



POCONO TOWNSHIP COMMISSIONERS
AGENDA

December 20, 2021 | 7:00 p.m.
112 Township Drive, Tannersville, PA

Dial-In Option: 646 558 8656

Meeting ID: 836 7719 1318

Passcode: 474080

Zoom Link:

<https://us06web.zoom.us/j/83677191318?pwd=RnJ0VnFXZ3pSZXUxME95NE9CZGd3Zz09>

Open Meeting

Pledge of Allegiance

Roll Call

Public Comment

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

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

Announcements

- An executive session of the Board of Commissioners was held on Tuesday, December 14, 2021 at 4:30 p.m. for the purpose of discussing a police grievance arbitration.

Hearings

- **Ordinance 2021-06 – Amusement Tax Increase (Action Item)**
 - Motion to open a Public Hearing to consider adoption of an Ordinance amending Chapter 398, Taxation, Article IV, Amusement Tax, of the Code of Ordinances of Pocono to increase the rate of the amusement tax from 3% to 10% for general Township purposes. **(Action Item)**
 - Motion to close public hearing. **(Action Item)**
 - Motion to open a hearing to consider adoption of an Ordinance amending Chapter 398, Taxation, Article IV, Amusement Tax, of the Code of Ordinances of Pocono to increase the rate of the amusement tax from 3% to 10% for general Township purposes. **(Action Item)**
 - Motion to close hearing.

- Motion to adopt Ordinance 2021-06 to approve the adoption of an Ordinance amending Chapter 398, Taxation, Article IV, Amusement Tax, of the Code of Ordinances of Pocono to increase the rate of the amusement tax from 3% to 10% for general Township purposes. **(Action Item)**
- Ordinance 2021-07 – Adoption of the Pocono Township FY 2022 Budget (Action Item)
 - Motion to open a Public Hearing to consider adoption of the FY 2022 budget and appropriate funds estimated to be required for the purposes of the government of the Township of Pocono, fixing the real estate millage rate for the 2022 Fiscal Year at a rate of 2.429 mills per dollar of assessed valuation and a fire tax rate at 0.201 special purpose mills. **(Action Item)**
 - Motion to close public hearing. **(Action Item)**
 - Motion to open a hearing to consider adoption of the FY 2022 budget and appropriate funds estimated to be required for the purposes of the government of the Township of Pocono, fixing the real estate millage rate for the 2022 Fiscal Year at a rate of 2.429 mills per dollar of assessed valuation and a fire tax rate at 0.201 special purpose mills. **(Action Item)**
 - Motion to close hearing.
 - Motion to adopt Ordinance 2021-07 approving the FY 2022 budget and appropriate funds estimated to be required for the purposes of the government of the Township of Pocono, fixing the real estate millage rate for the 2022 Fiscal Year at a rate of 2.429 mills per dollar of assessed valuation and a fire tax rate at 0.201 special purpose mills. **(Action Item)**

Presentations – None

Resolutions

- Resolution 2021-32 – Motion to approve Resolution 2021-32 granting conditional approval of the Great Wolf Lodge Expansion Land Development Plan. **(Action Item)**
- Resolution 2021-33 – Motion to approve Resolution 2021-33 granting conditional approval of the Northridge at Camelback Phase 11-16, Phase 2 – Hunter Circle preliminary land development plan. **(Action Item)**

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the December 6, 2021 meeting of the Board of Commissioners.
 - A budget adjustment request of \$53,000.00 to ensure specified line items have sufficient funding for the remainder of 2021.
 - Financial transactions through December 16, 2021 including:
 - Ratification of vouchers payable in the amount of \$394.83 and sewer operating expenditures in the amount of \$125.76.
 - Ratification of gross payroll for the pay period ending December 12, 2021 in the amount of \$214,765.75.
 - Vouchers payable in the amount of \$251,687.17.
 - Sewer operating fund expenditures in the amount of \$139,931.06.
 - Sewer construction fund expenditures in the amount of \$22,612.73.
 - Capital reserve fund expenditures in the amount of \$19,086.00.
 - A fire tax disbursement of \$387.35.
 - An American Rescue Plan Act transfer to the General Fund of \$6,126.00 for the purchase of a blower attachment to clear Township stormwater facilities. **(Action Items)**

NEW BUSINESS

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

Report of the President

Richard Wielebinski

- Discussion regarding Township position on sidewalks and curbing for 3101 Route 611 (the old jewelry store).

Commissioner Comments

Jerrod Belvin – Vice President

- Emergency Management Update
- Discussion and possible action regarding the institution of a one-year pilot program for 12-hour shifts for Pocono Township patrol officers. **(Possible Action Item)**

Ellen Gmandt – Commissioner

Jerry Lastowski – Commissioner

Keith Meeker – Commissioner

Reports

Zoning

Emergency Services

- Police
- EMS
- Fire

Public Works Report

- Current Public Works projects
- TLC Park Project Update
- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant

Administration – Manager's Report

- Interviews for Township job openings being scheduled for early January.
- Regional HSPS Comprehensive Plan update – Still waiting on draft plan.

Township Engineer Report

- Update – Consolidation of the Municipal Complex lots.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue.

Township Solicitor Report

- Zoning Hearing Board updates.
 - Update – Taveras Appeal.
 - Update – Johnson Appeal.

- Update – Closing for sale of I-80 parcel.
- HJP Park Agreement between Pocono and Jackson Townships.

Public Comment

Please limit individual comments to 5 minutes to allow time for others wishing to speak and direct all questions and comments to the President.

Adjournment

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2021-06

**AN ORDINANCE OF THE TOWNSHIP OF POCONO,
COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA
AMENDING THE CODE OF ORDINANCES OF POCONO TOWNSHIP, CHAPTER 398,
TAXATION, ARTICLE IV, AMUSEMENT TAX; AND REPEALING ALL ORDINANCES
INCONSISTENT HERewith**

WHEREAS, the Board of Commissioners of the Township of Pocono has deemed it necessary to amend the Code of Ordinances of Pocono Township, Chapter 398, Taxation, Article IV, Amusement Tax.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Pocono, Monroe County, Pennsylvania, as follows:

SECTION I. Chapter 398, Taxation, Article IV, Amusement Tax, Section 398-37, Imposition of Tax, is hereby amended in its entirety to now read as follows:

“§ 398-37 Imposition of Tax.

A tax is hereby levied, assessed and imposed, for general Township purposes, upon the admission to each and every amusement within the Township, at the rate of 10% of the admission charged and collected, such tax to be paid by the person charged or paying the admission; provided, where no fixed admission is charged, the tax shall be paid upon the gross amount collected, and shall be paid by the producer, if not paid by the person charged or paying such admission.”

SECTION II. REPEALER

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 III. SEVERABILITY

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this Ordinance is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the Ordinance.

SECTION IV. ENACTMENT

This Ordinance shall take effect January 1, 2022.

ENACTED AND ADOPTED by the Board of Commissioners this ____ day of _____, 2021.

ATTEST:

**TOWNSHIP OF POCONO,
MONROE COUNTY**

TAYLOR MUNOZ
Township Manager

RICHARD WIELEBINSKI
President, Board of Commissioners

ORDINANCE 2021-07

**AN ORDINANCE OF THE TOWNSHIP OF POCONO, COUNTY OF MONROE,
PENNSYLVANIA, ADOPTING A BUDGET AND APPROPRIATING FUNDS
ESTIMATED TO BE REQUIRED FOR THE PURPOSES OF THE GOVERNMENT OF
THE TOWNSHIP OF POCONO, AND FIXING THE REAL ESTATE MILLAGE RATE
FOR THE 2022 FISCAL YEAR**

WHEREAS, Article XVII, Section 1701, et seq., of the First-Class Township Code, 53 P.S. 56701 et seq., requires, inter alia, that the Pocono Township Board of Commissioners prepare and adopt a budget which shall reflect as nearly as possible the estimated revenues and expenditures of the Township for the year for which the budget is prepared; and

WHEREAS, the total appropriation shall not exceed revenues available for the fiscal year; and

WHEREAS, the tax levied by the Pocono Township Board of Commissioners shall be fixed at such figure within the limit allowed by law as with all other sources of revenue shall meet and cover such appropriations.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Commissioners of the Township of Pocono, County of Monroe, and Commonwealth of Pennsylvania, as follows:

Section I:

That for the expenses of the Township of Pocono for the Fiscal Year 2022 the following amounts are hereby approved and appropriated from the receipts estimated to be available for said fiscal year for the specific purposes set forth below, which amounts are more fully itemized in the budget form on file in the Office of the Township Manager, as follows:

GENERAL FUND

ESTIMATED RECEIPTS

Taxes	\$ 6,782,819
Licenses and Permits	200,100
Fines & Forfeits	65,000
Interest, Rentals and Royalties	15,000
Intergovernmental Revenues	366,560
Charges for Services	373,950
Special Assessments	0
Other Financing Sources	179,000
Opening Balance	<u>\$ 3,652,952</u>
 TOTAL FUNDS AVAILABLE	 <u>\$11,635,381</u>

ESTIMATED EXPENDITURES

General Government	\$ 1,033,861	
Public Safety	3,834,029	
Public Works	1,551,457	
Cultural-Recreation	172,836	
Debt Service	0	
Employer Paid Benefits	215,825	
Insurance	134,120	
Transfer to Capital Reserve	1,931,746	
TIF & Other Expenses	<u>\$ 140,100</u>	
TOTAL EXPENDITURES		<u>\$ 9,013,976</u>
PROJECTED FUND BALANCE		<u>\$ 2,621,405</u>

CAPITAL RESERVE FUND

Estimated Revenues	\$ 4,423,336*	
Opening Balance	<u>0</u>	
Total Funds Available	\$ 4,423,336	
Estimated Expenditures	<u>4,423,336</u>	
PROJECTED FUND BALANCE		<u>\$ 0</u>

*Source is general fund transfer and grant revenue

STATE LIQUID FUELS TAX FUND

Opening Balance	\$ 511	
Estimated Receipts	<u>431,908</u>	
Total Fund Balance	432,419	
Estimated Expenditures	<u>431,908</u>	
PROJECTED FUND BALANCE		<u>\$ 511</u>

SEWER OPERATING FUND

Opening Balance	\$ 3,718,176	
Estimated Revenue	<u>5,068,915</u>	
Total Fund Balance	8,787,091	
Estimated Expenditures	<u>4,806,535</u>	
PROJECTED FUND BALANCE		<u>\$ 3,980,556</u>

SEWER CONSTRUCTION FUND

Opening Balance	\$1,457,887	
Estimated Revenue	<u>817,000*</u>	
Total Fund Balance	2,274,887	
Estimated Expenditures	<u>1,217,000</u>	
PROJECTED FUND BALANCE		<u>\$1,057,887</u>

*Transfer from operations and interest

SPECIAL FUND – FIRE TAX FUND

Opening Balance	\$ 193
Estimated Revenue	246,842
Total Fund Balance	247,035
Estimated Expenditures	246,842

Section II:

That real estate taxes are hereby levied for the 2022 Township of Pocono fiscal year at a rate of 2.429 mills per dollar of assessed valuation, and a fire tax at 0.201 special purpose mills.

ENACTED AND ADOPTED by the Board of Commissioners this ____ day of _____, 2021.

ATTEST:

**POCONO TOWNSHIP BOARD OF
COMMISSIONERS**

TAYLOR MUNOZ
Township Manager

RICHARD WIELEBINSKI
President, Board of Commissioners

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2021-32

**A RESOLUTION GRANTING CONDITIONAL
APPROVAL OF THE GREAT WOLF LODGE EXPANSION LAND
DEVELOPMENT PLAN**

WHEREAS, the applicant, Great Wolf Lodge of the Poconos LLC, submitted a plan application titled “Land Development Plan for Great Wolf Lodge Expansion” (the “Plan”). The applicant proposes to construct a 202-room hotel, 30 villas, a hotel parking lot, an employee parking lot, additional handicapped parking spaces, expansion of existing parking lots, and outdoor pool, and additions to the existing lodge and waterpark. The property is located in the C – Commercial Zoning District, and is known as Monroe County Tax ID No. 12/10/1/14-1; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated August 5, 2021. September 23, 2021 and December 13, 2021; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional plan approval of the Plan at a meeting held on December 13, 2021; and

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

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

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

1. SALDO Section 390-48.W.(1): Maximum Slope of Embankments: *The applicant shall provide erosion control matting, and shall provide a geotechnical report prepared for the site documenting the stability of the slopes.*
2. SALDO Section 390-50.D.(4): Maximum Water Depth: *The applicant is proposing a depth of water greater than five (5) feet.*
3. SALDO Sections 390-50.D.(5) and 390.55.E.(3): Maximum Slope of Detention Basin Embankments: *The applicant is proposing a slope of 2:1 for the interior and exterior slopes of the basin.*
4. SALDO Section 390-50.D.(8): Minimum Grade for Areas of Sheet Flow: *The applicant is proposing flat bottom basins for infiltration.*
5. SALDO Section 390-50.D.(17): Cutoff Trench: *The applicant is proposing an impervious liner in Basin 1A.*

6. SALDO Section 390-55.C.(2)(d): Planting Strips: *The applicant shall be permitted to construct a parking lot with up to 109 parking spaces.*
7. SALDO Section 390-55.C.(2)(h): Approved Plants: *The applicant shall be permitted to use Emerald Green Arborvitae, Gold Thread Cypress and Little Princess Spirea.*
8. SALDO Section 390-55.I.(1)(a): Landscape Plans: *The applicant shall not be required to show all of the existing features on the landscape plan.*
9. SALDO Section 390-59.A.(3): Parking Areas: *The applicant shall not be required to provide landscaped islands or strips separating the road system from the parking area.*
10. SALDO Section 390-59.B: Minimum Required Parking Space Width: *The applicant is proposing nine (9) foot wide parking spaces..*

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

1. SMO Section 365-11.A.(2)(c) – “The recharge facility shall be capable of completely infiltrating the recharge volume within four days.” *The applicant is permitted to utilize spray irrigation for volume control over a period of six (6) days after the 24-hour storm has ended, to utilize the PADEP BMP Manual as the design basis for meeting the volume and water quality requirements.*
2. SMO Section 365-11.A.(3) – “The size of the recharge facility shall be based upon the following volume criteria: (a) NRCS Curve Number Equation." (as outlined in the Section); (b) Annual recharge. Water budget approach." (as outline in the Section).” *The applicant is proposing to utilize the PADEP spreadsheets for the NPDES Permit Application to calculate the volume required to be managed.*
3. SMO Sections 365-13.B and 365-13.D, and Appendix A Design Criteria – Use of Certain Rainfall Depths and Intensities. *The applicant is proposing to utilize the NOAA Atlas 14 rainfall data for the stormwater management design, for consistency with the NPDES Application calculations.*

That the “Land Development Plan for Great Wolf Lodge Expansion” as shown on the plan prepared by RKR Hess, A Division of UTRS Inc., dated June 18, 2021, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer’s letters dated August 5, 2021. September 23, 2021 and December 13, 2021.

2. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security, if deemed necessary by the Township.
3. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security, if deemed necessary by the Township.
4. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township, if deemed necessary by the Township.
5. The applicant shall pay all necessary fees associated with the Plan, including but not limited to a fee in lieu of dedicating open space in the amount of \$40,600.00, any outstanding plan account charges and all professional services fees, prior to the recording of the Plan.
6. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.
7. The applicant shall provide the requisite number of plans which are signed and notarized by the owner and sealed by the engineer.
8. The applicant shall meet all conditions of the plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.
9. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 20th day of December, 2021.

ATTEST:

Township of Pocono
Board of Commissioners

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

By: _____
Print Name: Richard Wielebinski
Title: President

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2021-33

**A RESOLUTION GRANTING CONDITIONAL
APPROVAL OF THE NORTHRIDGE AT CAMELBACK PHASES 11-16, PHASE 2 –
HUNTER CIRCLE PRELIMINARY LAND DEVELOPMENT PLAN**

WHEREAS, the applicant, Four Season at Camelback, submitted a plan application titled “Phase 2 Land Development Plans for Hunter Circle, Northridge at Camelback Phases 11-16” (the “Plan”). The property depicted on the Plan is located within the PRD, Planned Residential Zoning District and is part of Phases 11-16 of the Northridge at Camelback Planned Residential Development; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letter dated December 13, 2021; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional preliminary plan approval of the Plan at a meeting held on December 13, 2021; and

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

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

That the following Zoning Modification Requests are hereby granted:

1. Zoning Section 470-96.E: Sidewalks: *The applicant shall not be required to install sidewalks.*
2. Zoning Section 470-96.M: Impact Analysis: *The applicant shall not be required to submit an impact analysis.*
3. Zoning Section 470-98.B.(2)(b)[2][i]: Identification of Steep Slopes: *The applicant shall not be required to delineate the existing steep slopes.*
4. Zoning Section 470-98.B.(2)(b)[2][y]: Urban Design Concept Diagrams: *The applicant shall not be required to provide urban design concept diagrams.*
5. Zoning Section 470-104.D: Parking Area Locations: *The applicant shall be permitted to locate the proposed parking areas a minimum of 20 feet from the Buildings 10, 11 and 12.*

That the “Phase 2 Land Development Plans for Hunter Circle, Northridge at Camelback Phases 11-16” as shown on the plan prepared by Cornerstone Consulting Engineers &

Architectural, Inc., dated October 19, 2018, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer's letter dated December 13, 2021 and all technical comments identified by the Township Engineer.
2. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security, if deemed necessary by the Township.
3. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security, if deemed necessary by the Township.
4. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township, if deemed necessary by the Township.
5. The applicant shall pay all necessary fees associated with the Plan, including but not limited to any outstanding plan account charges and all professional services fees, prior to the recording of the Plan.
6. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.
7. The applicant shall provide the requisite number of plans which are signed and notarized by the owner and sealed by the engineer.
8. The applicant shall meet all conditions of the plan approval, and Plan shall be recorded within twelve (12) months of Conditional Plan approval, and agrees that if such conditions are not met, the Conditional Plan approval will be considered void.
9. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the 20th day of December, 2021.

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
December 6, 2021 | 7:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on December 6, 2021 and was opened by Vice President Jerrod Belvin at 7:01 p.m. followed by the Pledge of Allegiance.

Roll Call: Jerrod Belvin, present; Ellen Gndt, present; Jerry Lastowski, present; Keith Meeker, present; Rich Wielebinski, absent.

In Attendance: Leo DeVito, Township Solicitor, Broughal & DeVito; Jon Tresslar, Township Engineer, Boucher & James, Inc.; and Taylor Munoz, Township Manager.

Public Comment

Sara Hagner (2156 Deerfield Way) – L. DeVito stated that all comments should be made to L. DeVito, due to the threat of litigation, and advised that communication between Commissioners be conducted in executive session. S. Hagner stated that the Hagners first alleged their neighbor had a septic issue on December 17, 2018. Asked whether SEO had responded to concerns addressed in the past and they have retained an engineer to conduct further testing on their property. Have spoken with various state agencies and stated her family has issues stemming from claims of fecal matter in their water.

James Hagner (2156 Deerfield Way) – Explained reason for why the well cap in his yard is cracked.

Tara Sanders (Lot 72 Deerfield Way) – Stated she owns property on Deerfield which was purchased in 2018 and has had ongoing problems with the property. When she purchased, there were problems unknown to her as the buyer, including a trench on the property and drainage washing out the property. R. Sargent stated the prior owners created the issues, the property is very steep and recalls issues tied to the original developer. L. DeVito asked J. Tresslar to pull subdivision plan to see what was shown for this lot of the particular property as it pertains to well, septic, and other features.

Announcements – None

Hearings – None

Presentations

- Presentation of the Pocono Township 2020 Audit – Jeff Weiss, Zelenkofske Axelrod LLC – J. Weiss provided overview of the 2020 audit based on modified accrual basis of accounting. General Fund showed unassigned fund balance at end of the year of \$4.3 million. Provided overview of end-of-year fund balances. Township finished with revenues exceeding expenditures. Police pension fund performed strongly, creating a small net pension asset. Revenues outperformed expectations by about 500k and expenses were less by about the same amount. No major red flags were identified. Further discussion regarding restricted open space fees, maintenance of HR files and material findings.

Resolutions

J. Belvin made a motion, seconded by K. Meeker, to approve Resolution 2021-31 Granting Conditional Approval of the Sanofi Pasteur, Inc. Building & Loading Dock Expansion Preliminary/Final Land Development Plan. J. Tresslar clarified it was a relatively small project, reconfiguring a small loading dock on an existing building. 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 November 15, 2021 regular meeting and November 30, 2021 special meeting of the Board of Commissioners.
 - A budget adjustment request of \$23,857.73 to ensure specified line items have sufficient funding for the remainder of 2021.
 - Financial transactions through December 2, 2021 including:
 - Ratification of vouchers payable in the amount of \$9,020.89, sewer operating expenditures in the amount of \$694,952.70 and capital reserve expenditures in the amount of \$91,659.85.
 - Ratification of gross payroll for the pay period ending October 14 & October 28, 2021 in the amount of \$224,147.97.
 - Vouchers payable in the amount of \$76,388.81.
 - Sewer operating fund expenditures in the amount of \$20,255.82.
 - Sewer construction fund expenditures in the amount of \$29,757.25.
 - Capital reserve fund expenditures in the amount of \$28,597.00.
 - A fire tax disbursement of \$1,086.62.
 - An American Rescue Plan Act transfer to the General Fund of \$4,962.50 for the purpose of implementation of the Township Traisr e-permitting platform.

J. Belvin made a motion, seconded by K. Meeker, to approve the consent agenda. E. Gnandt requested changes to the minutes of 11/15/21 and 11/30/21. Motion amended to accept these changes. All in favor. Motion carried.

NEW BUSINESS – None

Report of the President - None

Commissioner Comments

Jerrold Belvin – Vice President

- Emergency Management Update – UGI paving of Swiftwater Road following Christmas gas line explosion incident last year. Continued issues with communications with UGI and no communication regarding issues.

J. Belvin made a motion, seconded by J. Lastowski, to amend agenda for purpose of acting on UGI concerns. All in favor. Motion carried.

J. Belvin made a motion, seconded by J. Lastowski, to have Township Manager reach out to UGI contact and follow up in writing, copying the PUC, formalizing the Township's communication concerns regarding UGI. All in favor. Motion carried.

- J. Belvin outlined issues with traffic light cameras at Northampton/Warner Road. Continued remediation to fix issues with traffic light that was damaged by recent police pursuit.

J. Belvin made a motion, seconded by E. Gnandt, to engage Zelenkofske Axelrod LLC for the 2021 Pocono Township Audit. T. Muñoz stated details are included in the engagement letter received from Zelenkofske Axelrod this morning. All in favor. Motion carried.

- Corey Sayre was recognized for his action and work coordinating the entire response to the Birchwood fire. Presented plaque to Mr. Sayre recognizing his actions.

Ellen Gnandt – Commissioner

- Requested updates regarding the Blue Ridge Cable Franchise Agreement and BCRA water service availability along the SR 611 corridor.

- Stated she saw an SUV at the Birchwood site and wanted to confirm there have been no issues. Asked if the owners have been asked to remove the dangerous structures.

Jerry Lastowski – Commissioner

- Asked T. Munoz to reach out to PennDOT regarding a pothole on Upper Swiftwater Road near the intersection of Upper/Lower Swiftwater Road.
- Discussion held regarding traffic issues at the church on Upper Swiftwater during foodbank operations.

Keith Meeker – Commissioner – No comment.

Reports

Emergency Services

- Police – Provided report via email.
- Fire – Provided report via email.

Public Works Report

- Current Public Works projects include removal of the Alger Avenue structures and old buildings in disrepair on the Township property.
- TLC Park Project Update – Skating rink liner is installed and holding water, but waiting on consistently cold weather for ice. Will contact PPL to hook up power for the park.
- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant – Starting in late March.

Administration – Manager's Report

- Job advertisements for open road crew and administrative assistant positions commencing.
- Completing final implementation efforts for Township e-permitting system with launch date timeframe set for January.
- Completing recommendations for revisions to the Township fee schedule, in coordination with the Township engineer and zoning, for Commissioner review. Ensuring applicant's fees covers Township costs. Will include recommendations for sewer late fees and interest accrual for resolution approval.
- Still waiting on HSPS Comprehensive Plan draft.

E. Gmandt asked whether amusement tax producers have been notified that the tax will be raising in January and whether paperwork has been revised. T. Muñoz confirmed that they have been notified and that revised paperwork will be forthcoming.

J. Lastowski asked for clarification that it is not the Township's responsibility to tell homeowners whether their lots are buildable or not. It was confirmed that it is the buyer's responsibility to do their due diligence.

Township Engineer Report

- Update – Consolidation of the Municipal Complex lots – J. Tresslar stated the consolidation plan has been completed and can be added to the agenda for the next meeting for approval. L. DeVito recommended that a quit claim deed be executed by Mr. Ross in favor of Pocono Township for the parcel within the municipal complex.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue - Have addressed all the technical comments and submitted back to PennDOT. Prepared a letter of intent to be sent out by the Township notifying the property owners of right of way acquisition. E. Gmandt asked whether the owner of the storage facility will have to move the entrance.

Township Solicitor Report

- Zoning Hearing Board updates.
 - Lordi Hearing – 5:00 p.m. on 12/13/21. Side setback variance sought for construction of an attached garage.
 - Update – Taveras Appeal – Waiting for decision from Monroe County Court.
 - Update – Johnson Appeal - Should get brief in next 7-10 days with argument date in first quarter of the year.
- Tentative I-80 closing date set for next week.
- HJP Park Agreement between Pocono and Jackson Townships – Jackson Township's position has not changed, but they have to revisit the entire "go it alone" proposition because grant funds were used for a multi-municipal park.

E. Gndt asked questions regarding the variance request being made by Lordi, the closing date for the I-80 property and HJP Park.

Public Comment – None

Adjournment

J. Belvin made a motion, seconded by E. Gndt, to adjourn the meeting at 8:31 p.m. All in favor. Motion carried.

POCONO TOWNSHIP

Monday, December 20, 2021

SUMMARY

Ratify

General Fund	\$	394.83
Payroll	\$	214,765.75
Sewer Operating	\$	125.76
Sewer Construction	\$	-
Capital Reserve	\$	-

Bill List

TOTAL General Fund	\$	251,687.17
TOTAL Sewer <u>OPERATING</u> Fund	\$	139,931.06
TOTAL Sewer <u>CONSTRUCTION</u> Fund	\$	22,612.73
TOTAL Capital Reserve Fund	\$	19,086.00
Liquid Fuels	\$	-

TOTAL EXPENDITURES	\$	648,603.30
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Fire Tax Disbursement	\$	387.35
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<u>Budget Adjustments</u>	\$	53,000.00
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<u>Budget Appropriations</u>	\$	-
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Interfund TransferGENERAL FUND TO CAPITAL RESERVEARPA FUNDS TO CAPITAL RESERVE

Blower attachment	\$	6,126.00
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ARPA FUNDS TO GENERAL FUNDTRAISR IMPLEMENTATION COSTS

<u>Total</u>	\$	6,126.00
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Notes:

POCONO TOWNSHIP CHECK LISTING

RATIFY

Monday, December 20, 2021

General Fund

	Date	Check	Vendor	Memo	Amount
Payroll	12/17/2021			PAYROLL ENDING 12/12/21	\$ 214,765.75
TOTAL PAYROLL					<u>\$ 214,765.75</u>

General Expenditures

	Date	Check	Vendor	Memo	Amount
	12/6/2021	61613	BLUE RIDGE COMMUNICATIONS	TWP PHONE SERVICE	\$ 394.83
TOTAL General Fund Bills					<u>\$ 394.83</u>

Sewer Operating Fund

	Date	Check	Vendor	Memo	Amount
	12/6/2021	2068	BLUE RIDGE COMMUNICATIONS	PUMP STATION PHONE SERVICE	\$ 125.76
					<u>\$ 125.76</u>

Sewer Construction Fund

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

Capital Reserve Fund

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

TOTAL General Fund	\$	215,160.58	
TOTAL Sewer Operating	\$	125.76	Authorized by:
TOTAL Sewer Construction	\$	-	
Total Capital Reserve	\$	-	Transferred by:
	<u>\$</u>	<u>215,286.34</u>	

POCONO TOWNSHIP CHECK LISTING

Monday, December 20, 2021

General Fund

Date	Check	Vendor	Memo	Amount
12/16/2021	61615	Access Office Technologies	Nov TWP Phone Support	\$ 98.00
12/16/2021	61616	AFLAC	Supplemental Ins	\$ 438.74
12/16/2021	61617	AMERICAN UNITED LIFE INSURANCE CO.	GTL INSURANCE PREMIUM	\$ 3,123.60
12/16/2021	61618	Best Auto Service Center	Police vehicle maintenance	\$ 1,309.91
12/16/2021	61619	Bianchi Joe	2021 Uniform Allowance	\$ 239.00
12/16/2021	61620	Boucher & James, Inc.	Engineering services	\$ 7,895.25
12/16/2021	61621	Brodhead Creek Regional Authority	TWP Sewer 2 EDU's	\$ 177.08
12/16/2021	61622	Broughal & DeVito, L.L.P.	Legal services	\$ 2,565.25
12/16/2021	61623	Commonwealth of PA	Municipal Bldg & Garage Gasoline & Diesel Fuel	\$ 825.00
12/16/2021	61624	Cyphers Truck Parts	PW truck parts	\$ 33.90
12/16/2021	61625	Davidheiser's Inc.	Police equipment maintenance	\$ 144.00
12/16/2021	61626	DePue, Jan	Lots 138 & 139 Septic Refund	\$ 1,200.00
12/16/2021	61627	E.M.Kutz, Inc.	PW truck parts	\$ 254.00
12/16/2021	61628	Engle-Hambright & Davies, Inc.	2022 liability insurance premium	\$ 69,668.40
12/16/2021	61629	HAWK ANALYTICS INC	3/3/22 to 3/2/23 CellHawk Sub Tier 1	\$ 2,495.00
12/16/2021	61630	Iannazzo, Marc	Uniform Allowance	\$ 239.00
12/16/2021	61631	JDM Consultants, LLC	Dec 2021 Grant Consulting & Advocacy	\$ 2,500.00
12/16/2021	61632	Kelly, Amanda	Tax refund	\$ 258.12
12/16/2021	61633	Kimball Midwest	PW supplies	\$ 112.86
12/16/2021	61634	Linde Gas & Equipment, Inc.	10/20 - 11/20/21 Cylinder Rental	\$ 31.21
12/16/2021	61635	MacDougall, Krisann	Mileage reimbursement	\$ 12.44
12/16/2021	61636	Marshall Machinery	PW supplies	\$ 3.56
12/16/2021	61637	McCue, Connor	2021 Workboots	\$ 150.00
12/16/2021	61638	Miller Flooring Company	TLC Basketball Court Rubber	\$ 4,180.00
12/16/2021	61639	Miller, Larry	12/10/21 Uniform Allow	\$ 239.00
12/16/2021	61640	MRM Worker's Compensation Pooled Trust	Workers comp. premium	\$ 14,274.82
12/16/2021	61641	Nauman Companies	Library Compressor and installation	\$ 3,699.31
12/16/2021	61642	PLAYPOWER LT FARMINGTON	Park Equipment parts	\$ 2,657.73
12/16/2021	61643	PMHIC	Jan 2022 Health insurance premium	\$ 70,144.27

12/16/2021	61644	Portland Contractors, Inc.	Nov 2021 Monthly Fee	\$ 300.00
12/16/2021	61645	PPL Electric Utilities	Electric service Oct/Nov.	\$ 107.71
12/16/2021	61646	PPL Electric Utilities	Electric service Oct/Nov.	\$ 2,158.42
12/16/2021	61647	PSATS	1/1/22 - 12/31/22 Associate Membership	\$ 500.00
12/16/2021	61648	Royal Security Services, Inc	1/1 to 12/31/22 Monitoring	\$ 259.00
12/16/2021	61649	Safariland, LLC	Holsters for New Officers	\$ 634.83
12/16/2021	61650	Scott's Signs and Printing	Twp. Supplies	\$ 66.00
12/16/2021	61651	SFM Consulting LLC	Nov 2021 Zoning and building Services	\$ 39,915.39
12/16/2021	61652	State Workers Insurance Fund	Poc TWP Volunteer Fire Co Annual Premium	\$ 5,775.00
12/16/2021	61653	Suburban Propane	Vehicle fuel	\$ 3,108.50
12/16/2021	61654	Suburban Testing Labs	SDWA Monthly	\$ 100.00
12/16/2021	61655	Teamster Local 773 - Non-Uniform	PW Union Dues	\$ 699.00
12/16/2021	61656	Teamster Local 773 - Police	Police Union Dues	\$ 1,382.00
12/16/2021	61657	Tulpehocken Mountain Spring Water Inc	TWP Drinking Water	\$ 77.59
12/16/2021	61658	UNIFIRST Corporation	PW Uniforms & twp carpets	\$ 177.46
12/16/2021	61659	Versalift East	Pole Saw w/13" Bar 1ea	\$ 1,550.00
12/16/2021	61660	Want to Inc.	Replaced fan forced wall heater	\$ 883.00
12/16/2021	61661	Wilson Products Compressed Gas Co.	Industrial Oxygen	\$ 15.50
12/16/2021	61662	Wise, Jennifer	Tax refund	\$ 93.22
12/16/2021	61663	Witmer Public Safety Group	Police Ammo	\$ 415.10
12/16/2021	61664	Zelenkofske Axelrod LLC	2020 Audit	\$ 4,500.00
TOTAL General Fund				\$ 251,687.17

Sewer Operating Fund

Date	Check	Vendor	Memo	Amount
12/16/2021	2069	BLUE RIDGE COMMUNICATIONS	Pump Station 5 Phone	\$ 62.88
12/16/2021	2070	Boucher & James, Inc.	Engineering services sewer system	\$ 3,186.11
12/16/2021	2071	BRODHEAD CREEK REGIONAL AUTHORITY	December 2021 O&M	\$ 101,129.50
12/16/2021	2072	BROUGHAL & DEVITO, L.L.P.	Legal services sewer	\$ 856.50
12/16/2021	2073	EEMA O&M Services Group, Inc.	Dec 2021 O&M	\$ 6,046.45
12/16/2021	2074	Engle-Hambright & Davies, Inc.	2022 Liability Insurance Share	\$ 20,763.60
12/16/2021	2075	LRM, Inc	Bi-Annual Flow Meter Calibrations	\$ 924.20
12/16/2021	2076	PA One Call System, Inc	Sewer Mapping	\$ 66.25
12/16/2021	2077	Pocono Management Associates LLC	11/22 - 12/12/21 Sewer Consulting	\$ 5,111.92

12/16/2021

12/16/2021	2078	PPL Electric Utilities	Pump Stations Lighting	\$	1,749.41
12/16/2021	2079	Verizon	Sewer SCADA System	\$	34.24
TOTAL Sewer Operating				\$	<u>139,931.06</u>

Sewer Construction Fund

Date	Check	Vendor	Memo	Amount
12/16/2021	696	BOUCHER & JAMES	ENGINEERING SERVICES SEWER CONST. PROJECTS	\$ 22,612.73
TOTAL Sewer Construction Fund				<u>\$ 22,612.73</u>

Capital Reserve Fund

Date	Check	Vendor	Memo	Amount
12/16/2021	1265	FINCH TURF INC.	PW STORMWATER PROJECT BLOWER	\$ 6,126.00
12/16/2021	1266	SCOTT FARMS	SCREENED TOP SOIL TLC PARK	\$ 12,960.00
TOTAL Capital Reserve Fund				<u>\$ 19,086.00</u>

LIQUID FUELS

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

Fire Tax Disbursement

Date	Check	Payee	Memo	Amount
12/16/2021	1016	POCONO TWP FIRE CO.	RE TAXES DISBURSEMENTS	\$ 387.35
TOTAL Fire Tax				\$ 387.35

ESSA

General Fund	\$	251,687.17	Authorized by: _____
Sewer Operating	\$	139,931.06	
Sewer Construction Fund	\$	22,612.73	
Capital Reserve	\$	19,086.00	
Fire Tax Disbursement	\$	387.35	
Liquid Fuels	\$	-	Transferred by: _____
TOTAL ESSA TRANSFER	\$	433,704.31	

BUDGET ADJUSTMENT REQUEST

The following line items in the General Fund require additional funding to cover expenditures for the remainder of the year. Department heads request Board of Commissioners approval to move surplus funding to the lines indicated below.

FROM	Budget	Amount	Adj. Budget	TO	Budget	Amount	Adj. Budget	over/(under) budget	Explanation
404.314 · Legal Services Special Counsel	\$ 15,000.00	\$ 12,000.00	\$ 3,000.00	408.310 · Township Engineer	\$ 45,000.00	\$ 12,000.00	\$ 57,000.00	\$ 11,792.05	Line needs additional funding to cover deficit and delayed billing.
410.130 · Police Salaries & Wages-Officer	\$ 1,486,761.08	\$ 10,500.00	\$ 1,476,261.08	410.231 · Vehicle Fuel	\$ 45,000.00	\$ 10,500.00	\$ 55,500.00	\$ 3,793.72	Line needs additional funding to cover deficit. Electric cost at MV Park
410.196 · Police Health Insurance	\$ 494,700.00	\$ 24,000.00	\$ 470,700.00	413.310 · Prof Services -BC Officer	\$ 175,000.00	\$ 24,000.00	\$ 199,000.00	\$ 12,003.75	Line needs additional funding to cover deficit caused by increased permit activity.
414.319 · MS4 Fees	\$ 16,400.00	\$ 1,900.00	\$ 14,500.00	413.311 · Prof Services - SEO	\$ 21,600.00	\$ 1,900.00	\$ 23,500.00	\$ (5.00)	Additional funding needed to cover end of year expenditures
454.110 · Park Salary & Wage	\$ 84,577.28	\$ 4,600.00	\$ 79,977.28	454.360 · Park Utilities	\$ 5,000.00	\$ 1,600.00	\$ 6,600.00	\$ 564.63	Line needs additional funding to cover deficit. Electric cost at MV Park
				454.373 · Park Repairs & Maintenance	\$ 10,000.00	\$ 3,000.00	\$ 13,000.00	\$ (291.02)	Additional funding needed to cover rubber flooring invoice.
\$ 53,000.00					\$ 53,000.00				

Memorandum of Understanding

The Parties to this Memorandum of Understanding ("MOU") are Pocono Township and Teamster Local 773 as the representative of all full-time and regular part-time Police Officers, including Sergeants, Corporals, Detectives and Patrolmen, excluding the Chief of Police. The date of this MOU is December 20, 2021, and the purpose is to document the agreement that has been reached between Pocono Township and Teamster Local 773 regarding the Patrol Division conducting a trial period of 12-Hour Shifts for one year (January 1, 2022-December 31, 2022).

1. There will be three (3) platoons working 12-hour shifts, with two squads on each platoon. Every four (4) months, the squads will rotate platoons. The shift assignments shall be made by the Township in its sole discretion.
 - a. Platoon 1 will consist of Squads A & B and will work 0600-1800 hours. Both squads will be supervised by a Corporal.
 - b. Platoon 2 will consist of Squads C & D and will work 1200-2400 hours.
 - c. Platoon 3 will consist of Squads E & F and will work 1800-0600 hours. Both squads will be supervised by a Corporal.
2. In compliance with the Fair Labor Standards Act 7(k) exemption, the work cycle schedule selected as applicable for the calculation of overtime is as follows.
 - a. Officers will work a two-days-on, two-days-off, three-days-on, two-days-off, two-days-on, three-days-off (2-2, 3-2, 2-3) schedule and will have a fourteen (14) day work cycle.
3. For work in excess of the regularly scheduled shifts in any work period, overtime will be paid at the rate of one and one-half (1.5) times the Police Officer's regular hourly rate for each hour worked. Officers will work six 12-hour shifts and one 8-hour shift every two-week pay period.
4. The officers will not receive overtime under the Collective Bargaining Agreement when working a 12-hour shift unless they work more than 12 hours.
5. The wage for Officers will be their regular rate. Each Officer working the 1800-0600 shift will receive a 2% differential.
6. The maximum number of continuous hours worked will be eighteen (18) hours, unless exigent circumstances arise. If 18 continuous hours are worked, an Officer must have an 8-hour period of unpaid rest before the start of their next shift. Exceptions to this shall only be with the approval of, or by order of, the Chief of Police or his designee.
7. No more than one Officer per platoon may be scheduled off for leave time (vacation, compensatory, holiday) on any given day.
8. No more than one officer per day shall be granted the same personal day. If more than one officer asks for the same day, the first request received will be granted. Exceptions to this shall only be with the approval of, or by order of, the Chief of Police or his designee.

9. All leave time (vacation, holiday, compensatory, and personal) will be translated from "days" to "hours." For example, an Officer that receives 15 vacation days annually will have 120 hours of vacation time (15 days x 8 hours = 120 hours).
10. Nothing in this MOU shall apply to the scheduling of shifts for Detectives.
11. After completion of the one (1) year trial period, the parties shall meet to discuss the continuation or termination of the MOU. The final decision on whether to continue or terminate the MOU after the one-year trial period shall be made by the Township in its sole discretion.

TEAMSTER LOCAL 773

By: _____

Title: _____

Date: _____

POCONO TOWNSHIP

By: _____

Title: _____

Date: _____