E. Gndt, to authorize the Township to begin the hiring process for one (1) new police officer. All in favor. Motion carried. Noted that this hire is to bring the Department up to the previous complement.

J. Belvin made a motion, seconded by M. Velardi, to authorize the testing process to begin for the appointment of a new Corporal position within the Department. All in favor. Motion carried.

J. Belvin made a motion, seconded by N. Leap, to approve updated 2024 contracts for the following employees: Taylor Munoz, Township Manager; Patrick Briegel, Public Works Director; and Paola Razzag, Fiscal Administrator. All in favor. Motion carried.

## **2. Travel/Training Authorizations - None**

### **Commissioner Comments**

Richard Wielebinski – President

R. Wielebinski made a motion, seconded by E. Gndt, to appoint Brian Winot as Zoning Hearing Board alternate. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by M. Velardi, to authorize COSTARS purchase orders for a new Peterbilt 548 tandem dump truck in the amount of \$159,548.39 and upfit in the amount of \$104,100.00 as provided for in the 2024 Capital Budget. E. Gndt asked if this covers everything including delivery. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by M. Velardi, to approve Payment No. 1 for the 2023 Sanitary Sewer Manhole Rehabilitation Project to PIM Corporation in the amount of \$33,115.50, per the Township Engineer letter dated February 14, 2024. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by N. Leap, to approve a Standard Verizon Underground grant for the work proposed along the TLC Park field adjacent to the sewer pump station as part of the utility relocation for the upcoming PennDOT SR 715 projects. R. Wielebinski clarified that the Township met onsite a couple months back to ensure the new Verizon lines are not installed in an area that interferes with the Park. E. Gndt asked for clarification pertaining to cost. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by J. Belvin, to provide a letter of recommendation to the Brodhead Creek Regional Authority (BCRA) in support of the addition of future water service areas in Paradise Township for inclusion with their DRBC Docket Renewal Application. Discussion – E. Gndt asked for confirmation that passage of this motion, or providing this letter, does not obligate the Township in any way to guarantee that these properties are served. L. DeVito confirmed it does not. All in favor. Motion carried.

Jerrod Belvin – Vice President

- Update – Continued issues with washout and flooding on Archer Lane. Asked L. DeVito for an update. Three enforcement notices were sent out, and the property owner is on the clock, but no further update yet at this time. Lindsay stated she has not received updates from the property owner but got the returned certified mail notice.
- Update – Laurel Lake Dam meeting – No update.
- Barton Court Utility Lines – PPL has confirmed that they will replace poles in Barton Court.

Asked J. Tresslar whether there has been an update on Turkey Hill's sidewalk installation.



J. Belvin shared a message regarding incorrect information being shared on social media pertaining to property owners along Stadden Road and misinformation pertaining to expanded sewer in the Township's Act 537 service areas.

Ellen Gndt – Commissioner

Asked whether there have been any updates on the SBA cell tower and whether the Township has been out to inspect Swiftwater Solar. Nothing has been received from SBA. LVL Engineering has been out to the site two times per week and no new violations have been observed at this time. The Conservation District cleared their violation, but they were also fined by the DEP.

Natasha Leap – Commissioner – No update.

Mike Velardi – Commissioner

Update provided regarding 229 Hemlock. Discussion regarding potential next steps with L. Scerbo.

### **Reports**

**Zoning** - No current update.

### **Police Report**

J. Belvin made a motion, seconded by M. Velardi, to amend agenda for authorization of testing process for new detective. All in favor. Motion carried.

J. Belvin made a motion, seconded by E. Gndt, to authorize the testing process to begin for the appointment of a new detective position within the PTPD. All in favor. Motion carried.

**Ambulance Report** – None

### **Public Works Report**

- Current Public Works Projects – Road Crew has been doing a great job cleaning up after snowstorms.
- Mountain View Park Updates – Contractor will be at Park tomorrow to complete installation of the obstacle course. Looking to bring back two park crew on March 11, with the rest of the crew coming back on March 18, weather-permitting.
- TLC Park Updates – Tried to open the ice rink this morning, but it is not in good condition for skating.
- Old Learn Farm parking access – Aiming for mid-to-late March to resume and complete work that was started in the fall.

**Administration – Manager's Report** – No update.

### **Township Engineer Report**

- Learn Road safety enhancement project and roundabout survey work – Received appraisals from Tom McKeown and next step will be for Board to make determination as to how to proceed.

J. Belvin made a motion, seconded by R. Wielebinski, to engage in conversation with the identified property owners affected by the Learn Road Roundabout work. All in favor. Motion carried.

PPL is working on a preliminary layout for relocation of power lines. J. Tresslar will further evaluate whether the utility pole in the middle of the current intersection is in Township ROW.

- Update – TASA SR 611 sidewalk project – Completed plans for all temporary construction easements. One permanent easement is needed. There is a list of approved appraisers for the acquisition of temporary/permanent construction easements.

J. Belvin made a motion, seconded by R. Wielebinski, to authorize T. Muñoz to work with an approved appraiser. All in favor. Motion carried.

J. Belvin asked if the timeline has changed at all. J. Tresslar confirmed the design must be complete by May 2024 for bid letting in August 2024.

- In Progress – Discussion and possible action regarding the Township's revised Act 167 stormwater ordinance, incorporating changes to the ordinance as prepared by the Township engineer and as required by PA DEP – No new report.

### **Township Solicitor Report**

- General legal update.
- March 4, 2024 – Liquor license transfer hearing for Wawa, Inc. at their 2977 Route 611 location.
- Zoning Hearing Board updates.
  - February 22 – PoconoPlaces, LLC – Authorized to attend hearing.
  - February 27 – MCTI Variance Hearing
  - March 6, 2024 – 154 Ruby Lane. Discussion whether solicitor to attend hearing regarding a special exception request to operate a dog kennel in conjunction with their intended residential use of the property. E. Gmandt asked for clarification. Discussion regarding the applicant's need to go before the Planning Commission as part of the special exception process, timelines, and costs.
- Update – Johnson Appeal Commonwealth Court argument – Received STR decision from Commonwealth court. Township won the larger battle where the Court found the current zoning ordinance is constitutionally valid and permits short term rental uses in commercial and recreation districts. The Court carved out an exception for the Johnson property as a non-conforming use and the Board is currently evaluating whether to appeal decision. Requested information from Zoning and reached out to PSATS. Will report to BOC for final decision.

### **Public Comment**

Wayne Mazur (Resident) – Representative of Cobble Creek Estates. Asked for a copy of the Commonwealth Court verdict pertaining to the Johnson case.

Jim Pellegrini (Resident) – Asked clarification questions pertaining to short term rentals and what is allowed as part of The Ridge project.

### **Adjournment**

J. Belvin made a motion, seconded by M. Velardi, to adjourn the meeting at 7:32 p.m. All in favor. Motion carried.

# POCONO TOWNSHIP

## Monday, March 4, 2024

### SUMMARY

**Ratify**

General Fund	\$	17,211.57
Payroll	\$	121,536.83
Sewer Operating	\$	6,804.95
Sewer Construction	\$	-
Capital Reserve	\$	-

**Bill List**

TOTAL General Fund	\$	50,140.26
TOTAL Sewer <u>OPERATING</u> Fund	\$	17,954.93
TOTAL Sewer <u>CONSTRUCTION</u> Fund	\$	33,248.50
TOTAL Capital Reserve Fund	\$	5,024.25
Liquid Fuels	\$	-

<b>TOTAL EXPENDITURES</b>	\$	251,921.29
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<b>Fire Tax Disbursement</b>	\$	-
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**Budget Adjustments**

General Fund  
Capital Reserve  
Liquid Fuels  
Sewer Operating

**Budget Appropriations****Budgetary Interfund Transfer**

\$	-
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**Use of Grant Funds****ARPA FUNDS TO CAPITAL RESERVE**

Proj 2130153T TASA SR 611 Learn Rd Safety Enhance Proj & Roundabout	\$	12,158.30
<b>TOTAL CAP. RESERVE</b>	\$	12,158.30

**ARPA FUNDS TO GENERAL FUND**

TRAISR 2472	\$	733.33
<b>TOTAL GEN FUND</b>	\$	733.33

<b>Total ARPA Transfers</b>	\$	12,891.63
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**Notes:**

## POCONO TOWNSHIP CHECK LISTING

**RATIFY**

Monday, March 4, 2024

**General Fund**

	Date	Check	Vendor	Memo	Amount
Payroll	02/23/2024			PAYROLL ENDING 02/18/2024	\$ 121,536.83
<b>TOTAL PAYROLL</b>					<b>\$ 121,536.83</b>

**General Expenditures**

	Date	Check	Vendor	Memo	Amount
	02/15/2024	64296	Elan Financial Services	Police supplies	\$ 3,370.74
	02/15/2024	64297	Elan Financial Services	TWP supplies, subscriptions, training	\$ 5,508.36
	02/15/2024	64298	Elan Financial Services	PW supplies	\$ 4,435.13
	02/15/2024	64299	FIRSTNET	MVP Wifi Hotspot	\$ 37.73
	02/15/2024	64300	COMMONWEALTH OF PA - DEPT OF AGRICULTURE	Pesticide License	\$ 35.00
	02/15/2024	64301	Focus on Training USA LLC	Pesticide certification classes	\$ 340.00
	02/20/2024	64302	PPL Electric Utilities	TWP Lights	\$ 3,484.61
<b>TOTAL General Fund Bills</b>					<b>\$ 17,211.57</b>

**Sewer Operating Fund**

	Date	Check	Vendor	Memo	Amount
	02/15/2024	2727	ELAN FINANCIAL	Pollard Water Pail of Active Carbon	\$ 2,007.80
	02/20/2024	2728	PPL Electric Utilities	Pump Stations Lights	\$ 3,921.06
	02/20/2024	2729	BLUE RIDGE COMMUNICATIONS	Pump Station 3& 4 Phone	\$ 131.04
	02/20/2024	2730	Verizon Wireless	Sewer Modems	\$ 120.05
	02/23/2024	2731	MET-ED	Pump Station 4 Electric	\$ 625.00
					<b>\$ 6,804.95</b>

**Sewer Construction Fund**

	Date	Check	Vendor	Memo	Amount
<b>TOTAL Sewer Construction Fund</b>					<b>\$ -</b>

**Capital Reserve Fund**

	Date	Check	Vendor	Memo	Amount
<b>TOTAL Capital Reserve Fund</b>					<b>\$ -</b>

<b>TOTAL General Fund</b>	\$	138,748.40	
<b>TOTAL Sewer Operating</b>	\$	6,804.95	Authorized by:
<b>TOTAL Sewer Construction</b>	\$	-	
<b>Total Capital Reserve</b>	\$	-	Transferred by:
	<b>\$</b>	<b>145,553.35</b>	

# POCONO TOWNSHIP CHECK LISTING

## Monday, March 4, 2024

### General Fund

Date	Check	Vendor	Memo	Amount
2/29/2024	64303	ADP, LLC	2023/Q4 Y/E Tax Reporting W-2's	\$ 386.75
2/29/2024	64304	AFLAC	Supp Ins	\$ 301.08
2/29/2024	64305	ALTRONICS	App Setup for Alarm.com	\$ 110.00
2/29/2024	64306	American Heritage Life Insurance Company	Supp Ins	\$ 826.76
2/29/2024	64307	AMERICAN UNITED LIFE INSURANCE CO.	TWP GTL & STD	\$ 2,927.14
2/29/2024	64308	Bartonsville Printing	"Property of" Labels	\$ 275.00
2/29/2024	64309	Brand, Andrew	Motor Vehicle Safety Inspection Enrollment Fee	\$ 225.00
2/29/2024	64310	Central Spring Service, Inc.	Spring; U-Bolt Kit; Rebound Kit; U-Bolt Saddle for Truck 9	\$ 359.00
2/29/2024	64311	Chiusano, Christopher	Feb 2024 Uniform	\$ 359.47
2/29/2024	64312	Cooper Electric	LED Light Bulbs 6ea for Office	\$ 79.69
2/29/2024	64313	Creative Works Systems, Inc.	Website Mgmt & Maint Jan 2024	\$ 129.00
2/29/2024	64314	Cyphers Truck Parts	PW operation supplies	\$ 301.35
2/29/2024	64315	DES	Jan 2024 TWP Recycling	\$ 37.50
2/29/2024	64316	E.M.Kutz, Inc.	PW equipment repair	\$ 2,392.40
2/29/2024	64317	Eastern Salt Company, Inc.	Rock Salt 94.30tn	\$ 7,911.77
2/29/2024	64318	Gotta Go Potties, Inc	1/29 - 2/25/24 TLC Rental	\$ 85.00
2/29/2024	64319	HAB-DLT	EIT employee payment	\$ 303.65
2/29/2024	64320	HAB-DLT	EIT employee payment	\$ 218.67
2/29/2024	64321	HUNTER KEYSTONE PETERBILT	PW equipment repair	\$ 159.54
2/29/2024	64322	J. P. Mascaro & Sons	TWP Waste Removal Feb 24	\$ 399.50
2/29/2024	64323	J. P. Mascaro & Sons	MVP Waste Removal Feb 24	\$ 235.65
2/29/2024	64324	Jan-Pro of NEPA	TWP Cleaning	\$ 1,673.75
2/29/2024	64325	Keystone Printing Group, Inc	1st Northern Bank Checks #1000 - #1999	\$ 184.03
2/29/2024	64326	Kuehner, Raymond	2/19/24 Uniform	\$ 111.99
2/29/2024	64327	LVL Engineering Group	Engineering services	\$ 4,957.50
2/29/2024	64328	Michael J. McKeown, Inc.	Poc TWP Learn Rd Roundabout Easement Plans	\$ 2,000.00
2/29/2024	64329	Mountain Road Feed Store	Fish Food for TLC Park	\$ 49.00
2/29/2024	64330	Moyer Realty Advisors, LLC	103 Kennys Way Appraisal Report	\$ 2,500.00
2/29/2024	64331	Nationwide - 457	EE Cont & ER Match	\$ 4,437.52

2/29/2024	64332	Nauman, Inc.	TWP HVAC Maint	\$	2,055.00
2/29/2024	64333	Night and Day Diesel	PW equipment repair	\$	600.00
2/29/2024	64334	P & D Emergency Services	New CAT Wheel Loader Equipment Install	\$	656.49
2/29/2024	64335	PPL Electric Utilities	TLC Lighting	\$	197.32
2/29/2024	64336	Scicutella, Michael	2/4-2/9/2024 Hershey PA Training	\$	869.48
2/29/2024	64337	Sparkle Car Wash	2023 washes	\$	30.10
2/29/2024	64338	Steele's Hardware	PW Operating supplies	\$	263.40
2/29/2024	64339	Steele's Hardware	Operating park supplies	\$	206.97
2/29/2024	64340	STTC Service Tire Truck Centers, INC.	PW equipment repair	\$	550.00
2/29/2024	64341	Suburban Propane	Vehicle fuel	\$	7,540.83
2/29/2024	64342	Suburban Testing Labs	SDWA Monthly - 701	\$	120.00
2/29/2024	64343	TRAISR, LLC	Jan 2024 SaaS	\$	733.33
2/29/2024	64344	Tulpehocken Mountain Spring Water Inc	TWP Drinking Water	\$	113.99
2/29/2024	64345	Wagner, James	Reimburse union dues FEB 2024	\$	100.00
2/29/2024	64346	World Fuel Services, Inc.	Vehicle fuel	\$	2,165.64

**TOTAL GENERAL FUND** **\$50,140.26**

### Sewer Operating

Date	Check	Vendor	Memo	Amount
2/29/2024	2732	EEMA O&M Services Group, Inc.	Op & Maint Feb 2024 & Add's Serv for Jan	\$ 7,740.43
2/29/2024	2733	Evoqua Water Technologies LLC	Vaporlink	\$ 1,100.00
2/29/2024	2734	J P Mascaro & Sons	Sewer Station 5 Waste Removal Feb 24	\$ 272.95
2/29/2024	2735	LVL Engineering Group	Sewer engineering services	\$ 7,619.17
2/29/2024	2736	Multi-Dimensional Integration Inc.	Jan 2024 Scheduled Support	\$ 855.71
2/29/2024	2737	TRAISR		\$ 366.67

**TOTAL Sewer Operating** **\$17,954.93**

### Sewer Construction Fund

Date	Check	Vendor	Memo	Amount
2/29/2024	763	LVL Engineering Group	Jock Pump PS 5 PT II Permit Bid & Construct Admin Serv	\$ 133.00
2/29/2024	764	PIM Corporation	Proj 2331073 2023 Sanitary Sewer Manhole Rehab Contract	\$ 33,115.50
<b>TOTAL Sewer Construction Fund</b>				<u><b>\$33,248.50</b></u>

### Capital Reserve Fund

Date	Check	Vendor	Memo	Amount
2/29/2024	1512	LVL ENGINEERING GROUP	Capital projects engineering	\$ 2,989.25
2/29/2024	1513	P&D Emergency Services	M500 Multi Camera System Install Material (Police Grant)	\$ 2,035.00
TOTAL Capital Reserve Fund				<u>\$5,024.25</u>

Liquid Fuels

Date	Check	Payee	Memo	Amount
				<u>\$0.00</u>

Fire Tax Disbursement

Date	Check	Payee	Memo	Amount
TOTAL Fire Tax				<u>\$0.00</u>

ESSA

General Fund	\$	50,140.26	Authorized by: _____
Sewer Operating	\$	17,954.93	
Sewer Construction Fund	\$	33,248.50	
Capital Reserve	\$	5,024.25	
Fire Tax Disbursement	\$	-	
Liquid Fuels	\$	-	Transferred by: _____
TOTAL ESSA TRANSFER	\$	<u>106,367.94</u>	



February 28, 2024

Mr. Taylor Muñoz  
Pocono Township  
112 Township Drive  
Tannersville, Pennsylvania 18372

**Corporate Office:**

559 Main Street, Suite 230  
Bethlehem PA 18018

**Regional Offices:**

1456 Ferry Road, Building 500  
Doylestown, PA 18901

2756 Rimrock Drive  
Stroudsburg, PA 18360  
Mailing  
P.O. Box 699  
Bartonsville, PA 18321

**SUBJECT: APPLICATION AND CERTIFICATION OF PAYMENT NO. 2 – FINAL  
2023 SANITARY SEWER MANHOLE REHABILITATION CONTRACT  
POCONO TOWNSHIP, MONROE COUNTY, PA  
PROJECT NO. 2331073**

Dear Mr. Muñoz:

We have reviewed Application Payment No. 2 (Final) for the period ending February 29, 2024, submitted by PIM Corporation, for work performed in conjunction with the above referenced contract. All work on the project has been satisfactorily completed and all required documentation received.

Based on our review of this request, we recommend payment of **THREE THOUSAND, SIX HUNDRED SEVENTY-NINE DOLLARS AND FIFTY CENTS (\$3,679.50)**. This brings the amount paid to date to \$36,795.00, and the amount retained to date to \$0.00.

A line-item tabulation is enclosed for your files.

If you have any questions concerning this information, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon S. Tresslar", is written over a faint, larger version of the same signature.

Jon S. Tresslar, P.E., P.L.S.  
Township Engineer

JST/arm/tms

Enclosure: Application for Payment No. 2 (Final) from PIM Corporation

cc: Pat Briegel – Pocono Township Public Works Director  
Christine Brodsky – Pocono Township  
Michael E. Gable, P.E. – LVL Engineering Group  
Adriana Salazar – PIM Corporation

S:\2023\2331073\Documents\Construction\Payment Requests\Payment Application No 2 - Final.docx



APPLICATION AND CERTIFICATION FOR PAYMENT

ALA DOCUMENT G702

PAGE ONE OF PAGES

TO CONTRACTOR:  
LVL ENGINEERING GROUP  
2756 RIMROCK DRIVE  
STROUDSBURG, PA 18360

PROJECT: 2023 SANITARY  
SEWER SYSTEM  
MANHOLE  
REHABILITATION  
PROJECT  
POCONO TOWNSHIP, PA

APPLICATION NO: FINAL

PERIOD ENDING: 02/29/24

FROM CONTRACTOR:

PIM Corporation  
201 Circle Drive North, Suite 105  
Piscataway, NJ 08854

CONTRACT #:

PROJECT NO:

CONTRACT FOR:

CONTRACT DATE: 9/15/23

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract, Continuation Sheet, AIA Document G703, is attached.

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

- 1. ORIGINAL CONTRACT SUM \$ 36,795.00
- 2. Net change by Change Orders \$ 0.00
- 3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 36,795.00
- 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 36,795.00
- 5. RETAINAGE:
  - a. 0 % of Completed Work \$ 0.00 (Column D + E on G703)
  - b. % of Stored Material (Column F on G703)
  - Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$ 0.00
- 6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total) \$ 33,115.50
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 3,679.50
- 8. CURRENT PAYMENT DUE \$ 0.00
- 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 3,679.50

CONTRACTOR:

By: Dennis R. Torielli Date: 2/28/24  
Dennis R. Torielli, VP

State of: NJ County of: Somerset  
Subscribed and sworn to before me this 28th day of February 2024

Notary Public: Belman A. Salazar  
My Commission expires: 11/13/2026

**ARCHITECT'S CERTIFICATE FOR PAYMENT**  
In accordance with the Contract Documents, based on the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

By: Belman A. Salazar Date: 2/28/24  
Belman A. Salazar, Architect  
My Commission expires: 01/13/2026

AMOUNT CERTIFIED \$ 3,679.50

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	
Total approved this Month	\$0.00	
TOTALS	\$0.00	
NET CHANGES by Change Order		\$0.00

By: Belman A. Salazar Date: 2/28/24  
Belman A. Salazar, Architect  
My Commission expires: 01/13/2026

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20006-5292

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT - 1992 EDITION - AIA - ©1992

Users may obtain validation of this document by requesting a completed AIA Document D401 - Certification of Document's Authenticity from the Licensee.

# CONTINUATION SHEET

AIA DOCUMENT G703

PAGE 2 OF PAGES 2

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing

Contractor's signed certification is attached.

In tabulations below, amounts are stated to the nearest dollar.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: FINAL

APPLICATION DATE: 2/28/24

PERIOD TO: 2/29/24

ARCHITECT'S PROJECT NO:

A	B	C		D	E		F	G	H	I	J
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		THIS PERIOD		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)								
1	Mobilization & Demobilization 1 LS @ \$4,585.00	\$4,585.00	\$4,585.00		\$0.00			\$4,585.00	100.00%	\$0.00	\$458.50
2	Manhole Clean and Prep 8 Each @ \$1,485.00 Each	\$11,880.00	\$11,880.00		\$0.00			\$11,880.00	100.00%	\$0.00	\$1,188.00
3	Patching (as needed)	\$25.00	\$0.00		\$0.00			\$0.00	0.00%	\$25.00	\$0.00
4	Replace MH Frame & Cover Using Township-Supplied Frame & Cover 1 Each @ \$1,250.00/Each	\$1,250.00	\$1,250.00		\$0.00			\$1,250.00	100.00%	\$0.00	\$125.00
5	Step Repair (as needed)	\$55.00	\$0.00		\$0.00			\$0.00	0.00%	\$55.00	\$0.00
6	Epoxy Spray Lining 8 Each @ \$2,385.00/Each	\$19,080.00	\$19,080.00		\$0.00			\$19,080.00	100.00%	\$0.00	\$1,908.00
	GRAND TOTALS	\$36,875.00	\$36,795.00		\$0.00		\$0.00	\$36,795.00	100%	\$80.00	\$3,679.50

Users may obtain validation of this document by requesting of the licensee a completed AIA Document D401 - Certification of Document's Authenticity

**BID NOTICE**  
**POCONO TOWNSHIP COMMISSIONERS**  
**MONROE COUNTY, PENNSYLVANIA**  
**2024 MATERIALS BID**

Sealed bids will be received by the Pocono Township Board of Commissioners until 10:00 a.m. on Monday, April 1, 2024 at the Township Municipal Building (112 Township Drive, Tannersville, PA 18372). Bids will be opened and read aloud at 10:00 a.m. on Monday, April 1, 2024. The Pocono Township Board of Commissioners will consider action on bids received at their regular meeting on Monday, April 1, 2024 at 6:00 p.m. for the following:

ITEM #	MATERIAL	DELIVERY	QUANTITY	UNITS
1	2A, DGA, Crushed Stone	FOB	3,000	Ton
1	2A, DGA, Crushed Stone	Delivered	3,000	Ton
2	Cold Patch QPR High Performance	FOB	200	Ton
3	#57, 2B, ¾" Crushed Stone	FOB	200	Ton
3	#57, 2B, ¾" Crushed Stone	Delivered	200	Ton
4	SP Surge	FOB	500	Ton
4	SP Surge	Delivered	500	Ton
5	#1, Ballast, 2-4" Crushed Stone	FOB	500	Ton
5	#1, Ballast, 2-4" Crushed Stone	Delivered	500	Ton
6	2RC Crushed Stone	FOB	500	Ton
6	2RC Crushed Stone	Delivered	500	Ton
7	#3 Crushed stone	FOB	500	Ton
7	#3 Crushed stone	Delivered	500	Ton
8	R-3 Crushed stone - Gabion	FOB	300	Ton
8	R-3 Crushed stone - Gabion	Delivered	300	Ton
9	R-4 Crushed stone	FOB	300	Ton
9	R-4 Crushed stone	Delivered	300	Ton
10	R-5 Crushed stone	FOB	300	Ton
10	R-5 Crushed stone	Delivered	300	Ton
11	R-6 Crushed stone	FOB	300	Ton
11	R-6 Crushed stone	Delivered	300	Ton
12	R-7 Crushed stone	FOB	300	Ton
12	R-7 Crushed stone	Delivered	300	Ton
13	Asphalt 9.5mm pg64s-22 0.0<0.3 (SRL-L)	FOB	2,500	Ton
13	Asphalt 9.5mm pg64s-22 0.0<0.3 (SRL-L)	Delivered	2,500	Ton
14	Asphalt 19mm pg64s-22 0.0<0.3 (SRL-L)	FOB	1,000	Ton
14	Asphalt 19mm pg64s-22 0.0<0.3 (SRL-L)	Delivered	1,000	Ton
15	Asphalt 25mm pg64s-22 0.0<0.3 (SRL-L)	FOB	500	Ton
15	Asphalt 25mm pg64s-22 0.0<0.3 (SRL-L)	Delivered	500	Ton
16	Tack Oil	FOB	1,000	Gallon

All quantities of materials are more or less. Material unit prices shall be submitted for the various materials as noted for FOB pickup at the plant, or delivery from the quarry to any location in Pocono Township. All materials to conform to PennDOT Pub. 408 Specifications.

Bid proposals must be submitted before the deadline in sealed envelopes marked "2024 Pocono Township Materials Bid." Proposals must be made upon PennDOT Form MS-963 (11-108) which can be obtained at the Township Building during normal business hours. The bid must be accompanied by a Bid Bond or Certified Check, payable to Pocono Township in the amount of 10% of the bid, and a Certificate of Insurance naming Pocono Township as an additional insured. The successful bidder must furnish a 100% performance bond within 20 days of the contract award.

The Board of Commissioners reserves the right to reject any or all bids. The Township reserves the right to award the bid to a single bidder or multiple bidders depending on cost of materials, distance to quarry or plant and total cost to the Township.

Taylor W. Muñoz  
Pocono Township Manager

Bid advertised on Monday, March 11<sup>th</sup> and Monday, March 18<sup>th</sup>

# Notice to Bidders

Sealed bids will be publicly opened and read on Monday, March 18, 2024 at approximately 10:30 a.m. for letting by the Pocono Township Board of Commissioners at their regular meeting scheduled to be held on Monday, March 18, 2024, at 6:00 p.m. at the Pocono Township Municipal Building (112 Township Drive, Tannersville, PA) for the following, to wit:

Roll-off refuse containers for the Township's Annual Spring Cleanup scheduled for **April 25 to April 27, 2024** AND the Township's Annual Fall Cleanup scheduled for **September 27 and September 28, 2024**.

Bids shall be for enough containers to accept approximately 700 cubic yards of Municipal Solid Waste for Spring Cleanup and 400 cubic yards of municipal waste for Fall Cleanup. All dumpsters shall have a minimum capacity of 20 cubic yards. A minimum of 300 cubic yards of empty containers shall be delivered to the Township's Maintenance Yard by **2:00 PM, the Tuesday before the date of cleanup**. Vendor shall deliver an additional empty container to the Township's Maintenance Yard when a filled container is removed by vendor as directed by the Township.

Between 20 and 35 containers are estimated to be filled and removed during the clean-up, depending on the size dumpster provided. Vendor shall provide an on-call operator for the exchange of filled containers on an as-needed basis for the duration of the clean-up. All containers are to be removed by **2:00 PM, the Friday after the clean-up event**. Bid price shall be per cubic yard of Municipal Solid Waste (MSW). Bids shall include delivery, set-up, exchange, and removal of containers. Disposal site must comply with the Monroe County Solid Waste Management Plan.

Bids must be received by **10:00 a.m. on Monday, March 18, 2024**. **Bids will be opened and read aloud at approximately 10:30 a.m. on Monday, March 18, 2024**. Bids shall be submitted on forms provided by the Township. All bids shall be submitted in sealed envelopes and clearly marked "**CLEAN-UP BID**."

Bids will be considered for letting by the Pocono Township Board of Commissioners at their regular meeting on **Monday, March 18, 2024 at approximately 6:00 p.m.**

A Certificate of Insurance shall accompany all bids. No bids may be withdrawn for a period of sixty (60) days after date above specified for receiving, opening, and reading of bids. Each bid must be accompanied by a bid bond in the amount of ten (10%) percent of the total bid. Security shall be in the form of a certified check, bank cashier's check or satisfactory bid bond naming as payee the Township of Pocono.

The Pocono Township Board of Commissioners reserve the right to accept or reject any or all proposals deemed to be in the best interest of the Township, or parts thereof, and to waive any defects or irregularities in the proposals.

Pocono Township Board of Commissioners

Publish dates: **Monday, February 26, 2024 and Monday, March 4, 2024**  
**AN EQUAL OPPORTUNITY EMPLOYER**

## MEMORANDUM OF UNDERSTANDING

The parties to this Memorandum of Understanding ("MOU") are Pocono Township and Teamster Local 773 as the representative of all as the exclusive and sole representative for collective bargaining for all full-time and regular part-time nonprofessional employees including but not limited to Road Crew and Clerical employees, and excluding management level employees, supervisors, first-level supervisors, confidential employees and guards under the Public Employee Relations Act. The date of this Memorandum of Understanding is March \_\_\_\_, 2024. The purpose of the Memorandum of Understanding is to document the agreement reached between Pocono Township, and Teamster Local 773 regarding clerical administrative positions.

If a clerical administrative employee applies for and obtains a notary public commission from the Commonwealth of Pennsylvania, he/she will be appointed as a second notary among the Township's administrative clerical employees and:

1. The Township will cover the cost of training to obtain a Pennsylvania notary public commission for an employee to become a second notary among the Township's administrative clerical employees.
2. The employee will receive \$.50 per hour beyond his/her regular hourly rate to serve as a second notary public among the Township's clerical employees for as long as he/she retains a Pennsylvania notary commission.
3. The provision of an additional \$.50 per hour in return for obtaining a notary public commission shall be limited to two employees assigned to Pocono Township's clerical/administrative employees, who are not assigned to the Police Department.
4. The Township will cover the cost for the second notary to renew his/her notary public commission.
5. This Memorandum of Understanding shall not create any rights for any other Township employees who obtain notary public commissions.

### **TEAMSTER LOCAL 773**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

### **POCONO TOWNSHIP**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## MEMORANDUM OF UNDERSTANDING

The parties to this Memorandum of Understanding ("MOU") are Pocono Township and Teamster Local 773 as the representative of all as the exclusive and sole representative for collective bargaining for all full-time and regular part-time nonprofessional employees including but not limited to Road Crew and Clerical employees, and excluding management level employees, supervisors, first-level supervisors, confidential employees and guards per the Public Employee Relations Act. The date of this Memorandum of Understanding is March \_\_\_\_, 2024. The purpose of the Memorandum of Understanding is to document the agreement reached between Pocono Township, and Teamster Local 773 regarding clerical/administrative employees in the Pocono Township Police Department.

If an employee who works as an administrative employee in the Pocono Township Police Department applies for and obtains authorization to access JNET, CLEAN, and NCIC from the Commonwealth of Pennsylvania:

1. The employee will receive \$.50 per hour beyond his/her regular hourly rate for as long as he/she retains these authorizations.
2. The provision of an additional \$.50 per hour in return for the authorizations is limited to 2 (two) clerical/administrative employees assigned to the Police Department.
3. This Memorandum of Understanding shall not create any rights for any other Township employees who obtain access to JNET, CLEAN, and/or NCIC.

### **TEAMSTER LOCAL 773**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

### **POCONO TOWNSHIP**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## **STORAGE AGREEMENT**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between **POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA**, a Pennsylvania First Class Township, with a municipal address of 112 Township Drive, Tannersville, Pennsylvania 18372 (hereinafter “Township”) AND **NORTHAMPTON AREA COMMUNITY COLLEGE**, with an address of 3835 Green Pond Road Bethlehem, Pennsylvania 18020 (hereinafter “NCC”). The Township and NCC together sometimes referred to as “Party” or Parties”.

### **BACKGROUND**

A. NCC is the legal owner of the following Monroe County Tax Parcels: 12.8.2.32 located at 205 Old Mill Road, Tannersville, Pennsylvania 18372; 12.8.2.31 located at T537 Olde Mill Road, Tannersville Pennsylvania 18372; 12.7.1.25-4 located along I80 in Tannersville, Pennsylvania 18372; and, 12.8.2.32-1C located at Old Mill Road E 611, Tannersville, Pennsylvania 18372 (the foregoing parcels collectively referred to as the “Property”).

B. The Township is the equitable owner of the Property pursuant to an Agreement of Sale executed \_\_\_\_\_.

C. The Township is in possession of certain office equipment (the “Items”) intended for its eventual use at the Property following settlement on the sale of the Property (“Settlement”).

NOW, THEREFORE, in consideration of their mutual promises, each to the other, and intending to be legally bound thereby, the Parties hereto agree as follows:



1. All Background paragraphs are incorporated herein by reference as if the same were set forth here at length.
2. NCC agrees to accept and store the Items within the improvements on the Property for the Township's eventual use following Settlement.
3. The Parties acknowledge and agree that all of the Items while located on the Property, shall remain the Township's sole and exclusive personal property.
4. The Township agrees that it shall be solely responsible for the Items as well as any loss or damage to the Items while located on the Property prior to Settlement.
5. The Township shall maintain insurance on the office equipment in sufficient amounts in the event of any loss or damage to the office equipment.
6. The Township shall indemnify and hold NCC harmless for any damage or loss sustained by NCC resulting from the storage of the Items prior to Settlement.
7. This Agreement contains the entire understanding of the Parties and shall not be amended except by a further writing executed by the Parties hereto.
8. This Agreement shall be binding upon the successors and assigns of the Parties and this Agreement shall be interpreted under the laws of the Commonwealth of Pennsylvania.
9. This Agreement may be signed in counterparts, each of which shall be deemed an original, but all of which, taken together shall constitute the same instrument. A signature made on a faxed or electronically mailed copy of the Agreement or a signature transmitted by facsimile or electronic mail, or which is made electronically, will have the same effect as the original signature.

IN WITNESS WHEREOF, the Parties have set their hands and seals the day and date first above written.

**WITNESS:**

**POCONO TOWNSHIP, MONROE  
COUNTY, PENNSYLVANIA**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ATTEST:**

**NORTHAMPTON COMMUNITY  
COLLEGE**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_