

**POCONO TOWNSHIP BOARD OF COMMISSIONERS**

**MEETING AGENDA**

**December 7, 2015**

**7:00 P.M.**

- 1) Pledge of Allegiance
- 2) Roll Call
- 3) Announcements
  - a. There will be an executive session after the meeting to discuss union negotiations
- 4) Approval of Minutes
  - a. Commissioners regular meeting, November 16, 2015
- 5) Approval of Bills and Transfers
  - a. Check Listing, dated December 7, 2015
- 6) Amendments to Agenda
- 7) Public Comment

Comments are for any item NOT on the agenda. Comments on agenda items will be taken after each item is discussed by the Board of Commissioners, but before formal action is taken. (Please limit individual comments to 3 minutes to allow time for others wishing to speak and direct all questions and comments to the President)

- 8) Report of the President
- 9) Commissioners Comments
  - a. Mr. Gerald Lastowski, Vice President
  - b. Mr. Thomas Felver, Commissioner
  - c. Mr. Peter Nish, Commissioner
  - d. Mr. Bradley Wise, Commissioner
- 10) Reports
  - a. Emergency Services (second meeting of month)
    - i. Chief Werkheiser – Pocono Township Police
    - ii. Chief Shay – Pocono Township Volunteer Fire Co.
    - iii. Linda Smith – Central Pocono Ambulance Association, Inc.
  - b. Administration
    - i. Mr. Schuster – Township Manager
      1. 2016 Budget
      2. Engineering evaluation of facilities
      3. Ambulance RFP
    - ii. Mr. Edinger – Township Engineer
      1. PS 1 and 2 Proposal
      2. Correction of 9/8/15 motion for payment request 18 for PACT Two
    - iii. Mr. DeVito – Solicitor
      1. General sewer waiver
    - iv. Ms. Zuvich – Treasurer
- 11) Presentations
  - a. BCRA proposed water line
  - b. Munoz lot line adjustment
- 12) Ordinances
  - a. Public hearing for an Ordinance for the Vacation of a portion of T-168
  - b. Consideration of an Ordinance for the Vacation of a portion of T-168
- 13) Resolutions
  - a. A resolution reappointing Ron Swink to the Planning Commission
  - b. A resolution reappointing Steve Chaladoff to the Zoning Hearing Board
  - c. A resolution reappointing Lew Ginsberg to the Zoning Hearing Board

- d. A resolution reappointing Rolland Cheesman to the Civil Service Commission
- e. A resolution removing BNY Mellon as police pension plan trustee
- f. A resolution approving an investment policy statement
- g. A resolution approving a generator service agreement
- h. A resolution approving an auditor for the 2015 audit

14) Public Comment

Comments are for any item NOT on the agenda. Comments on agenda items will be taken after each item is discussed by the Board of Commissioners, but before formal action is taken. (Please limit individual comments to 3 minutes to allow time for others wishing to speak and direct all questions and comments to the President)

15) Executive Session (If Necessary)

16) Adjournment

Next regular meeting – December 21, 2015 (7:00 p.m.)

Public Hearing for Spa Castle – December 17, 2015 (6:00 p.m. at NCC)

Next Resolution Number: 2015-78

Next Ordinance Number: 2015-11

**POCONO TOWNSHIP BOARD OF COMMISSIONERS**

**REGULAR MEETING**

**NOVEMBER 16<sup>th</sup>, 2015 7:00 P.M.**

The regular meeting of the Pocono Township Commissioners was held on 11/16/2015 at the Pocono Township Municipal Building, Tannersville, PA, and was opened by President Richard Wielebinski at 7:00 p.m. followed by the Pledge of Allegiance.

**ROLL CALL:** Rich Wielebinski, present; Jerry Lastowski, present; Tom Felver, present; Peter Nish, present; and Brad Wise, present.

Leo V. DeVito, Broughal & DeVito LLP, Twp. Solicitor; Gregg Schuster, Twp. Manager; and Regina Zuvich, Twp. Treasure, were present.

**PRESENTATIONS:** Michael Tuleva, Pocono Alliance, noted the Crossings Abilities Playground has been recognized by Playcore for Implementing Best Practice Principles for Playground Design. He thanked the Board of Commissioners for their support and recognized Neil Gallagher, Kim VanCamp, and Charlie Trapasso, for their work in developing the Crossings Abilities Playground.

**ANNOUNCEMENTS:** R. Wielebinski announced an executive session will be held after the meeting to discuss a union negotiation matter.

**MINUTES:**

T. Felver made a motion, seconded by P. Nish, to approve the Commissioners Special meeting minutes of 11/02/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

B. Wise made a motion, seconded by J. Lastowski, to approve the Commissioners Regular meeting minutes of 11/02/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

T. Felver made a motion, seconded by J. Lastowski, to approve the Commissioners Special Budget meeting minutes of 11/10/2015. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, abstained; and B. Wise, yes. Motion carried.

**BILLS AND TRANSFERS:**

R. Wielebinski made a motion, seconded by T. Felver, to approve the Bill's listing dated 11/16/2015, excluding Sewer Construction Check 143 - Pact Construction in the amount of \$110,070.95. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**AMENDMENTS TO AGENDA:** None

**PUBLIC COMMENT:**

Lisa Olsen, Twp. resident, presented additional signatures for opposing Spa Castle. G. Schuster noted the comment period is open for residents to submit written comments.

Tom Olsen, Twp. resident, spoke in regards to Spa Castle. He noted the petition relates to opposition to the Act 537 plan and additional traffic. L. DeVito noted written comments should be specific to the Act 537 plan. Judi Coover, Twp. resident, questioned the process of review of the Act 537 plan.

Discussion followed.

**REPORT OF THE PRESIDENT:** None

**COMMISSIONERS' REPORTS:**

Jerry Lastowski, Commissioner, noted the sewer committee continues to meet with Kalahari to discuss their sewer problems. A meeting will be held on Thursday, 11/19/2015 with Pocono Mountain School District to discuss their sewer connection.

Tom Felver, Commissioner, none.

Peter Nish, Commissioner, none.

Brad Wise, Commissioner commented on:

- a) Sewer Committee meeting is tomorrow morning, 9:00 a.m., at the Pocono Township Municipal Building.
- b) A draft intergovernmental agreement with DCNR for their sewer connection is near completion.
- c) An agreement has been reached with Chester's Barbershop and Benninger Insurance (Broski).
- d) Excavation has been completed for the hump repair, the drilling company is moving in.
- e) A BCRA meeting for Indemnification request for the sale of the PJJWA.
- f) Notice from BCRA concerning Farda realty request to renew of their sewer permit. B. Wise noted the Twp. is opposed to the renewal.

**REPORTS:**

Police Chief Kent Werkheiser was absent - R. Wielebinski read his report in his absent.

Pocono Township Fire Chief Mike Shay was absent - J. Lastowski read their report - 38 call outs for October.

Central Pocono Ambulance Linda Smith, manager, noted 221 call outs were handled in the month of October.

**ADMINISTRATION**

Township Manager Gregg Schuster gave his report.

2016 Budget - Public Notice - G. Schuster explained the two options - 1) without funding for an Ambulance service, milage would be dropped by 1 mil; or 2) with funding a ½ mil reduction. T. Felver noted the new board does have the option of reopening the budget in January to make changes.

**2016 BUDGET CONT:**

R. Wielebinski made a motion, seconded by J. Lastowski, to approve Option 1 with the 1.5mil rate reduction and no ambulance funding as recommended in the Twp. Manager's memo of 11/12/15 and pursuant to Article XVII, section 1701 of the First Class Township Code, to propose budgets as recommended by the Township Manager on 9/25/2015 and revised with Option #1 as presented on 11/16/2015 and to give public notice of said budgets with final adoption to occur at a date to be determined in December.

B. Wise raised concern the millage reduction may hurt the future projects for the Township. J. Lastowski suggested a 1 mil reduction. P. Nish noted the Twp. had not appointed an ambulance service which may require funding. G. Schuster noted that option one is for the two services that do not require funding. Monica Gerrity, Twp. resident questioned the health insurance costs. J. Cilurso, Twp. resident, questioned the removal of funding for the Ambulance service and reduction of millage.

Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, no. Motion carried.

Engineer's involvement with sewer inspections - P. Nish suggested the lateral inspection be completed by the Township Engineer. B. Wise concurred noting the cost of appeals, problems with lateral locations, etc. R. Wielebinski and T. Felver questioned why the Township should pay the engineer when BIU is being paid. Sarah Bue Morris, design engineer for sewer laterals, noted problems with designing for building codes, she noted an engineer can allow alternatives. Vince Trapasso, Twp. resident, noted he has projects ready for construction and the property owner should be responsible for the hookup. Discussion followed on who should pay the cost of an engineer's inspection.

T. Edinger, Twp. Engineer, explained existing documentation for lateral locations are incorrect. The homeowner's options are to work with the Twp. engineer to come up with a solution.

Tom Olsen, Twp. resident, expressed concern the Township would pay additional cost for engineering cost.

Judi Coover, requested BIU be included in the discussion to make the inspections work smoothly.

Discussion followed.

B. Wise made a motion, seconded by P. Nish, to authorize the sewer inspections to be done by the Township engineer. Roll call vote: R. Wielebinski, no; J. Lastowski, yes; T. Felver, no; P. Nish, yes; and B. Wise, yes. Motion carried.

Township Engineer Tim Edinger -

Northridge Release - T. Edinger recommended the release.

R. Wielebinski made a motion, seconded by T. Felver, to authorize Payment Request #13 in the amount of \$207,630.79 for Northridge Development as recommended in the Twp. Engineer's letter of 11/13/2015 contingent upon the Developer replenishing their escrow account. Roll call vote: R.

Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**REPORTS CONT:**

Township Solicitor Leo DeVito -

RecDesk Agreement - L. DeVito explained he has reviewed the agreement for an electronic calendar for park pavilion rentals and payments.

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the signing of the RecDesk Agreement as per the Twp. Solicitor's recommendations. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

G. Schuster noted the Twp. will need to obtain a credit card service.

403 Manor Drive - Dangerous Structure - L. DeVito noted more than 60 days have lapsed since a certified letter was sent out. Rick Fisher, Twp. Zoning officer, visited the site, recently. He recommended petitioning the court to allow the Township to enter the property and tear the building down.

R. Wielebinski made a motion, seconded by P. Nish, to authorize the Township Solicitor to petition and court to enter the property and demolish the structure. Roll call vote: R. Wielebinski, yes; J. Lastowski, no; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

B. Wise noted the structure alone Rt. 314 has been removed.

Township Treasurer Regina Zuvich gave her October report. Revenue and expenses for the General account are on track for the year.

**PRESENTATIONS**

Building Board of Appeals - Mike Velardi interview. R. Wielebinski explained it is an as-needed base position.

P. Nish made a motion, seconded by R. Wielebinski, to appoint Mike Velardi to the Pocono Township UCC Board of Appeals. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**ORDINANCES**

Ordinance 2015-XX - Vacation of a portion of T0168 - L. DeVito, Twp. Solicitor explained the request to vacate a section of roadway on Trap Enterprises property.

R. Wielebinski made a motion, seconded by J. Lastowski, to authorize the Twp. Solicitor to advertise the ordinance. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**RESOLUTIONS**

Resolution 2015-72- Reappointment of Dennis Purcell to the Pocono Township Planning Commission -

R. Wielebinski made a motion, seconded by B. Wise, to adopt Resolution 2015-72 appointing Dennis Purcell to the Pocono Township Planning Commission. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**RESOLUTIONS CONT:**

Resolution 2015-73 - Reappointment of Robert DeYoung to the Pocono Township Planning Commission - R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-73, appointing Robert DeYoung to the Pocono Township Planning Commission. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-74 - Supplemental Appropriations - G. Schuster noted there is a draw off the fund balance. R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-74, Supplemental Appropriations to the 2015 Budget. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-75 - Purchasing Policy - G. Schuster explained the process. R. Wielebinski made a motion, seconded by P. Nish to adopt Resolution 2015-75 approving a purchasing policy. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-76 - PennDOT Documents - L. DeVito explained PennDOT requires the Township to submit the application. T. Edinger noted the Township will be responsible for the marking of the intersection. R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-76 authorizing the execution of the PennDOT document related to the Traffic Signal at Discovery Drive. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

Resolution 2015-77 - Modifying Sanofi's Conditional Approval - T. Edinger explained Sanofi has revised their plan. R. Wielebinski made a motion, seconded by J. Lastowski, to adopt Resolution 2015-77 - Modifying Sanofi's Resolution of conditional approval to allow them to record its Modular Building Plan. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

J. Lastowski noted he received a complaint concerning the Rt. 314 light.

**PUBLIC COMMENTS:**

Mike Velardi, noted St. Paul's Lutheran Church Thanksgiving Dinner honoring the fire company volunteers.

**ADJOURNMENT TO EXECUTIVE SESSION:**

R. Wielebinski made a motion, seconded by P. Nish, to adjourn the meeting into executive session to discuss union negotiation matters, at 8:50 p.m., until 12/17/2015 at 7:00 p.m., at the Pocono Township Municipal Building. Roll call vote: R. Wielebinski, yes; J. Lastowski, yes; T. Felver, yes, P. Nish, yes; and B. Wise, yes. Motion carried.

**Pocono Township Check Listing - December 7, 2015**

	<u>Date</u>	<u>Check</u>	<u>Vendor</u>	<u>Memo</u>	<u>Amount</u>
<b>General Fund</b>	12/07/2015	53930	Metropolitan Telecommunications	Phones - Twp.	383.12
	12/07/2015	53931	Verizon Wireless	Phones - Police	585.34
	12/07/2015	53932	Verizon Wireless	IPADs	60.86
	12/07/2015	53933	Anglemyer, Aaron	Training expenses	317.52
	12/07/2015	53934	Bartonsville Printing	Notices	175.00
	12/07/2015	53935	BIU of PA, Inc.	Zoning officer (Fergoni) ZHB Hearing	210.00
	12/07/2015	53936	Brodheadsville Veterinary Clinic	Falko - Veterinary	173.00
	12/07/2015	53937	Clapper, Jeffry	Public Works Director Mileage	43.71
	12/07/2015	53938	Cyphers Truck Parts	Parts - Public Works vehicles	386.01
	12/07/2015	53939	D.G. Nicholas Co.	Hydraulic Oil/Filters/Truck parts	2,063.47
	12/07/2015	53940	Dailey Resources, LTD	Welding Supplies	68.90
	12/07/2015	53941	DES	Recycling	20.00
	12/07/2015	53942	Double M Productions	Uniforms - Public Works	472.50
	12/07/2015	53943	Eureka Stone Quarry, Inc.	Stone/Paving	446.52
	12/07/2015	53944	Ferrara, Enrico & Christina	Refund Prior Year Taxes	642.50
	12/07/2015	53945	Hanson Aggregates Pennsylvania LLC	Stone	258.00
	12/07/2015	53946	J. P. Mascaro & Sons	Garbage - Twp.	226.80
	12/07/2015	53947	Keystone Business Products	Twp. Copier	749.60
	12/07/2015	53948	Kimball Midwest	Parts - Public Works vehicles	196.56
	12/07/2015	53949	Leddy Telecom Services	Phone repair	65.00
	12/07/2015	53950	Manter, David	SEO Services	210.00
	12/07/2015	53951	Metropolitan Telecommunications	Phones - Police	189.88
	12/07/2015	53952	Milham	Repair Police vehicle	102.14
	12/07/2015	53953	Monroe County Treasurer	Tax bill mailing	358.52
	12/07/2015	53954	Network Fleet	GPS Service	411.34
	12/07/2015	53955	Otto, Carol	Cleaning	550.00
	12/07/2015	53956	Panko Reporting	ZHB - Top Real Estate/AAA	223.75
	12/07/2015	53957	PAPCO, Inc.	Gasoline	2,383.93
	12/07/2015	53958	PPL Electric Utilities	Twp Electric/Traffic Signals	1,672.90
	12/07/2015	53959	Signal Service, Inc.	Repair - Cherry Ln & Warner	2,734.00
	12/07/2015	53960	SPW Cleaning Services	Floor cleaning - Police bldg	100.00
	12/07/2015	53961	Staples Credit Plan	Office Supplies - Police	349.37
	12/07/2015	53962	Staples, Chris	Falko - Food	93.26
	12/07/2015	53963	Steele's Hardware	Supplies	5.38
	12/07/2015	53964	Stiff Oil Company	Heating oil	413.81
	12/07/2015	53965	Sundance Networks, Inc.	IT Services	198.50
	12/07/2015	53966	Tulpehocken Mountain Spring Water Inc	Water	94.50
	12/07/2015	53967	UNIFIRST Corporation	Carpets/Uniforms - 3 weeks	470.73
	12/07/2015	53968	Verizon Wireless	Phones - Township	241.41
	12/07/2015	53969	WatchGuard Video	Video system - Police	14,600.00
	12/07/2015	53970	Werkheiser, Kent	Uniform reimbursement	500.00
	12/07/2015	53971	Wilson Products Compressed Gas Co.	Supplies	99.32
	12/04/2015	53972	Lincoln Life	Voluntary Supplementary pension	300.00
	12/04/2015	53973	Aflac	Supplementary health insurance	396.08
	12/07/2015	53974	Unum	Life and disability insurance	2,199.00
	12/07/2015	53975	Pat Michael	Tax collector expenses	573.68
	12/04/2015	53976	T Brennan LLC	Stadden Road Bridge Repair	24,595.00
				<b>TOTAL General Fund</b>	<b><u>\$61,610.91</u></b>
<b>Park Fund</b>	12/07/2015	53925	F&F Paving	Paving	6,575.00
	12/07/2015	53926	HJP Park & Open Space	Final Paymentment 4th quarter	12,197.01
	12/07/2015	53927	Metropolitan Telecommunications	Phone	87.28
	12/07/2015	53928	PPL	Electric	272.66
	12/07/2015	53929	Womer Landscaping	Install Playground Equipment	3,840.00
				<b>TOTAL Park Fund</b>	<b><u>\$22,971.95</u></b>
<b>Debt Fund</b>	12/07/2015	53924	PNC Equipment Finance	Case Loader	1,014.30
	12/07/2015		PNC Bank	School Property	8,164.24
				<b>TOTAL Debt Fund</b>	<b><u>\$9,178.54</u></b>
<b>Sewer Operating Fund</b>	12/4/2015	1449	PPL Electric Utilities	Pump stations electric	999.86
	12/4/2015	1450	PLLPS Labor Law Poster Service	Labor law poster	65.00
	12/4/2015	1451	Met Ed	Pump stations electric	226.51
	12/4/2015	1452	Cramer, Swetz, McManus & Jordan	Legal for operations	105.00
	12/4/2015	1453	PenTeleData	Internet for pump stations	359.70
	12/4/2015	1454	RKR Hess	Help with contract 11 and sewer plans	1,139.53
	12/4/2015	1455	Universal Technical Resource Services	Help with sewer plans for PMSD	255.00
	12/4/2015	1456	Brennan Electric	Pump stations maintenance	4,980.00
	12/4/2015	1457	TRIJAY Systems	Site investigative troubleshooting for pump stati	1,000.00
	12/4/2015	1458	Blue Ridge Communications	Cable for pump stations	17.68
	12/4/2015	1459	EEMA O&M Services Group	Operations management	6,655.00
	12/4/2015	1460	Pennsylvania One Call	One call participation	314.08
	12/4/2015	1461	JP Mascaro	Garbage - Sewer pump stations	63.84
	12/4/2015	1462	Steele's Hardware	Parts for sewer operations	34.02
	12/4/2015	1463	First Keystone Community Bank	Loan principal and interest payment	143,225.79
	12/4/2015	1464	First Keystone Community Bank	Loan principal and interest payment	59,222.33
	12/4/2015	1465	Wayne Bank	Loan interest payment	40,917.53
	12/4/2015	1466	ESSA Bank and Trust	Loan interest payment	54,374.99
				<b>TOTAL Sewer Operating Fund</b>	<b><u>\$313,955.86</u></b>



Pocono Township Check Listing - December 7, 2015

Sewer Construction  
Fund

ESSA Bank

12/04/2015 147

Pact Two

Contract 11 Pay Request 18

110,070.95

**TOTAL ESSA Bank** **\$110,070.95**

TOTAL General Fund \$61,610.91  
TOTAL Park Fund \$22,971.95  
TOTAL Debt Fund \$9,178.54  
TOTAL ESSA Transfer **\$93,761.40**

Total Sewer  
Operating Fund Wayne Bank \$313,955.86

TOTAL Sewer  
Construction Fund ESSA \$110,070.95

Transferred by:

\_\_\_\_\_

Authorized by:

\_\_\_\_\_

# MEMORANDUM

**To:** Board of Commissioners

**cc:**

**From:** Gregg Schuster, Township Manager

**Date:** 12/4/15

**Re:** Township Manager Report (11/13/15 – 12/3/15)

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## Personnel

1. One employee is currently out on workers comp and another employee is having intermittent disability due to a medical issue.

## Meetings

1. On 11/17/15, I attended a sewer committee meeting.
2. On 11/17/15, I attended, along with Commissioners Wielebinski and Felver, a meeting with PFM to develop an investment policy statement.
3. On 11/17/15, I attended a zoning hearing board meeting relating to appeals for short term rentals. The results were previously e-mailed to you.
4. On 11/18/15, I met, along with Commissioners Wise and Lastowski, with the Pocono Mountain School Board regarding a connection to our sewer system. The summary of that meeting was previously e-mailed to you.
5. On 11/19/15 and 11/20/15, I attended the annual Benecon health benefits seminar.
6. On 11/24/15, I met with representatives from the Farda properties to discuss their development plans.
7. On 12/2/15, I received training for RecDesk, our new reservation service.

## Administration

1. The Civil Service Commission continues to review the SOP manual and will present a recommended revision.
2. The repair of the “hump” is proceeding. A public schedule has been posted.
3. I continue to work with the County on the updated Hazard Mitigation Plan.

**Finance**

1. The 2016 budget is on the agenda for discussion. Final adoption is scheduled for your 12/21/15 meeting.
2. We have received an engagement letter from our current auditor for your consideration.
3. We are in the process of completing the transactions to finalize the implementation of our new custodian and investment advisor for the police pension fund

**Current Projects**

1. Payment Requisition / Purchase Order System

Software continues to be demoed. A recommendation from Gina will be forthcoming.

2. Filing and Workflow System

Work continues on developing a documenting a process for the intake, processing, and filing of all work.

3. Agreement with Central Pocono

Agreement is on hold pending the outcome of the RFP process.

4. Codification

The final analysis and review has been sent to the vendor. Upon receipt of the final manuscript, it will be sent to you for review.

5. 715/611 Corridor Planning

No update.

6. CIP

A plan has been distributed for your review.

7. Municipal Security

Options for security at the municipal building will be investigated as time allows.  
Funding has been included in the 2016 proposed budget.

## Gregg Schuster

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**From:** Gregg Schuster  
**Sent:** Tuesday, December 1, 2015 10:30 AM  
**To:** 'Bradley Wise'; 'Gerald Lastowski'; 'Peter Nish'; 'Richard Wielebinski'; 'Tom Felver (tfelver@hotmail.com)'  
**Cc:** Regina Zuvich  
**Subject:** 2016 Budget - Assessment Update

Commissioners,

As I reported previously, we did get assessment numbers from the county that I needed to investigate a little more as they didn't seem correct. However, it appears that they are correct and that it may impact the budget. The county provided a total assessment for Pocono Township of 191,653,420. Utilizing the proposed 16.25 mill rate with a 93% discount/uncollectable rate would yield property tax revenues of \$2,869,627. The last budget you saw had property tax revenues of \$2,920,285. The new assessment has resulted in a loss of \$50,658 of estimated revenue.

The only reason I can think of that this is occurring is because of a number of successful assessment appeals on property. Based on the trend I am seeing, I do not anticipate this continuing and foresee an increase in total assessment with more commercial activity. I have seen some discussion about a county wide revaluation. In my opinion, that is long overdue and can help eliminate some of these issues.

Here are some options for you to consider to deal with this:

1. Do nothing – you can keep the budget, and the associated mill rate reduction as is. A \$50,658 change in the estimated revenue, although noticeable, is not catastrophic. These are estimated revenues anyways and we regularly exceed forecasts for property tax, EIT, etc...
2. Change the mill rate – to account for the \$50,658 loss, you can change the proposed mill rate to about 16.38 instead of 16.10. It is less of a mill rate reduction, but it is still a reduction of nearly 1 mill.
3. Reduce expenditures – you can reduce expenditures by \$50,658 and preserve the 1.25 mill rate reduction. I would recommend taking it out of roadwork.

I will have this on Monday's agenda for any discussion. Please let me know if you have any questions.

Thanks,

Gregg

Gregg Schuster  
Township Manager  
Pocono Township  
(570) 629-1922 x212

Facebook: [www.facebook.com/poconotm](http://www.facebook.com/poconotm)  
Twitter: [www.twitter.com/PoconoTM](http://www.twitter.com/PoconoTM)



September 30, 2015

Gregg Schuster  
Pocono Township  
P.O. Box 197  
112 Township Drive  
Tannersville, Pa. 18372

Reference: Proposal for Conditions Assessment and Capital Improvement Plan

Dear Mr. Schuster,

Thank you again for the opportunity to introduce our firm to Pocono Township. As discussed, D'Huy Engineering, Inc. (DEI) has extensive experience with the preparation of long-term capital improvement plans and management of publicly-bid projects.

Our fee proposal has been broken out as shown below to provide the Township with flexibility for project scope, which may be determined by budget considerations or future planned use of facilities.

**Task 1: Police Building, Administration Building/Library, Maintenance Garage, Fire Station, and Pole Barn.**

Scope: Conditions assessment of buildings including architectural, structural, mechanical, electrical, communications/life safety, plumbing, roof, exterior, and site components.

Preparation of capital improvement recommendations, including preliminary scope and budgets for individual projects.

Preparation of 5-10 year capital improvement plan recommendations and presentation to Township.

Fee: [REDACTED]

**Task 2: Boundary and Topographic Survey of Township Administration Property**

Scope: Perform boundary and topographic survey of the parcel(s) on which the facilities identified in Task 1 are located. This will provide the Township with an existing site plan to be used for potential capital projects requiring site development. This site plan will also assist with master planning of the site, traffic flow and way finding signage.

Fee: [REDACTED]

*Note: Deed/title search to identify property information, and underground utility locator services are not included in the fee above. DEI will provide a supplemental proposal prior to performing additional work, should these services be needed.*

### **Task 3: Environmental Assessment**

Scope: Perform investigation of facilities identified in Task 1 to identify hazardous materials including asbestos, lead, PCB's, and mercury. The investigation will include a report which identifies the presence or absence of hazardous materials. We will coordinate this effort directly with the environmental consultant but will request that the township contract directly with the consultant; this is recommended for insurance and liability management.

Fee: [REDACTED]

### **Task 4: Mountain View Park**

Scope: Conditions assessment of voting office building, four (4) baseball/softball fields, two (2) basketball courts, two (2) tennis courts, parking areas, and interconnecting driveways.

Fee: [REDACTED]

*Note: review of playground equipment is excluded*

Once again, thank you for this opportunity. Should you have any questions or comments regarding this proposal, please do not hesitate to contact us. We look forward to hearing from you soon.

Sincerely,  
D'Huy Engineering, Inc.



Josh Grice, P.E.

cc: Jeff Clapper  
Arif Fazil



**POCONO TOWNSHIP  
ENGINEER'S REPORT  
December 2015**

**SUBDIVISION AND LAND DEVELOPMENT APPLICATIONS**

1. **Kopelson Lot 3 Land Development Application** – The Applicant submitted a revised plan package for the restaurant pad at Pa Route 715 and Route 611. The Applicant was seeking a number of deferrals. The package is still under review. The Planning Commission tabled the plans for consideration at a future meeting. **A time extension has been granted to December 31, 2015. Board action may be required unless an extension is granted by the applicant.**
  
2. **Spa Castle Grand Pocono Resort** – C. Castle LLC presented a sketch plan for a hotel, condominiums, rental units, indoor water park and spa facility at the old Birchwood estates area, east of Birchwood Road. The site is 294+/- acres in size. The developable portion was stated to be 88 acres. The most significant issues are the revision to the Township's 537 plan, the proposed vacation of a portion of Birchwood Road and overall traffic impacts. The applicant has been present at a couple of sewer Committee meetings, seeking input and direction on the 537 Planning Module and in particular the source of the 250,000 GPD necessary for the project. The Traffic Study supposedly is well underway and should be available shortly. The conditional use applications have been put in abeyance until the above issues have been more fully documented. Recently, the staff met with Barton Lawson on the 537 Plan elements that need to be included with the Planning Module. Barton Lawson provided an update toward their 537 progress at the September 21<sup>st</sup> meeting. Also a meeting was held on Sept 21<sup>st</sup> to review the utility components within the state ROW. PennDOT representatives were present to provide their input. The Applicant's engineer have provided meeting minutes. Recently, the Borough of Stroudsburg denied Spa Castle the ability to obtain sewage allocation from the Borough reserves. Without sewage allocation the project, as currently presented, cannot be constructed. A public meeting for the consideration of the Sewage Planning Modules is scheduled for December 17<sup>th</sup> at MCCD.
  
3. **Camelback** - Camelback received conditional approval for both the consolidation plan and the Parking Lot/Heliport plan. Camelback is in the process of having the required agreements executed and security posted. Construction is anticipated to start in early December. A preconstruction meeting was held on November 25,



2015 to review construction, inspection, and administrative protocol. T&M will provided periodic inspections for the construction. There are no public improvements to be dedicated.

4. **Sanofi Pasteur Inc. – B-79 (Flu Bldg) and B-80 (CUP Bldg)** – Plans were accepted at the 9/14/15 P.C. meeting. The proposals are to build two new buildings in areas currently used for parking lots and modular buildings. The modular buildings are to be relocated. The Flu Building is a new building and is 150,000 s.f. in size. The plans are still before the Planning Commission for review. The deadline for Planning Commission consideration is 1/25/16.
5. **Schlier Motorcycle Dealership** – Jim Schlier submitted a sketch plan showing a 24,000 S.F. Motorcycle Dealership at the corner of Hill Motor Lodge Road and Pa Route 715. The plan was presented at the 10/26/15 P.C. meeting and informal comments were presented and discussed. It is anticipated a formal application will be submitted early next year for the Township’s review and consideration.
6. **Judith Munoz Lot Line Adjustment Plan** – This plan is currently before the Commissioners for consideration as a “Lot Line Adjustment Plan”. The applicant is seeking an adjustment of one common lot line to locate the existing septic system entirely on one lot.

### **LAND DEVELOPMENT AND SUBDIVISION INSPECTIONS**

7. **Northridge Development** – T&M continues to provide periodic inspection during periods of construction. Currently work is proceeding in Hunter Circle with water main and sewer installation.
8. **Sanofi** – Two modular buildings (#17 &18) previously approved have been eliminated with the new Flu Bldg. proposal. Modular Building #19, Sanofi has decided not to construct. Modular bldg. #10 has been constructed.
9. **Swiftwater Apartments** –T&M will be performing spot inspections on the proposed construction. T&M will also work with MCCD on monitoring corrections to any E&S notifications.
10. **Camelback Hotel and Waterpark** – Permanent fencing has been installed along the perimeter of the large retaining wall. Conversion of the sediment basin to a permanent stormwater control structure is underway. These are punchlist items from the land development approval.

11. **Camelback Parking Lot and Helipad** – Start of construction is pending. A preconstruction meeting was held November 25<sup>th</sup>. Shop Drawing submittals have been made and are currently being reviewed.
12. **Wendy's** – Recent violation notice for exceeding the “Limits of Disturbance” were addressed between the contractor and MCCD. T&M will continue to provide periodic inspection of the construction program. No public improvements are proposed for dedication.
13. **Castle Hill private road inspections** – Authorization is pending from the HOA to proceed with the inspection and report regarding the condition of the cartway, shoulders, and drainage features proposed to be dedicated to and accepted by the Township.

## **SANITARY FACILITIES AND CONNECTION OVERSIGHT PROGRAMS**

### **14. Conveyance System Repairs**

Design plans are being finalized and will be forwarded to PACT construction by December 11 for review and pricing determination. A meeting will be held with PACT on, or about January 6, 2016 to review the plans and discuss pricing and potential construction concerns.

### **15. Hump Fix**

Excavation of the sending pit at Learn Road has been completed by Marona Construction. Cruz Construction is setting up equipment to complete the Micro-tunneling operation. The tentative construction schedule as of December 2 is as follows: drilling rig delivered to site December 9<sup>th</sup>, concrete casing pipe delivered December 18<sup>th</sup>, begin drilling operation December 21<sup>st</sup>. Cruz Construction will be drilling 24-hours per day in tow 12 hour shifts. Cruz anticipates that they can drill 1 to 2 feet of tunnel per hour and that the drilling operations should be completed within 1 to 1.5 months provided that there are no unforeseen circumstances. Once the tunnel is completed the sewer main will be installed in the tunnel and open cut sewer installation will begin; depending on the weather and snow cover at the time.

### **16. Sewer Inspections**

T&M inspected two sewer lateral installations: Dr. John Cichon (106 Talon Drive) and D.G. Nicholas (2885 Route 611). We are also working to complete the close-

out of any remaining sewer applications where we were associated with the inspection of the sewer lateral installation.

#### **17. Contract Close-out**

T&M worked with RKR Hess to submit the final payment disbursement to PennVest for Contracts 8 and 9. T&M reviewed the Payment request from PACT Construction for Contract 11 in order to approve payment in the amount of \$110,070.95.

### **TOWNSHIP ROAD AND BRIDGE PROJECTS**

18. **Stadden Road Bridge Overview** – The work is completed for the Stadden Bridge Project. The close out paper work affiliated with the grant program needs to be completed and submitted. The bridge has been inspected by PennDOT representatives. The work has been found acceptable and the bridge weight limitations have been lifted. The redesign by T&M brought the total construction costs well below the grant amount.
19. **Swiftwater Creek Modifications and Wilkie Road Stream Improvements:**  
This work will be completed when permit conditions allow in 2016.

### **ORDINANCE(S) UPDATE PROGRAM**

20. **Signage Ordinance** See the Manager's report regarding the status of the revised ordinance.
21. **Subdivision and Land Development Ordinance** The Planning Commission recently recommended forwarding the SALDO Ordinance onto the Board for their review and consideration.
22. **Zoning Ordinance** – The Planning Commission continues to review the draft zoning document. It is anticipated that the revised draft may not be available until March 2016.

## **DRAINAGE INVESTIGATIONS**

23. **Investigation Policy** – The Township is in the process of formulating a policy on investigating complaints. The Board is evaluating a draft for consideration. Please refer to the Manager's Report.

## **PENNDOT PROJECTS**

24. **Route 611 Improvements** – As it stands the project is scheduled for a June 23, 2016 let date (the day they open the bids). The delay in the project is due to Act 162 which was enacted by the PA Legislature in Dec. 2014. Part of the Act requires that PennDOT replace riparian buffers that are impacted by the project. Since PennDOT was not previously planning for this, it has delayed the project.
25. **Route 715 Realignment** - T&M met with BCRA to discuss water line installation along Route 715 that will be impacted by the realignment. At present final plans have not been submitted for this project.

## **Upcoming Grant Program Windows**

### **26. PennDOT Transportation Alternatives Program**

**January 8, 2015**

PennDOT is currently accepting applications for the Transportation Alternatives Program (TAP) for 2016-17. Applications are being accepted through January 8, 2016. More information can be found [here](#). TAP projects are intended to build pedestrian and bicycle facilities, improve access to public transportation, create safe routes to school, preserve historic transportation structures, provide environmental mitigation, create trails projects that serve a transportation purpose, while promoting safety and mobility. Currently, there are ten (10) general project categories that are eligible for TAP funding. More information about eligible projects can be found on the PennDOT TAP website above.

Please be advised that this is NOT a grant program; it is a cost reimbursement program administered by PennDOT. The program can pay up to 100% of project construction and inspection costs; however, all pre-construction costs including preliminary engineering, construction specifications, environmental clearance

and right-of-way and utility clearance must be borne by the project sponsor. Grants of up to \$1 million are available.

## **27. DCRN C2P2 – Funding for parks, recreation and open space projects**

### **April 13, 2016**

The Department of Conservation and Resources [Community Conservation Partnerships Program](#), popularly known as “C2P2” local recreation and conservation projects opens January 20, 2016, and closes April 13, 2016. Grants are funded through a variety of sources, including the Keystone Recreation, Park and Conservation Fund; Environmental Stewardship Fund; PA Recreational Trails Program; and the Land and Water Conservation Fund. C2P2 funds may be used for a variety of park, recreation and conservation projects including open space and parkland acquisition; park development; trails; open space and park master plans; as well as, projects recommended in Rivers Conservation Plans.



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Oct 20<sup>th</sup>, 2015

Mr. Jeffry Clapper,  
Public Works Director  
Pocono Township

Via email:

Re: Proposal for additional engineering services to identify design deficiencies, troubleshoot station operational and program logic issues and recommend short and long term solutions for identified Code Violations and Reliability issues at Pump Stations 1 and 2.

**T&M Job # POCO-00090**

Dear Mr. Clapper:

In accordance with your request, T&M Associates (T&M) is pleased to present this proposal for engineering services to Pocono Township regarding the referenced pump stations.

### Scope of Services

T&M was asked to provide a proposal to extend our current scope of services associated with the evaluation of Pumping Stations 3, 4, 5 and Valve Stations 1 and 2 to include investigation and troubleshooting of conditions at Pump Stations 1 and 2 and identify our findings in a report. As requested, this proposal does not include analysis and design services to fully repair and upgrade the electrical, mechanical and I&C systems if found necessary as part of our evaluation. Pocono Township will advise T&M on how to proceed based on the findings identified in our final report to the Township. The above services will require the following level of effort:

1. One day site visit in November to meet with system integrator and troubleshoot control system equipment and control logic.
  - a. Each site will be inspected by an electrical engineer to determine compliance with NEC Codes. The engineer will provide a list of any non-compliance issues.



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- b. Both Ed Melanson and Sami Sarrouh will visit each site. A system integrator such as Tri - J will be needed during the visit to provide access to the PLCs and program logic. Simple, inexpensive fixes that can be done in a few minutes will be done on the spot; however, more extensive and costly repairs will be left to be addressed later by the Township.
2. T&M will review available drawings, O&Ms and submittals to delineate existing conditions and identify necessary changes and the potential reuse of equipment.
3. T&M will provide a report to the Township identifying observed mechanical, electrical, instrumentation and control (I&C) deficiencies and hydraulic concerns. A repair recommendation will be provided if required.

#### Project Schedule and Cost

The work to complete the system troubleshooting of the two pump stations will be completed for a subtotal sum of \$31,600.00, including all labor. Reimbursable expenses will be about \$4500.00 for a grand total of \$36,100.00 and will adjusted to actual travel and lodging expenses. To reduce travel time and expenses T&M will attempt to conduct our investigation around the same time the temporary repairs on VS2 are completed and when we are on-site to assist in the startup of the new equipment. Upon completion of our evaluation of pump stations 1 and 2 T&M will provide a Technical Memo to the Township summarizing our findings.

Should additional support (beyond that included in this proposal) be requested by Pocono Township, T&M will provide costs for the additional support before initiating such services.

#### Project Assumptions

- Technical information regarding the control logic, equipment, machinery, processes, and historical data for pumps stations, valve stations and plant will be provided by Pocono Township. Some information is already with T&M; however, additional information may be needed upon detailed review.
- Facilities will be made accessible to T&M in a timely fashion and within regular working hours.
- System integrators will be provided for all emergency support and troubleshooting





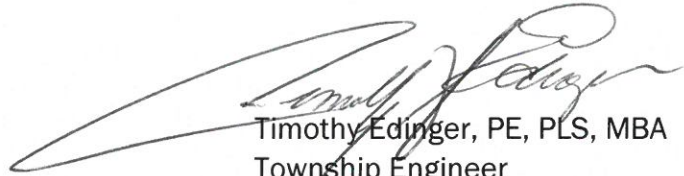
YOUR GOALS. OUR MISSION.

#### Approval and Acceptance

T&M is prepared to initiate these services upon receipt of authorization to proceed. T&M appreciates the opportunity to provide Pocono Township with this proposal. Should you have any questions regarding this proposal, please do not hesitate to contact me at (610) 234-4231 or at [tedinger@tandmassociates.com](mailto:tedinger@tandmassociates.com). If you are in agreement with the terms of this proposal, please issue T&M a purchase order.

Very truly yours,

T&M ASSOCIATES



Timothy Edinger, PE, PLS, MBA  
Township Engineer  
Unit Supervisor, Municipal Services

ATTACHMENT: T&M Terms and Conditions,

CC: POC000090/ T&M, Mark Ambrose / T&M, Sami Sarrouh



**INDEMNIFICATION AND RELEASE AGREEMENT**

**THIS INDEMNIFICATION AND RELEASE AGREEMENT**, dated \_\_\_\_\_, 201\_\_\_\_, by and between \_\_\_\_\_ (“OWNER”) and Pocono Township, Monroe County, Pennsylvania (“TOWNSHIP”).

OWNER and TOWNSHIP, for and in consideration of the mutual covenants and promises set forth herein, and intending to be legally bound, the parties hereto agree as follows:

1. OWNER is connecting to the TOWNSHIP’s sewer system. During the installation of the OWNER’s lateral, it was determined that the physical features of OWNER’s property will not permit OWNER to comply with the TOWNSHIP’s current regulations governing the installation of the sewer lateral and connection to the TOWNSHIP’s sewer system in that:

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INITIAL \_\_\_\_\_  
OWNER TOWNSHIP

2. The TOWNSHIP agrees to allow a modification of the regulations governing the installation of the sewer lateral and related appurtenances and connection to TOWNSHIP’s sewer system in consideration of the following:

A. OWNER acknowledges that the sewer lateral installation and/or connection to the TOWNSHIP's sewer system does not comply with TOWNSHIP's current regulations governing the same. OWNER accepts sole responsibility for any and all further damage or problems ascertained with the lateral or connection in any way or manner caused by or related to the deviation from the TOWNSHIP's regulations. OWNER hereby agrees to indemnify and hold TOWNSHIP harmless of and from any and all claims arising out of or alleged to have arose out of the modification. This indemnification shall include the TOWNSHIP, its engineer, employees, officers, Commissioners and any persons or entities associated with TOWNSHIP. This indemnification shall include all costs and attorney's fees associated with the same.

B. OWNER, for itself and its respective heirs, administrators, executors, successors or assigns, hereby releases and forever discharges TOWNSHIP, its employees, engineers, officers, Commissioners and any person associated with the TOWNSHIP from any and all claims arising out of or alleged to arisen out of the modification to the TOWNSHIP'S regulations governing the installation of the sewer lateral and/or connection. This release is intended to include any past, present or future claims of OWNER and its heirs, administrators, executors, successors or assigns.

3. This Agreement constitutes the entire understanding of the parties and shall be amended only in writing signed by the parties.

4. OWNER has had the opportunity to review this Agreement with an attorney of OWNER's choice and is signing this Agreement voluntarily with OWNER's understanding of the contents of the same.

5. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, administrators, executors, and successors and assigns.

6. OWNER agrees that upon any transfer of the property in question, OWNER shall provide a copy of this Agreement to any subsequent owner.

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

WITNESS:

\_\_\_\_\_

\_\_\_\_\_(OWNER)

Name:

Title:

Address:

\_\_\_\_\_

\_\_\_\_\_(OWNER)

Name:

Title:

Address:

ATTEST:

POCONO TOWNSHIP,  
MONROE COUNTY, PA

\_\_\_\_\_

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





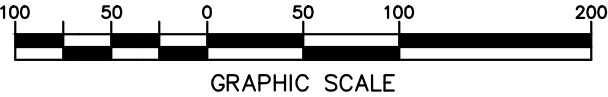
DESCRIPTION OF RIGHT-OF-WAY

- ① S 00°00'00" E, 100.00'
- ② S 00°00'00" W, 100.00'
- ③ N 00°00'00" W, 100.00'
- ④ N 00°00'00" E, 100.00'

ROW TO BE ACQUIRED

AREA OF ROW TO BE ACQUIRED:  
XXXX.X S.F. OR X.XX ACRES

NOTE: REC DEED BOOK: 2271, PAGE 6353 TO 6361  
TAX PARCEL NO. 2658



BRODHEAD CREEK REGIONAL AUTHORITY  
POCONO TOWNSHIP, MONROE CO., PA.

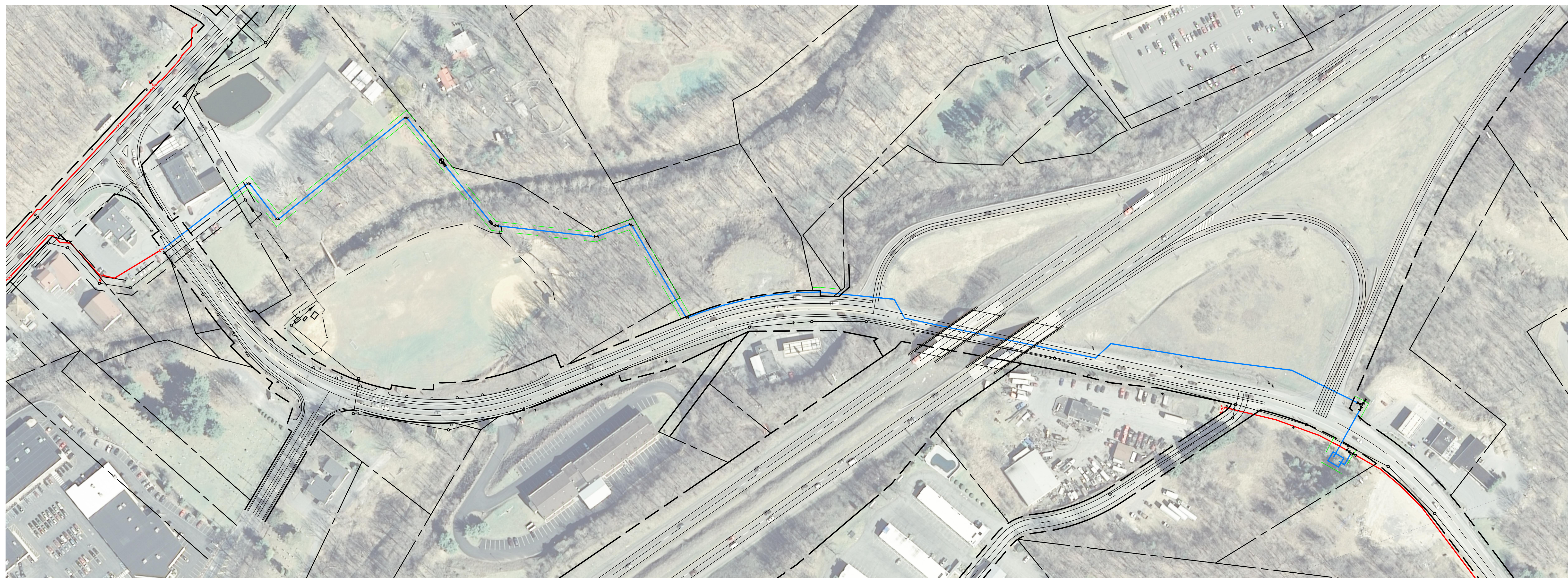
PLAN OF PUBLIC WATER EASEMENT  
THROUGH LANDS OF  
**POCONO TOWNSHIP**

SCALE	DATE	FILE CODE	EXHIBIT
1"=100'	DEC. 2015	6341504	B

GLACE ASSOCIATES, INC., CAMP HILL, PA.

COMPUTER DRAWING FILE NAME:  
EXAMPLE EXHIBIT B.DWG








				BRODHEAD CREEK REGIONAL AUTHORITY POCONO TOWNSHIP, MONROE CO., PA.
				INTERCONNECTION WITH PJJMA WATER SYSTEM
				GLACE ASSOCIATES, INC. CONSULTING ENGINEERS <small>CAMP HILL, PENNSYLVANIA</small>

THIS DRAWING IS AND SHALL REMAIN THE PROPERTY OF GLACE ASSOCIATES, INC. REUSE FOR PROJECT EXTENSIONS, ANY OTHER PROJECT, ALTERATIONS OR ADDITIONS TO THIS PROJECT SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO GLACE ASSOCIATES, INC.

PLAN SCALE: 1"=50'-0"  
 PROFILE SCALE: HOR. 1"=50'-0"  
 VER. 1"=10'-0"

	MARK	REVISIONS	DATE	BRODHEAD CREEK REGIONAL AUTHORITY POCONO TOWNSHIP, MONROE CO., PA.				
				INTERCONNECTION WITH PJJMA WATER SYSTEM				
				GLACE ASSOCIATES, INC. CONSULTING ENGINEERS CAMP HILL, PENNSYLVANIA				
				DRAWN BY <u>KDJ</u>	APPROVED	SCALE: 1"=100'	SHEET NO.	
				DESIGNED BY <u>KDJ</u>			1	
				CHECKED BY <u>MES</u>	ENGINEER:	FILE CODE:		OF 3
					DATE:	6341504		
	FILE NAME: 6341504-4 TO 8.DWG FILE DATE: Dec/02/2015 12:03 PM							





YOUR GOALS. OUR MISSION.

December 3, 2015

Mr. Richard Wielebinski, President  
Pocono Township Board of Commissioners  
Pocono Township Municipal Building  
P.O. Box 197  
Tannersville, Pa. 18372

**Re: Judith Munoz Lot Consolidation Plan  
T&M File# POCOR0490**

Dear Mr. Wielebinski:

T&M is in receipt of an application filed for the Judith Munoz Lot Consolidation Proposal. This submission consisted of:

1. Land Development Application, dated 11/19/15, executed by Judith T. Munoz.
2. Lot Consolidation Plan, dated 11/19/15, prepared by Jonathan Shupp, S.E.O.
3. Revised Lot Consolidation plan depicting a flag lot, no revision date.
4. Various Deeds
5. Pocono Township Plan Receipt Check List
6. Five (5) requests for Modifications.
7. Subdivision plan for Paul H. Abeel, dated 1989. Said plan created lot labeled D.B. 2122, page 4989
8. Subdivision plan of Paul and Diane Abeel, dated 1995. Said plan created lot labeled D.B. 2012 pg 609.

T&M offers the following comment's for your review and consideration :

**General description of the project**

The intent of the applicant is to modify the common property line between lots 1 and 2 to the extent that the on-site sewage system is entirely on lot 1. This system serves the cottages as depicted on the Lot Line Adjustment Plan.



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### Zoning

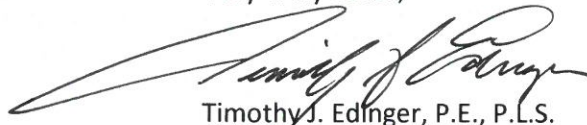
1. Both Lots 1 and 2 are zoned R1. Both lots appear to exist by previous subdivision or purchase. The modification of the lot line between the two lots would cause Lot 2 not to meet minimum lot width as defined by the zoning district (200 feet) as measured at the minimum building setback line.
2. The applicant is proposing that Lot 2 be considered a Flagpole lot as allowed by SALDO 3.211. However, this provision is based in SALDO not Zoning. The Zoning Officer and Solicitors input is requested on this matter.
3. It appears all other elements of the zoning district are met.

### SALDO

4. Lots 1 will not close due to errors within the metes and bounds calls. Section 2.305 D. 7.
5. There are no deeds or prior subdivision plans presented to indicate how lot 2 was created, Section 2.305 D.7 and D. 18.
6. Typically any modifications granted by the Commissioners appear on the record plan.
7. All signatures are required prior to plan recording.
8. The revised deeds should be recorded at the same time as the plan. The Solicitor may want copies of the revised deeds.
9. Typically, the Monroe County Planning Agency won't sign off on a plan unless they have had the opportunity to review said plan. This office has received no review comments from MCCD.

If the Commissioners have any questions regarding the above comments please contact me.

Very Truly Yours,



Timothy J. Edinger, P.E., P.L.S.

Township Engineer



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Cc: Leo DeVito, BOC Solicitor  
Gregg Schuster, Township Manager  
Rick Fisher, Zoning Enforcement Officer  
Judith Munoz, Applicant  
Jonathan Shupp



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

38 WEST MARKET STREET  
BETHLEHEM, PENNSYLVANIA 18018-5703

JAMES L. BROUGHAL  
LEO V. DeVITO, JR.  
JOHN S. HARRISON  
JAMES F. PRESTON\*  
WENDY A. NICOLosi  
LISA A. PEREIRA\*

\*ALSO MEMBER NEW JERSEY BAR

TELEPHONE  
(610) 865-3664  
FAX  
(610) 865-0969  
E-MAIL  
lawyers@broughal-devito.com  
WEBSITE  
www.broughal-devito.com

November 20, 2015

**VIA EMAIL AND CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

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

**RE: Pocono Township- Advertisement of Legal Notice  
Ordinance Vacating a Section of Old State Route 168**

Dear Ms. Meadus:


With respect to the above matter, enclosed please find a Legal Notice to be advertised one (1) time in your periodical on **Friday, November 27, 2015**.

Please send proof of publication and the invoice to:

Pam Finkbeiner, Township Secretary  
112 Township Drive  
PO Box 197  
Tannersville, PA 18372

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

Very truly yours,



Lisa A. Pereira

Enclosures

cc: Gregg Schuster, Township Manager (via email, w/encl.)  
Pam Finkbeiner, Township Secretary

**LEGAL NOTICE**

NOTICE is hereby given that the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, will consider for adoption at a Public Meeting to be held at 7:00 p.m. on the 7<sup>th</sup> day of December, 2015, at the Pocono Township Municipal Building, 112 Township Drive, Tannersville, Pennsylvania 18372, an Ordinance vacating a section of Old State Route 168, which is located between the northerly and southerly line of a proposed/unopened street named Birch Street (40' wide) and extends to the former western line of T-168, which passes along property owned by Silverleaf Resorts, Inc., identified by Monroe County Tax Code No. 12/11/1/32 and PIN No. 12636400649404. Copies of the proposed Ordinance are available for review at the Pocono Township Municipal Building located at 112 Township Drive, Tannersville, Pennsylvania 18372, during normal business hours.

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

**POCONO TOWNSHIP  
MONROE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2015 –**

**AN ORDINANCE PURSUANT TO ARTICLE XX, §2005 OF THE FIRST CLASS  
TOWNSHIP CODE, TO VACATE THAT SECTION OF OLD STATE ROUTE 168,  
WHICH IS LOCATED ON THE WESTERLY SIDE OF S.R. 0611 AND WHICH PASSES  
ALONG PROPERTY OWNED BY SILVERLEAF RESORTS, INC., IDENTIFIED BY  
MONROE COUNTY TAX CODE NO. 12/11/1/32 AND PIN NO. 12636400649404.**

**WHEREAS**, pursuant to the provisions of Section 2005 of the First Class Township Code, Pocono Township has the authority, by ordinance, to vacate roads, and parts thereof, which are located wholly or partly in the Township; and

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

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

**SECTION 1.** That portion of T-168, between the northerly and southerly line of a proposed/unopened street named Birch Street (40’ wide) and extends to the former western line of T-168, as hereinafter described, is hereby vacated, and shall no longer constitute part of the Pocono Township public road system.

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

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

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

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

**SECTION 6.** This Ordinance shall take effect upon the last to occur of the following: (a) the expiration of five (5) days from the date of enactment, or (b) receipt by the Board of Commissioners of Pocono Township from Silverleaf Resorts, Inc., its successors or assigns, of a duly executed Sewer Easement and Right-of-Way Agreement (in form and substance acceptable to the Board of Commissioners and suitable for recording) granting permanent and temporary sewer easements and rights-of-way in, on, over, under, through and across the portion of T-168 which is the subject of this Ordinance, for the installation and maintenance of sewer lines and facilities in connection with the proposed Pocono Township central sewage project.

**ENACTED AND ORDAINED** this \_\_\_\_\_ of \_\_\_\_\_ 2015.

**ATTEST:**

**TOWNSHIP OF POCONO  
MONROE COUNTY**

\_\_\_\_\_  
**PAMELA FINKBEINER**  
Township Secretary

\_\_\_\_\_  
**RICHARD WIELEBINSKI**  
President, Board of Commissioners

**LAND DESCRIPTION OF  
PORTION OF TOWNSHIP ROAD 629,  
A PORTION OF OLD STATE ROUTE 168 (T-168)  
LYING WITHIN BIRCH STREET  
TO BE VACATED BY POCONO TOWNSHIP**

**All** that certain piece or parcel of land situated in the Township of Pocono, County of Monroe, and Commonwealth of Pennsylvania, being bounded and described as follows, to wit:

**Beginning** at a point being the intersection of the westerly right-of-way line of State Route 611 with the northerly right-of-way line of Birch Street, said point also being the southeast corner of the parcel being described in Ordinance No. 143 which was enacted to vacate that section of Old State Route 168 (T-168) which was located on the westerly side of S.R. 0611 between the northerly line of a proposed/unopened street named Birch Street and the southerly line of a proposed/unopened street named Center Street, and which passed along property owned by Trap Enterprises, L.L.C.; identified by Monroe Tax Code No. 12/11/1/8-3 and PIN 12636404748985.

**Thence** along the westerly line of the State Route 611, South  $38^{\circ}06'29''$  West a distance of 40.01' to a point along the southerly right-of-way line of Birch Street which is in the line of a parcel described in Ordinance No. 129 which was enacted to vacate that section of Township Road 629, which is a portion of Old State Route 168 (T-168) which was located on the westerly side of S.R. 0611 between the northerly line of a proposed/unopened street named Maple Street and Birch Street and which passed along property owned by Pocono Community Bank identified by Monroe Tax Code No. 12/11/1/9 and PIN 12636404747414.

**Thence** along the southerly right-of-way line of Birch Street, North  $52^{\circ}52'00''$  West a distance of 56.84' to a point along the western right-of-way line of the former T-168;

**Thence** along the western right-of-way line of the former T-168, North  $38^{\circ}06'29''$  East a distance of 9.50' more or less to a point;

**Thence** continuing along the western right-of-way line of the former T-168, and a curve to the right having a radius of 2,914.79' an arc length of 30.51' more or less and a chord bearing and distance of North  $38^{\circ}28'32''$  East 30.51' to a point along the northerly right-of-way line of Birch Street;

**Thence** along the northerly right-of-way line of Birch Street, South  $52^{\circ}52'00''$  East a distance of 56.63' to a point, the place of beginning;

**Containing** a total area of 2,271.38 square feet or 0.05 acres of land, more or less.

**EXHIBIT "A"**

**Being** that section of Township Road 629 which is a portion of Old State Route 168 (T-168) which is located on the westerly side of S.R. 0611 between the northerly and southerly line of a proposed/unopened street named Birch Street (40' wide) and extends to the former western line of T-168.

**Being** the premises as depicted on Drawing V-0301 titled Vacation of Township Road 629 (Old Route 168) Lying Within Birch Street Right-of-Way, as prepared by Pennoni Associates, Inc. 2041 Avenue C, Suite 100, Bethlehem, Pa. 18017.

**TOWNSHIP OF POCONO, MONROE COUNTY,  
PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CONFIRMING THE REAPPOINTMENT OF A TOWNSHIP  
RESIDENT AS A MEMBER OF THE POCONO TOWNSHIP PLANNING  
COMMISSION**

**WHEREAS**, the Board of Commissioners recognizes that the term of Ronald Swink on the Planning Commission ends on December 31, 2015; and

**WHEREAS**, the Board of Commissioners desires to reappoint Ronald Swink to the Planning Commission; and

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED** that Ronald Swink is hereby reappointed as a member of the Pocono Township Planning Commission for a four year term commencing on January 1, 2016 and terminating on December 31, 2019.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 7<sup>th</sup> day of December, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President

**TOWNSHIP OF POCONO, MONROE COUNTY,  
PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CONFIRMING THE REAPPOINTMENT OF A TOWNSHIP  
RESIDENT AS A MEMBER OF THE POCONO TOWNSHIP ZONING  
HEARING BOARD**

**WHEREAS**, the Board of Commissioners recognizes that the term of Steve Chaladoff on the Zoning Hearing Board ends on December 31, 2015; and

**WHEREAS**, the Board of Commissioners desires to reappoint Steve Chaladoff to the Zoning Hearing Board; and

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED** that Steve Chaladoff is hereby reappointed as a member of the Pocono Township Zoning Hearing Board for a three year term commencing on January 1, 2016 and terminating on December 31, 2018.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 7<sup>th</sup> day of December, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President



**TOWNSHIP OF POCONO, MONROE COUNTY,  
PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CONFIRMING THE REAPPOINTMENT OF A TOWNSHIP  
RESIDENT AS AN ALTERNATE MEMBER OF THE POCONO TOWNSHIP  
ZONING HEARING BOARD**

**WHEREAS**, the Board of Commissioners recognizes that the term of Lew Ginsberg on the Zoning Hearing Board ends on December 31, 2015; and

**WHEREAS**, the Board of Commissioners desires to reappoint Lew Ginsberg to the Zoning Hearing Board; and

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED** that Lew Ginsberg is hereby reappointed as an alternate member of the Pocono Township Zoning Hearing Board for a three year term commencing on January 1, 2016 and terminating on December 31, 2018.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 7<sup>th</sup> day of December, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President

**TOWNSHIP OF POCONO, MONROE COUNTY,  
PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CONFIRMING THE REAPPOINTMENT OF A TOWNSHIP  
RESIDENT AS A MEMBER OF THE POCONO TOWNSHIP CIVIL SERVICE  
COMMISSION**

**WHEREAS**, the Board of Commissioners recognizes that the term of Rolland Cheesman on the Civil Service Commission ends on December 31, 2015; and

**WHEREAS**, the Board of Commissioners desires to reappoint Rolland Cheesman to the Civil Service Commission; and

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED** that Rolland Cheesman is hereby reappointed as a member of the Pocono Township Civil Service Commission for a six year term commencing on January 1, 2016 and terminating on December 31, 2021.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 7<sup>th</sup> day of December, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President

**TOWNSHIP OF POCONO, MONROE COUNTY,  
PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION REMOVING BNY MELLON AS TRUSTEE OF THE POCONO  
TOWNSHIP PENSION FUND**

**WHEREAS**, the Board of Commissioners has determined that BNY Mellon shall no longer have any role in the management, disbursement, or other function involving in the Pocono Township Police Pension Fund; and

**WHEREAS**, the Board of Commissioners designates itself as the trustee of the Pocono Township Police Pension Fund; and

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED** that BNY Mellon is no longer the fund trustee and the Township Manager is authorized to direct BNY Mellon to take any action necessary to provide for the transfer of authority and funds to the firms previously selected by the Board of Commissioners.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 7<sup>th</sup> day of December, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President

**TOWNSHIP OF POCONO, MONROE COUNTY,  
PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING AN INVESTMENT POLICY STATEMENT**

**WHEREAS**, the finance committee has met with PFM to develop an investment policy statement; and

**WHEREAS**, the Board of Commissioners wishes to approve and adopt said investment policy statement for the purpose of providing guidance to PFM for investment of funds in the Police Pension Fund; and

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED** that the proposed investment policy statement is approved and shall supersede any previously approved investment policy statement.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 7<sup>th</sup> day of December, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President

**INVESTMENT POLICY STATEMENT**  
**FOR**  
**POCONO TOWNSHIP POLICE PENSION PLAN**

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Pocono Township has established a defined benefit pension fund, known as the Pocono Township Police Pension Plan (the “Fund”). This Fund provides retirement benefits for those employees who meet the age and service requirements outlined in the plan document. The Fund consists of contributions from the Pocono Township and Police Personnel. The Trustees of the Fund hereby adopt this Investment Policy Statement (“Policy Statement”) for the following purposes.

### **Purpose**

The main investment objective of the Fund is to achieve long-term growth of Fund assets by maximizing long-term rate of return on investments and minimizing risk of loss to fulfill Pocono Township’s current and long-term pension obligations.

The purpose of this Policy Statement is to achieve the following:

1. Document investment objectives, performance expectations and investment guidelines for Fund assets.
2. Establish an appropriate investment strategy for managing all Fund assets, including an investment time horizon, risk tolerance ranges and asset allocation to provide sufficient diversification and overall return over the long-term time horizon of the Fund.
3. Establish investment guidelines to control overall risk and liquidity.
4. Establish periodic performance reporting requirements to monitor investment results and confirm that the investment policy is being followed.
5. Comply with fiduciary, prudence, due diligence and legal requirements for Fund assets.

### **Investment Authority**

The Board of Commissioners of Pocono Township has appointed a Police Pension Plan Committee (the “Committee”) to oversee certain policies and procedures related to the operation and administration of the Fund. The Committee will have authority to implement the investment policy and guidelines in the best interest of the Fund to best satisfy the purposes of the Fund. In implementing this Policy Statement, the Committee believes it may delegate certain functions to:

1. An investment advisor (“Advisor”) to assist the Committee in the investment process and to maintain compliance with this Policy Statement. The Advisor may assist the Committee in establishing investment policy objectives and guidelines. The Advisor will adjust asset allocation for the Fund subject to the guidelines and limitations set forth in this Policy Statement. The Advisor will also select investment managers (“Managers”) and strategies consistent with its role as a fiduciary for the Fund. The investment vehicles allowed may include mutual funds, commingled trusts, separate accounts, limited partnerships and other investment vehicles deemed to be appropriate by the Advisor. The Advisor is also responsible for monitoring and reviewing investment managers; measuring and evaluating performance; and other tasks as deemed appropriate in its role as Advisor for Fund assets. The Advisor may

also select investments with discretion to purchase, sell, or hold specific securities, such as Exchange Traded Funds, that will be used to meet the Fund's investment objectives. The Advisor shall never take possession of securities, cash or other assets of the Fund, all of which shall be held by the custodian. The Advisor must be registered with the Securities and Exchange Commission.

2. A custodian selected by the Fund to maintain possession of physical securities and records of street name securities owned by the Fund, collect dividend and interest payments, redeem maturing securities, and effect receipt and delivery following purchases and sales. The custodian may also perform regular accounting of all assets owned, purchased, or sold, as well as movement of assets into and out of the Fund.
3. A trustee appointed by the Fund, such as a bank trust department, if the Fund does not have its own Trustees, to assume fiduciary responsibility for the administration of Fund assets; provided, however, that if the Committee shall have appointed an investment advisor, then any trustee appointed under this paragraph shall have no authority with respect to selection of investments.
4. Specialists such as attorneys, auditors, actuaries and, retirement plan consultants to assist the Committee in meeting its responsibilities and obligations to administer Fund assets prudently.

### **Statement of Investment Objectives**

The investment objectives of the Fund are as follows:

1. To invest assets of the Fund in a manner consistent with the following fiduciary standards: (a) all transactions undertaken must be for the sole interest of Fund beneficiaries, and (b) assets are to be diversified in order to minimize the impact of large losses from individual investments.
2. To provide for funding and anticipated withdrawals on a continuing basis for payment of benefits and reasonable expenses of operation of the Fund.
3. To enhance the value of Fund assets in real terms over the long-term through asset appreciation and income generation, while maintaining a reasonable investment risk profile.
4. Subject to performance expectations over the long-term, to minimize principal fluctuations over the Time Horizon (as defined below).
5. To achieve a long-term level of return commensurate with contemporary economic conditions and equal to or exceeding the investment objective set forth in this Policy Statement under the section labeled "Performance Expectations".

### **Investment Guidelines**



Within this section of the Policy Statement, several terms will be used to articulate various investment concepts. The descriptions are meant to be general and may share investments otherwise considered to be in the same asset class. They are:

"Growth Assets" - a collection of investments and/or asset classes whose primary risk and return characteristics are focused on capital appreciation. Investments within the Growth Assets category can include income and risk mitigating characteristics, so long as the predominant investment risk and return characteristic is capital appreciation. Examples of such investments or asset classes are: domestic and international equities or equity funds, private or leveraged equity, certain real estate investments, and hedge funds focused on equity risk mitigation or equity-like returns.

"Income Assets" - a collection of investments and/or asset classes whose primary risk and return characteristics are focused on income generation. Investments within the Income Assets category can include capital appreciation and risk mitigating characteristics, so long as the primary investment risk and return characteristic is income generation. Examples of such investments or asset classes are: fixed income securities, guaranteed investment contracts, certain real estate investments, and hedge funds focused on interest rate risk mitigation or income investment-like returns.

"Real Return Assets" - a collection of investments and/or asset classes whose primary risk and return characteristics are focused on real returns after inflation. Investments within the Real Return category can include inflation protected securities, commodities, certain real estate investments and hedge funds.

#### Time Horizon

The Fund's investment objectives are based on a long-term investment horizon ("Time Horizon") of five years or longer. Interim fluctuations should be viewed with appropriate perspective. The Committee has adopted a long-term investment horizon such that the risks and duration of investment losses are carefully weighed against the long-term potential for appreciation of assets.

#### Liquidity and Diversification

In general, the Fund may hold some cash, cash equivalent, and/or money market funds for near-term Fund benefits and expenses (the "Fund Distributions"). Remaining assets will be invested in longer-term investments and shall be diversified with the intent to minimize the risk of long-term investment losses. Consequently, the total portfolio will be constructed and maintained to provide diversification with regard to the concentration of holdings in individual issues, issuers, countries, governments or industries.

#### Asset Allocation

The Committee believes that to achieve the greatest likelihood of meeting the Fund's investment objectives and the best balance between risk and return for optimal diversification, assets will be invested in accordance with the targets for each asset class as follows to achieve an average total annual rate of return that is equal to or greater than the Fund's target rate of return over the long-term, as described in the section titled "Performance Expectations".

<u>Asset Classes</u>	<u>Asset Weightings</u>	
	<u>Range</u>	<u>Target</u>
<b>Growth Assets</b>		
Domestic Equity	19% – 59%	39%
International Equity	1% – 41%	21%
Other	0% - 20%	0%
<b>Income Assets</b>		
Fixed Income	18% -58%	38%
Other	0% - 20%	0%
<b>Real Return Assets</b>	0% - 20%	0%
<b>Cash Equivalents</b>	0% - 20%	2%

The Advisor and each Manager will be evaluated against their peers on the performance of the total funds under their direct management.

#### Rebalancing Philosophy

The asset allocation range established by this Policy Statement represents a long-term perspective. As such, rapid unanticipated market shifts or changes in economic conditions may cause the asset mix to fall outside Policy Statement ranges. When allocations breach the specified ranges, the Advisor will rebalance the assets within the specified ranges. The Advisor may also rebalance based on market conditions.

#### Risk Tolerance

Subject to investment objectives and performance expectations, the Fund will be managed in a style that seeks to minimize principal fluctuations over the established Time Horizon.

#### Performance Expectations

Over the long-term, five years or longer, the performance objective for the Fund will be to achieve an average total annual rate of return that is equal to or greater than the Fund's actuarial discount rate. Additionally, it is expected that the annual rate of return on Fund assets will be commensurate with the then prevailing investment environment. Measurement of this return expectation will be judged by reviewing returns in the context of industry standard benchmarks, peer universe comparisons for individual Fund investments and blended benchmark comparisons for the Fund in its entirety.

#### Selection of Investment Managers

The Advisor shall prudently select appropriate Managers to invest the assets of the Fund. Managers must meet the following criteria:

- The Manager must provide historical quarterly performance data compliant with Global Investment Performance Standards (GIPS<sup>®</sup>), Securities & Exchange Commission (“SEC”), Financial Industry Regulatory Agency (“FINRA”) or industry recognized standards, as appropriate.
- The Manager must provide detailed information on the history of the firm, key personnel, support personnel, key clients, and fee schedule (including most-favored-nation clauses). This information can be a copy of a recent Request for Proposal (“RFP”) completed by the Manager or regulatory disclosure.
- The Manager must clearly articulate the investment strategy that will be followed and document that the strategy has been successfully adhered to over time.
- The investment professionals making the investment decisions must have a minimum of three (3) years of experience managing similar strategies either at their current firm or at previous firms.
- Where other than common funds such as mutual funds or commingled trusts are utilized, the Manager must confirm receipt, understanding and adherence to this Policy Statement and any investment specific policies by signing a consent form provided to the Manager prior to investment of Fund assets.

## **Guidelines for Portfolio Holdings**

### **Direct Investments by Advisor**

Every effort shall be made, to the extent practical, prudent and appropriate, to select investments that have investment objectives and policies that are consistent with this Policy Statement (as outlined in the following sub-sections of the “Guidelines for Portfolio Holdings”). However, given the nature of the investments, it is recognized that there may be deviations between this Policy Statement and the objectives of these investments.

### **Limitations on Managers’ Portfolios**

#### **EQUITIES**

No more than the greater of 5% or weighting in the relevant index (Russell 3000 Index for U.S. issues and MSCI ACWI ex-U.S. for non-U.S. issues) of the total equity portfolio valued at market may be invested in the common equity of any one corporation; ownership of the shares of one company shall not exceed 5% of those outstanding; and not more than 40% of equity valued at market may be held in any one sector, as defined by the Global Industry Classification Standard (GICS).

**Domestic Equities.** Other than the above constraints, there are no quantitative guidelines as to issues, industry or individual security diversification. However, prudent diversification standards should be developed and maintained by the Manager.

**International Equities.** The overall non-U.S. equity allocation should include a diverse global mix that is comprised of the equity of companies from multiple countries, regions and sectors.

## FIXED INCOME

Fixed income securities of any one issuer shall not exceed 5% of the total bond portfolio at time of purchase. The 5% limitation does not apply to issues of the U.S. Treasury or other Federal Agencies. The overall rating of the fixed income assets as calculated by the Advisor shall be investment grade, based on the rating of one Nationally Recognized Statistical Rating Organization (“NRSRO”).

## OTHER ASSETS (ALTERNATIVES)

Alternatives may consist of non-traditional asset classes such as hedge funds, private equity, real estate and commodities, when deemed appropriate. The total allocation to this category may not exceed 30% of the overall portfolio.

*Hedge Funds:* Primary objective shall be to enhance the risk-return profile of the overall portfolio. This can be accomplished by using a combination of hedge fund strategies that may enhance returns at a reasonable level of risk or reduce volatility while providing a reasonable level of return. These asset classes may differ from traditional public market asset classes due to the use of certain strategies including short-selling, leverage, and derivatives. Hedge funds may also invest across asset classes. The use of direct hedge funds and fund-of-hedge funds are allowed. For purposes of asset allocation targets and limitations, single strategy hedge funds will be categorized under the specific asset class of the fund. For example, a long/short U.S. equity fund will be categorized as “Other” in the Growth Assets category while a long/short credit fund will be categorized as “Other” in the Income Assets category. Multi-strategy hedge funds that cannot be easily categorized under one asset class will be included in “Other” under either the Growth Assets or Income Assets category depending on the risk-return profile of the strategy.

*Private Equity:* Private equity is less liquid than publicly traded equity securities and can provide returns that are greater than what is available in publicly traded markets. The private equity portfolio may include investments in a variety of commingled/partnership and direct investment vehicles including, but not limited to, venture capital, buyout, turnaround, mezzanine, distressed security, and special situation funds. The private equity portfolio is recognized to be long-term in nature and highly illiquid. Due to their higher risk, private equity investments are expected to provide higher returns than publicly traded equity securities. For purposes of asset allocation targets and limitations, these funds will be categorized as “Other” under the Growth Assets category.

*Real Estate:* Consists of publicly traded Real Estate Investment Trust (“REIT”) securities and/or non-publicly traded private real estate and shall be diversified across a broad array of property types and geographic locations. Investments of this type are designed to provide a stable level of income combined with potential for price appreciation, particularly in periods of unexpected inflation. For private real estate, the illiquid, long-term nature should be considered. For purposes of asset allocation targets and limitations, publicly traded REITs will be categorized as “Other” under the Growth Assets category. Depending on the investment characteristics of a private real estate fund, the fund will be categorized as “Other” under either the Income Assets category, for example, a core real estate fund, or under the Growth Assets category, for example, an opportunistic real estate fund where capital gains are expected to make up a significant portion of the total return.

**Inflation Hedge:** Shall consist of pooled vehicles holding among other assets: Treasury Inflation Protected Securities (“TIPS”), commodities or commodity contracts, index-linked derivative contracts, certain real estate or real property funds and the equity of companies in businesses thought to hedge inflation. Inflation hedge assets will be reported in the Real Return Assets category.

## **CASH EQUIVALENTS**

Cash equivalents shall be held in funds complying with Rule 2(a)-7 of the Investment Company Act of 1940.

### **Portfolio Risk Hedging**

Portfolio investments designed to hedge various risks including volatility risk, interest rate risk, etc. are allowed to the extent that the investments are not used for the sole purpose of leveraging Fund assets. One example of a hedge vehicle is an exchange traded fund (“ETF”) which takes short positions.

### **Prohibited Investments**

Except for purchase within authorized investments, securities having the following characteristics are not authorized and shall not be purchased: letter stock and other unregistered securities, direct commodities or commodity contracts, or private placements (with the exception of Rule 144A securities). Further, derivatives, options, or futures for the sole purpose of direct portfolio leveraging are prohibited. Direct ownership of real estate, natural resource properties such as oil, gas or timber and the purchase of collectibles is also prohibited.

### **Safekeeping**

All assets of the Fund shall be held by a custodian approved by the Committee for safekeeping of Fund assets. The custodian shall produce statements on a monthly basis, listing the name and value of all assets held, and the dates and nature of all transactions in accordance with the terms in the Custodial Agreement. Investments of the Fund not held as liquidity or investment reserves shall, at all times, be invested in interest-bearing accounts. Investments and portfolio securities may not be loaned.

## **Control Procedures**

### **Review of Investment Objectives**

The Advisor shall review annually and report to the Committee the appropriateness of this Policy Statement for achieving the Fund’s stated objectives. It is not expected that this Policy Statement will change frequently. In particular, short-term changes in the financial markets should not require an adjustment in this Policy Statement.

### **Review of Investment Performance**

The Advisor shall report on a quarterly basis to the Committee to review the investment performance of the Fund. In addition, the Advisor will be responsible for keeping the Committee advised of any material change in investment strategy, Managers, and other pertinent information potentially affecting performance of the Fund.

The Advisor shall compare the investment results on a quarterly basis to appropriate peer universe benchmarks, as well as market indices in both equity and fixed income markets. Examples of benchmarks and indexes that will be used include the Russell 3000 Index for broad U.S. equity strategies; S&P 500 Index for large cap U.S. equities, Russell 2000 Index for small cap U.S. equities, MSCI ACWI ex-U.S. Index for broad based non-U.S. equity strategies; MSCI Europe, Australasia, and Far East (EAFE) Index for developed markets international equities, Barclays Capital Aggregate Bond Index for fixed income securities, and the U.S. 91 Day T-bill for cash equivalents. The Russell 3000 Index will be used to benchmark the U.S. equities portfolio; the MSCI ACWI ex-U.S. Index will be used to benchmark the non-U.S. equities portfolio; the Barclays U.S. Aggregate Bond Index will be used to benchmark the fixed income portfolio. The categories “Other” will be benchmarked against appropriate indices depending on the specific characteristics of the strategies and funds used.

#### Voting of Proxies

The Committee recognizes that proxies are a significant and valuable tool in corporate governance. The voting rights of individual stocks held in separate accounts or collective, common, or pooled funds will be exercised by the investment managers in accordance with their own proxy voting policies. The voting rights of funds will be exercised by the Advisor.

### **Adoption of Investment Policy Statement**

Any changes and exceptions to this Policy Statement will be made in writing and adopted by the Committee. Once adopted, changes and exceptions will be delivered to each Manager, as appropriate, by the Advisor.

**Approved by the Board of Commissioners of Pocono Township:**

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Member

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Member

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Date

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Date

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Member

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Member

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Date

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Date

---

Member

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Date

**TOWNSHIP OF POCONO, MONROE COUNTY,  
PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING AN AGREEMENT WITH EMERGENCY  
SYSTEMS SERVICE COMPANY**

**WHEREAS**, the Board of Commissioners desires to renew services with  
Emergency System Services for generator maintenance and service; and

**WHEREAS**, the Board of Commissioners wishes to enter into an agreement for  
said services; and

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED** that the  
agreement with Emergency Services Service Company is approved.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the  
Township of Pocono the 7<sup>th</sup> day of December, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President





# Emergency Systems Service Company

401 O'Neill Drive, Quakertown, PA 18951-4227  
PHONE: 215-536-4973 • FAX: 215-536-6676  
www.emergencysystems-inc.com

## PROPOSAL

PAGE:1

ORDER NO: 9107167  
ORDER DATE: 11/30/2015  
TERMS: Net 30  
AGRMT NO:  
SALES PERSON: 0101  
CUSTOMER NO: POCONTO

BILL TO:

SITE/SHIP TO:

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

POCONO TOWNSHIP  
PUMP STATIONS #1-#5  
PA

CONFIRM TO: JEFF CLAPPER

### Planned Maintenance Agreement per attached Maintenance Service Outline. Maintenance Agreement valid for dates specified below

Service Agreement KCON0802A POCONO TOWNSHIP - PIS #1-5

Agreement Renewal for 01/01/2016 to 01/01/2017 Contract Amt: \$4190.00

PLEASE BE ADVISED THAT YOUR PLANNED MAINTENANCE AGREEMENT IS UP FOR RENEWAL.

PLAN A - YEARLY SERVICE AGREEMENT - 1 MAINTENANCE SERVICE VISIT

For Service at the Following Location(s)

1. POCONO - HAMILTON TOWNSHIP	PUMP STATION # 3	BARTONSVILLE	, PA
ID: GEN1	Item: *DS00150D6SR	Desc: 150KW MTU GENSET - AK0574	Serial #: 341471-1-2-0112
2. POCONO - HAMILTON TOWNSHIP	PUMP STATION # 4	BARTONSVILLE	, PA
ID: GEN1	Item: *DS00150D6S	Desc: 150KW MTU DIESEL GENSET	Serial #: 341471-1-1-0112
3. POCONO - HAMILTON TOWNSHIP	PUMP STATION # 5	BARTONSVILLE	, PA
ID: GEN1	Item: *DS00550D6S	Desc: 550KW MTU GENSET	Serial #: 341394-1-1-0112
4. POCONO TOWNSHIP PS #1	RT 611 & 314	SWIFTWATER	, PA
ID: GEN1	Item: *100REZG	Desc: 100KW KOHLER GENSET	Serial #: VERIFY
5. POCONO TOWNSHIP PS #2	SULLIVAN TRAIL AND RT 715	TANNERSVILLE	, PA
ID: GEN1	Item: *30REZG	Desc: 30KW KOHLER GENSET	Serial #: VERIFY

SCHEDULED SERVICE VISIT: JUNE 2016

Emergency Systems Service Company

*Gail Haver*  
Planned Maintenance Manager

Authorized Signature

Date

Name (Printed)

Purchase Order#

Quotation Valid for 30 days from Date of Quote

YOUR PARTNER FOR



TAXABLE TOTAL:	0.00
NON TAX TOTAL:	4,190.00
TAX SCHED:	NONTAX
SALES TAX:	0.00

TOTAL

4,190.00

**EMERGENCY SYSTEMS SERVICE COMPANY**

**401 O'Neill Drive**

**Quakertown, PA 18951**

**Ph. (215) 536-4973 \* Fax (215) 536-6676**

**PLANNED MAINTENANCE AGREEMENT**

- ITEM 1 -** Emergency Systems shall supply One (1) Annual Service Visit during the Service Year, to perform the specific Inspection/Maintenance Services, as listed on the attached Planned Maintenance Services form attached here to as **Exhibit A**, including any additional specific services, requested by the System/Unit Owner or Its Representative. The Service Visits shall be conducted during normal Emergency Systems operating hours, Monday through Friday 8:00 a.m. – 5:00 p.m. unless otherwise requested by the System/Unit Owner or Its Representative.
- ITEM 2 -** Following Emergency Systems' completion of each Planned Service Visit, a Maintenance Service Report, upon evaluation, shall be tendered to the System/Unit Owner or Its Representative. Any defects, visual or operational, detected during the course of the Planned Service Visit, which, in the opinion of the Emergency Systems, might cause the System/Unit to Malfunction at any time, or create a potential hazard for Maintenance/Personnel or other persons on the premises, shall be brought to the immediate attention of the System/Unit Owner or Its Representative, for its immediate resolution.
- ITEM 3 -** Emergency or Normal Service/Repairs, upon the System/Unit Owner or Its Representatives specific Request, shall be available Twenty (24) Hours per day, Seven (7) Days per week, including Sundays and Holidays, when possible, at the prevailing time rate.
- ITEM 4 -** It shall be the responsibility of the System/Owner or Its Representative, to provide/perform any shutdown of Normal and Emergency Power, when necessary and at System/Owners discretion, to perform those Planned Services or Normal/Emergency Repair Services which are impossible to be performed while the System/Unit is under Operational Power. Emergency Systems Personnel are prohibited from operating any disconnect switches or circuit breakers, or any other means to interrupt both Normal and Emergency Power, simultaneously, to the System/Unit to be Serviced or Repaired.
- ITEM 5 -** Normal or Emergency Service/Repairs requested and performed on the System/Unit under Agreement, shall be Invoiced at the discounted rate of Ten percent (-10%) off the Total Invoice Price. Invoice Payment Terms are Net/30 Days. In the event, that Invoice Payment Terms are not met by the System/Unit Owner, and or other Invoice Payment arrangements were made with Emergency Systems Account Receivable Department, prior to the Invoice Due Date, the Total Invoice Agreement Discount (-10%), shall be declared Null and Void, and payable on demand, on the Invoice in question. Emergency Systems Service Co., Inc. reserves the right to cancel the total Invoice Agreement Discount of Ten Percent (-10%), on any future requested/performed Service/Repairs, during the remaining Service Period. *Any additional work not included on Exhibit A, attached hereto, required to be performed by Emergency Systems shall be invoiced as above. Service visits are contingent on this account being in good standing with no balance owed over 60 days.*

**EMERGENCY SYSTEMS SERVICE COMPANY**  
**401 O'Neill Drive**  
**Quakertown, PA 18951**  
**Ph. (215) 536-4973 \* Fax (215) 536-6676**

**PLANNED MAINTENANCE SERVICES:**

Performed upon each Service Visit, during the Annual Service Period

- \*\* - Check/Service all fluid levels (oil, water, etc.)
- \*\* - Service/Load Test starting batteries and cables
- \*\* - Check/Adjust battery charger system
- \*\* - Inspect/Adjust drive belts
- \*\* - Check air cleaner elements
- \*\* - Inspect main generator/rotor assemblies
- \*\* - Clean/Polish DC commutator & slip ring assembly if applicable
- \*\* - Inspect unit controller for visible defects
- \*\* - Check/Correct minor fuel, water, and oil leaks
- \*\* - Check/Tighten all hoses and lines
- \*\* - Test run unit (under No-Load conditions)
- \*\* - Check/Inspect exhaust system for leakage/deterioration
- \*\* - Check/Adjust generator output voltage and frequency
- \*\* - Check main generator and controller operation
- \*\* - Check all pressures, gauges, and instruments
- \*\* - Check engine ignition and battery charging systems
- \*\* - Check safety shut-down devices – if applicable
- \*\* - Inspect automatic transfer switch for visible defects
- \*\* - Service/Clean/Lubricate and adjust all unit components and assemblies where necessary for proper operation
- \*\* - Submit Service/Inspection and Operation Report for system owner's evaluation

**MAJOR SERVICES:**

Performed once during the Annual Service Period, as applicable to each unit type

- \*\* - Check antifreeze condition and protection level
- \*\* - Pressure test coolant system
- \*\* - Check automatic transfer switch operation
- \*\* - Complete system operation test – under simulated load conditions
- \*\* - Includes annual oil and filter changes

**ADDITIONAL MAJOR SERVICES:**

Performed only when deemed necessary by the attending Service Technician and only with the systems owners consent. The total cost of the invoiced service including labor, parts, and materials shall be discounted at ten percent (-10%)

- \*\* - Change air filter element
- \*\* - Gas/Gasoline engine tune-up (plugs, points, condenser, etc.)
- \*\* - Cooling System reconditioning ( hoses, clamps, antifreeze, etc.)

**TOWNSHIP OF POCONO, MONROE COUNTY,  
PENNSYLVANIA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING AN AUDITOR FOR THE 2015 AUDIT**

**WHEREAS**, the Board of Commissioners desires to appoint an auditor to conduct an audit of the Pocono Township 2015 financial statements; and

**WHEREAS**, the current auditor, Julian Kirk, has provided an engagement letter for consideration which is acceptable to the Board; and

**NOW, THEREFORE, BE IT ADOPTED AND RESOLVED** that the proposed engagement letter with Julian Kirk is approved.

**RESOLVED** at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 7<sup>th</sup> day of December, 2015.

ATTEST:

Township of Pocono  
Board of Commissioners

By: \_\_\_\_\_  
Print Name: Pamela Finkbeiner  
Title: Secretary

By: \_\_\_\_\_  
Print Name: Richard Wielebinski  
Title: President

**JULIAN KIRK, C.P.A., LLC**  
CERTIFIED PUBLIC ACCOUNTANT  
907 MAIN STREET, STE 201  
STROUDSBURG, PA 18360

Office (570) 431-6110  
Fax (570) 213-4956  
Email [jkirkcpa@ptd.net](mailto:jkirkcpa@ptd.net)

November 16, 2015

To the Commissioners of Pocono Township:

I am pleased to confirm my understanding of the services I am to provide Pocono Township for the year ending December 31, 2015. I will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the financial statements of Pocono Township, as of and for the year ended December 31, 2015. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Pocono Township's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of my engagement, I will apply certain limited procedures to Pocono Township's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to my inquiries, the basic financial statements, and other knowledge I obtained during my audit of the basic financial statements. I will not express an opinion or provide any assurance on the information because the limited procedures do not provide me with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and analysis
2. Statement of Revenues, Expenditures and Changes in Fund Balance - Budget and Actual - General Fund
3. Schedule of Funding Progress - Police Pension Fund
4. Schedule of Contributions - Police Pension Fund
5. Schedule of Contributions - Non-Uniformed Employees' Pension Fund

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in my audit of the financial statements, and my auditor's report will not provide an opinion or any assurance on that other information.

1. Combining Balance Sheets - Modified Accrual Basis - Non Major Governmental Funds
2. Combining Statements of Revenues, Expenditures and Changes in Fund Balances - Modified Accrual Basis - Non Major Governmental Funds
3. Combining Statements of Net Position - Fiduciary Funds
4. Combining Statements of Revenues, Expenses and Changes in Net Position - Fiduciary Funds

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### Audit Objectives

The objective of my audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with the modified cash basis of accounting and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. My audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures I consider necessary to enable me to express such opinions. I will issue a written report upon completion of my audit of Pocono Township's financial statements. My report will be addressed to the Commissioners and management of Pocono Township. I cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for me to modify my opinions or add emphasis-of-matter or other-matter paragraphs. If my opinions on the financial statements are other than unmodified, I will discuss the reasons with you in advance. If, for any reason, I am unable to complete the audit or are unable to form or have not formed opinions, I may decline to express opinions or may withdraw from the engagement.

I will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during my audit I become aware that Pocono Township is subject to an audit requirement that is not encompassed in the terms of this engagement, I will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

### Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, my audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. I will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance on detecting abuse.

PAGE THREE

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because I will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by me, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, I will inform the appropriate level of management of any material errors or any fraudulent financial reporting, or misappropriation of assets that comes to my attention. I will also inform the appropriate level of management of any violations of laws or governmental regulations that come to my attention, unless clearly inconsequential, and of any material abuse that comes to my attention. My responsibility as an auditor is limited to the period covered by my audit and does not extend to any later periods for which I am not engaged as an auditor.

My procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. I will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of my audit, I will require certain written representations from you about the financial statements, compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

#### **Audit Procedures - Internal Controls**

My audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that I consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. My tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in my report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, I will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

### **Audit Procedures - Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, I will perform tests of Pocono Township's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and I will not express such an opinion in my report on compliance issued pursuant to *Government Auditing Standards*.

### **Management Responsibilities**

Management is responsible for establishing and maintaining effective internal controls, including evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with the modified cash basis of accounting, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to me and for ensuring that management is reliable and financial information is reliable and properly recorded. You are also responsible for providing me with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that I may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom I determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to me in the written representation letter that the effects of any uncorrected misstatements aggregated by me during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing me of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that I report.



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You are responsible for the preparation of the supplementary information, which I have been engaged to report on, in conformity with the modified cash basis of accounting. You agree to include my report on the supplementary information in any document that contains and indicates that I have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes my report thereon or make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with my report thereon. Your responsibilities include acknowledging to me in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with the modified cash basis of accounting; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with the modified cash basis of accounting; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to me any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for me previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to me corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on my current findings, conclusions, and recommendations, as well as your planned corrective action, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services I provide. You will be required to acknowledge in the management representation letter my assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferable from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

#### **Engagement Administration, Fees, and Other**

I may from time to time, and depending on the circumstances, use third-party providers in serving your account. I may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, I maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, I will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and I will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that I am unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party provider. Furthermore, I will remain responsible for the work provided by any such third-party service providers.

PAGE SIX

I will provide copies of my reports to Pocono Township; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulations, or containing privileged and confidential information, copies of my reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Julian Kirk, C.P.A., LLC and constitutes confidential information. However, pursuant to authority given by law or regulation, I may be requested to make certain audit documentation available to regulation agencies or their designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for the purpose of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. I will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Julian Kirk, C.P.A. Furthermore, upon request, I may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by the cognizant agency, oversight agency for audit, or pass-through entity. If I am aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, I will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

I expect to begin my audit on approximately February 1, 2016 and to issue my reports no later than May 31, 2016. Julian Kirk, C.P.A. is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. My fee for these services will be at my standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, ect.) except that I agree that my gross fee, including expenses, will not exceed \$9,500. My invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with my firm's policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If I elect to terminate my services for nonpayment, my engagement will be deemed to have been completed upon written notification of termination, even if I have not completed my report(s). You will be obligated to compensate me for all time expended and to reimburse me for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, I will discuss it with you and arrive at a new fee estimate before I incur the additional costs. *Government Auditing Standards* require that I provide you with a copy of my most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of contract. My 2015 peer review report accompanies this letter.

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I appreciate the opportunity to be of service to Pocono Township and believe this letter accurately summarizes the significant terms of my engagement. If you have any questions, please let me know. If you agree with the terms of my engagement as described in this letter, please sign the enclosed copy and return it to me.

Very truly yours,

Julian Kirk, C.P.A. LLC

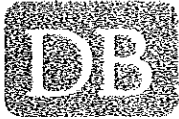
RESPONSE:

This letter correctly sets forth the understanding of Pocono Township.

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

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

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



**DEMETRIUS BERKOWER LLC**  
Certified Public Accountants and Advisors

System Review Report

To the Owner  
Julian Kirk, CPA, LLC  
And the Peer Review Committee of the Pennsylvania Institute  
of Certified Public Accountants

We have reviewed the system of Quality Control for the accounting and auditing practice of Julian Kirk, CPA, LLC in effect for the year ended August 31, 2014. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As part of our peer review, we considered reviews of regulatory entities, if applicable, in determining the extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards*.

In our opinion, the system of Quality Control for the accounting and auditing practice of Julian Kirk, CPA, LLC in effect for the year ended August 31, 2014, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Julian Kirk, CPA, LLC has received a peer review rating of *pass*.

  
Demetrius Berkower, LLC

Wayne, NJ  
February 12, 2015

Wayne Plaza II, 155 Route 46, Wayne, NJ 07470-6831 • P (973) 812-0100 • F (973) 812-0750  
517 Route One, Iselin, NJ 08830 • P (732) 781-2712 • F (732) 781-2732  
[www.demetriusberkower.com](http://www.demetriusberkower.com)

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