



POCONO TOWNSHIP COMMISSIONERS
AGENDA

November 7, 2022 | 6:00 p.m.

112 Township Drive, Tannersville, PA

Dial-In Option: 646 558 8656

Meeting ID: 892 102 5946

Passcode: 18372

Zoom Link:

<https://us06web.zoom.us/j/8921025946?pwd=Q1VtaFVkbVEpRWTUvdIFrSHJ1cE1TdZ09>

PLEASE NOTE: THE POCONO TOWNSHIP COMMISSIONERS MEETING OCCURS IMMEDIATELY AFTER THE SEWER COMMITTEE MEETING ON THE FIRST MEETING DATE OF EACH MONTH.

Open Meeting

Pledge of Allegiance

Roll Call

Public Comment

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

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

Announcements

- The Board of Commissioners held an executive session immediately prior to tonight's meeting for the purpose of discussing personnel matters
- The Board of Commissioners will hold a public meeting on Tuesday, November 15 at 4:30 p.m. for the purpose of discussion and potential action regarding the Township's current architectural feasibility studies for a new municipal complex. This meeting will vet current proposals, including the costs involved, for 1) a new municipal complex at the Township's current location off Township Drive or 2) the potential acquisition of the former Pocono Elementary Center property.
- Township offices will be closed tomorrow, November 8, for the General Election. Residents who need more information, including their voting location, are encouraged to visit www.vote.pa.com.
- The Pocono Township Christmas tree lighting ceremony will take place on December 3, 2022 at TLC Park. More details will follow via the Township Facebook page and website.

Hearings

- Local Agency Hearing – 249 Camelback Road – Appeal of Lori A. Grossi and Felicia Damato regarding an enforcement notice dated September 9, 2022 and revocation of a transient dwelling unit permit dated September 12, 2022, issued by the Township Zoning Officer for violations of Chapter 302, Transient Dwelling Use of Single-Family Dwellings
 - Motion to open public hearing. **(Action Item)**
 - Motion to close public hearing. **(Action Item)**
- Ordinance 2022-09 – Adoption of Ordinance 2022-09 amending Chapter 398, Taxation, of the Code of Ordinances of Pocono Township, to add a new Article VI, Property Tax Penalty Waiver Provisions.
 - Motion to open public hearing. **(Action Item)**
 - Motion to close public hearing. **(Action Item)**
 - Motion to adopt Ordinance 2022-09 amending Chapter 398, Taxation, of the Code of Ordinances of Pocono Township, to add a new Article VI, Property Tax Penalty Waiver Provisions. **(Action Item)**

Presentations

- Rezoning petition request of TL Realty pertaining to a property located on Learn Road, Tax Parcel No. 12.94172. **(Possible Action Item)**
- Discussion regarding driveway grade waiver request for 132 Cobble Creek Drive, Tannersville. **(Possible Action Item)**

Resolutions

- Resolution 2022-36 – Motion to authorize the submission of a \$5,000 grant request to Natural Lands for the purpose of obtaining funding for revisions to the Township Zoning and Subdivision & Land Development Ordinances. **(Action Item)**

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the October 17, 2022 regular meeting of the Board of Commissioners.
 - Financial transactions through November 3, 2022 including:
 - Ratification of general fund expenditures in the amount of \$1,612.13, sewer operating expenditures of \$23,653.35 and sewer construction expenditures of \$46,500.00.
 - Ratification of gross payroll for pay periods ending October 16 and October 28, 2022 in the amount of \$251,338.71.
 - Vouchers payable in the amount of \$65,597.69.
 - Sewer operating fund expenditures in the amount of \$2,885.34.
 - Sewer construction fund expenditures in the amount of \$3,050.16.
 - Capital reserve fund expenditures in the amount of \$697,192.71.
 - Liquid Fuels expenditures in the amount of \$432,471.20.
 - Fire Tax disbursement in the amount of \$725.47.
 - Transfers of American Recovery Plan Act funds in the amount of \$36,972.75 and \$1,023.33 to the Township Capital Fund and General Fund respectively.

NEW BUSINESS**1. Personnel – None****2. Travel/Training Authorizations – None**

Report of the President

Richard Wielebinski

- Acknowledgement of \$6,029.52 donation to the Pocono Township Volunteer Fire Company from Community Day sponsorship funds.
- Special thank you to State Rep. Maureen Madden for her securing of \$102,000 of state funds for the completion of playground upgrades at TLC Park.
- Motion to approve Trapasso Hotel Land Development Construction Escrow Release No. 2 in the amount of a \$410,394.20 reduction as recommended by the Pocono Township Engineer's letter dated October 20, 2022. **(Action Item)**

Commissioner Comments

Jerrod Belvin – Vice President

- Emergency Management Update
- Update – PPL utility lines and possible drainage issues on Barton Court.

Ellen Gndt – Commissioner

Jerry Lastowski – Commissioner

- Request to host basketball programs and/or leagues in Township park(s).
 - No response received back to-date from requester.

Keith Meeker – Commissioner

- Christmas tree planting at TLC Park.

Reports

Zoning

Police Report

- Monthly police department statistics.
- Status of onboarding for new hire.
- Update – PTPD Grant Applications

Ambulance Report

- October 2022 Ambulance Report distributed to Commissioners.

Public Works Report

- Current Public Works projects.
- Mountain View Park updates.
 - Update – MVP fencing project.
 - Update – Installation of new slide.
- TLC Park updates.
 - Christmas tree planting.
 - Update – Dog park installation.
 - Update – TLC Park fencing projects.

Administration – Manager’s Report

- First draft of curative amendment zoning language to establish Enterprise Zone overlay and address warehouse- and distribution-type uses within Pocono Township. **(Possible Action Item)**
- Discussion and possible action regarding petition submitted by residents on Talon Drive to rezone their six properties from commercial to residential. The properties, located on the east side of Learn Road, are immediately bordered by properties zoned R-1. **(Possible Action Item)**
- Individual who allowed dogs to defecate on the TLC Park basketball court was caught and cited under the new park rules ordinance, thanks to the new camera system installed at the Park.
- PSATS Sunshine Act Training – Requirements of minute taking for public meetings:
 - 1) Date/Time/Place; 2) Attendees; 3) Official Actions with Votes; and 4) Public Comment.
- Update – Transfer of PJJWA Small Water & Sewer grant to BCRA.
- 2022 Township Events
 - Christmas Tree Lighting – December 3, 2022

Township Engineer Report

- Sidewalk installation for Wendy’s and Turkey Hill.
- Engineering study for identified stormwater projects – Laurel Lake Road and Oakwood Acres.
- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement.
 - Easement needed from adjoining property owner (Lovito).
- Update – TASA SR 611 sidewalk project.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue.

Township Solicitor Report

- Zoning Hearing Board updates.
 - November 10, 2022 – Anthony Maula hearing request for parking area variance for Spirit of Swiftwater property.
 - TBD: Wawa hearing request for variance related to underground detention basin located within the floodplain.
- Update – Closing date for sale of Bartonsville Avenue parcel.
- Update – Tobyhanna Act 537 Sewage Capacity Request
- Update – Kelly Trust Property
- Update – Johnson Appeal Commonwealth Court argument.
- Update – PJJWA transfer agreement.

Public Comment

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

Adjournment

POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2022-09

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA TO
IMPLEMENT PENNSYLVANIA ACT 57 OF 2022, PROPERTY TAX
PENALTY WAIVER PROVISIONS BY AMENDING CHAPTER 398
TAXATION, ADDING A NEW ARTICLE VI, PROPERTY TAX
PENALTY WAIVER PROVISIONS TO THE CODE OF CODIFIED
ORDINANCES, AND REPEALING ALL ORDINANCES INCONSISTENT
HEREWITH.**

WHEREAS, Act 57 of 2022, amending the Local Tax Collection Law, was signed by Governor Wolf on July 11, 2022, and takes effect on October 10, 2022; and

WHEREAS, Act 57 requires taxing districts that impose taxes on the assessed value of real property to adopt a resolution or ordinance within 90 days of the effective date of the act, or not later than January 9, 2023, directing the tax collector to waive additional charges for real estate taxes in certain situations.

NOW THEREFORE, be it enacted and ordained by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, that the Tax Collector of Pocono Township, Monroe County comply with the provisions of Act 57 and this Ordinance for tax years beginning on or after January 1, 2023 and the same is hereby ordained and enacted as follows, to wit:

SECTION 1. Article X Property Tax Penalty Provisions is added to Chapter 398 Taxation as follows:

“Article VI Property Tax Penalty Provisions

§ 398-64 Definitions

The following words and phrases shall have the meanings given to them within this Ordinance unless the context clearly indicates otherwise:

Additional Charge: Any interest, fee, penalty, or charge accruing to and in excess of the face amount of the real estate tax as provided in the real estate tax notice.

Qualifying Event:

1. For the purposes of real property, the date of transfer of ownership of the real property; or
2. For manufactured or mobile homes, the date of transfer of ownership or the date a lease agreement commences for the original location or relocation of a manufactured or mobile home on a parcel of land not owned by the

owner of the manufactured or mobile home. The term does not include the renewal of a lease for the same location.

Tax Collector: The elected tax collector for Pocono Township, Monroe County, any authorized or designated delinquent tax collector, the Monroe County Tax Claim Bureau, or any alternative collector of taxes as provided for in the act of July 7, 1947 (P.L.1368, No.542), known as the “Real Estate Tax Sale Law,” an employee, agent or assignee authorized to collect the tax, a purchaser of claim for the tax or any other person authorized by law or contract to secure collection of, or take any action at law or in equity against the person or property of the taxpayer for the real estate tax or amounts, liens or claims derived from the real estate tax.

§ 398-65 Waiver

The Tax Collector shall, for tax years beginning on and after January 1, 2023, grant a request to waive Additional Charges for real estate taxes if the taxpayer does all of the following:

A. Provides a waiver request of Additional Charges, on a form provided by the Pennsylvania Department of Community and Economic Development, to the Tax Collector in possession of the claim within twelve (12) months of a Qualifying Event;

B. Attests that a tax notice was not received; and

C. Provides the Tax Collector in possession of the claim with one of the following:

(1.) A copy of the deed showing the date of real property transfer;

or

(2.) A copy of the title following the acquisition of a mobile or manufactured home subject to taxation as real estate showing the date of issuance or a copy of an executed lease agreement between the owner of a mobile or manufactured home and the owner of a parcel of land on which the mobile or manufactured home will be situated showing the date the lease commences; and

D. Pays the face value amount of the tax notice for the real estate tax with the waiver request.”

SECTION 2. SEVERABILITY

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

SECTION 3. REPEALER

All Ordinances and parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 4. EFFECTIVE DATE

This Ordinance shall be effective five (5) days from the date of enactment.

ENACTED AND ORDAINED this 7th day of November, 2022, by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania.

ATTEST:

**TOWNSHIP OF POCONO
MONROE COUNTY**

TAYLOR MUÑOZ
Township Manager

RICHARD WIELEBINSKI
President, Board of Commissioners

I hereby certify that the within is a true and correct copy of the proposed Ordinance in this matter.

Leo V. DeVito, Jr., Esquire
Solicitor
Pocono Township, Monroe County

September 15, 2022

VIA HAND DELIVERY

Pocono Township Board of Commissioners
Pocono Township Municipal Building
112 Township Drive
Tannersville, PA 18372

Attention: Taylor Munoz, Township Manager

Re: TL Realty Corp. – Rezoning Petition

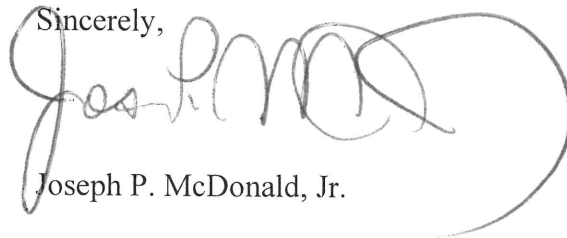
Dear Mr. Munoz:

On behalf of my client TL Realty Corp. enclosed is the following:

1. Private Landowner Petition to Amend the Pocono Township Zoning Map;
2. JCH Engineering LLC scaled Plot Plan; and
3. Deed of Record.

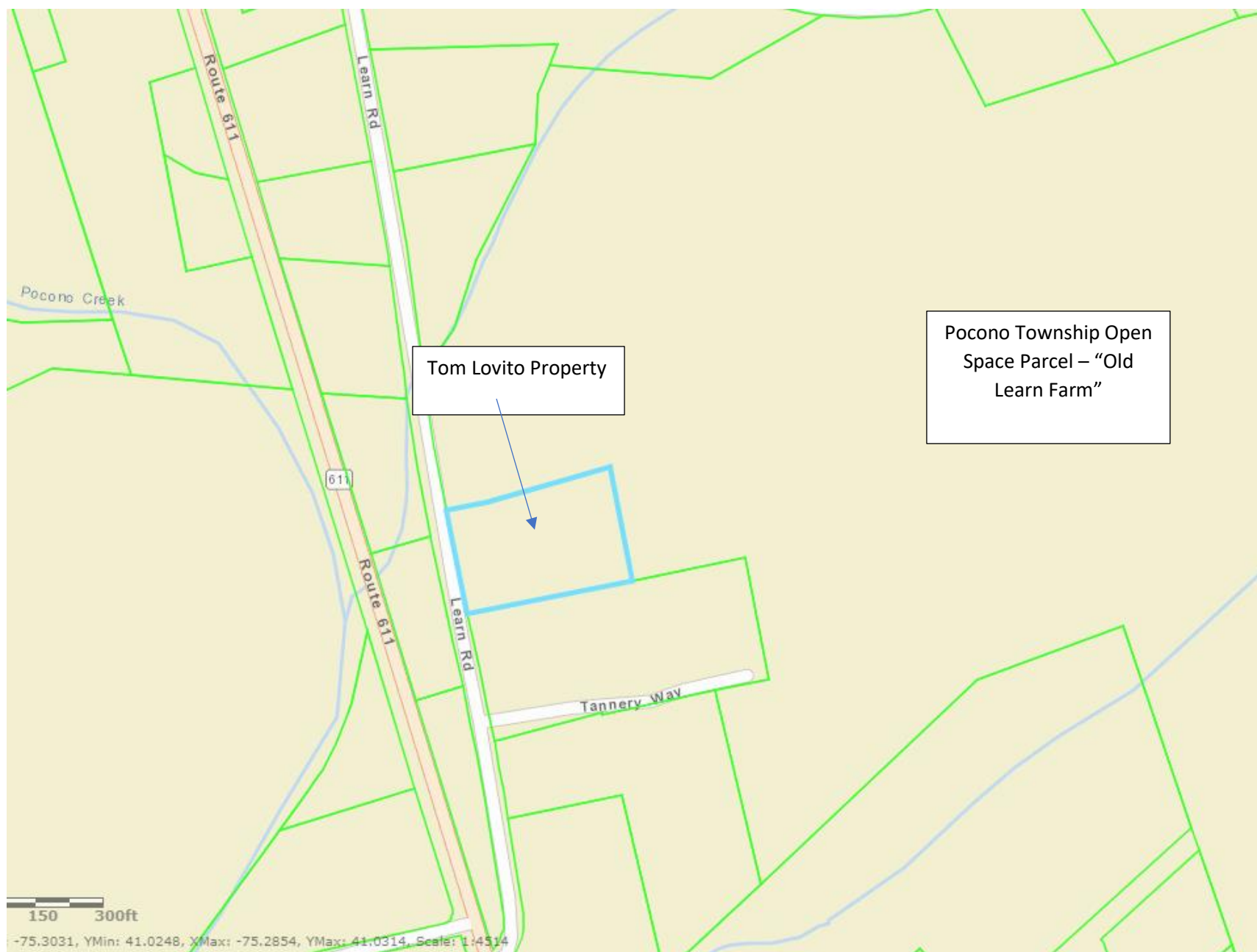
Kindly schedule this matter for the next available public meeting agenda and notify me of the meeting date.

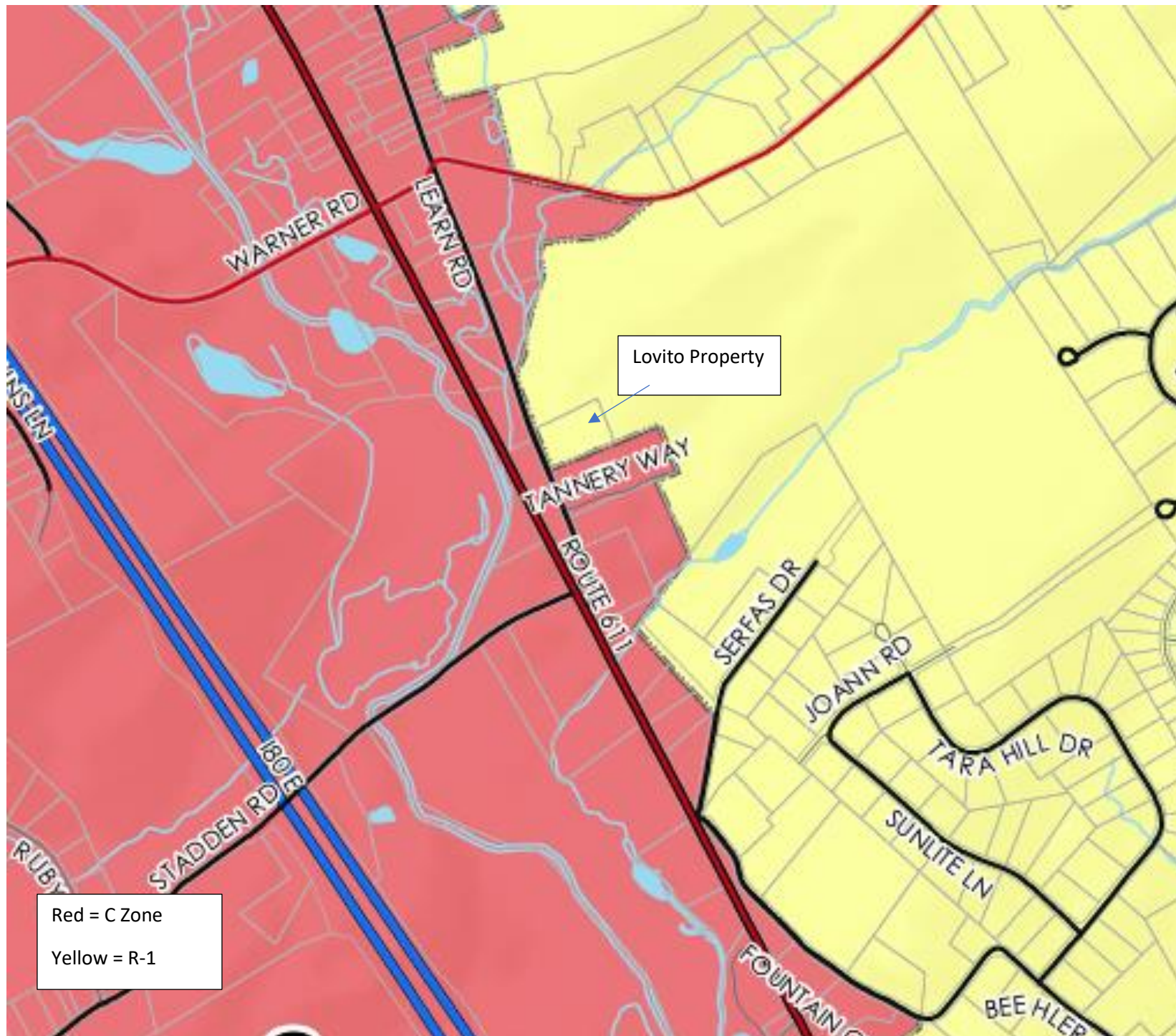
Sincerely,



Joseph P. McDonald, Jr.

JPM/srp
Enclosures





Red = C Zone

Yellow = R-1

**PETITION TO AMEND THE
POCONO TOWNSHIP ZONING MAP**

WHEREAS, T. L. Realty Corp, a Pennsylvania corporation (hereafter TL Realty) acquired title to Pocono Township real estate identified as Monroe County Tax Parcel No. 12/94172 and Monroe County PIN 12637200633003 (hereafter “the Property”) by virtue of a deed from Daystar Bible Holiness Church Inc. on December 3, 2021, said deed recorded in the Monroe County Office for the Recording of Deeds at Record Book 2595 Page 7508-7512;

WHEREAS the property contains 2.15 acres gross, more or less (87,787 sq. ft., more or less) and 2.01 acres net of that portion of the premises lying within Learn Road.

WHEREAS the parcel contains approximately 243.45 feet of road frontage along the easterly side of Learn Road with a depth of approximately 377.09 feet along the property’s southern boundary;

WHEREAS the parcel is zoned R-1 Low Density Residential pursuant to the Pocono Township Zoning Ordinance and map;

WHEREAS Zoning Ordinance Section 470 attachment 2 limits development of TL Realty’s Property to one dwelling unit per two acres;

WHEREAS the adjoining properties to the south and west (across Learn Road) and all other parcels fronting on Learn Road (except for a 129 acre parcel along Township Road 625 acquired for Open Space by Pocono Township, Parcel ID No. 12.7.1.30, Deed Book Volume 2265, Page 8220) benefit from the C- Commercial Zoning Use Schedule;

WHEREAS TL Realty asserts that the highest and best use for the Property is commercial or mixed commercial multi-family residential use as the property is no longer suited for the limited principal permitted uses of the R-1 District;

WHEREAS the Pocono Township Zoning Ordinance permits petitions for amendments to the zoning ordinance and map at Ordinance §470-125;

WHEREAS The Municipalities Planning Code provides a procedure for Zoning Ordinance amendments whether prepared by the Township Planning Commission or another at 53 PS 10609.

NOW THEN, the petitioner, TL Realty respectfully requests the Pocono Township Board of Commissioners conduct a public hearing pursuant to the Municipalities Planning Code and the Pocono Township Zoning Ordinance to rezone the following property from R-1 to C Commercial and to amend the zoning map accordingly:

ALL THAT CERTAIN lot; parcel; or tract of land lying, situate and being in the Commonwealth of Pennsylvania, County of Monroe, Township of Pocono being more particularly described as follows:

BEGINNING at a point in the centerline of Learn Road being a 33 foot right of way, said point bearing South 85 degrees 44 minutes 04 seconds West 30.26 feet from a found iron pipe, said point being the most south westerly corner of Lot 1 as shown on a map entitled "Final Minor Subdivision Plan and Annexation Plan, Jacob Learn" and found in said courthouse in Plat Book Volume No. 77, Page 310, thence

1. Running in or near the centerline of said Learn Road North 07 degrees 13 minutes 17 seconds West 243.45 feet to a point, thence
2. Leaving said center line running along the line of Lot 1, North 82 degrees 46 minutes 43 seconds West 115.68 feet to a point as shown on said map, thence
3. Still running along Lot 1 North 77 degrees 35 minutes 19 seconds East 259.85 feet to a point, thence
4. Still running along Lot 1, South 07 degrees 47 minutes 20 seconds East 263.24 feet to a point, thence
5. South 82 degrees 12 minutes 40 seconds West 377.09 feet to the point and place of beginning.

EXCEPTING AND RESERVING that portion of the premises within Learn Road.

Containing 2.15 gross acres, more or less (93,856 s.f., more or less).

Containing 2.01 net acres more or less (87,787 s.f., more or less) after deducting the area found in Learn Road.

Subject to the rights of P.P. & L. power easement as described in a Book of Deeds Volume 365, Page 1154.

This legal description is based on a field survey performed by B.T.T. Associates, Inc.

BEING THE SAME PREMISES which Pocono Jackson Historical Society, by Deed dated December 18, 2015 and recorded December 18, 2015 In the Office for the Recorder of Deeds, Monroe County, Pennsylvania in Record Book 2464, Page 6397, granted and conveyed unto Daystar Bible Holiness Church, Granter herein, in fee.

Respectfully submitted,

TL REALTY CORP.

Attest: _____

By: _____
Tom Lovito, President



POZ Engineering and Environmental Consulting, P.C.
P.O. Box 663, Pittston, PA 18640
570-654-0113 (Office), 570-654-0116 (Fax)
www.poz-e.com
September 28, 2022

RECEIVED

OCT 06 2022

POCONO TOWNSHIP

Pocono Township
112 Township Drive
Tannersville, PA 18372

**RE: Waiver for Driveway Grade for Project 2230186R at 132 Cobble Creek Drive,
Tannersville**

Dear Sir or Madam:

We are requesting a waiver from Paragraph 375-18, Section F, Figure A, "G2 limited to 12%". Specifically, we are requesting the driveway slope (G2) to be waived at an 18% slope to meet the road surface on Cobble Creek Drive that has a strike NE to SW. The project is the proposed construction of a single-family home on less than an acre of land in the Cobble Creek Estates, which was established in the early 1970's. The property is surrounded by single family homes with similar driveway grades. A grading plan was submitted to the Township showing the proposed grade and septic plan for the project.

The original driveway layout was to use a more direct approach to Cobble Creek Drive that has a slope of 19%, within 10 feet of an existing driveway, and eliminated more trees. To eliminate and/or minimize these parameters, we re-positioned the proposed driveway interface with Cobble Creek Drive 40 feet to the northwest. The driveway length is 109 feet and the relief is 20 feet from the proposed car port to Cobble Creek Drive. The existing ditch along Cobble Creek Drive will be bridged with an 18-inch pipe that will be stabilized and spanned with clean rock to meet the road surface with the slope of the driveway and comply with Figure A of the Code. The proposed car port will be adequate for vehicle turn-around, and will be paved upon completion. There are no other routes that the driveway can take without interfering with the proposed septic system or encroachment upon the adjacent driveway.

If you have any question or concerns, please call me at 570-654-0113. Thank you!

Sincerely,

Emanuel T Posluszny, P.E.
President

Township of Pocono, Monroe County, Pennsylvania
Resolution 2022-36

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT TO NATURAL
LANDS FOR REVISIONS TO THE TOWNSHIP ZONING AND SUBDIVISION &
LAND DEVELOPMENT ORDINANCES.**

BE IT HEREBY RESOLVED, that the Board of Commissioners of the Township of Pocono, located in Monroe County, Pennsylvania, approves the submission of a grant to Natural Lands in the amount of \$5,000 for assistance with amending the Township's Zoning Ordinance and Subdivision & Land Development Ordinance to incorporate natural resource protection and conservation design standards that contribute to preserving and improving water quality as development occurs.

The Township agrees that Natural Lands will review the consultant's work as part of the project at no cost to the Township, and the Township will share the draft ordinance amendments with Natural Lands prior to the public meetings when they are discussed.

BE IT FURTHER RESOLVED, that the Applicant does hereby designate the President of the Board of Commissioners and/or the Township Manager to execute all documents and agreements between the Township of Pocono and Natural Lands to facilitate and assist in obtaining the requested grant.

SO RESOLVED, this 7th day of November, 2022.

ATTEST:

Township of Pocono
Board of Commissioners

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

By: _____
Print Name: Richard Wielebinski
Title: President

**Pocono Township Board of Commissioners
Regular Meeting Minutes
October 17, 2022 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on October 17, 2022 and was opened by Vice President Jerrod Belvin at 6:00 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Leo DeVito, Township Solicitor; Jon Tresslar, Township Engineer; Shawn Goucher, Acting Chief of Police; Robert Sargent, Public Works Supervisor; and Jennifer Gambino, Administrative Assistant.

J. Belvin made a motion, seconded by J. Lastowski, to suspend the agenda to move up swearing-in of new Pocono Township Police Officer Alex Bagley by Magisterial District Judge Daniel Kresge. All in favor. Motion carried.

Public Comment

Elina Braverman (Resident) – Concerned regarding sewer capacity reservations for Core5. Urged the item be tabled.

Mary McIsaac (Jackson Resident) – Shared ongoing concern regarding Core5. Expressed concerns about wetlands, sewage, and stormwater.

Elizabeth Casciano (Resident) – Licensed real estate agent with concerns regarding Core5 and short-term rentals. Discussed impact of warehouses and industrial use on property values.

Vitaliy Braverman (Resident) – Spoke regarding Core5 concerns. Stated belief that Core5 has not completed impact analysis and expressed concerns about fire suppression water needs.

Joshua Knapp (Resident) – Asked question pertaining to tabling.

Announcements

- The Board of Commissioners will hold a work session on Monday, October 24 at 4:30 p.m. for the purpose of discussing the 2023 Township Budget.
- Pocono Township's Trunk-or-Treat will take place on Sunday, October 30 from 3:00 p.m. to 6:00 p.m. at the Township complex. We welcome children and their families to come in costume and enjoy various treats and activities, including hayrides, throughout the day. Live music will be performed by Joe O'Malley. More information is found on our Township Facebook page.

An executive session was held prior to the meeting for personnel issues.

Hearings – None

Presentations

- Recognition of Cub Scout Pack 85 members attending meeting for advancement requirements – Scouts were in attendance to observe.

Resolutions

J. Belvin made a motion, seconded by E. Gnadtt, to approve Resolution 2022-32 authorizing the submission of an application for a Monroe County Hotel Tax Allocation for the purpose of obtaining

funding for the TLC Park Splash Pad Project in an amount not to exceed \$102,000. All in favor. Motion carried.

J. Belvin made a motion, seconded by E. Gnandt, to approve Resolution 2022-33 granting conditional approval of the Minor Subdivision and Lot Line Adjustment Plan of Timothy Coover and Carla J. Coover. All in favor. Motion carried.

J. Belvin made a motion, seconded by K. Meeker, to approve Resolution 2022-34 granting conditional approval of the Lot 518 & Lot 519 Blueberry Estates Lot Combination Plan. E. Gnandt asked for clarification regarding the merger and location. All in favor. Motion carried.

J. Belvin made a motion, seconded by J. Lastowski, to approve Resolution 2022-35 denying preliminary plan approval of the Blessing (Munz) Major Subdivision Plan. R. Wielebinski asked for clarification. J. Tresslar provided summary of subdivision process. A review letter was provided and no response was received. A number of deficiencies exist. All in favor. Motion carried.

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the October 3, 2022 regular meeting and October 6, 2022 special meeting of the Board of Commissioners.
 - Financial transactions through October 13, 2022 including:
 - Ratification of general fund expenditures in the amount of \$2,597.10 and sewer operating expenditures of \$511.25.
 - Ratification of gross payroll for pay period ending October 7, 2022 in the amount of \$121,120.89.
 - Vouchers payable in the amount of \$253,934.93.
 - Sewer operating fund expenditures in the amount of \$124,091.27.
 - Sewer construction fund expenditures in the amount of \$77,263.07.
 - Capital reserve fund expenditures in the amount of \$90,136.01.
 - General Fund budget adjustments in the amount of \$107,136.29 to provide additional funding for anticipated expenditures through the end of 2022.

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

NEW BUSINESS – None

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by E. Gnandt, to approve Trapasso Hotel Land Development Construction Escrow Release No. 1 in the amount of a \$128,246.85 reduction as recommended by the Pocono Township Engineer's letter dated October 3, 2022. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to advertise public ordinance hearing for the amending of Chapter 398 Taxation of the Township's codified ordinances for the implementation of PA Act 57 of 2022, property tax penalty waiver provisions. Discussion regarding new home buyers. If there is a problem getting tax bills in a timely fashion, tax collector can waive the penalties. All in favor. Motion carried.

- Discussion and possible action regarding the rezoning petition request of TL Realty pertaining to a property located on Learn Road, Tax Parcel No. 12.94172. Additional discussion regarding possible rezoning of a commercial area along Learn Road to residential use.

L. DeVito indicated Mr. Lovito has requested re-zoning of small piece of property on Learn Road to Commercial. If the Board is inclined to consider, they would refer to Planning Commission for review for any comments or recommendations.

E. Gndt made a motion, seconded by J. Lastowski, to table the Lovito request. All in favor. Motion carried.

R. Wielebinski stated there is interest in rezoning another area for future discussion.

- Consideration and possible action regarding the request of The Lands of Leisure Lake at Poconos, Inc. for Pocono Township to vacate right-of-way previously associated with Wiscasset Avenue in Swiftwater near its former intersection with S.R. 611 adjacent to the former Alfredo's Pizza property.

Discussion of proposed parking area for the old Alfredo's property in Swiftwater.

- Discussion and possible action regarding Pocono Township covering the cost of road signage for Matt Connell Way, the entrance into the Northampton Community College – Monroe Campus.

R. Wielebinski made a motion, seconded by J. Lastowski, to pay for the new signs and have installation performed by Pocono Township. J. Lastowski reiterated that NCC has been a good partner for the Township and Dean Connell was always welcoming and accommodating for the Township. All in favor. Motion carried.

R. Wielebinski made a motion, seconded by K. Meeker, to grant Core5 246 Warner Road request for 29 EDUs (approximately 7,000 gallons per day). T. Muñoz relayed timeline of request, and J. Lastowski asked for clarification. Roll call: J. Belvin, yes; E. Gndt, no; J. Lastowski, yes; K. Meeker, yes; R. Wielebinski, yes. Motion carried.

R. Wielebinski made a motion, seconded by J. Lastowski, to deny Core5 Interstate 80 & TR 481 request for 13 EDUs (approximately 3,000 gallons per day). E. Gndt asked for clarification. Motion amended to include for failure to provide the requested information concerning the use of this property. Amendment accepted. All in favor. Motion carried.

Commissioner Comments

Jerrod Belvin – Vice President

- Update – PPL utility lines and possible drainage issues on Barton Court – Need PPL to unlock the gate in-between owner's house and MCTI to inspect the retention pond in the rear that may be creating drainage issues. PPL wants homeowners to pay for the required poles. T. Muñoz will follow up.
- Update – Installation of security cameras at TLC Park – Cameras are installed and recorder is capturing the footage.

Stated a loop detector was damaged at SR 715/Sullivan Trail. A new camera system has been installed to replace the loop system.

Ellen Gndt – Commissioner

E. Gndt asked for update on curative amendment process.

Jerry Lastowski – Commissioner

- Request to host basketball programs and/or leagues in Township park(s) – No response received back to-date from requester.

Asked for update on Maula property; and asked for update on property across from Abeloff Nissan.

Keith Meeker – Commissioner - None

Reports

Police Report

- Update – PTPD Grant Applications. Completed PCCD grant that had a \$1 million allocation for PTPD for numerous Department needs. Final count was \$997,000 dollars. Grant application included more ballistic shields, a generator for the building, P-25 radios, updates to bodycam software, taisers, computers, and license plate readers.

The ballistic shields arrived at Sanofi and should be presented to the BOC soon.

- Discussion and possible action regarding COPS grant funding received and hiring of additional officer – Grant was received for \$375,000 to offset some costs of hiring new officers. E. Gndt asked for clarification. T. Muñoz indicated more officers are approaching retirement and asked if the Board would be interested in pursuing another officer from the current list of candidates. J. Lastowski is in favor of using current list for hiring before any officer retires. E. Gndt asked for further clarification.

J. Lastowski made a motion, seconded by K. Meeker, to move forward with current eligibility list of police candidates for the hiring of a new Police Officer. All in favor. Motion carried.

J. Lastowski made a motion, seconded by J. Belvin, to extend a conditional officer of employment to Kylie Tausendfreundt. All in favor. Motion carried.

Public Works Report

- Current Public Works projects – Randy Peetchatka will be mobilizing soon to get work started on the wingwalls at TLC park.
- Mountain View Park updates:
 - Update – MVP fencing project – Promax Fencing will be doing MVP fencing.
 - Update – Installation of new slide – Tentative installation of Mighty Descent Slide scheduled for next week.
- TLC Park updates.
 - Update – Dog park installation – Moving along. Ordered maglock components for the dog park gate so key fobs can be easily activated and deactivated if needed. Waiting on grant administrator from the state to make sure the list of dog park amenities included for inside the enclosure are eligible for reimbursement within the grant terms.
 - Update – TLC Park fencing projects – Mt. Pocono Fence completed installation of fence. Proceeding with 4' extensions on top of fence surrounding basketball court.

Administration – Manager's Report

- 2021 Audit complete and finalized – Forwarded to Board finalized copy of 2021 audit for review.
- 2022 Budget Work Session
 - October 24, 2022 @ 4:30 p.m.
- 2022 Township Events
 - Trunk-or-Treat – Sunday, October 30, 2022, 3 p.m. to 6:00 p.m.
 - Christmas Tree Lighting – December 3, 2022

Township Engineer Report

- Sidewalk installation for Wendy's and Turkey Hill – J. Belvin asked about Turkey Hill. J. Tresslar stated the plans were sent three weeks ago and have not heard anything since. E. Gndt asked questions pertaining to sidewalk installation and placement of Turkey Hill sidewalk.
- Engineering study for identified stormwater projects – Laurel Lake Road and Oakwood Acres – No update.

- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement.
 - Easement needed from adjoining property owner (Lovito) – PPL putting paperwork together.
- Update – TASA SR 611 sidewalk project – Continuing work on the project. Just completed environmental report. E. Gmandt asked whether the Township needs to secure maintenance agreements for care of planned sidewalks and asked about liability provisions. L. DeVito confirmed there is a sidewalk ordinance that addresses sidewalk installation and will confirm maintenance components.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue – No update.

S. Goucher asked about status of Sullivan Trail bridge wall. T. Muñoz gave explanation.

Township Solicitor Report

- Zoning Hearing Board updates
 - Recap: 391 Laurel Lake Road (Crawford STR appeal of enforcement action) – Had hearing and owners admitted they were operating a STR in a residential district. Anticipates favorable response.
- Local Agency Hearing
 - 11/7/22 – 2nd Local Agency Hearing Request for 249 Camelback Road (Grossi) regarding enforcement actions from 9/9/22 & 9/12/22 with permit revocation. Will advertise another local agency hearing.
- Update – Closing date for sale of Bartonsville Avenue parcel – Buyer requested additional information regarding identification of the lot being purchased and anticipate closing in middle to end of November.
- Update – Tobyhanna Act 537 Sewage Capacity Request – Will send email out to the Board with comments regarding response to capacity request.
- Update – Kelly Trust Property – Order of Court was entered that, in the event the property ever returns to its prior state, issue will go directly to Court.
- Update – Johnson Appeal Commonwealth Court argument – Waiting on decision from the Commonwealth Court.
- Update – PJJWA transfer agreement – Process is ongoing. E. Gmandt asked about grant funds and timeline for when funds must be used.

J. Belvin asked about 2162 White Oak. Discussion regarding bankruptcy notice regarding the property owner.

Public Comment

Elina Braverman (Township Resident) – Thanked Township for gesture for NCC signage. Regarding Core5, cited provisions relating to conditional versus final approvals.

Mary McIsaac (Jackson Resident) – Asked how long it would take to run a sewer system for Warner Road.

Patrice Linucci (Township Resident) – Discussed the Wiscasset Avenue project. Asked for clarification regarding land development approvals.

Adjournment

J. Belvin made a motion, seconded by J. Lastowski, to adjourn the meeting at 7:51 p.m. All in favor. Motion carried.

POCONO TOWNSHIP

Monday, November 7, 2022

SUMMARY

Ratify

General Fund	\$	1,612.13
Payroll	\$	251,338.71
Sewer Operating	\$	23,653.35
Sewer Construction	\$	46,500.00
Capital Reserve	\$	-

Bill List

TOTAL General Fund	\$	65,597.69
TOTAL Sewer <u>OPERATING</u> Fund	\$	2,885.34
TOTAL Sewer <u>CONSTRUCTION</u> Fund	\$	3,050.16
TOTAL Capital Reserve Fund	\$	697,192.71
Liquid Fuels	\$	432,471.20

TOTAL EXPENDITURES	\$	1,524,301.29
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Fire Tax Disbursement	\$	725.47
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<u>Budget Adjustments</u>	\$	-
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Budget Appropriations

Budgetary Interfund Transfer

Use of Grant Funds

ARPA FUNDS TO CAPITAL RESERVE

CHEMUNG SUPPLY ROAD PIPES 2022 (INV 015791,017903 &15864)	\$	36,972.75
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ARPA FUNDS TO GENERAL FUND

TRAISR	\$	1,023.33
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Total Transfers	\$	37,996.08
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Notes:

POCONO TOWNSHIP CHECK LISTING

RATIFY

Monday, November 7, 2022

General Fund

	Date	Check	Vendor	Memo	Amount
Payroll	10/21/2022			PAYROLL ENDING 10/16/2022	\$ 131,003.69
	11/06/2022			PAYROLL ENDING 10/28/2022	\$ 120,335.02
				TOTAL PAYROLL	\$ 251,338.71

General Expenditures

	Date	Check	Vendor	Memo	Amount
	10/18/2022	62658	PPL Electric Utilities	TLC Lighting	\$ 110.39
	10/19/2022	62659	District Court 43-3-03	12.3.1.4 1157 Birchwood Dr Civil Complaint	\$ 192.25
	10/24/2022	62660	Staples Credit Plan	Police Office Supplies	\$ 164.24
	10/26/2022	62661	Brodhead Creek Regional Authority	TWP Water	\$ 292.47
	10/28/2022	62662	O'Malley, Joe	10/30/22 Poc TWP Trunk or Treat	\$ 400.00
	10/28/2022	62663	PENTELEDATA	TWP Internet	\$ 135.70
	10/28/2022	62664	PENTELEDATA	Heritage Bldg Internet	\$ 126.13
	10/28/2022	62665	PENTELEDATA	Police Internet	\$ 190.95
				TOTAL General Fund Bills	\$1,612.13

Sewer Operating Fund

	Date	Check	Vendor	Memo	Amount
	10/18/2022	2309	Verizon	Sewer SCADA System	\$ 722.40
	10/24/2022	2310	BLUE RIDGE COMMUNICATIONS	Pump Station 3 & 4 Phone	\$ 2,632.14
	10/24/2022	2311	MET-ED	Pump Station 4 Electric	\$ 6,397.02
	10/26/2022	2312	BRODHEAD CREEK REGIONAL AUTHORITY	Pump Station 2 -5 Water	\$ 5,499.69
	10/26/2022	2314	Verizon Wireless	Sewer Modems	\$ 2,521.05
	10/28/2022	2315	PENTELEDATA	Pump Stations 1 thru 5 Internet	\$ 5,881.05
					\$ 23,653.35

Sewer Construction Fund

	Date	Check	Vendor	Memo	Amount
	10/19/2022	731	BLUE WORLD CONSTRUCTION	PAY APP 3 GEN/BLDG PS 5	\$ 46,500.00
				TOTAL Sewer Construction Fund	\$ 46,500.00

Capital Reserve Fund

	Date	Check	Vendor	Memo	Amount
				TOTAL Capital Reserve Fund	\$ -

TOTAL General Fund	\$	252,950.84	
TOTAL Sewer Operating	\$	23,653.35	Authorized by:
TOTAL Sewer Construction	\$	46,500.00	
Total Capital Reserve	\$	-	Transferred by:
	\$	323,104.19	

POCONO TOWNSHIP CHECK LISTING

Monday, November 7, 2022

General Fund

Date	Check	Vendor	Memo	Amount
11/2/2022	62666	Access Office Technologies	14' Patch Cable for Judy A.	\$ 12.95
11/2/2022	62667	AFLAC	Supp Ins	\$ 368.80
11/2/2022	62668	AMERICAN UNITED LIFE INSURANCE CO.	GTL & STD Ins	\$ 3,040.30
11/2/2022	62669	Breast Friends of Pennsylvania	Yoga In The Park Breast Friends of PA	\$ 221.00
11/2/2022	62670	Broughal & DeVito, L.L.P.	Crescent Lake Lot Consolidation	\$ 80.00
11/2/2022	62671	Cefali and Associates PC	Sep 2022 Tresaurry Services	\$ 375.00
11/2/2022	62672	Creative Works Systems, Inc.	Web Hosting Poconopa.gov 12 mos ending May 2023	\$ 817.50
11/2/2022	62673	D.G. Nicholas Co.	PW vehicle supplies	\$ 1,080.30
11/2/2022	62674	Dailey Resources, LTD	PW supplies	\$ 158.00
11/2/2022	62675	Donna Kenderdine Reporting	Heinze 8/2/22; 9/20/22; 9/27/22 Hearings	\$ 1,605.20
11/2/2022	62676	Eureka Stone Quarry, Inc.	Road materials	\$ 914.41
11/2/2022	62677	Gilroy NE LLC	TLC Ballfield Topsoil 30 yards	\$ 825.00
11/2/2022	62678	Gotta Go Potties, Inc	Park Rentals	\$ 385.00
11/2/2022	62679	Goucher, Shawn	Halloween Candy	\$ 224.86
11/2/2022	62680	J. P. Mascaro & Sons	MVP Waste Removal Oct 2022	\$ 436.60
11/2/2022	62681	J. P. Mascaro & Sons	Poc TWP Waste Removal Oct 2022	\$ 327.65
11/2/2022	62682	Jack Williams Tire Company, Inc.	Tires	\$ 788.30
11/2/2022	62683	Jan-Pro of NEPA	Cleaning	\$ 1,625.00
11/2/2022	62684	JDM Consultants, LLC	Oct 2022 Services & LSA App Fee Reimb	\$ 2,600.00
11/2/2022	62685	Kinsley Markets, Inc.	Candy for Trunk or Treat 2022	\$ 134.85
11/2/2022	62686	Lawson Products	PW supplies	\$ 943.82
11/2/2022	62687	Linde Gas & Equipment, Inc.	Industrial Oxygen	\$ 33.68
11/2/2022	62688	Locust Ridge Quarry	Road materials	\$ 5,193.26
11/2/2022	62689	LVL Engineering Group	Proj 2230197R Crescent Lake & Resort Lot Consolid Review	\$ 139.00
11/2/2022	62690	Munoz, Taylor	Mileage reimbursement	\$ 22.50
11/2/2022	62691	Nationwide - 457	EE & ERCont	\$ 4,432.69
11/2/2022	62692	Nationwide - 457	EE & ERCont	\$ 4,418.00
11/2/2022	62693	Pocono Township Volunteer Fire Company	Fundraisers Community day & Trunk or Treat	\$ 6,529.52
11/2/2022	62694	PPL Electric Utilities	Area & Traffic Lights	\$ 96.28

11/2/2022	62695	PSATS	Bartholomew/Hartshorn Testing	\$	120.00
11/2/2022	62696	Shinetime Auto Wash & Lube	July 2022 Washes	\$	22.00
11/2/2022	62697	Signal Service, Inc.	Traffic light service	\$	4,709.04
11/2/2022	62698	Steele's Hardware	PW Supplies	\$	300.74
11/2/2022	62699	Steele's Hardware	PW Supplies	\$	135.39
11/2/2022	62700	Steele's Hardware	PW supplies	\$	44.96
11/2/2022	62701	Steele's Hardware	PW supplies	\$	43.18
11/2/2022	62702	Stephenson Equipment, Inc.	PW supplies	\$	63.75
11/2/2022	62703	Stroudsburg Electric Motor Service	PW Supplies	\$	108.65
11/2/2022	62704	Suburban Propane	Vehicle fuel	\$	8,089.41
11/2/2022	62705	Suburban Testing Labs	SDWA Monthly - 701	\$	586.10
11/2/2022	62706	Teamster Local 773 - Non-Uniform	PW Union Dues	\$	883.00
11/2/2022	62707	Teamster Local 773 - Police	Police Union Dues	\$	1,353.00
11/2/2022	62708	The Candle Shoppe of the Poconos, Inc.	Schlier Zoning Hearing & Poc Record Ad Reimb	\$	497.46
11/2/2022	62709	TRAISR, LLC	PW Monthly SaaS - Sep 2022	\$	1,023.33
11/2/2022	62710	Tulpehocken Mountain Spring Water Inc	TWP Drinking Water	\$	93.69
11/2/2022	62711	UNIFIRST Corporation	PW Uniforms & TWP Carpets	\$	190.76
11/2/2022	62712	US BANK - Lockbox CM9722	EE Cont	\$	7,509.76
11/2/2022	62713	VanAuken, Steve	Trunk or Treat & Yoga in The Park Bags	\$	744.00
11/2/2022	62714	Vector Security, Inc	TWP Alarm Monitoring 11/6/22 - 2/5/23	\$	150.00
11/2/2022	62715	Williams Garden Center, Inc.	Disposal of Stumps	\$	1,100.00

TOTAL GENERAL FUND **\$65,597.69**

Sewer Operating

Date	Check	Vendor	Memo	Amount
11/2/2022	2316	J P Mascaro & Sons	Pump Station 5 Waste Removal	\$ 223.85
11/2/2022	2317	LRM, Inc	Bi-Annual Flow Meter Calibrations	\$ 1,000.00
11/2/2022	2318	METROPOLITAN TELECOMMUNICATIONS	Pump Station 5 Phone	\$ 80.22
11/2/2022	2319	SUBURBAN TESTING LABS	Monthly NPDES	\$ 1,214.60
11/2/2022	2320	TRAISR	Monthly SaaS Sep 2022	\$ 366.67
TOTAL Sewer Operating				<u>\$2,885.34</u>

Sewer Construction Fund

Date	Check	Vendor	Memo	Amount
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11/12/2022	732	MULTI-DIMENSIONAL INTEGRATION INC.	Pump Station 5 Control Systems Integration Consulting	\$	3,050.16
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TOTAL Sewer Construction Fund	<u>\$3,050.16</u>
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Capital Reserve Fund

Date	Check	Vendor	Memo	Amount
11/2/2022	1360	H & K GROUP	2022 Road Paving Bid Poc TWP	\$ 670,918.75
11/2/2022	1361	MOUNT POCONO FENCE	MVP & TLC Fence	\$ 26,250.00
11/2/2022	1362	STEELE'S HARDWARE	TLC Scoreboard	\$ 23.96

TOTAL Capital Reserve Fund	<u>\$697,192.71</u>
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Liquid Fuels

Date	Check	Payee	Memo	Amount
11/02/2022	62716	H&K GROUP	2022 PAVING PROJECT	\$ 432,471.20
				<u>\$ 432,471.20</u>

Fire Tax Disbursement

Date	Check	Payee	Memo	Amount
11/2/2022	1031	POCONO TWP FIRE DEP.	RE TAXES PMNT 10	\$ 725.47
			TOTAL Fire Tax	<u>\$ 725.47</u>

ESSA

General Fund	\$	65,597.69	Authorized by: _____
Sewer Operating	\$	2,885.34	
Sewer Construction Fund	\$	3,050.16	
Capital Reserve	\$	697,192.71	
Fire Tax Disbursement	\$	725.47	
Liquid Fuels	\$	432,471.20	Transferred by: _____
TOTAL ESSA TRANSFER	\$	<u>1,201,922.57</u>	



October 20, 2022

Pocono Township Board of Commissioners
112 Township Drive
Tannersville, PA 18372

**SUBJECT: TRAPASSO HOTEL LAND DEVELOPMENT
CONSTRUCTION ESCROW RELEASE NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
PROJECT NO. 1330276B**

Corporate Office:

559 Main Street, Suite 230
Bethlehem PA 18018

Regional Offices:

1456 Ferry Road, Building 500
Doylestown, PA 18901

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

Dear Commissioners:

Based upon our review of this request and construction inspections to date, we recommend that the Applicant be allowed to reduce their construction escrow by **FOUR HUNDRED TEN THOUSAND THREE HUNDRED NINETY-FOUR DOLLARS AND TWENTY CENTS (\$410,394.20)**. A line-item tabulation for this release is attached for your files. Please note, authorization of this release should not be construed as Final Approval or Acceptance of the improvements installed to date.

If you have any questions regarding the attached and/or recommendation, please do not hesitate to call.

Sincerely,

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

JST/meh/tms

Enclosure

cc: Taylor Muñoz – Township Manager
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Esquire, Broughal & DeVito, LLP
Brian K. Winot, Trapasso & Winot Enterprises, LLC
Vincent Trapasso, Trapasso Enterprises, LLC – Property Owner
Thomas Serpico, P.E. – Pennoni Associates, Inc.
Melissa E. Hutchison, P.E., LVL Engineering Group

S:\2013\1330276B\Construction\Payment Applications\No. 2\Escrow Release #2 Cover Letter.docx

Pocono Township Board of Commissioners
112 Township Drive
Tannersville, PA 18372

October 26, 2022

RE: Talon Drive – Request for Rezoning
Pocono Township, Monroe County, PA

Dear Commissioners:

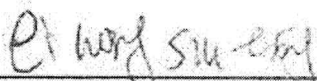
We the residents of Talon Drive are submitting a formal request to the Board of Commissioners for the rezoning of our collective six (6) parcels (Parcel ID #s 12.116701; 12.116702; 12.116703; 12.116704; 12.116705; and 12.116706) from C (Commercial) to R-1 (Residential).

A portion of the current zoning map, which shows the referenced parcels, is enclosed.

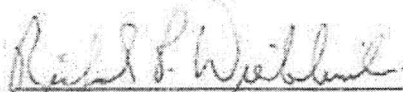
The six (6) parcels, located to the east of Learn Road, are occupied by residential dwellings and are immediately bordered by properties zoned R-1.

We respectfully ask for your consideration of your request and would like to be placed on an upcoming Board of Commissioners meeting for further discussion.

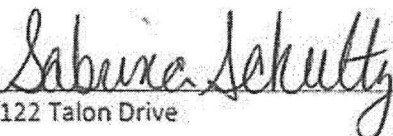
Sincerely,



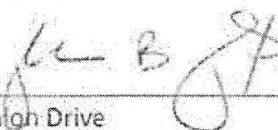
107 Talon Drive



111 Talon Drive



122 Talon Drive



125 Talon Drive

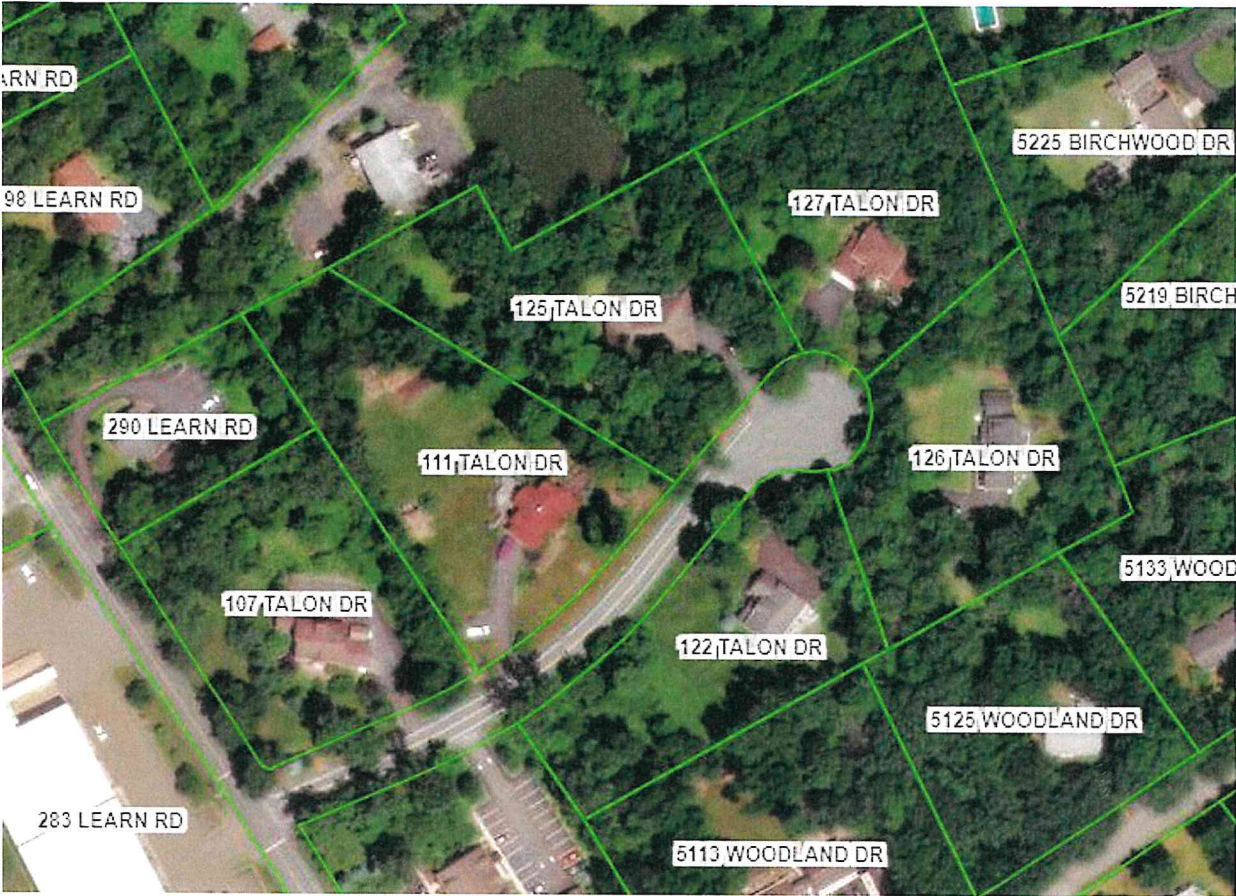


126 Talon Drive



127 Talon Drive

Talon Drive Rezoning Request – Exhibit 1



Talon Drive Rezoning Request - Exhibit 2

