



**POCONO TOWNSHIP COMMISSIONERS
AGENDA**

September 2, 2025 | 6:00 p.m.
205 Old Mill Rd, Suite 2, Tannersville, PA

Zoom Participation

<https://us06web.zoom.us/j/87377045659>

Meeting ID:
873 7704 5659
Passcode:
729399

Open Meeting

Pledge of Allegiance

Roll Call

Announcements

- Public Comment policy has changed. For public comment at the beginning of a meeting you will be permitted 3 minutes on non-agenda items only. For action items, you may speak at the podium and be permitted 1 minute for your comments during that agenda item.
- An Executive Session was held prior to this meeting to discuss litigation and personnel.

Public Comment-NON-AGENDA ITEMS

Limited to 3 minutes per person, please state your name and if you are a Pocono Township Resident.

Presentations

Hearings

Resolutions

Motion to approve Resolution 2025-32 Adopting an Audio & Video Recording & Retention Policy for Public Meetings. (***Possible Action Item***)

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the August 18, 2025 regular meeting of the Board of Commissioners.

- Financial transactions through September 2, 2025 as presented, including ratification of expenditures in the amount of \$283,693.42 for the following accounts: General Fund, Sewer Operations, Gross Payroll, Capital Reserve, Construction Fund, Transfers. Discussion: **(Action Items)**

NEW BUSINESS**Personnel**

Motion to Hire _____ for the vacant Part time DPW position. **(Possible Action Item)**

Report of the President**Richard Wielebinski**

- Motion to approve 2026 MMO Non-Uniform Pension Plan **(Possible Action Item)**
- Motion to approve 2026 MMO Police Pension Plan **(Possible Action Item)**
- Motion to approve the following PTPD policies: Personnel Complaints, Request for change of Assignment, Lactation Breaks, Work-Related Injury and Occupational Disease Reporting, Badges – Patches and Identification, Illness and Injury Prevention, Safety Belts, Commendations and Awards, Payroll Records, Personal Appearance Standards, Temporary Modified-Duty Assignments, Line of Duty Deaths, Body Armor, Fitness for Duty, Overtime Compensation, Uniforms and Civilian Attire, Performance History Audits, Wellness Program, Personnel Records, Meal Periods and Breaks, Outside Employment and Outside Overtime, Conflict of Interest, Speech Expression and Social Networking.

Commissioner Comments

Natasha Leap – Vice President

Ellen Gndt – Commissioner

- Update – Solar Field
- Update – Kennel

Brian Winot – Commissioner

Mike Velardi – Commissioner

- Golden Slipper Update
- Tent City Update

Reports

Zoning – SFM Consulting

Police – Chief James Wagner (First Meeting of Month)

Township Manager's Report – Jerrod Belvin

- Park Update
- Workers Comp Renewal Update
- Website Update
- Pennvest Sewer Extension Update
- Police Wing Update
- Rt 611 Safety Study

Public Works/Sewer Report – Patrick Briegel

- Sewer Business Update
- PennDOT / Intersection brush update
- MCTI & Sullivan Trail Expansions
- Current Public Works Projects

Township Events Report – Jennifer Gambino (First Meeting of Month)

- September 6th Movie in the Park (Lilo and Stitch)
- September 12-14th 2nd Annual Food Truck Festival
- September 21st Car show

Township Engineer Report – T&M Associates

- Sewer Business Update
- Sky High Drive / Pocono Circle Safety Study update
- TASA Project
- TLC walking bridge.
- Turkey Hill/Wendys Sidewalk update

Township Solicitor Report – Broughal & DeVito, L.L.P.

- Motion for Termination of Declaration of Restrictive Covenants MCIDA Camelback TIF (***Possible Action Item***)
- Motion for Dissolution of PJJWA (***Possible Action Item***)
- Sewer Business Update
- General legal update
- Update – Archer Lane
- Learn Road Easement Process
- TASA Sidewalk Update – Easements

Adjournment

Pocono Township – Resolution No. 2025-32

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA, ADOPTING AN AUDIO & VIDEO RECORDING AND RETENTION POLICY FOR PUBLIC MEETINGS; ESTABLISHING RETENTION PERIODS; DIRECTING PUBLIC POSTING PRACTICES; AND DESIGNATING STORAGE ON THE TOWNSHIP UNAS.

WHEREAS, the Board of Commissioners ("Board") seeks to promote government transparency while responsibly managing Township records and technology resources; and

WHEREAS, the Pennsylvania Sunshine Act, 65 Pa.C.S. Ch. 7, provides for open meetings of agencies and permits reasonable, content-neutral rules governing public recording to avoid disruption; and

WHEREAS, the Pennsylvania Right-to-Know Law, 65 P.S. § 67.101 et seq., establishes public access to records of local agencies, including audio/video recordings except where an exemption or redaction applies; and

WHEREAS, the First-Class Township Code, as amended, provides for the keeping of minutes and records of Township proceedings and authorizes the Township to manage and preserve its records; and

WHEREAS, the Municipal Records Act (as amended) and the Pennsylvania Municipal Records Manual issued by the Pennsylvania Historical & Museum Commission and the Local Government Commission (collectively, the "Municipal Records Manual") establish minimum retention schedules and disposition procedures for municipal records; and

WHEREAS, the Board finds it in the best interests of the Township to adopt a uniform policy setting standards for recording, storage, public posting, retention, and lawful disposition of meeting recordings.

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

Section 1. Adoption of Policy. The document titled "Pocono Township Audio & Video Recording and Retention Policy" attached hereto as Exhibit "A" and incorporated by reference is hereby adopted as the Township's official policy governing the recording, publication, retention, and disposition of audio and video of public meetings.

Section 2. Official Record. Approved written minutes remain the official record of Township actions. Recordings are provided for convenience and transparency. In the event of a discrepancy between a recording and approved minutes, the approved minutes control.

Section 3. Posting of Videos. Following approval of the minutes for a meeting, staff shall post the video (or a link to the hosted video) on the Township YouTube channel and cross-link the agenda and approved minutes. The Township will maintain online access to the most recent two (2) years of meeting videos; older recordings within the applicable retention period shall be available upon request under the Right-to-Know Law.

Section 4. Retention Periods. Master audio of public meetings shall be retained for seven (7) years from the meeting date, unless a longer period is required by law or a legal hold applies. Website/streaming copies may be removed from public display after two (2) years, provided the master audio is retained on the Township's UNAS for the balance of the seven-year period. YouTube video streams will remain on the Township official channel for a period of 2 years.

Section 5. Storage and Security. Master recordings shall be stored on the Township's on-premises UNAS with appropriate access controls, backup, and integrity protections consistent with the Policy. The UNAS is the authoritative repository for master files; streaming copies may be hosted on the Township YouTube

Section 6. Public Recording Rules. The presiding officer may enforce reasonable, content-neutral rules to prevent disruption and maintain order, consistent with the Sunshine Act and the Policy.

Section 7. Administration. The Township Secretary (or designee) is custodian of meeting recordings and shall implement this Policy; the Open Records Officer shall process requests for access under the Right-to-Know Law; and the IT/Systems Administrator shall maintain the UNAS, backups, and recovery procedures. The Township Manager/Secretary may issue or revise standard operating procedures and forms consistent with this Resolution and the Policy.

Section 8. Holds and Disposition. If a litigation hold, subpoena, audit, or Right-to-Know request pertains to a recording, destruction is suspended until the matter is resolved. Upon expiration of retention and absent any hold, recordings may be destroyed by secure deletion in accordance with the Municipal Records Manual, including any required Board approval and disposal certification.

Section 9. Repealer . All resolutions or parts of resolutions inconsistent herewith are repealed to the extent of the inconsistency.

Section 10. Severability. If any provision of this Resolution or the Policy is determined invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

Section 11. Effective Date. This Resolution shall take effect immediately upon adoption. The Policy shall apply to meetings held on or after the effective date unless otherwise directed by the Board.

DULY ADOPTED this __ day of _____, 2025, by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania.

ATTEST:

BOARD OF COMMISSIONERS

TOWNSHIP OF POCONO,

MONROE COUNTY, PENNSYLVANIA

By:_____

By:_____

Jerrold Belvin, Township Manager

Richard Wielebinski, President

Exhibit "A" – Pocono Township Audio & Video Recording and Retention Policy (attached)

Pocono Township Audio & Video Recording and Retention Policy

1) Purpose

This policy establishes how Pocono Township records, stores, publishes, and retains audio and video of public meetings. It aligns with the Pennsylvania First Class Township Code, the Sunshine Act, the Pennsylvania Right-to-Know Law, and the Pennsylvania Municipal Records (Retention) Manual. The goals are to:

- Provide accurate, accessible public information about Township meetings.
- Preserve recordings for operational, legal, and historical needs.
- Manage storage and bandwidth responsibly.

2) Authority

- The Township Secretary is responsible for recording proceedings, preserving minutes, and maintaining Township records.
- Minutes and records are public in accordance with the Right-to-Know Law.
- The Sunshine Act permits members of the public to record meetings, and allows the Township to adopt reasonable rules to avoid disruptions.
- The Pennsylvania Municipal Records Manual provides minimum retention periods and procedures for destruction/disposition of local government records.

3) Scope

This policy applies to:

- Township Board of Commissioners (regular, special, and workshop meetings)
- Standing committees and advisory bodies. Planning Commission, Zoning Hearing Board, Civil Service Commission

Exclusions: Executive sessions are not recorded. Quasi-judicial hearings (Zoning Hearing Board) that rely on a stenographic record or sworn hearing transcript are governed by the applicable code, board rules, or the hearing officer's order. If the Township creates an audio/video backup for such hearings, this policy's storage and retention rules apply unless the board's rules or law require otherwise.

4) Definitions

- Official Minutes – The approved written record of actions taken by the governing body/board. The minutes are the official record of a meeting.
- Recording (audio/video) – Digital audio or audiovisual files captured by the Township.
- Posting – Making a recording or link available on the Township website or official video platform.
- UNAS – The Township's on-premises network-attached storage appliance where master files are stored.

5) Official Record & Disclaimer

- Approved written minutes are the official record of Township meetings.
- Township recordings are provided for public convenience and transparency. In any discrepancy between a recording and the approved minutes, the **approved minutes govern**.

6) Meeting Recording Standards

6.1 Capture

- Audio is captured from the digital recorder; backup from room microphone Zoom is recommended.

- Video (where used) should frame the dais/podium and shared presentation content.

6.2 File formats

- **Audio master:** WAV (preferred) or high-bitrate MP4 (320+ kbps).
- **Video master:** MP4/H.264 with embedded AAC audio.
- **Web copies:** Compressed derivatives appropriate for streaming (platform-optimized MP4).

6.3 Chain of custody

- Staff shall transfer master files to the UNAS same day or next business day.
- Record the transfer in a simple log (date, meeting body, file name(s), staff initials).

7) Publishing & Public Access

7.1 Posting trigger

- After the Board (or respective body) approves the minutes, staff will:
- Post the meeting video (or a link to the hosted video) to the Township website within five (5) business days; and
- Update the meeting listing to cross-link minutes, agenda, and posted video.

7.2 Posting duration

- To manage bandwidth, the Township website will display the most recent two (2) years of meeting videos. Older videos remain available by request in accordance with the Right-to-Know Law.

8) Storage, Security, and Backups (UNAS)

8.1 Location

- The UNAS is the authoritative storage for master audio/video files. Streaming copies may be stored on a web host or third-party platform.

8.2 Protection

- Access controls: accounts limited to authorized staff; unique credentials; least-privilege permissions.
- Integrity: enable file-level checksums (e.g., SHA-256) for masters; verify on scheduled intervals.
- Backups: nightly incremental and weekly full backups of the recordings share; maintain at least one offline/off-site copy.
- Retention labels: storage folders labeled by meeting body and year; prevent accidental deletion of in-retention content.

8.3 Resilience

- Maintain sufficient storage capacity for at least 24 months of new recordings at current production rates.
- Document restore procedures and test at least annually.

9) Retention & Disposition

9.1 Minimums and Township practice

- **Official minutes:** retain permanently.
- **Township practice (this policy):**
 - **Audio (master):** retain seven (7) years from meeting date.
 - **Video (master):** retain seven (7) years from meeting date.

- **Website/streaming copies:** keep available online for two (2) years, then remove from the public website. Master files remain on the UNAS for the balance of the 7-year period.

9.2 Holds & litigation

- If the Township receives a litigation hold, subpoena, audit notice, or a Right-to-Know request concerning a specific recording, suspend destruction for that item until the hold is released and all matters are resolved.

9.3 Disposition

- When retention expires and no holds apply, staff may dispose of recordings by secure deletion.
- For records series subject to disposition approval, follow the Municipal Records Manual process: prepare a disposition list, obtain the Board's approval by resolution (if applicable), and complete the Municipal Records Disposal Certification Request form. Maintain disposal logs.

10) Right-to-Know Requests (RTK)

- Meeting recordings are public records unless an exemption applies (executive session is not recorded; security, personal identifiers, or other statutory exemptions may require redaction).
- The Township Open Records Officer & Assistant Records Director processes requests for recordings under the RTKL; production format may be a digital copy or a download link.
- Records subject to an active RTKL request shall not be deleted until the request (and any appeal) is fully resolved.

11) Effective Date & Review

This policy takes effect upon Board approval and applies to meetings held on or after that date. The Township Manager/Secretary will review it at least every two years to confirm legal compliance and storage capacity, and recommend updates as needed.

**Pocono Township Board of Commissioners
Regular Meeting Minutes
August 18, 2025 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on August 18, 2025 and was opened by Vice Chair Natasha Leap at 6:00 p.m. followed by the Pledge of Allegiance.

Roll Call: Ellen Gmandt, present; Natasha Leap, present; Mike Velardi, present; Brian Winot, present; Rich Wielebinski, present via Zoom.

In Attendance: Leo DeVito-Township Solicitor; Jon Tresslar- Engineer; Patrick Briegel-Public Works Director; Jerrod Belvin-Township Manager; James Wagner, Chief of Police; Erica Tomas-Administrative Assistant.

Announcements

- Public Comment policy has changed. For public comment at the beginning of a meeting you will be permitted 3 minutes on non-agenda items only. For action items, you may speak at the podium and be permitted 1 minute for your comments during that agenda item.

Public Comment

Frank Aubrey (Resident) Thanked the BOC and Police regarding Off Road ATV issues.

Cheryl Parks (Resident) Commented on her neighbor's dogs and business.

Edward Gualtieri (Resident) Commented regarding Cheryl Parks remarks.

Jim Pellegrini (Resident) Questioned Township Ordinance regarding Data Centers.

Presentations

Interview of Scott Raymond & Shanw Brosnan for the position of Civil Service Alternate

Discussion from BOC

N. Leap made a motion, seconded by M. Velardi, to approve the Civil Service Alternate positions to both Scott Raymond and Shawn Brosnan. All in favor. Motion carried.

Hanover Engineering – Amire LLC – Cranberry Creek Apartments & Restaurant

Hearings

Resolutions

N. Leap made a motion, seconded by M. Velardi to approve Resolution 2025- 29 Amending the Pocono Township's fee schedule regarding the annual licensing fees from \$500 to \$2500 for Transient Dwelling use of Single-Family Dwellings. All in favor. Motion carried. Discussion was had.

N. Leap made a motion, seconded by B. Winot, to approve Resolution 2025- 30 authorizing Signatures on LSA Grant for 3 new police Ford Explorers. E. Gmandt asked if it was for a Grant. All in favor. Motion carried.

N. Leap made a motion, seconded by M. Velardi, to approve Resolution 2025- 31 Granting Conditional Approval for the 122 & 144 Paweda Hill Minor Subdivision LDP 1447. E. Gmandt asked if there were non-conforming issues. J. Tresslar explained. All in favor. Motion carried.

Consent Agenda

- N. Leap made a motion, seconded by M. Velardi, to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the August 4, 2025 regular meeting of the Board of Commissioners.
 - Financial transactions through August 18, 2025 as presented, including ratification of expenditures in the amount of \$675,750.54 for the following accounts: General Fund, Sewer Operations, Gross Payroll, Capital Reserve, Construction Fund, Transfers. All in favor. Motion carried. No comments.

NEW BUSINESS

Personnel

- N. Leap made a motion, seconded by B. Winot, to hire Kenny PreHart for a full-time Public Works position that was vacated by the retirement of Tom Shick. All in favor. Motion carried.

Commissioner Comments

Richard Wielebinski – President

- R. Wielebinski made a motion, N. Leap, to approve the indemnification Agreement between the Township of Pocono and Ertle Development LLC regarding the Wawa to be located at Tax ID No. 12.9.1.73 **B. Winot Abstained from the vote** C. Keppler asked what the abstention was for. All voting members in favor. Motion carried.
- R. Wielebinski made a motion, seconded by N. Leap, to withdraw the Solicitor attending the Cranberry Creek ZHB hearing. E. Gndt commented. Roll Call: E. Gndt, nay; N. Leap, aye; B. Winot, aye; M. Velardi, aye; R. Wielebinski, aye. Motion carried.
- R. Wielebinski made a motion, seconded by N. Leap, to approve enrollment of Chief, James Wagner, to the DROP program. (Deferred Retirement Program) All in favor. Motion carried.
- R. Wielebinski made a motion, seconded by M. Velardi, to approve the following PTPD policies: Custodial Searches, Prison Rape Elimination, Transporting Persons in Custody, Recruitment and Selection, Special Assignments and Promotions, Anti-Retaliation, Reporting of Arrests-Convictions and Court Orders, Drug and Alcohol-Free Workplace, Sick Leave, Communicable Diseases, Facial Recognition Technology Use. All in favor. Motion carried.

Natasha Leap – Vice President

- N. Leap made a motion, seconded by M. Velardi, to create a 3-way intersection at Cranberry Rd & Sycamore Dr following Township Engineer recommendations after traffic safety study. E. Gndt asked if the study has been completed. J. Tresslar affirmed that it has. All in favor. Motion carried.

Ellen Gndt – Commissioner

- E. Gndt asked if the township would consider possibility of renting old bakery or food pantry. Discussion was had between the board.
- E. Gndt made a motion, seconded by N. Leap, to put up for bid the bakery equipment, or to sell. All in favor. Motion carried.
- Update – Solar Field – moving forward without violations.
- E. Gndt made a motion, seconded by N. Leap for discussion purposes, to post video of meetings to our website once the new site is up and running. Discussion took place, **R. Wielebinski made a motion, seconded by M. Velardi, to table the above motion until a policy has been reviewed and can be put in place. All in favor. Motion carried.**

Brian Winot – Commissioner

- B. Winot made a motion, seconded by M. Velardi, to direct the Township Engineer to review the new Zoning Ordinance rewrite in comparison with the SALDO regulations to ensure consistency and eliminate any potential conflicts. Discussion was had among the board and engineer. C. Keppler commented on his disagreement with the motion. E. Gmandt and N. Leap rebutted his comments. All in favor. Motion carried.

Mike Velardi – Commissioner

- Golden Slipper Update – Hopefully to open September 1st.
- Tent City Update – No update
- Pocono Olympics – Pocono Township Police took first place, Stroudsburg CrossFit took second place, The Triple Dippers took third place. The Pocono Township Fire Department won the Tug of war.

Reports

Zoning Report-SFM Consulting - L. Scerbo

Police – James Wagner, Chief

July report was sent out to the board earlier. 1265 calls for service, 39 traffic accidents investigated, 447 traffic contacts made, 22 criminal arrests made, and 10 summary arrests.

Manager Report – Jerrod Belvin

- Parks Update – Issues starting up again at the Mountain View basketball courts. Police have been called. New camera refit being done in that area. Gate is being locked at night.
- Website Update- should be ready within the next 2-3 weeks.
- Insurance Update – Clean report. No large rate increases for next year expected.
- Grants Update – Most of the color lighting has been installed at night for the TLC park and just waiting on a couple more fountain pieces to come in to complete installation.

Public Works – Patrick Briegel

- Sewer Business Update – The portable flow meter has been installed and will be monitoring different locations throughout the sewer system.
- Current Public Works Projects – Cobble Creek drainage project has been started with some maintenance on the sales and replacing culverts.
- N. Leap made a motion, seconded by M. Velardi, to purchase gate for rear parking lot from Mount Pocono Fence in the amount of \$17,875.00. B. Winot asked how it would be actuated. P. Briegel explained. Discussion was had between the board. All in favor. Motion carried.
- N. Leap made a motion, seconded by M. Velardi, to purchase a Kubota V series UTV in the amount of \$45,334.48, from capital budget 2025. All in favor. Motion carried.
- N. Leap made a motion, seconded by M. Velardi, to approve the Line Striping Quantities for 2025 not to exceed \$35,000.00. All in favor. Motion carried.

Township Events Report-Jennifer Gambino

Township Engineer Report- Jon Tresslar

- Sewer Business Update – Continuing to work on the two areas of expansion.
- Learn Road safety enhancement project and roundabout survey work. On Hold
- TASA Project – Engineering drawings almost ready
- TLC walking bridge. – developed working drawings with two alternatives for the next meeting.
- Turkey Hill/Wendys Sidewalk update – waiting to hear from their engineers.
- Stadden Rd signage & curve painting – signs have been added.
- Pocono Circle/ Barton Glen Safety Study discussion – study has been started.

- N. Leap made a motion, seconded by M. Velardi, to release Northeast Site from their contract and their Bond be returned regarding the Learn Road Round-About project effective August 28, 2025. **B. Winot abstained from the vote.** C. Keppler quoted the PA Ethics Act. A lengthy discussion was had by the board, solicitor, engineer, and C & J Keppler. All voting members in favor. Motion carried.

Township Solicitor Report-Leo V. DeVito

- The board of commissioners met prior to the meeting to discuss personnel issues, ongoing and potential litigation issues, and real estate acquisitions.
- Sewer Business update – internally administratively circulating updated rules & regulations for our sewer usage/advancement.
- General legal update – Sunset Shooting Range – Commonwealth Court has reversed their decision.
- Update – Archer Lane No new updates.
- Learn Road Easement Process is ongoing.
- TASA Sidewalk Update – Almost all Easements are in place.
- N. Leap made a motion, seconded by M. Velardi, for the dissolution of the PJJWA. Discussion was had between E. Gndt and L. DeVito. E. Gndt made a motion, seconded by N. Leap, to Table the Dissolution of the PJJWA. All in favor. Motion carried.
- B. Winot made a motion, seconded by N. Leap, to approve solicitor to advertise for the Knox Box Ordinance Amendment. E. Gndt expressed her opposition to this ordinance. M. Velardi and B. Winot informed the Board of their research. Roll Call: E. Gndt, nay; N. Leap, aye; B. Winot, aye; M. Velardi, aye; R. Wielebinski, aye. Motion carried.

Adjournment – N. Leap made a motion, seconded by B. Winot, to adjourn the meeting 8:03 p.m. All in favor. Motion carried.



CONFLICT OF INTEREST DISCLOSURE

I, Brian Winst, hereby disclose that I have a conflict of
interest with regard to Lehigh Road Round a bend

I am unable to vote on: discuss; or participate in any Township action with respect to

discussion to be released from contract

Because of my relationship with the matter, as follows; _____

Ownership interest in Low Bid company

Brian Winst
Signature/Name:

18 August 2025
Date

Received this 18th day of August, 2025

[Signature]

Township Secretary/ Asst. Secretary



CONFLICT OF INTEREST DISCLOSURE

I, Brian Winot, hereby disclose that I have a conflict of

interest with regard to Ertle Wawa project

I am unable to vote on: discuss; or participate in any Township action with respect to

approving indemnification agreement

Because of my relationship with the matter, as follows; Jim Ertle recently through this project
became a client

BK Winot
Signature/Name:

18 August 2025
Date

Received this 18th day of August, 2025

[Signature]

Township Secretary/ Asst. Secretary

POCONO TOWNSHIP
Tuesday September 2, 2025
SUMMARY

Ratify

General Fund	\$	16,376.37
Payroll	\$	156,418.32
Sewer Operating	\$	3,727.91

Bill List

TOTAL General Fund	\$	65,342.20
TOTAL Sewer <u>OPERATING</u> Fund	\$	41,828.62
TOTAL EXPENDITURES	\$	283,693.42

Fire Tax Disbursement	\$	12,240.77
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Budget Adjustments

General Fund	\$	500.00
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Budget Appropriations

\$	500.00
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POCONO TOWNSHIP CHECK LISTING

Tuesday September 2, 2025

General Fund

Payroll

Date	TYPE	Vendor	Memo	Amount
08/08/2025	ACH		PAYROLL ENDING 8/17/25	\$ 156,418.32
TOTAL PAYROLL				\$ 156,418.32

General Expenditures

Date	Check	Vendor	Memo	Amount
08/19/2025	2958	Fun & Fancy Faces	8/16/25 Pocolympics 2025	300.00
08/19/2025	2959	PPL Electric Utilities	112 TWP Dr; Kenny's Way & Old Mill Rd, Traffic	4,780.11
08/19/2025	2960	Shafer, Dean	Pig Roast 8/20/25	500.00
08/19/2025	2961	ROCCANOVA, BRAD	8/16/25 Pocono Olympics DJ	500.00
08/21/2025	2962	JP Lilley & Son, Inc.	8/21/25 & 9/6/25 Movie In the Park	4,560.00
08/21/2025	2963	Pocono Mountain COG	9/4/25 COG Golf - 2 Teams	600.00
08/21/2025	2964	Betz, David	8/28/25 Concert In The Park	800.00
08/22/2025	2965	AMERICAN UNITED LIFE INSURANCE CO. GTL		3,261.56
08/25/2025	2966	Blue Ridge Communications	Kenny's Way Internet	54.95
08/25/2025	2967	District Court 43-3-03	2235 Lake Dr Civil	219.75
08/26/2025	2968	Fun & Fancy Faces	8/28/25 Concert In The Park Face Painting	200.00
08/26/2025	2969	Villani Rental Company	8/28/25 Concert in the Park Rentals	600.00
TOTAL General Fund Bills				\$ 16,376.37

Sewer Operating Fund

Date	Check	Vendor	Memo	Amount
08/19/2025	1425	BLUE RIDGE COMMUNICATIONS	Pump Station 5 Phone	65.98
08/19/2025	1426	PPL Electric Utilities*	Sewer Stations Electric	3,307.32
08/19/2025	1427	Verizon	450-021-417-0001-64 Pocono TWP	35.82
08/25/2025	1428	BLUE RIDGE COMMUNICATIONS	Pump Station 3 & 4 Phone	198.76
08/25/2025	1429	Verizon Wireless	Sewer Modems	120.03
TOTAL Sewer Operating Fund				\$ 3,727.91

TOTAL General Fund
TOTAL Sewer Operating

\$	16,376.37
\$	3,727.91
\$	20,104.28

Authorized by:
 Transferred by:

POCONO TOWNSHIP CHECK LISTING

Tuesday September 2, 2025

General Fund

Date	Check	Vendor	Memo	Amount
08/26/2025	2970	A & E Glass, Inc.	Display Cabinet Glass	1,985.00
08/26/2025	2971	AFLAC	Supplemental Insurance	349.56
08/26/2025	2972	Anglemeyer, Austin	8/14/25 Uniform Reimb	140.40
08/26/2025	2973	Bartonsville Printing	Fall TWP Banners 28ea	2,520.00
08/26/2025	2974	Best Auto Service & Tire Center	Police car service	642.57
08/26/2025	2975	Chotime Vehicle Wraps	Ford Explorer Wrap/Decal Removal	500.00
08/26/2025	2976	Cleveland Brothers Equip. Co.	Backhoe Thumb Repair	853.08
08/26/2025	2977	Creative Works Systems, Inc.	July 2025 Website Maintenance	168.75
08/26/2025	2979	Donna Kenderdine Reporting	5/28/25 & 8/4/25 Hearing Appearance	522.65
08/26/2025	2980	Eric A. Moses Co.	Break Clean & Window/Glass Cleaner	140.88
08/26/2025	2981	Goffa Go Potties, Inc.	7/14-7/19, 8/16, TLC, MVP, EVENTS	140.88
08/26/2025	2982	Cyphers Truck Parts	Brake Drum & Automatic Slack for Truck 9	3,260.00
08/26/2025	2983	HUNTER KEYSTONE PETERBILT, L.P.	PW trucks service	645.80
08/26/2025	2984	J. P. Mascaro & Sons	Waste Removal Aug 2025	1,785.21
08/26/2025	2985	J. P. Mascaro & Sons	MVP Waste Removal Aug 2025	430.10
08/26/2025	2986	Jan-Pro of NEPA	July 2025 Cleaning	626.00
08/26/2025	2988	Lauter, Kevin	8/1/25 Boot Reimb	2,659.46
08/26/2025	2989	Medico Construction Equipment Inc.	Gaskets & Carburetor	124.99
08/26/2025	2990	MeLife - Non Uni. Pen. Plan	Pension	121.11
08/26/2025	2991	Nationwide - 457	457 Plan	9,009.07
08/26/2025	2992	Night and Day Diesel	Truck 13 Service	5,004.36
08/26/2025	2993	Plitney Bowes	6/15-9/14/25 Postage Rental	150.00
08/26/2025	2994	Pocono Farmstand & Nursery	Natural Blue Stone for Office	193.11
08/26/2025	2995	Possinger, Susan	Sepic Permit for Check 317 Refunded	161.82
08/26/2025	2996	Scicutella, Michael	8/4/25 - 8/8/25 Harrisburg Training Reimb	150.00
08/26/2025	2997	SealMaster Allentown	Performed Thermoplastic 6" x 30'	741.62
08/26/2025	2998	SFM Consulting LLC	July 2025 Zoning & Building Code Services	893.68
08/26/2025	2999	Staples	Office Supplies	14,507.89
08/26/2025	3000	Strand Pool Supply LLP	Pool Sample Testing July 2025	72.10
08/26/2025	3001	Suburban Testing Labs	SDWA - Monthly 701	397.50
08/26/2025	3002	T&M Associates	Engineering	720.00
08/26/2025	3003	Tausendfreundt, Kylie	8/3/25 - 8/8/25 & 8/10 - 8/15/25 Training Reimb	3,033.85
08/26/2025	3004	TRAISR, LLC	July 2025 Monthly SaaS	396.20
08/26/2025	3005	UNIFIRST Corporation	TWP Mats	733.33
08/26/2025	3006	US BANK - Lockbox CM9722	Police Pension	147.48
08/26/2025	3007	Waste Management of Pennsylvania, Inc.	Waste Removal	7,248.54
08/26/2025	3008	World Fuel Services, Inc.	CONV UNLEADED W/10% ETHANOL 290 gal	187.02
08/26/2025	3010	Cleveland Brothers Equip. Co.	Dozer Rental	698.20
08/26/2025	3011	Steele's Hardware, Inc.	Twp Supplies	1,533.00
08/26/2025	3012	Steele's Hardware, Inc.	PW Supplies	732.39
08/26/2025	3013	Steele's Hardware, Inc.	Events Supplies	650.70
08/26/2025	3014	Steele's Hardware, Inc.	Park Supplies	48.69
08/26/2025	3015	Kimball Midwest	PW Supplies	55.56
08/27/2025	3015		PW Supplies	400.53

Sewer Operating Fund

TOTAL GENERAL FUND \$65,342.20

Date	Check	Vendor	Memo	Amount
08/27/2025	1430	Evoqua Water Technologies LLC	Pump Station 5 Vaporlink & Bioxide	22,677.47
08/27/2025	1431	Henry's Generator Service	Pump Stations Annual Maintenance	3,070.00
08/27/2025	1432	Iadisernia, John	DEP Expense Reimb	60.00
08/27/2025	1433	J.P. Mascaro & Sons	Aug 2025 Pump Station 5 Waste Removal	293.85
08/27/2025	1435	Pocono Township	Sewer Admin & Overhead Aug 2025	15,303.25
08/27/2025	1436	Steele's Hardware, Inc.	Plastic Anc Kit; Hammer Drill Bit; Hammer Bits	57.38
08/27/2025	1437	TRAISR, LLC	July 2025 Monthly SaaS	366.67
TOTAL Sewer Operating Fund				<u>\$41,828.62</u>

Fire Tax Disbursement

Date	Check	Payee	Memo	Amount
08/20/2025	1065	POCONO TOWNSHIP VOLUNTEER FIRE CO	PMT 13, 14, 15 2025	\$ 12,240.77

TOTAL Fire Tax \$12,240.77

General Fund
Sewer Operating
Fire Tax Disbursement
TOTAL TRANSFERS

\$	65,342.20	
\$	41,828.62	Authorized by: _____
\$	12,240.77	
\$	119,411.59	Transferred by: _____

BUDGET ADJUSTMENTS REQUEST 2025

Tuesday September 2, 2025

GENERAL FUND				
FROM	Amount	TO	Amount	Explanation
01.410.341 Police Advertising & Printing	500.00	01.410.187 Police OT Civil Support	500.00	Line needs to be increased to cover deficit
TOTAL ADJUSTMENTS	500.00		500.00	



Pocono Township Monthly Zoning Report

TO: Pocono Township Board of Commissioners
FROM: Lindsay Scerbo, Zoning Administrator
CC: Shawn McGlynn, Zoning and Building Code Official
DATE: August 26, 2025

Following is a report on the Zoning and Building Code Office's activity from July 28th to August 26th:

Permits Issued: 60

Zoning Permits: 17

Commercial – 6
Residential – 11

New Construction: 1

Commercial – 0
Residential – 1

Building Permits: 21

Commercial – 6
Residential – 15

Certificate of Occupancy – 11

Driveway – 6

TDU – 4

Well – 0

Grading – 0

Enforcement Actions:

- August 8, 2025 – 2411 Route 711 – Letter – A letter was sent to the owners of the subject property for failing to notify our office of a special event taking place on the subject property. Specifically, the campus was being utilized as a Box Office for the Elements Music & Arts Festival.
- August 8, 2025 – 5122 Woodland Drive - Enforcement Notice - A Zoning Notice of Violation was issued to the property owners for establishing a rooming or lodging house on the subject property without first obtaining the required approvals. Following the issuance of the notice, the property owner contacted our office and provided written confirmation that no rental of individual rooms will occur moving forward.
- August 8, 2025 – 135 Warner Road – Enforcement Notice – A Zoning Notice of Violation was issued to the property owners for establishing a vehicle parking lot use and making physical improvements to the subject property without first obtaining the required approvals. This Notice was issued as a continuation of the Enforcement Action initiated in November 2019 against the previous property owners. Our office has received a response from the current property owner's representative discussing this Notice, and they are working toward bringing the property into compliance.
- August 12, 2025 – 186 Lower Scotrun Avenue – Stop Work Order – A Stop Work Order was posted on the subject property after site work was observed. The property owner has since contacted our office and obtained the necessary approvals for the limited grading completed to accommodate the placement of a shed for personal storage.
- August 12, 2025 – 153 Chestnut Oak Drive – Stop Work Order – A Stop Work Order was posted on the subject property after site work was observed. The property owner has contacted our office and submitted a zoning permit application for the construction of a shed and privacy fence. As of the date of this memorandum, no permits have been issued.

- August 14, 2025 – 145 Marcelle Terrace – Email Exchange – An email was sent to the property owners regarding construction activity initiated on the subject property without first obtaining the required permits. Specifically, a retaining wall was constructed at the front of the property, and additional impervious surface coverage was added. The property owner has since submitted zoning and building permit applications for the work; however, as of the date of this memorandum, no permits have been issued.
- August 12, 2025 – 236 Learn Road – Door Hanger & Letter – On August 8, a door hanger was posted at the subject property, followed by a letter issued on August 12, citing grass and vegetative growth on the property in excess of ten inches.
- August 21, 2025 – 12.9C.1.34 (Tent City) – Enforcement Notice – A Property Maintenance Enforcement Notice was issued to the property owner for allowing the accumulation, dumping, and depositing of bulk items and tires on the subject property and failing to ensure that the property is safe, sound, sanitary, and secure.
- August 21, 2025 – 208 Shine Hill Road – Letter – A letter was sent to the owners of the subject property following reports of a home occupation (art studio) being established. The property owner has since obtained the required permit, and the violation has been closed.

Closed Violations:

- 2855 Route 715 – Construction without permits.
- 294 Buck Fever Trail – Construction without permits.
- 5122 Woodland Drive – Establishing a rooming house.
- 186 Lower Scotrun Avenue – Construction without permits.
- 3470 Route 715 – Operating a TDU without a license.
- 208 Shine Hill Road – Establishing a home occupation.

Civil Hearings:

- 2351 Route 715 – A civil complaint was filed for initiating construction activity and expanding the use of the subject property without first obtaining the necessary permits and land development approvals. The hearing is currently scheduled for August 28, 2025; however, a continuance will be requested.
- 2756 Route 611 – Installation of accessory structures on the subject property and creation of an additional leasehold without obtaining zoning permits and land development approval. A denial letter was issued for the zoning permit application submitted, and the property owner did not file a timely appeal. A default hearing has been scheduled for September 22, 2025, at 10:00 AM.
- Parcel 12.16D.1.30 – Establishment of a junkyard/salvage yard on the subject property, initiating construction activity without first obtaining the necessary approvals, and using and occupying said various structures without first obtaining a certificate of occupancy and providing evidence of adequate sewage and water supply. A default hearing date has been scheduled for September 15, 2025, at 10:00 AM.
- 1305 Cerise Way – Zoning and UCC Notices of Violation were issued for constructing a single-family dwelling on the property without first obtaining permit approvals. A judgment of \$12,219.75 was granted by the District Magistrate. The property owner has since appealed this decision to the Court of Common Pleas.

Upcoming Public Hearings:

- 383 Babbling Brook Road – An appeal to the Zoning Hearing Board for a Zoning Notice of Violation issued for the construction of various accessory structures without first obtaining permit approvals. The hearing has been generally continued pending the outcome of an ongoing private Quiet Title Action.

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Davis Graham & Stubbs LLP
1550 17th Street, Suite 500
Denver, CO 80202
Attn: Catherine A. Hance

Tax Parcel Identification Number:
Part of 12/10/1/2-6

ACKNOWLEDGMENT

This ACKNOWLEDGMENT (this "Acknowledgment") is made and entered into as of the 23rd day of July, 2019 to be effective as of the 25th day of July, 2019, by CMBK RESORT HOLDINGS, LLC ("Lessee"), and given to the TOWNSHIP OF POCONO, a second class township of the Commonwealth of Pennsylvania situated in Monroe County, Pennsylvania (the "Township"), the COUNTY OF MONROE, a political subdivision in the Commonwealth of Pennsylvania (the "County"), and the POCONO MOUNTAIN SCHOOL DISTRICT, a school district organized and operating within the Commonwealth of Pennsylvania (the "School District"), and, together with the Township and the County, the "Taxing Bodies").

RECITALS

A. CBK Lodge, LP, a Pennsylvania limited partnership, and CBH20, LP, a Pennsylvania limited partnership (collectively, the "Original Lessee") are parties to that certain Declaration of Restrictive Covenants dated December 2, 2013, but effective as of December 12, 2013, by Original Lessee and EPT Ski Properties, Inc., a Delaware corporation, given in favor of the Taxing Bodies, recorded at Book 2431 Page 6669 (the "Declaration"), which Declaration relates to the real property located in the Township of Pocono, County of Monroe, Commonwealth of Pennsylvania legally described on Exhibit A attached hereto. Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Declaration.

B. Contemporaneously with the execution of this Acknowledgement, Original Lessee is assigning its rights, title and interest under the Lease to Lessee.

C. Pursuant to Article I of the Declaration, as a condition precedent to the transfer of Original Lessee's interest in the Lease, any assignee of Original Lessee's interest during the Term shall execute and record an acknowledgment, acknowledging their acceptance of the restrictions set forth in Article I of the Declaration.

ACKNOWLEDGMENT

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Lessee hereby acknowledges and agrees that Lessee accepts the restrictions set forth in Article I of the Declaration and will be subject to the terms thereof so long as Lessee holds such leasehold interest in the Lease.

March 22, 2012
Job No. 05161.54

EXHIBIT 'A'

LOT 1

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

BEGINNING at a point on the southerly right-of-way line of Massad Road (60 feet wide) said point also being a corner common to Remaining Lands of Camelback Ski Corporation, as shown on a plan titled "Minor Subdivision Plan, Camelback Hotel and Waterpark", prepared by RKR Hess Associates, East Stroudsburg, PA, dated 12-2-08, last revised 10-4-11 and recorded in the Monroe County Recorder of Deeds, Plat 84 Pages 21 and 22, thence by lands of said Remaining Lands of Camelback Ski Corporation, the following thirteen (13) courses and distances:

1. South 52 Degrees 21 Minutes 44 Seconds West, a distance of 25.00 feet to a point,
2. South 05 Degrees 59 Minutes 58 Seconds East, a distance of 212.38 feet to a point,
3. South 38 Degrees 13 Minutes 38 Seconds West, a distance of 164.81 feet to a point,
4. South 01 Degrees 22 Minutes 42 Seconds East, a distance of 218.74 feet to a point,
5. South 25 Degrees 30 Minutes 54 Seconds East, a distance of 302.16 feet to a point,
6. South 62 Degrees 16 Minutes 05 Seconds East, a distance of 150.22 feet to a point,
7. South 51 Degrees 07 Minutes 41 Seconds East, a distance of 91.97 feet to a point,
8. South 06 Degrees 29 Minutes 46 Seconds East, a distance of 65.50 feet to a point,
9. South 74 Degrees 55 Minutes 03 Seconds West, a distance of 359.60 feet to a point,
10. South 65 Degrees 39 Minutes 15 Seconds West, a distance of 278.33 feet to a point,

11. South 86 Degrees 52 Minutes 41 Seconds West, a distance of 467.93 feet to a point,
12. North 66 Degrees 39 Minutes 36 Seconds West, a distance of 287.05 feet to a point, and
13. North 04 Degrees 40 Minutes 13 Seconds West, a distance of 11.95 feet to a point on the easterly right-of-way of Massad Road; thence along said easterly right-of-way of Massad Road, the following six (6) courses and distances:
 1. by a curve to the left, having a radius of 280.00 feet, an arc length of 269.61 feet and a chord bearing North 57 Degrees 44 Minutes 41 Seconds East, a distance of 259.32 feet to a point,
 2. North 30 Degrees 09 Minutes 35 Seconds East, a distance of 105.06 feet to a point,
 3. by a curve to the left, having a radius of 430.00 feet, an arc length of 261.89 feet and a chord bearing North 12 Degrees 42 Minutes 43 Seconds East, a distance of 257.86 feet to a point,
 4. North 04 Degrees 44 Minutes 10 Seconds West, a distance of 148.53 feet to a point,
 5. by a curve to the right, having a radius of 970.00 feet, an arc length of 193.19 feet and a chord bearing North 00 Degrees 58 Minutes 10 Seconds East, a distance of 192.87 feet to a point, and
 6. North 06 Degrees 40 Minutes 30 Seconds West, a distance of 8.00 feet to a point; thence by Remaining Lands of Camelback Ski Corporation (Deed Book Volume 1151 Page 5), the following nine (9) courses and distances:
 1. South 83 Degrees 19 Minutes 30 Seconds East, a distance of 90.17 feet to a point,
 2. North 48 Degrees 42 Minutes 14 Seconds East, a distance of 41.58 feet to a point,
 3. North 26 Degrees 31 Minutes 54 Seconds East, a distance of 50.24 feet to a point,
 4. North 05 Degrees 51 Minutes 14 Seconds West, a distance of 189.38 feet to a point,
 5. North 41 Degrees 26 Minutes 18 Seconds East, a distance of 84.84 feet to a point,
 6. North 11 Degrees 56 Minutes 26 Seconds East, a distance of 44.82 feet to a point,

7. North 13 Degrees 01 Minutes 18 Seconds West, a distance of 54.20 feet to a point,
8. North 26 Degrees 28 Minutes 53 Seconds West, a distance of 89.67 feet to a point, and
9. North 47 Degrees 33 Minutes 12 Seconds West, a distance of 45.80 feet to a point; thence along the southerly right-of-way of Massad Road (60 feet wide), the following four (4) courses and distances:
 1. by a curve to the right, having a radius of 220.00 feet, an arc length of 101.06 feet and a chord bearing North 55 Degrees 50 Minutes 02 Seconds East, a distance of 100.17 feet to a point,
 2. North 68 Degrees 59 Minutes 37 Seconds East, a distance of 36.54 feet to a point,
 3. by a curve to the right, having a radius of 370.00, an arc length of 473.79 feet and a chord bearing South 74 Degrees 19 Minutes 20 Seconds East, a distance of 442.08 feet to a point,
 4. South 37 Degrees 38 Minutes 16 Seconds East, a distance of 193.25 feet to the point and place of BEGINNING.

Containing 25.00 acres, more or less.

Being part of Deed Book Volume 1151, Page 5

IN WITNESS WHEREOF, Lessee has executed this Acknowledgment as of the day and year first set forth above.

LESSEE:

CMBK RESORT HOLDINGS, LLC,
a Delaware limited liability company

By: [Signature]
Name: Kevin Rohnstock
Its: Authorized Representative

STATE OF Colorado)
COUNTY OF Denver) ss.

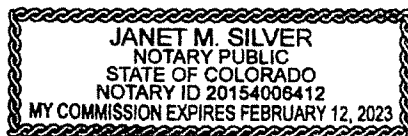
The foregoing instrument was acknowledged before me on this 23 day of July, 2019, by Kevin Rohnstock, as Authorized Representative of CMBK Resort Holdings, LLC, a Delaware limited liability company.

WITNESS my hand and official seal.

My commission expires 02/12/23

(SEAL)

[Signature]
Notary Public





COUNTY OF MONROE

RECORDER OF DEEDS
610 MONROE STREET
SUITE 125
STROUDSBURG, PA 18360
Area Code (570) 517-3969

Josephine Ferro - Recorder

Instrument Number - 201927099

Recorded On 10/31/2019 At 8:49:31 AM

Book - 2538 Starting Page - 5528

* Total Pages - 6

* Instrument Type - MISCELLANEOUS INSTRUMENT

Invoice Number - 785417

* Grantor - CMBK RESORT HOLDINGS LLC

* Grantee - TOWNSHIP OF POCONO

User - FRC

* Customer - SIMPLIFILE LC E-RECORDING

*** FEES**

STATE WRIT TAX	\$0.50
RECORDING FEES	\$15.00
COUNTY ARCHIVES FEE	\$2.00
ROD ARCHIVES FEE	\$3.00
TAX CODE CERTIFICATION FEES	\$10.00
TOTAL PAID	\$30.50

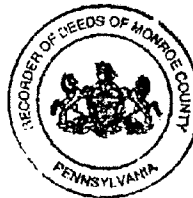
RETURN DOCUMENT TO:
OLD REPUBLIC NCTS
9900 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144

MC GIS Registry UPI Certification
On October 31, 2019 By BH

TAX ID #

12/10/1/2-6

Total Tax IDs: 1



I Hereby CERTIFY that this document is recorded in the
Recorder's Office of Monroe County, Pennsylvania

Josephine Ferro

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW THE LAST PAGE
OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.

06A8D5



Book: 2538 Page: 5533

X 11P
7N

Prepared by, record,
and return to:

Joseph A. McFalls, Esquire
Blank Rome LLP
One Logan Square
130 North 18th Street
Philadelphia, Pennsylvania 19103-6998
(215) 569-5372

Tax Parcel Identification Number:
12/10/1/2-6

DECLARATION OF RESTRICTIVE COVENANTS

THIS **DECLARATION OF RESTRICTIVE COVENANTS** ("Declaration") dated this 2nd day of December, 2013, but effective as of the 12th day of December, 2013, by CBK LODGE, LP, a Pennsylvania limited partnership, and CBH20, LP, a Pennsylvania limited partnership (collectively, the "**Lessee**") and EPT SKI PROPERTIES, INC., a Delaware corporation ("**Lessor**", and together with Lessee, the "**Lease Parties**"), given to the TOWNSHIP OF POCONO, a second class township of the Commonwealth of Pennsylvania situated in Monroe County, Pennsylvania (the "**Township**"), the COUNTY OF MONROE, a political subdivision of the Commonwealth of Pennsylvania (the "**County**"), and the POCONO MOUNTAIN SCHOOL DISTRICT, a school district organized and operating within the Commonwealth of Pennsylvania (the "**School District**", and together with the Township and the County, the "**Taxing Bodies**").

RECITALS:

WHEREAS, the Pennsylvania Tax Increment Financing Act, 53 P.S. § 6930.1 *et seq.* (the "**Act**") authorizes local taxing bodies to cooperate in providing financing for public facilities and residential, commercial and industrial development and revitalization in order to eliminate or prevent the development or spread of blight within their jurisdictions; and

WHEREAS, Lessor is the owner of a ski resort and waterpark located in the Township of Pocono, County of Monroe, Village of Tannersville, Pennsylvania, commonly known as "Camelback Mountain Resort," and legally described on Exhibit A attached hereto (the "**Property**"); and

WHEREAS, Lessor leases the Property to Lessee pursuant to that certain Master Lease dated September 30, 2013 (the "**Lease**") between Lessee, as lessee, and Lessor, as lessor; and

WHEREAS, Lessee and Lessor entered into that certain Memorandum of Lease dated August 29, 2013, and recorded on October 23, 2013, in Book 2429, Page 2247 (Instrument No. 201329351) with the Recorder of Deeds of Monroe County, Pennsylvania, evidencing the Lease; and

WHEREAS, Lessee desires to undertake the development of the Property by construction of a destination facility as more particularly described in the Lease (the "**Project**") within a parcel of land that is wholly within the County, the School District and the Township; and

WHEREAS, Lessee desires financial assistance in the form of tax increment financing to undertake such Project, and Lessor desires that Lessee receive such financial assistance so that it may construct the Project; and

WHEREAS, pursuant to the Resolution adopted by the MONROE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY, a public body created and existing pursuant to the provisions of the Pennsylvania Economic Development Financing Law, Act of August 23, 1967, P.L. 251, as amended, 73 P.S. § 371 *et seq.* (the "**Authority**"), on June 26, 2013, the Authority adopted a Tax Increment Financing Plan (the "**TIF Plan**") for the financing and construction of the Project and proposed the creation of a Pocono CBK Tax Increment Financing District (the "**TIF District**"), being a contiguous area of approximately 25 acres located wholly within the County, the School District and the Township, as more particularly set forth in the TIF Plan; and

WHEREAS, the Township enacted its Ordinance No. 2013-06, on July 15, 2013, creating the TIF District, the Board of Commissioners of the County agreed to participate in the TIF Plan pursuant to a Resolution adopted on May 15, 2013, and the Board of School Directors of the School District agreed to participate in the TIF Plan pursuant to a Resolution adopted on May 15, 2013; and

WHEREAS, the proceeds of tax increment financing revenue bonds (the "**Bond Proceeds**") issued and sold by the Authority in accordance with the TIF Plan will be used to, among other things, finance Project Costs, as defined in the Act and described in the TIF Plan, in connection with the Project; and

WHEREAS, the Taxing Bodies' agreement to implement the TIF Plan and provide the Bond Proceeds is conditioned upon the Lease Parties' agreement to the covenants and restrictions set forth herein as certain real estate tax revenues from the Property are a source of payment of and security for the recoupment of the Bond Proceeds; and

WHEREAS, the Lease Parties desire to subject the Property to the covenants and restrictions set forth below.

NOW, THEREFORE, for good and valuable consideration and intending to be legally bound, the Lease Parties hereby declare that from this date forward throughout the Term (as defined below) the Property is and shall be held, transferred, sold, conveyed, used, occupied, and encumbered subject to the conditions and restrictions set forth below, and said conditions for all purposes shall be deemed to run with the land:

ARTICLE I
RESTRICTIONS

The Lease Parties acknowledge and agree that real estate tax revenues from the Property during the Term (hereinafter defined) are a source of payment of and security for the recoupment of the Bond Proceeds. In consideration thereof and of Lessee's receipt of the Bond Funds, the Lease Parties represent, warrant and covenant not to protest, challenge, appeal, request reduction or abatement of, or otherwise contest the amount, rate, calculation, legitimacy, imposition, or any other aspect of any ad valorem real estate taxes or assessments levied against the Property, or any valuation of the Property made, by any of the Taxing Bodies during the Term.

The individual Lease Parties also acknowledge and agree that any successor or assignee to its interest in the Lease during the Term will execute and will record an amendment to this Declaration, acknowledging their acceptance of the restrictions set forth above, as a condition precedent to the transfer of any such interest in the Lease or the Property.

ARTICLE II
TERM OF RESTRICTIONS

The term of this Declaration and of all of the terms, covenants, and restrictions set forth herein (the "**Term**") shall commence on December 6, 2013, and have a term until the date on which the tax increment funding obligations to be issued by the Authority under the TIF Plan (or refunding obligations thereof) are no longer outstanding.

ARTICLE III
LESSEE'S COVENANTS: BINDING EFFECT

A. The Lease Parties, for themselves and their successors and assigns, acknowledge and agree that this Declaration shall inure to the benefit of the Taxing Bodies, as the intended beneficiaries of this Declaration, and their successors and/or assigns, and the Lease Parties hereby agree and consent that any or all of the Taxing Bodies shall be entitled to injunctive or declaratory relief or to enforce specific performance by the Lease Parties, their successors and/or assigns, of the obligations under this Declaration in any tribunal or court in the Commonwealth of Pennsylvania for any and all breaches of the covenants, restrictions, and terms hereof at any time, and in addition to all other remedies provided by law or in equity. If a legal action or proceeding is brought by any or all of the Taxing Bodies to enforce the covenants, restrictions, or other terms of this Declaration, or to enforce or interpret a provision of this Declaration, the Taxing Bodies shall be entitled, in addition to any other relief, to recover attorney's fees and court costs from the Lease Parties, which shall have joint and several liability with respect thereto.

B. The Lease Parties, for themselves and their successor and assigns, further acknowledge and agree that this Declaration is an instrument affecting the title or possession of the Property and the covenants, restrictions and terms herein shall run with the land for the Term hereof. All of the terms, covenants, and restrictions herein imposed shall be binding upon the

Lease Parties and all subsequent owners, lessees, assignees, sublessees, mortgagees, or other occupants of the Property and all of the foregoing's respective successors and assigns, during the Term. For the Term of this Declaration, each and every contract, deed, lease, or other instrument hereafter executed conveying the Property or portion thereof shall expressly provide that such conveyance is subject to this Declaration, provided, however, that the covenants contained herein shall survive and be effective regardless of whether such contract, deed, lease, or other instrument hereafter executed conveying the Property or portion thereof provides that such conveyance is subject to this Declaration.

ARTICLE IV MISCELLANEOUS

A. This Declaration shall not be amended, modified, released or rescinded without the prior written agreement of each and every of the Taxing Bodies.

B. In the event that all, some or any part of any provision contained in this Declaration shall be found by any court of competent jurisdiction to be illegal, invalid or unenforceable (as against public policy or otherwise), such provision shall be enforced to the fullest extent permitted by law and shall be construed as if it had been narrowed only to the extent necessary so as not to be invalid, illegal or unenforceable; the validity, legality and enforceability of the remaining provisions of this Declaration shall continue in full force and effect and shall not be affected or impaired by such illegality, invalidity or unenforceability of any other provision (or any part or parts thereof) of this Declaration. Further, in the event that any provision, or part thereof, contained in this Declaration shall be found by any court of competent jurisdiction to be illegal, invalid or unenforceable (as against public policy or otherwise), such provision shall be deemed severed from the remainder of this Agreement and replaced with a valid and enforceable provision as similar in intent as reasonably possible to the provision so severed, and shall not cause the illegality, invalidity or unenforceability of the remainder of this Declaration.

C. This Declaration and all matters relating thereto shall be governed by and construed and interpreted in accordance with the laws of the Commonwealth of Pennsylvania and, where applicable, the laws of the United States of America.

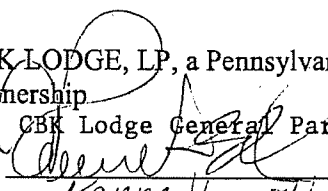
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IN WITNESS WHEREOF, the Lease Parties have caused this Declaration to be signed on the date first written above.

LESSEE:

CBK LODGE, LP, a Pennsylvania limited partnership

By: CBK Lodge General Partner, LLC

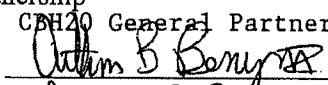
By: 

Name: Kenneth Ellis

Title: MANAGING MEMBER

CBH20, LP, a Pennsylvania limited partnership

By: CBH20 General Partner, LLC

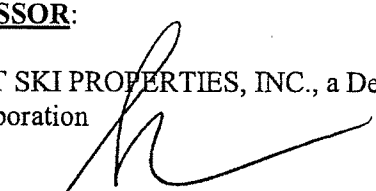
By: 

Name: Arthur B Berry III

Title: Managing Member

LESSOR:

EPT SKI PROPERTIES, INC., a Delaware corporation

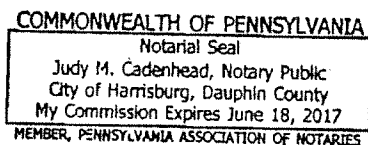
By: 

Name: Gregory K. Silvers

Title: Vice President

Commonwealth of Pennsylvania)
)SS:
County of Dauphin)

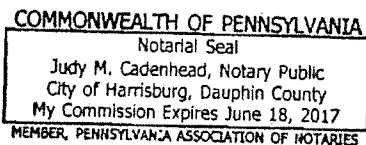
In witness hereof, I hereunto set my hand and official seal.



Judy M. Cadorehead

Commonwealth of Pennsylvania)
)SS:
County of Dauphin)

In witness hereof, I hereunto set my hand and official seal.



Judy M. Cadence

State of Missouri)
)SS:
County of Jackson)

On this, the 2nd day of December, 2013, before me a notary public, the undersigned officer, personally appeared GREGORY K. SILVERS, the Vice President of EPT Ski Properties, Inc., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

SARAH E. NEWHAM
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County

My Commission Expires: June 14, 2017
Commission # 13728582

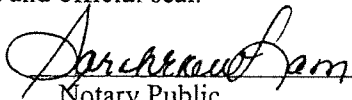

Notary Public

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

March 22, 2012
Job No. 05161.54

EXHIBIT 'A'

LOT 1

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

BEGINNING at a point on the southerly right-of-way line of Massad Road (60 feet wide) said point also being a corner common to Remaining Lands of Camelback Ski Corporation, as shown on a plan titled "Minor Subdivision Plan, Camelback Hotel and Waterpark", prepared by RKR Hess Associates, East Stroudsburg, PA, dated 12-2-08, last revised 10-4-11 and recorded in the Monroe County Recorder of Deeds, Plat 84 Pages 21 and 22, thence by lands of said Remaining Lands of Camelback Ski Corporation, the following thirteen (13) courses and distances:

1. South 52 Degrees 21 Minutes 44 Seconds West, a distance of 25.00 feet to a point,
2. South 05 Degrees 59 Minutes 58 Seconds East, a distance of 212.38 feet to a point,
3. South 38 Degrees 13 Minutes 38 Seconds West, a distance of 164.81 feet to a point,
4. South 01 Degrees 22 Minutes 42 Seconds East, a distance of 218.74 feet to a point,
5. South 25 Degrees 30 Minutes 54 Seconds East, a distance of 302.16 feet to a point,
6. South 62 Degrees 16 Minutes 05 Seconds East, a distance of 150.22 feet to a point,
7. South 51 Degrees 07 Minutes 41 Seconds East, a distance of 91.97 feet to a point,
8. South 06 Degrees 29 Minutes 46 Seconds East, a distance of 65.50 feet to a point,
9. South 74 Degrees 55 Minutes 03 Seconds West, a distance of 359.60 feet to a point,
10. South 65 Degrees 39 Minutes 15 Seconds West, a distance of 278.33 feet to a point,

11. South 86 Degrees 52 Minutes 41 Seconds West, a distance of 467.93 feet to a point,

12. North 66 Degrees 39 Minutes 36 Seconds West, a distance of 287.05 feet to a point, and

13. North 04 Degrees 40 Minutes 13 Seconds West, a distance of 11.95 feet to a point on the easterly right-of-way of Massad Road; thence along said easterly right-of-way of Massad Road, the following six (6) courses and distances:

1. by a curve to the left, having a radius of 280.00 feet, an arc length of 269.61 feet and a chord bearing North 57 Degrees 44 Minutes 41 Seconds East, a distance of 259.32 feet to a point,

2. North 30 Degrees 09 Minutes 35 Seconds East, a distance of 105.06 feet to a point,

3. by a curve to the left, having a radius of 430.00 feet, an arc length of 261.89 feet and a chord bearing North 12 Degrees 42 Minutes 43 Seconds East, a distance of 257.86 feet to a point,

4. North 04 Degrees 44 Minutes 10 Seconds West, a distance of 148.53 feet to a point,

5. by a curve to the right, having a radius of 970.00 feet, an arc length of 193.19 feet and a chord bearing North 00 Degrees 58 Minutes 10 Seconds East, a distance of 192.87 feet to a point, and

6. North 06 Degrees 40 Minutes 30 Seconds West, a distance of 8.00 feet to a point; thence by Remaining Lands of Camelback Ski Corporation (Deed Book Volume 1151 Page 5), the following nine (9) courses and distances:

1. South 83 Degrees 19 Minutes 30 Seconds East, a distance of 90.17 feet to a point,

2. North 48 Degrees 42 Minutes 14 Seconds East, a distance of 41.58 feet to a point,

3. North 26 Degrees 31 Minutes 54 Seconds East, a distance of 50.24 feet to a point,

4. North 05 Degrees 51 Minutes 14 Seconds West, a distance of 189.38 feet to a point,

5. North 41 Degrees 26 Minutes 18 Seconds East, a distance of 84.84 feet to a point,

6. North 11 Degrees 56 Minutes 26 Seconds East, a distance of 44.82 feet to a point,

7. North 13 Degrees 01 Minutes 18 Seconds West, a distance of 54.20 feet to a point,
8. North 26 Degrees 28 Minutes 53 Seconds West, a distance of 89.67 feet to a point, and
9. North 47 Degrees 33 Minutes 12 Seconds West, a distance of 45.80 feet to a point; thence along the southerly right-of-way of Massad Road (60 feet wide), the following four (4) courses and distances:
 1. by a curve to the right, having a radius of 220.00 feet, an arc length of 101.06 feet and a chord bearing North 55 Degrees 50 Minutes 02 Seconds East, a distance of 100.17 feet to a point,
 2. North 68 Degrees 59 Minutes 37 Seconds East, a distance of 36.54 feet to a point,
 3. by a curve to the right, having a radius of 370.00, an arc length of 473.79 feet and a chord bearing South 74 Degrees 19 Minutes 20 Seconds East, a distance of 442.08 feet to a point,
 4. South 37 Degrees 38 Minutes 16 Seconds East, a distance of 193.25 feet to the point and place of BEGINNING.

Containing 25.00 acres, more or less.

Being part of Deed Book Volume 1151, Page 5



COUNTY OF MONROE

RECORDER OF DEEDS
7th & MONROE STREETS
STROUDSBURG, PA 18360
Area Code (570) 517-3969

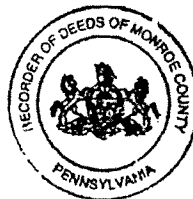
Helen Diecidue - Recorder

Instrument Number - 201333790
Recorded On 12/13/2013 At 12:17:14 PM
* Instrument Type - DECLARATION
Invoice Number - 653923
* Grantor - CBK LODGE LP
* Grantee - POCONO TOWNSHIP
User - CAB
* Customer - BLANK ROME LLP

Book - 2431 Starting Page - 6669
* Total Pages - 12

* FEES
STATE WRIT TAX \$0.50
RECORDING FEES \$28.50
COUNTY ARCHIVES FEE \$2.00
ROD ARCHIVES FEE \$3.00
TOTAL PAID \$34.00

RETURN DOCUMENT TO:
BLANK ROME LLP
ONE LOGAN SQUARE
THIRD FLOOR 130 N 18TH STREET
PHILADELPHIA, PA 19103-6998



I Hereby CERTIFY that this document is recorded in the
Recorder's Office of Monroe County, Pennsylvania

Helen Diecidue

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW THE LAST PAGE
OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.

Book: 2431 Page: 6680



TOWNSHIP OF POCONO,
Monroe County, Pennsylvania

ORDINANCE 2013-06

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA, ESTABLISHING THE BOUNDARIES OF AND CREATING A TAX INCREMENT DISTRICT; PROVIDING A DISTRICT NAME; CONTAINING FINDINGS REGARDING THE TAX INCREMENT DISTRICT AND THE PUBLIC PURPOSES OF THE PROJECT; APPROVING THE PROJECT PLAN FOR IMPLEMENTATION OF PROJECT ACTIVITY WITHIN THE TAX INCREMENT DISTRICT; AUTHORIZING AND DIRECTING OFFICERS OF THE TOWNSHIP TO UNDERTAKE ALL STEPS NECESSARY TO IMPLEMENT THE PROJECT PLAN; PROVIDING FOR AMENDMENT, SEVERABILITY, REPEALER, AND EFFECTIVE DATE OF THE TERMS OF THIS ORDINANCE.

WHEREAS, the Township of Pocono, Monroe County, Pennsylvania (the "**Township**"), is a township of the second class existing under the laws of the Commonwealth of Pennsylvania (the "**Commonwealth**"); and

WHEREAS, Monroe County Industrial Development Authority (the "**Authority**") is a public instrumentality and a body politic and corporate organized and existing under the laws of the Commonwealth of Pennsylvania, having been duly organized by the Township pursuant to provisions of the Pennsylvania Economic Development Financing Law, Act of August 23, 1967, P.L. 251, as amended, 73 P.S. §371 *et seq.*; and

WHEREAS, CBK Lodge, LP (the "**Developer**"), as developer, desires to undertake the development of certain property situated in the Township by construction of a destination facility consisting principally of a 442,285 square-foot resort hotel facility with 453 rooms and restaurant(s) and an adjoining approximately 133,932 square-foot indoor water park and a parking facility for 639 ± vehicles and related fixtures, furnishings and improvements, which facilities herein collectively are referred to as the "**Development Project**"; and

WHEREAS, the Authority, in order to induce the Development Project, desires to incur debt through a tax increment financing (the "**TIF Debt**") to fund a project (the "**TIF Project**") consisting of the design, acquisition and construction of certain off-site improvements, improvements required by Pennsylvania Department of Transportation and the purchase and installation of fixtures and equipment to be incorporated in the Development Project; and

WHEREAS, the Authority has proposed the creation of a tax increment district within the Township in accordance with the Tax Increment Financing Act, Act of July 11, 1990, P.L. 465, as amended, 53 P.S. §6930.1 *et seq.*, as amended (the "**TIF Act**"); and

WHEREAS, under the TIF Act the General Assembly of the Commonwealth authorized additional and alternative means to finance public facilities and residential, commercial and industrial development and revitalization, to provide new employment opportunities, to prevent and alleviate blighted, decayed and substandard areas in municipalities of the Commonwealth, to increase the tax base and to improve the commerce, welfare, prosperity and general economies of the Commonwealth's municipalities and the Commonwealth; and

WHEREAS, pursuant to the requirements of the TIF Act, the Authority has prepared the *Tax Increment Financing Plan for the Pocono CBK Tax Increment Financing District in Pocono Township*, dated May 2013 (the "**Project Plan**") that, *inter alia*, recommends the boundaries of a "Pocono CBK Tax Increment Financing

District" (the "TIF District"), describes the TIF Project, the fiscal effects on the municipal tax base and the estimated TIF Project and nonproject costs, and includes maps showing existing uses and proposed improvements and uses; and

WHEREAS, the Project Plan has been presented to Pocono Mountain School District (the "School District") and to the County of Monroe, Pennsylvania (the "County"); and

WHEREAS, the Board of School Directors of the School District, by resolution duly adopted on May 15, 2013, has agreed to participate in the TIF District for the public purposes set forth in the TIF Act, and a certified copy of said resolution has been received by the Township; and

WHEREAS, the Board of Commissioners of the County, by resolution duly adopted on May 15, 2013, has agreed to participate in the TIF District for the public purposes set forth in the TIF Act, and a certified copy of said resolution has been received by the Township; and

WHEREAS, the TIF Act defines a tax increment district as "a contiguous geographic area within a redevelopment area defined and created by resolution or ordinance of the governing body of the municipality creating the district"; and

WHEREAS, the TIF Act defines a redevelopment area as "any area, whether improved or unimproved, which a planning commission may find to be blighted because of the existence of the conditions enumerated in Section 2 of the Act of May 24, 1945, (P.L. 991, No. 385), as amended, known as the Urban Redevelopment Law, so as to require redevelopment under the provisions of the Urban Redevelopment Law or this act"; and

WHEREAS, said Urban Redevelopment Law provides, among the conditions enumerated in Section 2, that there exists areas which have ... "become blighted because of inadequate planning of the area...or economically...undesirable land uses"... that will ... "continue to result in making such areas liabilities...to the social and economic well-being of the entire communities in which they exist"...; and

WHEREAS, the Planning Commission of the Township heretofore determined that the area proposed as the TIF District had existing conditions meeting the criteria for blight designation under the Urban Redevelopment Law, including inadequate planning of the area and economically undesirable land use; and

WHEREAS, the Board of Supervisors of the Township, after publication of notice, held a public hearing on June 17, 2013, pursuant to the requirements of the TIF Act relating to the Project Plan and the establishment of the TIF District; and

WHEREAS, the Board of Supervisors of the Township hereby determines that it is in the best interests of the health, safety, and welfare of the citizens of the Township to approve the Project Plan and to create the TIF District.

NOW, THEREFORE, BE IT HEREBY ENACTED by the Board of Supervisors of the Township of Pocono, Monroe County, Pennsylvania as follows:

Section 1. *Legislative Findings.* In accordance with the requirements of the TIF Act, and based upon examination of the conditions currently existing within the TIF District, the Board of Supervisors of the Township hereby finds that:

- a. The TIF District is a contiguous geographic area within a designated redevelopment area;

b. The improvements set forth in the Project Plan are likely to enhance significantly the value of real property in the TIF District;

c. The aggregate value of equalized taxable property of the TIF District, plus all existing tax increment districts within the Township at this time, does not exceed 10% of the total value of equalized taxable property within the Township;

d. The area comprising the TIF District as a whole has not been subject to adequate growth and development through investment by private enterprise and would not reasonably be anticipated to be adequately developed without the adoption of the Project Plan;

e. No individuals, families, or small businesses will be displaced by the TIF Project and, thus, there is no need for relocation compensation of individuals, families, or small businesses;

f. The Project Plan conforms to the Township's master or comprehensive plan;

g. The Project Plan will afford maximum opportunity, consistent with the sound needs of the community as a whole, for the development, rehabilitation or redevelopment of the TIF District by private enterprise;

h. The TIF District is a blighted area containing characteristics of blight as described in the Urban Redevelopment Law (Act of May 24, 1945, P.L. 991, No. 385) and as determined by the Planning Commission of the Township, including areas existing which have "become blighted because of inadequate planning...or economically or socially undesirable land uses"...; and

i. The TIF Project to be undertaken is necessary to eliminate such conditions of blight.

Section 2. *Boundaries of the District.* The TIF District shall contain the whole units of property assessed for real property tax purposes as described in the Project Plan and shall have the boundaries set forth in the Project Plan.

Section 3. *Creation and Term of District.* The TIF District hereby is created as of December 31, 2013, or the date of incurrence of the TIF Debt, whichever first occurs. The TIF District shall continue in existence until the earlier of (i) the date on which the Authority's tax increment financing obligations to be issued in a principal amount not to exceed \$15,000,000 with respect to the TIF District, or refunding obligations thereof, issued to finance the payment of Project Costs, as described in the Project Plan and consistent with the TIF Act, are no longer outstanding, or (ii) twentieth annual anniversary of the date on which the TIF District is created, unless such date of termination is extended by resolution duly adopted by the Board of Supervisors of the Township, in accordance with the applicable provisions of the TIF Act. In no event shall the TIF District be terminated except in accordance with the applicable provisions of this Ordinance and the TIF Act.

Section 4. *Name of District.* The TIF District shall be identified as the Pocono CBK Tax Increment Financing District for all Project Plan and identification purposes.

Section 5. *Approval of Project Plan and Project Financing.* The Board of Supervisors of the Township hereby agrees to participate in the TIF District, approves the Project Plan for the TIF District prepared by the Authority, and authorizes the Authority to undertake any and all methods of financing available pursuant to and in accordance with the TIF Act, the approved Project Plan, and for Project Costs as described in the Project Plan and in accordance with the TIF Act, to the extent such costs are within eligible "Project Costs" as defined in the TIF Act.

Section 6. *Pledge of Incremental Real Estate Tax Revenues.* One hundred percent (100%) of the incremental real estate tax revenues due, owing, and received by the Township from the parcels within the TIF District, to the extent described in the Project Plan, hereby are pledged, and a security interest hereby is granted, to secure the repayment of the TIF Debt.

Section 7. *Cooperation Agreement.* The Township is authorized to negotiate a Tax Increment Financing Cooperation Agreement by and among the Township, the School District, the County and the Authority (the "TIF Cooperation Agreement") in furtherance of the Project Plan, which TIF Cooperation Agreement shall set forth, among other things, the tax increment base. The Chair or Vice Chair of the Board of Supervisors of the Township hereby is authorized and directed to execute and deliver, and the Secretary or Assistant Secretary of the Township hereby is authorized and directed to attest, the TIF Cooperation Agreement, each on behalf of the Township, subject to the prior review and approval thereof by the Township Solicitor.

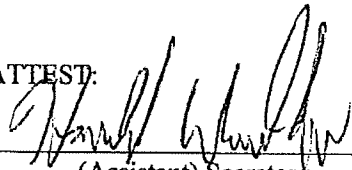
Section 8. *Effective Date.* The provisions of this Ordinance shall become effective in accordance with law.

Section 9. *Severability.* Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions, and parts hereof, and of any code of which this Ordinance may be or may be considered to be part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of final enactment hereof.

Section 10. *Repealer.* Any ordinance or portion thereof or resolution or portion thereof inconsistent herewith be, and the same hereby is, repealed.

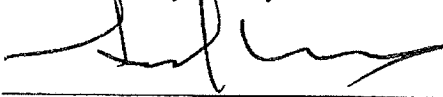
DULY ENACTED by the Board of Supervisors of the Township of Pocono, Monroe County, Pennsylvania, the 15th day of July, 2013.

ATTEST:



(Assistant) Secretary

TOWNSHIP OF POCONO,
Monroe County, Pennsylvania



Chair, Board of Supervisors

(SEAL)

POCONO TOWNSHIP PLAN STATUS
09/02/2025

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Latest Comment Letter	PC Recommend. Approve/Deny	BOC Approve/Deny	Approval Expiration (3 yr.)	6 Mo. to Expiration	3 Mo. to Expiration	Recordation Date	Comments
CONDITIONAL PRELIMINARY APPROVAL													
1373	POCO-R0616	2130141R	CORE 5-Warner Road Warehouse (Prelim. Plan) (4/26/21)	Commercial Land Dev't	Prelim	1/23/2025	Cond. Preliminary Approval 2/28/22	Cond. Preliminary Approval 3/7/22					
1368		2130146R	Stadden Group-Pocono Creek (9/27/21)(12/26/21)	Commercial Land Dev't	Prelim	9/20/2023	Cond. Preliminary Approval 9/11/23	Cond. Preliminary Approval 9/18/23					
1381		2230174R	Westhill Villas (1/24/22)	Land Dev't	Prelim/Final	9/7/2023	Cond. Preliminary Approval 9/11/23	Cond. Preliminary Approval 9/18/23					
1425	POCO-R0680	-	Brookdale Spa (9/9/24)	Land Dev't	Preliminary	7/2/2025	Approval Rec. 6/9/25	Cond. Preliminary Approval 7/7/25					
PRD TENTATIVE PLAN APPROVAL													
1388		2130154R	The Ridge PRD (Application Rec'd 10/23/23)	PRD	Tentative	Planning Rvw 11/17/23		Tentative Plan Approved 1/16/24					
CONDITIONAL FINAL OR PRELIM/FINAL APPROVAL - NOT RECORDED													
1331			Sanofi Pasteur Discovery Drive Turn Lane (10/24/16)	Commercial Land Dev't	Prelim/Final	3/10/2017	Recommended for Approval 3/13/2017	Approved 4/3/2017	4/3/2018				
1334		1130264R	Sanofi Pasteur Discovery Drive Turn Widening (12/12/16)	Commercial Land Dev't	Prelim/Final	5/5/2017	Recommended for Approval 5/8/2017	Approved 6/5/2017	6/5/2018				
1341		1730043R	SAPA Poconos Hospitality	Land Dev't	Prelim/Final	7/19/2022		Conditional Approval 12/18/17	Approval Extended to 4/7/25				
1313		1730051R	Running Lane Hotel Land Dev't (8/14/17)	Commercial Land Dev't	Prelim/Final	3/19/2020	Recommended for Approval 7/23/2018	Approved 4/16/2020	Approval Extended to 2/6/26	8/6/2025	11/6/2025		Extension Requested 1/21/25
1362		1930083R	Sanofi Pasteur Perimeter Protection Phase II (4/22/19)	Commercial Land Dev't	Prelim/Final	11/7/2019	Recommended for Approval 12/9/2019	Approved 7/20/2020	7/20/2021				
1371		1630006R	Tannersville Point Apartments (10/22/18)	Residential Land Dev't	Prelim/Final	2/21/2019	Recommended for Approval 2/25/19						Pending Withdrawal
1372A	POCO-R0621	-	Camp Lindenmere Dining Hall LD (6/9/25)	Land Dev't	Prelim/Final	8/12/2025	Recommended for approval 6/23/25	Approved 7/7/25	7/7/2026	1/7/2026	4/7/2026		Phase A
1375A	POCO-R0624	-	Swiftwater Solar Amended LD (1/13/25)	Land Dev't	Prelim/Final	2/19/2025	Recommended for approval 3/10/25	Approved 4/7/25	4/7/2026	10/7/2025	1/7/2026		Phase B
1375A	POCO-R0624	-	Swiftwater Solar Amended LD (1/13/25)	Land Dev't	Prelim/Final	4/8/2025	Recommended for approval 4/14/25	Approved 4/21/25	4/21/2026	10/21/2025	1/21/2026		Phase C
1375A	POCO-R0624	-	Swiftwater Solar Amended LD (1/13/25)	Land Dev't	Prelim/Final	2/4/2025	Recommended for approval 2/10/25	Approved 2/18/25	2/18/2026	8/18/2025	11/18/2025		Phase D
1375A	POCO-R0624	-	Swiftwater Solar Amended LD (1/13/25)	Land Dev't	Prelim/Final	2/19/2025	Recommended for approval 3/10/25	Approved 4/7/25	4/7/2026	10/7/2025	1/7/2026		
1383		2130157R	Sanofi Pasteur B-55 VDL2 Loading Dock Addition (6/9/21)	Commercial Land Dev't	Prelim/Final	11/16/2021	Conditional Approval 11/22/21	Conditional Approval 12/6/21	12/6/2022				
1392	N/A	2130169R	3101 Route 611 (Joe Ronco)	Minor Sub	Final	3/23/2022	Conditional Approval 4/11/2022	Conditional Approval 4/18/22	4/18/2023				

POCONO TOWNSHIP PLAN STATUS

09/02/2025

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Latest Comment Letter	PC Recommend. Approve/Deny	BOC Approve/Deny	Approval Expiration (1 yr.)	6 Mo. to Expiration	3 Mo. to Expiration	Recordation Date	Comments
1398		2230178R	Grossi Major Subdivision (3/28/22)	Major Sub	Prelim/Final	7/10/2023	Conditional Approval 7/10/23	Conditional Approval 11/6/23	Approval Extended to 11/6/2025	5/6/2025	8/6/2025		Extension Received 10/7/24
1401	POCO-R0630	2330223R	611 Land Development - Dual Brand Hotel LD (4/8/24)	Land Devt	Final	6/12/2025	Conditional Approval 3/10/25	Conditional Approval 6/16/25	6/16/2026	12/16/2025	3/16/2026		
1412	POCO-R0620	2330209R	GWL Employee Housing (4/10/23)	Land Devt	Final	8/1/2023	Conditional Approval 7/10/23	Conditional Approval 8/21/23	8/21/2024	2/21/2024	5/21/2024		Project not moving forward per owner
1415	POCO-R0629	2230198R	Ertle Development Wawa (10/10/23)	Land Devt	Prelim/Final	8/12/2025	Conditional Approval 4/8/24	Conditional Approval 5/6/24	Approval Extended to 5/6/2026	11/6/2025	2/6/2026		Extension Rec'd 6/16/25
1423	POCO-R0614	-	Brookstead Apartments (5/13/24)	Land Devt	Prelim/Final	10/1/2024	Recommended for approval 1/13/25	Approved 2/18/25	2/18/2026	8/18/2025	11/18/2025		
1430	POCO-R0820	-	Sanofi Building 57 Addition (7/8/24)	Land Devt	Prelim/Final	8/7/2024	Conditional Approval 8/12/24	Approved 9/16/24	9/16/2025	3/16/2025	6/16/2025		
1431	POCO-R0810	-	Iroquois Ridge/Back Minor Subdivision (Sullivan Trail) (7/8/24)	Minor Sub	Final	9/5/2024	Conditional Approval 9/9/24	Approved 9/16/24	9/16/2025	3/16/2025	6/16/2025		
1434	POCO-R0950	-	Gorski Lot Joinder	Lot Comb.	Final	11/22/2024	N/A	Approved 12/16/24	12/16/2025	6/16/2025	9/16/2025		
1437	POCO-R0990	-	MCTA Transit Facility Expansion (12/9/24)	Land Devt	Prelim/Final	6/5/2025	Conditional Approval 6/9/25	Conditional Approval 7/7/25	7/7/2026	1/7/2026	4/7/2026		
1438	POCO-R1040	-	Trap Hotel Event Center (1/13/25)	Land Devt	Prelim/Final	7/28/2025	Conditional Approval 5/12/25	Approved 6/2/25	6/2/2026	12/2/2025	3/2/2026		
1447	POCO-R1240	-	122 & 144 Paweda Hill (7/14/25)	Minor Sub./ Consolid.	Final	8/13/2025	Approval 7/14/25	Approved 8/18/25	8/18/2026	2/18/2026	5/18/2026		
LAND DEVELOPMENT WAIVER APPROVAL													
	POCO-R0910	-	MTG Investment Properties (3199 Rte. 611)	Waiver		9/16/2024	PC Approval 10/15/24	Approved 10/21/24					
	POCO-R0940	-	Sanofi B53 Exterior Freezer Replacement	Waiver		10/9/2024	PC Approval 10/15/24	Approved 10/21/24					
	POCO-R1000	-	Swiftwater Inn/Trap Ent. Pool Equip. Encl.	Waiver		11/12/2024	PC Approval 11/12/24	Approved 11/18/24					
LAND DEVELOPMENT WAIVER DENIAL													
	POCO-R1020	-	Mountain Villa Resort	Waiver		12/5/2024	PC Denial 12/9/24	Denied 12/16/24					

POCONO TOWNSHIP PLAN STATUS
09/02/2025

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Latest Comment Letter	PC Recommend. Approve/Deny	BOC Approve/Deny	Approval Expiration (1 yr)	6 Mo. to Expiration	3 Mo. to Expiration	Recordation Date	Comments
RECORDED													
1277	POCO-R0627	1330276B	Trapasso Hotel (1/24/22)	Land Dev't	Prelim/Final	2/16/2022	Conditional Approval 3/14/22	Conditional Approval 3/21/22				9/20/22	
1287	POCO-R0613	2230194R	Spirit of Swiftwater Ph. II (9/11/23)	Land Dev't	Revised Final	6/7/2024	Conditional Approval 5/13/24	Conditional Approval 7/15/24				9/26/2024	
1364		1930090R	Sanofi B-78 Seed Lab (6/10/19)	Commercial Land Dev't	Prelim/Final	10/15/2019	Recommended for Approval 9/23/2019	BOC Approved 10/21/2019				9/27/23	
1370		2030105R	Sanofi Pasteur B-85 Solid Waste & Recycling Bldg (06/08/2020)	Industrial Land Dev't	Prelim/Final	6/19/2020	Recommended for Approval 6/22/2020	BOC Approved 7/20/2020				2/23/2021	
1372	POCO-R0621	2030104R	Camp Lindemere	Land Dev't	Prelim/Final	9/28/2021	Conditional Approval 7/26/21	Conditional Approval 10/18/21				5/16/24	
1374		1930089R	Northridge at Camelback Ph 11-16 (5/10/21)	Residential Land Dev't	Prelim	12/13/2021	Conditional Approval Rec 12/13/21	Conditional Approval Rec 12/20/21				6/29/23	
1375	POCO-R0624	2030115R	Swiftwater Solar (06/14/21) (9/12/21)	Commercial Land Dev't	Prelim/Final	4/20/2022	Conditional Approval 4/25/22	Conditional Approval 6/6/22				11/16/23	
1377	N/A	2130149R	Eudora Hilliard Minor Subdivision (6/28/21)	Residential Land Dev't	Prelim	7/21/2021	Recommended Approval 6/28/21	Conditional Approval 8/2/21				12/21/2022	
1384	N/A	2130152	Bartonsville Ave Pump Station 5 Lot Subdivision	Subdivision	Prelim/Final		Recommended approval 8/9/21	BOC Approved 8/16/21				10/20/21	
1385	N/A	2130163R	Vassallo Est. Minor/Lot Consolidation (10/12/21)	Minor Sub	Final	3/23/2022	Conditional Approval 4/11/2022	Conditional Approval 5/2/22				2/6/24	
1390		2130168R	Sanofi Pasteur B83 Cold Storage (11/22/21)	Commercial Land Dev't	Prelim/Final	8/16/2022	Conditional Approval 1/23/23	Conditional Approval 2/6/23				8/17/23	
1391		2030114R	Great Wolf Lodge Expansion (6/28/21)	Commercial Land Dev't	Prelim	12/13/2021	Conditional Approval Rec 12/13/21	Conditional Approval Rec 12/20/21				3/20/22	
1393	POCO-R0625	2230179R	Cherry Lane Dev't Partners (Wawa-Tannersville Inn) (8/8/21)	Land Dev't	Prelim/Final	12/21/2022	Conditional Approval 1/9/23	Conditional Approval 2/6/23				10/17/23	
1394	N/A	2130173R	Steele's Warehouse Addition (1/10/22)	Commercial Land Dev't	Final	3/24/2022	Conditional Approval 3/28/2022	Conditional Approval 4/4/22				8/20/22	
1397	N/A	2230176R	Larson Resubdivision of Brookdale Road (2/28/22)	Minor Sub	Final	5/18/2022	Conditional Approval 5/23/2022	Conditional Approval 6/6/22				12/20/22	
1399	N/A	2230184R	Coover Minor Subdiv./Lot Line Adjustment (5/9/22)	Minor Sub	Final	10/6/2022	Conditional Approval 10/11/22	Conditional Approval 10/17/22				12/20/22	
1400	POCO-R0611	2230185R	Neighborhood Hospital Golden Slipper Rd (Embreree) (6/27/22)	Land Dev't	Prelim/Final	4/8/2024	Conditional Approval 10/10/23	Conditional Approval 10/18/23				2/12/25	
1401	N/A	2230205R	Tannersville Plaza Retail Space (12/12/22)	Minor Sub	Final	1/4/2023	Conditional Approval 2/13/23	Conditional Approval 3/20/23				11/30/23	
1404		2230191R	Sanofi Pasteur B87 Line 10 Building (7/25/22)	Land Dev't	Prelim/Final	1/17/2023	Conditional Approval 1/23/23	Conditional Approval 2/6/23				8/17/23	
1413	N/A	2330216R	BAD Properties/Fellins (5/8/23)	Minor Sub	Final	6/6/2023	Conditional Approval 6/12/23	Conditional Approval 6/19/23				8/30/23	
1418	N/A	2330231R	Farda Realty SR 0715 (9/11/23)	Minor Sub.	Final	9/18/2023	Conditional Approval 10/10/23	Conditional Approval 10/18/23				10/31/23	

09/02/2025

8/27/2025

POCONO TOWNSHIP PLAN STATUS

09/02/2025

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Latest Comment Letter	PC Recommend. Approve/Deny	BOC Approve/Deny	Approval Expiration (1 yr.)	6 Mo. to Expiration	3 Mo. to Expiration	Recordation Date	Comments
DENIED													
1272	N/A	1130255E	Kopelson Lot 3 Land Dev't (08/13/13)	Commercial Land Dev't	Prelim	unknown date	Recommended Denial 5/24/21	BOC Rejected 06/21/21					Appealed
	N/A	2030121R	Zitro & Roni Investments	Comm/Res Land Dev't	Prelim	1/8/2021	Recommended Denial 5/24/21	BOC Rejected 06/21/21					
1405	N/A	2230192R	Blessing (Munz) Subdivision (8/8/22)	Major Sub	Prelim	8/12/2022	Recommended Denial 10/11/22	BOC Rejected 10/17/22					
WITHDRAWN													
1386	N/A	2130160R	Dianora Minor Subdivision (9/27/21)(12/26/21)	Minor Sub	Final	9/16/2021							Notification to withdraw appl. rec'd 1/21/2022
1388	N/A	2130154R	The Ridge (8/8/22)	Land Dev't	Prelim/Final	9/26/2022							LD Application Withdrawn 2/12/24
1406	N/A	2230193R	Core 5 Stadden Road Warehouse (8/8/22)	Land Dev't	Prelim	10/6/2022							Application Withdrawn 5/12/23
1411	N/A	2230185R2	1328 Golden Slipper Road Minor Sub (1/9/23)	Minor Sub	Final	1/10/2023							Application Withdrawn
1424	POCO-R0660	-	1124 Sky View Dr. Monopine Tower (4/8/24)	Land Dev't	Prelim	8/15/2024							Application Withdrawn 4/30/25
1401	POCO-R0630	2330223R	611 Land Development - Dual Brand Hotel Subdivision (4/8/24)	Minor Sub	Final	3/6/2025							Application Withdrawn 6/13/25

POCONO TOWNSHIP PLAN STATUS
09/02/2025

Twp. Ref No.	T&M Proj. No.	LVL Proj. No.	Project Name (acceptance date)	Application Type	Prelim/Final	Review Period Expires	Last PC Mtg	Last BOC Mtg	Latest Comment Letter	Last Meeting Tabled	PC Rec. Approve/Deny	Comments
Sketch Plans												
			KenBAR Investment Group (Inactive)	Commercial Land Devt					6/5/2020			
1380		2030118R	2808 Rt 0611 Apartments Land Development	Land Devt					8/5/2021			
1402		2230188R	Iroquois Ridge	Major Sub, Land Devt					6/22/2022			
1403		2230189R	Lands of D E & S Properties (Classic Quality Homes)	Major Sub, Land Devt					7/19/2022			
1380		2330219R	Lands of Yuriy Bogutskiy 2812 Rt 0611	Land Devt					5/3/2023			
1417	POCO-R1270	2330228R	Harmony Domes 310 Hallett Road	Land Devt					8/29/2023			Sketch Plan #2 rec'd 8/19/25
1422	POCO-R0619	2430243R	Exclusive Pocono Properties Transient Hotel	Land Devt					1/7/2025			Sketch Plan #2 rec'd 12/10/24
1378	POCO-R0970	-	Incline Village Expansion	Land Devt					11/8/2024			
1436	POCO-R1010	-	437-439 Scotrun Avenue	Land Devt					11/25/2024			
1448	POCO-R1280	-	Pocohanne Point Apartments	Land Devt								
Final Plans Under Consideration												
1449	POCO-R1290		Trapasso Route 611 Hotel - Rev. Final Plan	Land Devt	Final							
Preliminary Plans Under Consideration												
1439	POCO-R1090	-	Summit Road Solar Array (6/9/25)	Land Devt	Prelim	12/6/2025	11/10/2025	12/1/2025	7/10/2025	8/11/2025		Extension to 12/6 rec'd 7/10
1445	POCO-R1180	-	Mtn. Edge Village Comm. TH Units 57A-H (4/14/25)	Land Devt	Prelim/Final	12/31/2025	12/8/2025	12/15/2025	5/1/2025	8/11/2025		Extension to 12/31 rec'd 8/12
1414	POCO-R0612	2330220R	135 Warner Rd. (Schliers Towing) (2/12/24)	Land Devt	Prelim	3/9/2026	2/9/2026	3/2/2026	2/23/2024	8/11/2025		6 month extension rec'd 8/5/25

POCONO TOWNSHIP PLAN STATUS
09/02/2025

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1369	POCO-R0617	2130150R	Cranberry Creek Apartments (7/25/22)	Land Devt	Prelim/Final	11/9/2025	10/13/2025	11/3/2025	1/25/2024	8/11/2025		90 day extension rec'd 6/24/25
1387	POCO-R1030	2130161R	Alaska Pete's - 173 Camelback Road (4/10/23)	Land Devt	Prelim/Final	12/31/2025	12/8/2025	12/15/2025	4/27/2023	8/11/2025		Extension rec'd 12/6/24
Land Development Waiver Applications Under Consideration												

POCONO TOWNSHIP PLAN STATUS
09/02/2025

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Pending BOC Decision												
1358	POCO-R0730	1630006R1	Tannersville Point Apartments (2023) (6/10/24)	Land Dev/Lot Consolidation	Prelim/Final	10/31/2025	N/A	10/20/2025	6/9/2025		Approval Rec. 6/9/25	Extension to 10/31 rec'd 8/5
1441	POCO-R1110	-	Leisure Lake @ the Poconos - 1157 Wiscasset Dr. (2/3/25)	Lot Comb.	Final	11/30/2025	N/A	11/17/2025	3/11/2025		N/A	Extension to 11/30 rec'd 8/12
Special Exceptions, Conditional Use												
Pending Item List for Planning Commission												
Pending Item List for Board of Commissioners												