



POCONO TOWNSHIP COMMISSIONERS
AGENDA

December 15, 2025 | 6:00 p.m.
205 Old Mill Rd, Tannersville, PA

Zoom Participation

<https://us06web.zoom.us/j/85724388948>

Meeting ID: 857 2438 8948

Passcode: 627416

Open Meeting

Pledge of Allegiance

Roll Call

Announcements – There was an executive session prior to this meeting regarding personnel and litigation.

Public Comment-NON-AGENDA ITEMS ONLY

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

Presentations

- MCTI-Zoning Request **(Possible Action Item)** Power Point Presentation
- Brookdale Spa Waiver Requests **(Possible Action Item)**
- Motion to waive section 390-38.C.(3) for LDP Monroe County Transit Authority **(Possible Action Item)**
- Volare Restaurant Liquor License **(Possible Action Item)**

Hearings

Motion to Open the hearing of the 2026 Pocono Township Budget Ordinance **(Possible Action Item)**
Motion to Close the hearing of the 2026 Pocono Township Budget Ordinance **(Possible Action Item)**
Motion to _____ Ordinance _____ 2026 Pocono Township Budget **(Possible Action Item)**

Motion to Open the hearing of the Truck Traffic Restriction Ordinance **(Possible Action Item)**
Motion to Close the hearing of the Truck Traffic Restriction Ordinance **(Possible Action Item)**
Motion to _____ Ordinance _____ adding truck traffic restrictions for portions of Brookdale Road and the Entirety of Back Mountain Road. **(Possible Action Item)**

Motion to Open the hearing of the termination of the PJJWA existence Ordinance **(Possible Action Item)**
Motion to close the hearing for the termination of the PJJWA existence Ordinance **(Possible Action Item)**

Motion to _____ Ordinance _____ terminating the existence of the PJJWA.
(Possible Action Item)

Resolutions

- Motion to Approve Resolution 2025-37 Accepting the revised Sewer Rules and Regulations.
(Possible Action Item)
- Motion to approve Resolution 2025-43 Authorizing the submission of an Act 101, Section 904 Recycling Performance Grant Application to the PA Department of Environmental Protection, Bureau of Waste Management. ***(Possible Action Item)***
- Motion to Approve Resolution 2025-44 Granting Conditional Final Plan Approval for Running Lane LDP 1360. ***(Possible Action Item)***
- Motion to Approve Resolution 2025-45 Granting Conditional Final Plan Approval for Brookdale Spa LDP 1425 ***(Possible Action Item)***

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the December 2, 2025 regular meeting of the Board of Commissioners.
 - Financial transactions through December 15, 2025 as presented, including ratification of expenditures in the amount of \$1,308,839.14 for the following accounts: General Fund, Sewer Operations, Gross Payroll, Capital Reserve, Construction Fund, Transfers in the amount of \$295,640.22. Discussion: ***(Action Items)***

NEW BUSINESS

Personnel

Report of the President

Richard Wielebinski

- Motion to Accept the Eligibility list of the following PTVFC members to include active firefighters, life members and active members: Amy Bullis, Gabbi Bullis, Jame Kresge, Par Learn, Laura McMann, Angelia Myers, Abby Putman, Mike Putman, Brandee Starner, Angela Tullo, Maryann Boylan, Laura Brennan, Joann Chirip, Lorrie DeHaven, Mary Frantz, Jericha Getz, Cadi Gilliland, Kim Kinyon, Jennifer Kornecki, Dorothy Kresge, Therea Kresge, Mary Nellegar, Elaine Rice, Susan Sebring, Heather Volpe, Anna Widdoss, Dee Ackerman, Preston Baransky, Paul Layman, Bruce Opachinski, John Veit, Harry Angress, Daniel Ahmad, Nick Balascsak, Mitchell Bartholomew, Al Camacho, Christian Colbert, Tommy Gallagher, Joe Gilliland, Brad Harrison, Chad Kilby, Bridgette Kresge, Kevin Kresge Jr., Logan Kresge, Ronald LaBar, Thomas Learn, Matthew Lentz, Julia Loua, Jason McCrabb, Michael McMann, Jordan Merring, Tom Moser, Thomas Olsen, Ronald Otis, Y. Jay Ramierz, Robert Rasely, Gabe Romano, Bill Sayre, Corey Sayre, Jessica Sayre, Mike Sierra, Brian Wessner, Emily Harrison, Blake Sebring, Josh Angle, Nipper Anglemeyer, Thomas Besecker, Donald Bonser, Jim Brennan, Ray Butz, Tracy DeHaven, John Fedish, Thomas Ferral, Joe Folsom, Salvatore Furino, Pete Gallagher, Edward Getz, Robert Gupko, Pete Hamill, Gerry Hazen, Steve Jacobs, Paul Johnson, Dave Kalucki, Chris Kinsley Jr. Chris Kinsley Sr. Robert Kinsley, Alvin Dresge, Alvin Kresge Jr., Daniel Kresge, Kevin Kresge Sr., Tom Kresge, Jerry Lastowski, Jim Loysen, Jack Manuel Jr. , Gary Meixell, Ray Mraz, Scott Mraz, Jame O'Neal, Chris Proulx, Randy Rasely, Randal Rode, Dennis Schmoyer, Dale Sebring, Dan Sebring, Kyle Sebring, Todd Sebring, Troy Sebring, William Sebring, Mike Shay, James Shick, Jim Shock, Doug Smith, Nicholas Starner, Kyle Vanfleet, Bradley Wise, Scott Woodman, Jerry Youngtken, Patrick Ross, Donald Simpson. ***(Possible Action item)***
- Motion to advertise for 2026 meeting dates along with the reorganization meeting to be held at the beginning of the first meeting in January. ***(Possible Action Item)***

Commissioner Comments**Natasha Leap** – Vice President

- Motion to accept Commissioner Brian Winot's Resignation from the Pocono Township Board of Commissioners **(Possible Action Item)**
- Motion to approve the conditional final plan for the Ridge PRD **(Possible Action Item)**
- Core5-Warner Rd-Discuss request to amend land development agreement to change the length of time to complete improvements. **(Possible Action Item)**

Ellen Gnandt – Commissioner

- Solar Field
- Pocono Manor **(Potential Action Item)**
- Answers to Ruby Lane residents regarding property lines not accurately shown on plan.

Mike Velardi – Commissioner**Reports****Zoning** – SFM Consulting**Police** – Chief James Wagner (Second Meeting of Month)**Township Manager's Report** – Jerrod Belvin

- End of Year Grants Update
- Pat Michael Retirement & Tax Collector update
- Police Wing Update
- PennDOT Update
- Preemption Measurement Update
- UST Reports & Certification
- Cybersecurity Risk Profile
- Risk Management Profile

Public Works/Sewer Report – Patrick Briegel

- Sewer Business Update
- MCTI & Sullivan Trail Expansions
- Current Public Works Projects
- Motion to adopt FMCSA Cargo Securement Rules as an SOP for Public Works & Park departments **(Possible Action Item)**

Township Engineer Report – T&M Associates

- Sewer Business Update
- Learn Road safety enhancement project and roundabout survey work. Motion to award the Roundabout Bid Winner through Penn Bid. **(Possible Action Item)**
- TASA Project
- TLC walking bridge.

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

- Sewer Business Update
- General legal update
- Learn Road Easement Process
- Motion to enter into an Intermunicipal Parcel Designation Agreement with Pocono Mountain School District. **(Possible Action Item)**

Adjournment

Date: 10-31-2025

REQUEST FOR MODIFICATION

Name of Applicant: Brookdale Enterprises LLC

Name of Subdivision or Land Development: Brookdale Spa

Section of Subdivision and Land Development Ordinance: 390-52.E(4)(g)[7]

Section 390-52.E(4)(g)[7] With regard to minimum water supply requirements, each new residential dwelling shall be provided with a minimum domestic pressure of 30 pounds per square inch at the house connection and each such dwelling shall be provided with a minimum of 300 gallons of water per residential unit per day. For any new commercial or industrial use, a minimum pressure of 30 pounds per square inch shall be provided which shall meet all potable water supply requirements for the intended use in addition to providing fire-flow water requirements for a minimum duration of two hours of not less than 500 gallons per minute at residual pressures of 30 pounds per square inch. Fire hydrants for either residential, commercial, or industrial development shall be spaced every 600 feet within the proposed development.

Justification for Relief:

A waiver of the requirement is requested related to water system design capacity for fire flow water and fire hydrants beyond the requirements for sprinkler systems for the Spa building and the employee housing building as required by the Building Code.

Is the hardship self-imposed?	<u> </u>	Yes	<u> </u>	x	<u> </u>	No
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Is the hardship related to financial issues?	<u> </u>	Yes	<u> </u>	x	<u> </u>	No
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Will relief from the referenced section of the Subdivision and Land Development Ordinance alter the intent of the Ordinance?

Yes	<u> </u>	No	x	Explain:	Fire protection will be provided to the building by sprinklers and a dry fire hydrant will be provided on site, supplied by Brookdale Lake.
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Review Comment #52

Date: 10-31-2025

REQUEST FOR MODIFICATION

Name of Applicant: Brookdale Enterprises LLC

Name of Subdivision or Land Development: Brookdale Spa

Section of Subdivision and Land Development Ordinance: 390-38.C(3)

Section 390-38.C(3) Any improvements which will remain private. In the case where roads, drainage facilities, a central sewage treatment system or central water supply, or any other improvements are to remain private, the developer shall provide for the establishment of an escrow fund in accord with § 390-35A to guarantee the operation and maintenance of the improvements. Said fund shall be established on a permanent basis with administrative provisions approved by the Board of Commissioners. The amount of said fund shall be 15% of the construction cost of the system as verified by the Township Engineer. The maintenance and operation of the improvements and the administration of any required maintenance fund account, shall be clearly established as the joint responsibility of the owner(s) of each structure or dwelling unit served by such system. Such responsibility and the mechanism to accomplish same shall be established by deed covenants and restrictions which shall be subject to the approval of the Board of Commissioners.

Justification for Relief:

An operation and maintenance agreement will be provided for stormwater management facilities, the sewer system and water supply system. The requirement for operation and maintenance of these systems is the owner of the property. The agreement will confirm the responsibility of the owner to maintain the required improvements and penalties detailing the consequences if the property owner fails to properly operate and maintain these required facilities.

This requirement for a guaranteed maintenance fund is appropriate where common facilities are provided by a developer and lots or portions of the project are conveyed to other owners who will be responsible for the long term maintenance of the facilities when the developer is gone. In this case, entity responsible for the operation and maintenance of the required improvements is the entity who owns the property. Because of this, we request the operation and maintenance requirements be clearly documented in agreements with the property owner but the requirement for financial security for operation and maintenance of required site improvements be waived.

Is the hardship self-imposed?

Yes x No

Is the hardship related to financial issues?

Yes x No

Will relief from the referenced section of the Subdivision and Land Development Ordinance alter the intent of the Ordinance?

Yes No x Explain: Site improvements will be maintained as required by agreements between the owner and the Township.

Date: 11-25-2025

REQUEST FOR MODIFICATION

Name of Applicant: Brookdale Enterprises LLC

Name of Subdivision or Land Development: Brookdale Spa

Section of Subdivision and Land Development Ordinance: 390-58.B(1), 390-58.C(1),
390-58.F, 390-58.K

Section 390-58.B(1)

This § 390-58 shall apply to any subdivision for which a preliminary plan or a combined preliminary/final plan and any land development for which a plan is submitted after the effective date of this § 390-58.

Section 390-58.C.(1)

The proposal for common open space, installation of recreation facilities and/or fees shall be offered for review by the Planning Commission and the Pocono Township Park and Recreation Committee.

Section 390-58.F

Fees. If the Board of Commissioners and the applicant agree that a proposed subdivision or land development will pay fees-in-lieu of dedicating open space, this fee shall be as established by the Township Fee Schedule, which may be updated by resolution of the Board of Commissioners.

Section 390-58.K

Combination of land and fees. Upon mutual agreement of the Board of Commissioners and the applicant, the Township may accept a combination of common open space and fees-in-lieu of land to meet the requirements of this § 390-58 for a subdivision or land development. For a residential development, this combination shall be based upon the common open space requirement applying for a certain number of dwelling units and the fee-in-lieu of land requirement applying for the remaining number of dwelling units. Section 390-58H shall be considered when applying this § 390-58I.

Justification for Relief:

The proposed project will provide a positive tax benefit to the Township, County and State. The project provides recreation and service to residents and guests of the community. The project does not provide new housing units that will increase the number of residents in the Township and impact the use and demand of existing open space facilities. Based on the specific characteristics of this project, a waiver request of the requirement to provide open space or a fee in lieu of open space is requested.

Is the hardship self-imposed? Yes x No

Is the hardship related to financial issues? Yes x No

Will relief from the referenced section of the Subdivision and Land Development Ordinance alter the intent of the Ordinance?

Yes No x Explain: The proposed project will provide a positive fiscal impact to the Township, County and State and does not create a need for additional Open Space areas.

APPENDIX G

REQUEST FOR MODIFICATION

Name of Applicant: Monroe County Transit Authority

Name of Subdivision or Land Development: MCTA Transit Facility Expansion

Section of Subdivision and Land Development Ordinance: 390-38.C.(3)

Justification for Relief: Monroe County Transit Authority will provide long term maintenance.

Is the Hardship self-imposed: ☐ Yes ☒ No

Is the hardship related to financial issues: ☐ Yes ☒ No

Will relief from the reference section of the Subdivision and Land Development Ordinance alter the intent of the Ordinance? ☐ Yes ☒ No

Explain: This ordinance section states, "Any improvements which will remain private. In the case where roads, drainage facilities, a central sewage treatment system or central water supply, or any other improvements are to remain private, the developer shall provide for the establishment of an escrow fund in accord with § 390-35A to guarantee the operation and maintenance of the improvements. Said fund shall be established on a permanent basis with administrative provisions approved by the Board of Commissioners. The amount of said fund shall be 15% of the construction cost of the system as verified by the Township Engineer. The maintenance and operation of the improvements and the administration of any required maintenance fund account, shall be clearly established as the joint responsibility of the owner(s) of each structure or dwelling unit served by such system. Such responsibility and the mechanism to accomplish same shall be established by deed covenants and restrictions which shall be subject to the approval of the Board of Commissioners."

Subject: Request for Township Support – Economic Development Restaurant Liquor License for Volare Restaurant

Dear Members of the Township Board,

I am writing to respectfully request the township's support for an Economic Development Restaurant (EDR) liquor license for Volare Restaurant, located at [Restaurant Address]. This special license allows a restaurant to serve alcohol in areas where standard liquor licenses are unavailable and is intended to foster economic growth and community development. Volare Restaurant is committed to being a vibrant and responsible addition to our township. Approval of this license would allow the restaurant to operate fully, attracting residents and visitors alike, while creating local jobs, generating additional tax revenue, and supporting surrounding businesses. By enhancing our dining and entertainment options, Volare Restaurant will contribute significantly to the vitality and economic health of the community. The restaurant will fully comply with all state and local regulations regarding alcohol service and will implement best practices to ensure safety and responsible consumption. Approval of this license aligns directly with the township's goals for economic development, community revitalization, and support for local entrepreneurship. I respectfully ask the Board to consider providing a resolution of support for Volare Restaurant's application for an EDR license. I am happy to provide any additional information or attend a township meeting to answer questions regarding this request. Thank you for your time, consideration, and commitment to supporting sustainable economic growth in our community.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cesar Idrovo', is written over a horizontal line.

Cesar Idrovo, Owner

Volare Ristorante

2756 Route 611

Tannersville, PA

718-541-8898

**PUBLIC NOTICE
PUBLIC HEARING**

NOTICE is hereby given that the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, will consider for adoption at a Public Hearing to be held at 6:00 p.m. on December 15, 2025 at the Pocono Township Municipal Building (205 Old Mill Road, Tannersville, PA 18372) special Board of Commissioners Meeting, for an Ordinance adopting a Budget and Appropriating Funds estimated to be required for the Purposes of the Government of the Township of Pocono and Fixing the Real Estate Millage Rate for the 2026 Fiscal Year.

Copies of the Budget along with the proposed text of the Ordinance summarized below may be examined by any citizen of the Township of Pocono at the Pocono Township Municipal Building, 205 Old Mill Road, Tannersville, PA during normal business hours. The following is a summary of the Ordinance in reasonable detail:

ORDINANCE 2025-25

**AN ORDINANCE OF THE TOWNSHIP OF POCONO, COUNTY OF MONROE,
PENNSYLVANIA, ADOPTING A BUDGET AND APPROPRIATING FUNDS
ESTIMATED TO BE REQUIRED FOR THE PURPOSES OF THE GOVERNMENT OF
THE TOWNSHIP OF POCONO, AND FIXING THE REAL ESTATE MILLAGE RATE
FOR THE 2026 FISCAL YEAR**

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

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

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

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

Section I:

That for the expenses of the Township of Pocono for the fiscal year 2026 the following amounts are hereby approved and appropriated from the receipts estimated to be available for said fiscal year for the specific purposes set forth below, which amounts are more fully itemized in the Budget Form on file in the Office of the Township Manager, as follows:

GENERAL FUND

ESTIMATED RECEIPTS

Taxes	\$ 7,416,108
Licenses and Permits	150,100
Fines & Forfeits	65,000
Interest, Rentals and Royalties	104,908
Intergovernmental Revenues	436,833
Charges for Services	932,762
Special Assessments	0
Other Operating Revenue	7,000
Other Financing Sources	8,959,401
Opening Balance	<u>\$ 7,750,882</u>

TOTAL FUNDS AVAILABLE	<u>\$25,822,994</u>
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ESTIMATED EXPENDITURES

General Government	\$ 1,450,816
Public Safety	4,949,924
Public Works	1,966,057
Cultural-Recreation	423,687
Debt Service	6,240,378
Employer Paid Benefits	328,192
Insurance	187,484
Transfer to Capital Reserve	4,513,478
TIF & Other Expenses	<u>\$ 217,000</u>

TOTAL EXPENDITURES	<u>\$ 20,277,016</u>
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PROJECTED FUND BALANCE	<u>\$ 5,545,978</u>
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CAPITAL RESERVE FUND

Estimated Revenues	\$ 9,601,361
Opening Balance	<u>0</u>
Total Funds Available	\$ 9,601,361
Estimated Expenditures	<u>9,601,361</u>

PROJECTED FUND BALANCE	<u>\$0</u>
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*Source is general fund transfer and grant revenue

STATE LIQUID FUELS TAX FUND

Opening Balance	0	\$
Estimated Receipts	<u>433,157.93</u>	
Total Fund Balance	433,157.93	
Estimated Expenditures	<u>433,157.93</u>	
PROJECTED FUND BALANCE		<u>\$ 0</u>

SEWER OPERATING FUND

Opening Balance	\$ 6,074,471
Estimated Revenue	<u>4,940,980</u>
Total Fund Balance	11,015,451
Estimated Expenditures	<u>4,169,200</u>
PROJECTED FUND BALANCE	<u>\$ 6,846,252</u>

SEWER CONSTRUCTION FUND

Opening Balance	1,135,573
Estimated Revenue*	<u>800,000</u>
Total Fund Balance	<u>1,935,573</u>
Estimated Expenditures	<u>1,441,500</u>
PROJECTED FUND BALANCE	<u>\$ 494,073</u>

*Transfer from operations and interest

SPECIAL FUND – FIRE TAX FUND

Opening Balance	\$ 300
Estimated Revenue	<u>403,096</u>
Total Fund Balance	403,396
Estimated Expenditures	<u>403,096</u>

Section II:

Real estate taxes will decrease to 3.0861 mills per dollar of assessed valuation for the 2026 Township of Pocono fiscal year and special purpose fire tax mills will remain at 0.301.

ATTEST:

**BOARD OF COMMISSIONERS
OF POCONO TOWNSHIP**

KRISANN MACDOUGALL
Asst. Secretary

RICHARD WIELEBINSKI
President, Board of Commissioners

LEGAL NOTICE

NOTICE is hereby given that the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, will consider at a Public Hearing to be held at 6:00 p.m. on the 15th day of December, 2025, or in the event of inclement weather that evening, at 6:00 p.m. on the 16th day of December, 2025, at the Pocono Township Municipal Building, 205 Old Mill Road, Tannersville, Pennsylvania 18372, the adoption of an Ordinance amending the Code of Ordinances of Pocono Township, Chapter 425, Vehicles and Traffic, amending Article IV, Traffic Regulations, adding truck traffic restrictions for portions of Brookdale Road and the entirety of Back Mountain Road. Copies of the proposed Ordinance may be examined without charge or obtained for a charge not greater than the actual cost of reproduction thereof at the Pocono Township Municipal Building during regular business hours.

Leo V. DeVito, Jr., Esquire
Solicitor of Pocono Township

LEGAL NOTICE

NOTICE is hereby given that the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, will consider for adoption at a Public Hearing to be held at 6:00 p.m. on the 15th day of December, 2025, or in the event of inclement weather that evening, at 6:00 p.m. on the 16th day of December, 2025, at the Pocono Township Municipal Building, 205 Old Mill Road, Tannersville, Pennsylvania 18372, an Ordinance (i) approving a Certificate pursuant to 53 Pa.C.S. § 5619 submitted by the Pocono-Jackson Joint Water Authority requesting to terminate its existence; (ii) directing that the certificate be filed in the Office of the Secretary of the Commonwealth and upon approval therefrom to record the Certificate in the Office of the Monroe County Recorder of Deeds; (iii) authorizing the receipt and ownership of all remaining property of the Authority and providing for the distribution thereof; (iv) authorizing and directing the proper officers of the Township to do all things necessary to carry out the Ordinance and the dissolution of the Authority and distribution of its property; (v) authorizing incidental actions; (vi) providing for severability of the provisions of this ordinance; (vii) rescinding inconsistent ordinances and resolutions; and (viii) establishing the effective date of this Ordinance. Copies of the proposed Ordinance is available for review at the Pocono Township Municipal Building located at 112 Township Drive, Tannersville, Pennsylvania 18372, during normal business hours.

Leo V. DeVito, Jr., Solicitor
Pocono Township

POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2025-_____

AN ORDINANCE OF THE TOWNSHIP OF POCONO, COUNTY OF MONROE, AND COMMONWEALTH OF PENNSYLVANIA (I) APPROVING A CERTIFICATE PURSUANT TO 53 Pa.C.S. § 5619 SUBMITTED BY THE POCONO-JACKSON JOINT WATER AUTHORITY REQUESTING TO TERMINATE ITS EXISTENCE; (II) DIRECTING THAT THE CERTIFICATE BE FILED IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH AND UPON APPROVAL THEREFROM TO RECORD THE CERTIFICATE IN THE OFFICE OF THE MONROE COUNTY RECORDER OF DEEDS; (III) AUTHORIZING THE RECEIPT AND OWNERSHIP OF ALL REMAINING PROPERTY OF THE AUTHORITY AND PROVIDING FOR THE DISTRIBUTION THEREOF; (IV) AUTHORIZING AND DIRECTING THE PROPER OFFICERS OF THE TOWNSHIP TO DO ALL THINGS NECESSARY TO CARRY OUT THE ORDINANCE AND THE DISSOLUTION OF THE AUTHORITY AND DISTRIBUTION OF ITS PROPERTY; (V) AUTHORIZING INCIDENTAL ACTIONS; (VI) PROVIDING FOR SEVERABILITY OF THE PROVISIONS OF THIS ORDINANCE; (VII) RESCINDING INCONSISTENT ORDINANCES AND RESOLUTIONS; AND (VIII) ESTABLISHING THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, the Township of Pocono, County of Monroe, Pennsylvania (the "*Township*"), is a Township of the First Class governed by Pennsylvania's First Class Township Code (the "Code"); and

WHEREAS, the Pocono/Jackson Joint Water Authority is a municipal authority created jointly by the Township and Pocono Township on March 28, 1988 ("*PJJWA*");

WHEREAS, following prior authorization by the Township and Jackson Township, on June 26, 2023, PJJWA sold and transferred all of its water treatment and distribution system assets to the Brodhead Creek Regional Authority, a regional authority furnishing water and wastewater services to multiple municipalities within the County of Monroe;

WHEREAS, PJJWA, having determined that there are no projects or other reasons for its continued existence, approved and submitted to the Township and Pocono Township a certificate pursuant to 53 Pa. C.S. § 5619 requesting to terminate PJJWA's existence (the "**Certificate**");

WHEREAS, the Township desires to enact this Ordinance to (i) approve the Certificate; (ii) direct that the Certificate be filed in the office of the Secretary of the Commonwealth for approval; (iii) upon such approval, record the Certificate in the Monroe County Recorder's Office; (iv) authorize the receipt and ownership of all remaining PJJWA property and provide for the distribution thereof between the Township and Jackson Township; and, (v) authorize all other necessary and proper actions to carry out the intent and purpose of this Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Commissioners of Jackson Township, Monroe County, Pennsylvania, pursuant to the general powers permitted by the First Class Township Code (53 P.S. § 56101, *et seq.* and pursuant to 53 Pa. C.S. § 5619 the following:

SECTION 1. APPROVAL OF CERTIFICATE. The Certificate submitted by PJJWA requesting to terminate its existence is hereby approved.

SECTION 2. FILING OF CERTIFICATE. Following approval of the Certificate by both the Township and Jackson Township, the Certificate shall be filed in the office of the Secretary of the Commonwealth.

SECTION 3. RECORDING OF THE SECRETARY-APPROVED CERTIFICATE. Upon the Secretary's approval and notation of PJJWA's termination of existence on the record of incorporation, the Certificate shall be recorded in the Office of the Recorder of Deeds in and for Monroe County, Pennsylvania.

SECTION 4. RECEIPT AND DISTRIBUTION OF ALL REMAINING PJJWA PROPERTY. All remaining property of PJJWA shall be distributed equally to the Township and Jackson Township, which property shall thereafter be the sole and separate property of each respective township.

SECTION 5. AUTHORIZATION TO TAKE INCIDENTAL ACTIONS. The President of the Board of Commissioners is hereby further authorized, directed and empowered to execute on behalf of the Township any and all other agreements and documents and to do and take, or cause to be done and taken, any and all actions and things necessary or proper for the carrying out of the provisions of this Ordinance.

SECTION 6. SEVERABILITY. In the case any one or more of the provisions of this Ordinance shall, for any reason, be held to be illegal, invalid or enforceable, such illegality, invalidity or unenforceability shall not affect any other provisions of this Ordinance, and this Ordinance shall be construed and enforced as if such illegal, invalid or unenforceable provisions had not been contained herein.

SECTION 7. REPEALER. All ordinances or resolutions or parts thereof inconsistent herewith shall be, and the same hereby are, rescinded, cancelled and annulled.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective immediately upon the approval of a corresponding ordinance by Jackson Township's Board of Supervisors.

ORDAINED AND ENACTED into an Ordinance at a regular meeting of the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania this ____ day of _____, 2025.

ATTEST:

**TOWNSHIP OF POCONO,
MONROE COUNTY**

Jerrold Belvin
Township Manager

Richard Wielebinski
President, Board of Commissioners

DRAFT

**TOWNSHIP OF POCONO,
Monroe County, Pennsylvania**

RESOLUTION NO. 2025-37

**OF THE BOARD OF COMMISSIONERS OF POCONO
TOWNSHIP, MONROE COUNTY, PENNSYLVANIA,
AMENDING AND RESTATING RESOLUTION NO. 2013-10
ESTABLISHING USER CHARGES, TAPPING FEES AND OTHER
FEES AND CHARGES IMPOSED ON CUSTOMERS OF THE
SEWER SYSTEM IN THIS TOWNSHIP, AND PROVIDING FOR
THE PAYMENT AND COLLECTION OF THE SAME; AND
ESTABLISHING RULES AND REGULATIONS GOVERNING
THE USE OF THE SEWER SYSTEM IN THIS TOWNSHIP.**

SECTION 1 - DEFINITIONS

The following words and terms, as used herein, shall have the meanings respectively ascribed to them by this Section, unless the context clearly indicates a different meaning:

Ammonia Nitrogen as N shall mean ammonia nitrogen as determined pursuant to the procedure set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by American Public Health Association, Inc.

BCRA shall mean the Brodhead Creek Regional Authority, acting through its governing Board, as Owner and operator of the Treatment Plant and, in appropriate cases, as agent of the Township hereunder.

BCRA Rules and Regulations shall be those regulations regulating sewage discharges to the BCRA WWTP as amended from time to time as provided for in Exhibit A. These BCRA Rules and Regulations are included and incorporated into these Pocono Township Rules and Regulations. In the event of a conflict between the two, the most restrictive regulations shall prevail, or in the case of other conflict, the BCRA Rules and Regulations shall prevail.

Board of Commissioners shall mean the Board of Commissioners of Pocono Township. All references to the Board of Supervisors shall be understood to be referring to the Board of Commissioners.

BOD (Biochemical Oxygen Demand) shall mean the quantity of oxygen, expressed in milligrams per liter, utilized in the carbonaceous biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20°) degrees centigrade, which standard laboratory procedure shall be as set forth in the latest publication of 40 CFR 136 or any successor regulation.

Building Sewer shall mean the extension from the sewage drainage system of any Improved Property to the Lateral serving such Improved Property. It shall extend from the building line to the right of way of a road or easement and connect the building sewer to the sewer lateral as depicted on the Township's standard construction details provided in the Construction Standards. The Building Sewer shall be owned and maintained by the property served.

Building or Service Lateral or Lateral shall mean the sewer line located within a road right of way or sanitary sewer easement extending from the end of the Building Sewer to the sewer main as depicted on the Township's standard construction details provided in the Construction Standards. The Lateral shall be owned and maintained by the Township.

Commercial Establishment shall mean any room, group of rooms, building or enclosure, or group thereof, connected, directly or indirectly, to the Sewer System and used or intended for use in the operation of a business enterprise for the sale and distribution of any product, commodity, article or service, which maintains separate toilet, sink or other plumbing facilities in the room or group of rooms utilized for such business enterprise.

Commonwealth shall mean the Commonwealth of Pennsylvania.

Connection Ordinance shall mean the Ordinance enacted by this Township requiring Owners of certain Improved Property located in the Township to connect to such Sewer and use the same in such manner as this Township may ordain.

Connection Permit shall mean the permit issued by the Township authorizing an Owner to connect an Improved Property to the Sewer System.

Cooperation Agreement shall mean the Amended and Restated Intermunicipal Cooperation Agreement dated May 1, 2010, as well as the First Supplement to the Amended and Restated Intermunicipal Cooperation Agreement dated November 1, 2010, all between the Borough of Stroudsburg, the Township of Hamilton, the Township of Pocono, the Township of Smithfield, the Township of Stroud, the Stroud Township Sewer Authority, and the Brodhead Creek Regional Authority and any subsequent amendment thereto.

County shall mean the County of Monroe, Pennsylvania.

Customer Facilities Fee is the customer facilities fee described in Act 57 of 2003 for the actual cost of the Building Sewer (i.e. facilities, including labor and other costs associated with the installation thereof, serving the Improved Property from the property line or the curb stop to the dwelling or building to be served) when installed by the Township. The fee also includes the cost of a grinder pump unit furnished by the Township for pick-up and installation by the Owner.

DEP shall mean the Pennsylvania Department of Environmental Protection or any successor agency of the Commonwealth of Pennsylvania.

Developed Property shall mean any property within the Sewered Area which was an Improved Property on October 20, 2009.

Domestic Sanitary Sewage shall mean normal water-borne from a typical sanitary sewage user, such as wastes from kitchens, water closets, lavatories and laundry facilities, discharged from any Improved Property, as well as water-borne wastes of similar character from similar facilities in offices, hotels, stores, restaurants, hospitals, schools and other Commercial, Educational, Industrial and Institutional Establishments, but in all cases excluding Prohibited Wastes.

Dwelling Unit shall mean any room, group of rooms, single family home, house trailer, apartment, condominium, cooperative or other enclosure and occupied or intended for occupancy as living quarters by an individual, a single family or other discrete group of persons, excluding institutional dormitories.

DRBC shall mean the Delaware River Basin Commission.

Educational Establishment shall mean any room, group of rooms, building or other enclosure connected, directly or indirectly, to the Sewer System and used or intended for use, in whole or in part, for educational purposes, including both public and private schools or colleges.

Engineer A Professional Engineer licensed by the Commonwealth of Pennsylvania and retained by the Township providing services to the Township for assistance with the management and operations of the sewer system. The term Township Engineer or Sewer Engineer shall be considered the same for the purposes of this Resolution.

EPA shall mean the Environmental Protection Agency of the United States of America, or any successor federal department or agency.

Equivalent Dwelling Unit or EDU shall mean the unit of measure deemed to constitute the estimated, equivalent amount of Domestic Sanitary Sewage discharged by a single-family Dwelling Unit, equal to 247 gallons/day water consumption metered by BCRA, or determined by Pocono Township and used for determining the following:

- a. The User Charge;
- b. Tapping Fees payable by a new User;
- c. Additional Tapping Fees payable by Users who:
 - 1. construct an addition to an existing Improved Property;
 - 2. expand an existing use of an Improved Property;
 - 3. change the use of an Improved Property;

4. increase sewage use as measured by either a water or sewer meter, for any reason other than an unidentified loss of water or inflow and infiltration which is remediated within two (2) months of determination of where the loss is occurring.

Extra Strength Wastes shall mean Sewage which exceeds the limits set forth in this resolution-and/or as otherwise mandated from time to time by any Regulatory Authority having jurisdiction of sewage discharges.

Fats, Oils, and Grease (FOG) shall mean fats, oils and grease as determined by laboratory analysis using analytical methods allowed for NPDES reporting as listed in the latest publication of 40 CFR 136 or any successor regulation.

Flow Allocation, Hydraulic shall refer to the total daily flow allocated to a user as determined by this Resolution and the connection permit.

Flow Allocation, Organic shall refer to the mass loading of organic and inorganic materials measured in lbs/day as further defined by this Resolution.

Grease Interceptor shall mean a large tank or device so constructed as to separate and trap or hold fats, oil, and grease substances from the sewage discharged from a facility in order to keep fats, oil, and grease substances from entering the sewer system.

Improved Property shall mean any property in the Sewered Area of the Township upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals and from which structure Domestic Sanitary Sewage and/or Industrial Wastes shall be or may be discharged into the Sewer System and is subject to the Connection Ordinance.

Industrial Establishment shall mean any Improved Property used or intended for use, wholly or in part, for the manufacturing, processing, cleaning, laundering, or assembling of any product, commodity or article, or any other Improved Property from which wastes, in addition to or other than Domestic Sanitary Sewage, shall or may be discharged.

Industrial Wastes shall mean any and all wastes discharged from an Improved Property and/or any wastewater having characteristics which may have the potential to be detrimental to the Treatment Plant, other than Domestic Sanitary Sewage.

Institutional Establishment shall mean any room, group of rooms, building or other enclosure connected, directly or indirectly, to the Sewer System, including institutional dormitories and Educational Establishments, and which do not constitute a Commercial Establishment, a Dwelling Unit, or an Industrial Establishment.

Interference shall mean a discharge from the Sewer System that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the Treatment Plant, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the NPDES Permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent Commonwealth or local regulations: Section 405 of the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. Section 1251, et seq.; the Solid Waste Disposal Act, including Title II, commonly referred to as the Resource Conservation and Recovery Act (RCRA); any Commonwealth regulations contained in any Commonwealth sludge management plan prepared pursuant to Schedule D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research and Sanctuaries Act.

Large Variations shall mean when a user's flow rates by instantaneous rates in terms of gallons per minute, daily and monthly rates in terms of gallons per day, or strength of waste varies by more than 15 % from time to time.

Legal Requirements shall mean, collectively, all applicable environmental (including influent, treatment and discharge standards and permits then in effect), land use or other laws, regulations, orders, ordinances, codes, restrictions, permits, and other requirements imposed by Regulatory Authorities or by agreement, including but not limited to the Cooperation Agreement and the Sewage Treatment Agreement.

Material Change shall be established where a non-residential commercial or Industrial User has increased its water consumption by greater than fifty (50%) percent of the next higher EDU (e.g., 124 gpd monthly average) based on the previous year's consumption, during the user's peak month of utilization, for any reason other than unintentional loss of water by the User due to leakage or Inflow and Infiltration in the sanitary sewer system that is timely removed from the system.

Medical Waste shall mean isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Meter shall mean a device approved for measuring the volume of water consumed, or sewage discharged, by the Owner which consumption is the basis for determining the User Charge for sewer service, and which is read by BCRA, Pocono Township or other similar Utility or by a PA Licensed Operator. A water meter or sewer meter may be used for measuring sewage flows. The water meter may be utilized in the absence of a sewer meter. The sewer meter, provided it is calibrated by a third party, at least annually, being considered the primary source of sewage flow data.

National Categorical Pretreatment Standard or Pretreatment Standard shall mean any regulation containing pollution discharge limits promulgated by the EPA in accordance with

Section 307(b) and (c) of the Act (33 U.S.C. 1347) which applies to a specific category of Industrial users.

Owner shall mean any Person vested with title, legal or equitable, sole or partial, of any Improved Property, and the party ultimately responsible for the payment for sewer service.

Operational and Maintenance Plan (O&M) shall refer to the plan developed by the Township for operations, system maintenance, allowable materials, and construction standards for the System. This O&M Plan, as amended from time to time by the Township, is incorporated by reference into this Resolution.

Pass Through shall mean a discharge from the Sewer System which exits the Treatment Plant into Waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the NPDES Permit, including an increase in the magnitude or duration of a violation.

Person shall mean any individual, partnership, company, association, society, trust, corporation or other group or entity, including municipalities, municipality authorities, school districts and other units of government.

pH shall mean the logarithm of the reciprocal of the concentration of hydrogen ions, expressed in grams per liter of solution, indicating the degree of acidity or alkalinity of a substance.

ppm shall mean parts per million parts sewer, by weight.

Reservation Fee(or Standby Fee) shall mean a fee charged for future development with proper standing with the Township to maintain committed capacity in the sewer system for the said future development.

Regulatory Authorities or Authority Having Jurisdiction (AHJ) shall mean collectively, BCRA, EPA, DEP, DRBC, PaPUC, and any other local, county, regional, Commonwealth or Federal authority having jurisdiction on the date hereof or that may have jurisdiction at any time in the future over any aspect of the Sewer System, including influents, collections, conveyance, operations, land use, effluents, rate setting, solid wastes and emissions.

Rules and Regulations being this document, means the prescribed methods adopted by the Township from time to time by resolution, connections to and general use of, the Sewer System and/or the Treatment Plant. Including but not limited to this resolution governing the operations, use and operations of the sewer system.

Septage shall mean any Sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks; provided that such term shall not include any Sewage

transported to the Treatment Plant by or at the direction of BCRA due to a new connection, a temporary reduction or disruption in the flow of Sewage through the Sewer System.

Sewage shall mean the liquid and water-carried Domestic Sanitary Sewage or Industrial Wastes from Dwelling Units, and Commercial, Educational, Industrial and Institutional Establishments, whether treated or untreated. The terms "waste" and "wastewater" shall be deemed as Sewage by definition.

Sewage Treatment Agreement shall mean the Sewage Treatment Agreement between the Township and BCRA dated as of March 1, 2011, including all modifications, amendments, supplements, and restatements thereto made and delivered from time to time and at such time constituting part hereof.

Sewer shall mean any pipe or conduit constituting a part of the Sewer System used or usable for collection of Domestic Sanitary Sewage and/or Industrial Wastes.

Sewer System shall mean all facilities, at any particular time, acquired, constructed, or operated by, or on behalf of, the Township for collecting, pumping, transporting, treating and/or disposing of Domestic Sanitary Sewage and/or Industrial Wastes discharged by an Improved Property within this Township and subject to the Connection Ordinance.

Sewered Area shall mean that geographic area or areas of the Township served or to be served by the Sewer System, including all existing or future sewer areas or districts established and approved, from time to time, pursuant to Act 537 and other applicable laws;

Shall means mandatory.

Significant Violation shall mean either (a) the discharge of one or more Prohibited Discharge(s) into the Sewer System, (b) the occurrence of an event or circumstance, caused in whole or in part by a User's non-compliance with/violation of this Resolution or any of the Rules and Regulations, such that the Township's ability to fully comply with all agreements and other requirements to which it is subject in relation to the Sewer System and/or the Treatment Plant, or otherwise relating to its operation of the Sewer System, may be hindered, delayed or jeopardized, and/or (c) be the cause, in whole or in part, of the Township being subjected to Violation Costs and/or surcharges, as defined in, and as provided for, in the Sewage Treatment Agreement.

Slug, Slug Discharge, or Slug Load shall mean any Discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards. A "Slug Discharge" is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which as a reasonable potential to cause Interference or Pass Through, or in any other way violates the Rules and Regulations or Legal Requirements.

Street shall mean and shall include any street, road, lane, court, cul-de-sac, alley, public way or public square, including such streets as are dedicated to public use, and such streets as are owned by private Persons.

Surcharges shall mean a mandatory payment for exceedances in flow, organic or inorganic mass loading discharged to the Township's system beyond the allowable discharges as set forth in this Resolution for each EDU allocated to a property/connection.

Suspended Solids shall mean the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering.

Tapping Fee shall mean the tapping fee described in Act 57 of 2003 payable by the Owner of any Improved Property in the area served by the Sewer System which actually connects or is required to be connected pursuant to the Connection Ordinance then in effect requiring such connection or which otherwise connects to the Sewer System.

Total Dissolved Solids (TDS) shall mean total dissolved solids as determined by laboratory analysis using analytical methods allowed for NPDES reporting as listed in the latest publication of 40 CFR 136 or any successor regulation.

Total Phosphorous (P) shall mean total phosphorous as determined by laboratory analysis using analytical methods allowed for NPDES reporting as listed in the latest publication of 40 CFR 136, or any successor regulation.

Total Residual Chlorine (TRC) shall mean residual chlorine as determined by laboratory analysis using analytical methods allowed for NPDES reporting as listed in the latest publication of 40 CFR 136 or any successor regulation.

Total Suspended Solids (TSS) shall mean total suspended solids as determined by laboratory analysis using analytical methods allowed for NPDES reporting as listed in the latest publication of 40 CFR 136 or any successor regulation:

Township shall mean the Township of Pocono, Monroe County, Pennsylvania, a political subdivision of the Commonwealth, acting by and through its Board of Commissioners or, in appropriate cases, acting by and through its agents, including BCRA or other authorized representatives.

Township SCADA System shall mean the Supervisory, Control, and Data Acquisition System constructed and maintained by the Township to monitor and control major sewer components of the Sewer System.

Treatment Plant shall mean the Sewage treatment and disposal system facilities owned and operated by BCRA, together with all appurtenant facilities and properties, and together with any additions, improvements, enlargements and/or modifications thereto from time to time acquired or constructed.

Types of Service shall mean:

- a. Commercial - Improved Property where the User is engaged in trade and/or commerce.
- b. Industrial - Improved Property for use in manufacturing, processing, and distribution activities.
- c. Municipal or Public - A political subdivision of the Commonwealth of Pennsylvania or agency thereof, a municipal authority, school district or other similar public bodies.
- d. Residential - Sewer service for residential households for customary sanitary purposes.

User shall mean the Owner, a tenant or other Person who contributes, causes, or permits the contribution of Domestic Sanitary Sewage and/or Industrial Wastes into the Sewer System from an Improved Property as further defined below:

- a. Small System User shall be that user that has a flow allocation of 10 or less EDUs.
- b. Medium System User shall be those users between 11 EDUs and 50 EDUs
- c. Large System User shall be those users greater than 50 EDUs, or, Medium System users which have Industrial Discharges or potential for discharge of hazardous or prohibited discharges as determined by the Engineer.

User Charge (or Fee) shall mean the periodic charge imposed for services, or availability of services, provided by the Sewer System, as established by Resolution of the Township, from time to time. A User Charge may include surcharges for uses beyond allocated flow either organic or hydraulic.

Violation shall mean (a) the discharge of any Extra Strength Waste by a User, or (b) any other breach by a User of any provision of any connection or Industrial Waste permit, this Resolution or any Rule or Regulation, which violation does not constitute a Significant Violation.

Violation Costs shall mean all direct and indirect costs and expenses, fines, penalties, liabilities, damages and other costs or expenses (including legal and engineering fees and

expenses) incurred by the Township as a result of a Violation and/or a Significant Violation by a User.

In these Rules and Regulations, the singular shall include the plural and the masculine shall include the feminine and the neuter.

SECTION 2 - CONDITIONS OF SERVICE

2.1 CONDITIONS OF SERVICE

- A. Use of the Sewer System by a User shall be in accordance with this and other applicable resolutions and ordinances of this Township, and the Rules and Regulations.
- B. The Township will furnish sewer service in consideration of the timely payment by User of the applicable Tapping Fee, , Customer Facilities Fee, User Charge, and other charges described herein and set forth on the Schedule of Public Sewer Rates and Charges attached hereto as "Schedule 1" and incorporated herein by reference, as the same may be amended or supplemented from time to time. The Township hereby reserves the right, as often as it may deem necessary, to alter or amend such rates and charges, as well as the Rules and Regulations.

2.2 APPLICATION FOR SERVICE AND CONTRACTS; SEWER RATES: TAPPING FEES

- A. Sewer service shall not be provided to any Improved Property until application shall have been made to the Township, or its agent, by the Owner of such Improved Property or by his authorized agent in accordance with the Connection Ordinance, and a Connection Permit issued by the Township authorizing same. Such application shall be made upon a form prescribed by the Township, wherein the Owner shall state fully all purposes for which he shall desire such service and shall answer accurately all necessary questions. The application for sewer service (regardless of User or applicant) shall constitute a binding, legal representation by the Owner of such Improved Property. Upon approval of the application, issuance of the Connection Permit, and payment of the appropriate fees and charges, the Owner shall install and connect {unless otherwise provided by the Township) the Building Sewer to the Lateral, at the sole cost and expense of the Owner.
- B. The application shall be subject to payment of all Tapping Fees, and Customer Facilities Fees then in effect and applicable to the Improved Property which is the subject of the application. The application, the Connection Ordinance, this resolution, as amended, and the Rules and Regulations shall regulate the sewer service to such Improved Property. The Township may require, prior to

approval of service, special contracts, or agreements in addition to an application for sewer service, if:

1. Service is for a new subdivision and/or land development;
2. Construction of extensions and/or other facilities are necessary;
3. A person shall contract with the Township to lay service pipe to the Improved Property, it being normal procedure for the Township not to furnish material or labor for use upon private Improved Property;
4. An Improved property will operate a private sanitary sewage treatment or pre-treatment facility; or
5. Deemed necessary by the Township.

C. EDUs shall be attributed to an Improved Property as follows:

1. Single Family Dwelling Units and small system users shall be attributed no less than one (1) EDU.-Each principal use, as defined by the Township's Zoning Ordinance or as determined by the Township Zoning Officer, on a parcel shall have no less than one EDU for each use.
2. Any Commercial, Educational, Industrial, Multi-residential, Mixed use (commercial/residential) and Institutional properties served by a metered water supply shall be attributed the number of EDUs determined from their maximum monthly average (i.e. highest month of the year) metered water usage, times 110%, based upon water meter data the twelve (12) month period preceding the date of connection. If sewage meters are utilized, attributed flows shall be 100 % of the metered use over the highest month during a twelve (12) consecutive month period. For proposed development, the applicant may utilize metered water consumption from a similar existing facility to estimate sewer flows with 110 % of the highest month from that facility.
3. Commercial, Educational, Industrial, Multi-residential, Mixed use (commercial/residential) and Institutional properties that do not have metered water service shall be attributed EDUs calculated in accordance with the provisions of Exhibit "C" attached hereto and incorporated herein by reference or metered flow data from a similar facility as outlined above.
4. Improved Properties which, prior to connection, are operating a private sanitary sewage treatment plant to provide sewer service for that Improved Property, shall have the option to be attributed EDUs in accordance with either the provisions of Section 2.2.C.2. above, or

based upon the maximum gallons per day of discharge permitted the DEP discharge permit in existence for that private sanitary sewage treatment plant. Failure of the Owner of the Improved Property to make an election as part of the application for a Connection Permit shall result in the attribution of EDUs in accordance with the provisions of Section 2.2.C.2. above.

5. All Principal uses on a parcel shall have no less than one EDU per Use unless a use is determined to be an accessory use to the principal use as determined by the Township Zoning Officer.

For any Improved Property connected, or proposed to be connected, to the Sewer System that does not have metered water service, the Township may, at the Township's sole cost and expense, install a water meter, and utilize the data from that meter for the purpose of attributing EDUs.

All EDUs shall be allocated in whole numbers and fractional calculated EDUs shall be rounded up to the nearest whole number.

D. Address of Owner.

The Owner of an Improved Property, when initially connecting to the Sewer System, shall provide the Township or its designated agent with, and shall thereafter keep the Township or its designated agent advised of, the Owner's current address.

E. Change in Ownership, Tenancy or Conditions of Water consumption

The Township must be notified upon any change in the ownership of an Improved Property regardless of the User. The Township will prepare a final bill for the seller of the Improved Property and future billings shall be the responsibility of the new Owner. Any User making any Material Change in the size, character, or extent of equipment or operations utilizing sewer service, or whose change in operation results in a substantial increase in the consumption of water, shall immediately give the Township written notice of the nature of the change, and either amend its application, if an application exists with the Township, or submit a new application. The Township shall adjust the applicable EDUs to impose additional Tapping Fees and User Charges based on a new application and/or an increase in water consumption due to such Material Change and based on a recalculation of the actual increase of water consumption as herein defined. Tapping Fees shall not be returned if water consumption is subsequently decreased. Failure to file an application will not relieve a User of the obligation to pay for additional User Charges or additional Tapping Fees pursuant to the three (3) month

recalculation, as set forth herein. The Township shall have the right, upon ten (10) days' notice, to discontinue (or cause to be discontinued) sewer and/water or service until such an application has been submitted and approved.

Unless supported or otherwise restricted by a special services agreement, in the case of Medium and Large System Users, at no time shall any flows from any User exceed 25% of the daily flow allocated to a property on any given day. At no time shall any monthly flow exceed the maximum allocated flow. Should the flows exceed the monthly flows from normal discharges due to over usage, or by more than 50 % of one single EDU (e.g., 124 gpd), the user shall purchase additional EDU(s) for the overages both in terms of User Fees and Tapping Fees.

Peak rates of flow from a User shall be limited to a maximum of 250% of the purchased capacity or 0.429 gpm/EDU as measured over a maximum of a 10-minute period.

F. Changes in Governmental Regulations

All permits, contracts or agreements for sewer service shall be subject to such changes or other modifications as may be required or appropriate to reflect changes in applicable law, rule, or regulation of a governmental body, including the BCRA.

G. Tapping Fees

1. A Tapping Fee is hereby imposed against the Owner of any Improved Property to be served by the Sewer System which actually connects to or is required to be connected thereto pursuant to the Connection Ordinance then in effect, or by special agreement between such Owner and the Township, governing such connection. Calculation and itemization of the maximum lawful Tapping Fee is attached hereto as Exhibit "B" and made a part hereof. The Tapping Fee shall be set by Township Fee Schedule up to the maximum amount shown in the Tapping Fee Study, subject to the Provisions of Act 57 of 2003.
2. The Tapping Fee shall be due and payable at the earlier of: (1) the time application is made to the Township to make connection to the Sewer System or, if applicable, the date when the Township shall connect any such Improved Property to the Sewer System, at the cost and expense of the Owner, when such Owner shall have failed to make such connection as required by the Connection Ordinance in effect requiring such connection, or (2) in the case of Developed Properties

required to be connected following initial construction of the Sewer System, by the date set forth in the written notice from the Township to the Owner to connect, which will not be less than the time period set forth in the Connection Ordinance for such connection to be completed. Owners of an Improved Property which is attributed an additional number of Equivalent Dwelling Units as defined by the Township rate structure herein shall pay a corresponding additional Tapping Fee at the time of being attributed with the new EDU computation as set forth in a written notice thereof to such Owners.

The Township may (but is in no way required to) utilize grant funds to pay a portion of the Tapping Fee for Developed Properties connecting to the Sewer System during the initial connection period following completion of construction of the Sewer System.

H. Contracts with Delinquents

An applicant seeking sewer service who has outstanding charges owed to the Township or BCRA for sewer or water services on other Improved Properties of, or occupied by, such Person, past or present, must pay all such outstanding charges prior to the connection application for the new sewer service being approved.

I. Construction and Material Requirements

All Construction and Material Requirements are included in the System's O&M Plan which is hereby incorporated by reference and as may be amended from time to time by the Commissioners. Those requirements and procedures shall be administered jointly by the Township's Sewer System Engineer and by the Building Code Enforcement Officer based on the requirements of the UCC, the O&M Plan, the PA Wastewater Facilities Manual, BCRA, or other similar Authority Having Jurisdiction (AHJ). The most restrictive requirement shall be enforced.

2.4 BILLS AND PAYMENTS

A. User Charge

1. A User Charge is hereby imposed upon the Owner of each Improved Property which is or shall be required to be connected to the Sewer System, for use of the Sewer System, whether such use is direct or indirect, and for services rendered by or on behalf of the Township and shall be payable as provided herein. Such User Charge may be imposed upon the Owner of an Improved Property who fails or refuses

improperly to connect such Improved Property to the Sewer System, as compensation for the availability of service by the Township in connection with the Sewer System. The User Charge shall be payable by the Owner of each Improved Property commencing the earlier of: (1) the date of actual, physical connection of an Improved Property to the Sewer System, or (2) the expiration of the time period for connection specified in the written notice from the Township to the Owner to connect, which will not be less than the time period set forth in the Connection Ordinance. All bills are payable in person at, or by mail or bank wire funds transfer to, a location designated by the Township. The basic User Charge will be imposed based upon the number of EDUs attributed to the Improved Property. EDU's attributed and User Charges are recalculated on a yearly basis.

2. All non-single-family Dwelling Units supplied with sewer through one connection shall be charged by determining their EDU count calculated to the nearest whole EDU (rounded up).
3. Thereafter, subject to limitations in the Connection Ordinance, if a Small User increases its water consumption by more than the EDU(s) purchased, over a three (3) month period, that User's EDU allocation shall be adjusted by the Township to reflect the increase for purposes of calculating User Charges. The User shall also be attributed additional EDUs as determined by Pocono Township and be required to purchase additional EDU(s) at the then current Tapping Fee amount.
4. In the event a User can demonstrate to the satisfaction of the Township that the User has permanently reduced its long-term water consumption by more than ten percent (10%) then such Owner may request a recalculation of EDU attribution to that Improved Property. The recalculation shall be based upon the highest average monthly peak flow over a one-year period of data collection. If the Owner is able to satisfactorily demonstrate that a reduction in EDUs attributed to the Improved Property should be, and such a reduction is in fact, granted by the Township, then the Owner shall receive a commensurate reduction of the basic User Charge effective with the first complete billing cycle occurring after such determination. However, at no time shall a user fee be less than one (1) EDU.
5. In the event a reduction in EDUs attributed to an Improved Property is granted, the Owner shall forfeit an equal amount of sewer capacity previously allocated to that property. The Owner shall not, as a result of the granted decrease in the EDU attribution, be entitled to the refund of, or credit for, User Charges previously paid or payable. Further,

subject to the express exception set forth in Paragraph 2.4.A.6. below, the Owner shall not be entitled to refund of, or credit for, Tapping Fees previously paid for such EDUs. Any future increase in the number of EDUs attributed to such Improved Property, as described in Paragraphs 2.2.E. or 2.4.A.3. above, shall result in the imposition of additional Tapping Fees and User Charges.

6. The foregoing notwithstanding, within sixty (60) days after the expiration of the first twelve (12) months of being connected to the Sewer System (the "Initial Connection Period"), the Owner of any Commercial, Industrial, Multi-residential, Mixed use (commercial/residential), Educational, Institutional or public (non-residential) Improved Property whose EDU attribution was based upon the maximum monthly average (i.e. highest month of the year), may request a recalculation of the EDU attribution for that Improved Property based upon its maximum monthly average metered water consumption, plus 10% for the Initial Connection Period. If that recalculation establishes that the number of EDUs attributed to such Improved Property at the time of initial connection was greater than the attribution that would have been made on the basis of the maximum monthly average metered water consumption for the Initial Connection Period, the EDU attribution to that Improved Property shall be reduced accordingly, the Owner shall receive a commensurate reduction of the basic User Charge effective with the first complete billing cycle occurring after such determination, the Owner shall forfeit an equal amount of sewer capacity previously attributed to that Improved Property. Any future increase in the number of EDUs allocated to such Improved Property, in excess of the reattributed count, shall result in the imposition of additional Tapping Fees and User Charges.
7. In addition, solely with respect to any Commercial, Industrial, Multi-residential, Mixed use (commercial/residential), Educational, Institutional or public (non-residential) Improved Property which, prior to connection, was operating a private sanitary sewage treatment plant to provide sewer service for that Improved Property, and with respect to which EDUs were initially attributed to such Improved Property in accordance with the provisions of Section 2.2.C.2. above, the Owner of that Improved Property may request a recalculation of the EDU attribution for that Improved Property based upon its maximum monthly average metered sewer flow for the Initial Connection Period, provided, in the opinion of the Township, the Improved Property had a properly operating and properly calibrated sewer meter installed and operating for the Initial Connection Period. If that recalculation

establishes that the number of EDUs attributed to such Improved Property at the time of initial connection was greater than the attribution that would have been made on the basis of the maximum monthly average metered sewer flows for the Initial Connection Period, the EDU attribution to that Improved Property shall be reduced according; the Owner shall receive a commensurate reduction of the basic User Charge effective with the first complete billing cycle occurring after such determination; for all future purposes of billing and attribution of EDUs, provided the sewer meter remains installed, properly calibrated and properly operating, monthly metered sewer flows shall be utilized in lieu of metered water consumption; the Owner shall forfeit an equal amount of sewer capacity previously attributed to that Improved Property; and the Owner shall be entitled to a refund of, or credit for, Tapping Fees previously paid for such forfeited sewer capacity. Any future increase in the number of EDUs allocated to such Improved Property, in excess of the reattributed count, shall result in the imposition of additional Tapping Fees and User Charges.

8. Nothing herein contained shall be deemed to prohibit this Township from entering into separate or special agreements with Owners of Improved Property or other Persons with respect to the User Charge or surcharge to be imposed in those cases where, due to special or unusual circumstances, the User Charge set forth herein shall be deemed by this Township, in its sole discretion, to be inequitable, or where it is in the best interests of this Township to do so.
9. No approvals by the PA DEP under the provisions of Act 537 represent purchase or Reservation of EDUs. Capacity allocations under Act 537 represent the right for a User to connect to the Pocono System at a given flow allocation, subject to purchase of the EDUs through payments of Tapping Fees. No capacity is guaranteed by Pocono Township until such time Tapping Fees are paid, and User Fees are paid on said Tapping Fees.

B. Basis for Preparation of Bills

1. Typically, all bills for sewer services furnished by the Township will be issued monthly based upon the current Schedule of Public Sewer Rates and Charges of the Township.
2. The User Charge shall be non-abatable for non-use of sewer service, and non-cumulative against subsequent use. In the case of fractional bills covering less than a month, minimum charges and allowances of sewer shall be pro-rated for new connections only.

3. The Owner of an Improved Property shall be fully liable for payment if a tenant or other User moves out without paying the bill. Tenants shall not be billed directly by the Township and the Owner shall be responsible for passing the bill onto the tenant for payment if the lease agreement calls for the tenant to pay sewer bills.
4. Bills for surcharges as outlined in this Resolution shall be billed directly from the Township separate from service bills.

C. Payment of Bills

1. All bills are due and payable within twenty-one (21) days after the date of the bill, and a late fee equal to 10% per annum of the amount of such bill for the number of days such bill is delinquent (calculated on the basis of a year of 365 days), will be added to all bills if not paid when due. Acceptance of remittance of bills on the last day of this twenty-one (21) day period shall be determined by the date of actual receipt of the User's payment at the designated payment office.
2. If a User has not served written protest to the Township within fifteen (15) days after the date of a bill, it shall be considered an undisputed bill.
3. If a bill is paid by check and the check is returned by the bank for any reason, a charge of \$20.00, or as may be amended from time to time, shall be paid by the User in addition to the amount of the bill and the late fee.
4. Payment schedules can be obtained on a case-by-case basis pending the Township's approval.
5. Failure of any person to receive bills for User Charges and other charges shall not be considered an excuse for non-payment, nor shall such failure result in an extension of the period of time during which the bill shall be payable.
6. Every Owner of Improved Property shall remain liable for the payment of User Charges and surcharges until the later of: (1) the receipt by the Township of written notice by such Owner that the Improved Property has been sold, containing the correct name and mailing address of the new Owner, or (2) the date on which title to the Improved Property is transferred to a new Owner. Failure to provide notice renders an Owner continuously liable for any charges that may accrue until such time as

the Township has been properly notified of any change in ownership as described above.

7. Tapping Fees, User Charges, and all other charges imposed by this Resolution shall be a lien on the Improved Property from the date imposed.

D. Unpaid Bills

1. If the Owner fails or neglects to pay, for a period of thirty (30) days from the due date thereof, any sewer bill or payment due, the Township shall provide to such Owner ten (10) days' notice in writing of the fact that such payment has become delinquent and that the Township intends to shut off sewer service, and/or to shut off, or request BCRA to shut off, the water supply to the Improved Property. This notice will also be posted at a main entrance of the Improved Property. If during such (10) day period the Owner delivers to the Township a written statement, under oath or affirmation, stating that he has a just defense to the claim, or part of it, for such rentals or charges, then the sewer service and the water supply shall not be shut off until the claim has been judicially determined. This statement shall also contain a declaration under oath or affirmation that it was not executed for the purpose of delay.
2. The Township shall, in addition to the above, have the right to exercise any and all rights and remedies granted by the Connection Ordinance or applicable law; bring a legal action to recover any amount due to it and/or to enter a municipal lien or claim against the Improved Property in the Office of the Prothonotary of Monroe County, and to collect the same in the manner provided by law for the collection of such liens or claims, all of which rights and remedies shall be cumulative.

E. Service of Notices

1. With the exception of the Notice to Connect, all notices and bills relating to the Sewer System shall be deemed to have been properly served if left upon the Improved Property served, if mailed to the Owner, or served in person to the Owner at the Owner's address as shown on the records of the Township.
2. The Township will send all such notices and bills to the address given on the application for sewer service until a notice of change of address, in writing, has been filed with the Township by the Owner.

3. All notices of general character, affecting or likely to affect all or a large number of Users, shall be deemed to have been properly given or served if advertised in the newspaper designated by the Township.

F. Surcharge

1. The Owner of any Improved Property which shall discharge Extra Strength Wastes or excessive flows to the Sewer System shall, in the discretion of the Township, pay a surcharge. Surcharges shall be paid in addition to all User Charges computed in accordance with provisions of Section 2.4 and shall be computed on such basis, and payable at such times, as the Township may from time to time establish. In imposing any surcharge, the Township will consider the provisions of any agreements to which the Township is a party governing the treatment of Domestic Sanitary Sewage or Industrial Wastes. Determination of surcharge quantities for Extra Strength Waste discharges shall be made based upon: (1) suitable sampling and analysis methods specified by the Township; or (2) from estimates made by the Township; or (3) from known relationships of products produced to strengths of such wastes for those industries where such factors have been established. In establishing such waste strengths for surcharge purposes by analysis, analyses shall be made in accordance with procedures outlined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, Inc. The surcharge for exceedances of hydraulic flows and organic loadings shall be based on the hydraulic or organic flow which exceeds the allocated flow applied to the current EDU billing rate by the nearest whole EDU, rounding up.
2. In addition to the foregoing, if Extra Strength Wastes are being discharged, the Owner shall be liable for the cost and expense of laboratory testing, and legal and engineering costs in relation to the same and shall reimburse the Township and/or BCRA for any such costs and expenses upon demand.
3. All monitoring costs and expenses shall be the sole liability and responsibility of the Owner.

2.5 COMPLAINTS

- A. Complaints relative to the character of the service furnished, the reading of water meters, or concerning bills rendered shall be in writing and mailed to the billing office of the Township or its designated billing agent.

- B. If an employee of the Township, or its agent, is called out after normal business hours in response to a complaint by a User and if the cause of such complaint is not deemed to be the responsibility of the Township, then the User will be charged on the basis of time and materials with a minimum service charge of \$150.00, which fee may be changed from time to time.

2.6 CONDITIONS OF PLUMBING SYSTEM

The piping and fixtures on the Improved Property shall be in satisfactory condition at all times. The Township shall not be liable for any accidents, breaks, or infiltration resulting from connection of a Building Sewer to a Lateral or Sewer. The Township shall not be responsible for piping and fixtures of any User or for any damage to the Improved Property which may result from the Building Sewer or Lateral constructed by the User.

2.7 INDIVIDUAL LIABILITY FOR JOINT SERVICE

Two or more Persons who jointly have sewer service shall be jointly and severally liable for all bills issued by the Township, its agent or BCRA pertaining to the same. The Township reserves the right in such individual cases when deemed necessary to make one or more of said parties the guarantor for payment of said bill and to send a single bill.

No new joint applications for sewer service shall be granted by the Township and all Building Sewers must connect to a Lateral dedicated and solely utilized for a specific Building Sewer.

2.8 INSPECTION

Authorized employees of the Township, or its agent, presenting an identification card, shall have access to the Improved Property at all reasonable hours, for the purpose of sewer facility inspection, installation, repair and/or replacement; inspection, setting, reading, repairing, and removal of the water meter or sewer meter; and for all other justifiable purposes in related to the Sewer System.

2.9 INTERFERENCE WITH THE SEWER SYSTEM

For the protection of the Sewer System, no Person shall damage, injure, molest, disturb, or interfere with any part of the Sewer System. Where any such damage, injury or molestation, disturbance, or interference takes place, any Person observing or becoming aware of the same shall notify the Township immediately.

2.10 RENEWAL OF SERVICE

If sewer service (or water service) for a specific Improved Property has been discontinued, it will be restored after proper application when the conditions under which such service was discontinued, are corrected, and upon the payment of all delinquent fees and charges attributable to such Improved Property, or an arrangement satisfactory to the Township, or its agent, for payment of the arrearage is made, including all charges, costs and expenses related to shutting off and restoring sewer service and/or water service. References herein to termination or restoration of sewer service for delinquencies in payment of bills or otherwise, shall also refer to public water service provided to such Improved Property by BCRA.

2.11 CALCULATIONS OF EDUs

EDUs shall be calculated using the following methodology for all new connections to the Townships system:

- A. Use Based Calculations: All new users proposing a new use shall utilize the following use generated EDU rating to calculate total flows from a facility, divided by the flow per EDU to generate total required EDU allocation. Each use within a facility shall be evaluated separately and added together. The below shall be the basis of the initial determination to be confirmed by actual water meter usage after the facility is connected and fully occupied.

Use	Unit	gpd/unit
1. Residential Use	Dwelling Unit	247.0
2. 25 or more Residential Uses (Billed as a single Large System User)	Dwelling Unit	200.0
3. Barber Shop	Chair	123.5
4. Retail Store		
a. Per Employee	Total # of Employees	10.0, Plus
b. Gross Area	per 1,000 Square Feet	8.5
5. Offices	Employee	10.0
6. Manufacturing	Employee	20.0
7. Warehouse	Employee	20.0
8. Fast Food Restaurants (Disposal Utensils and dishware)	Meals Served	5.0
9. Sit Down Restaurants	Meals Served	8.0
10. Bars, Taverns, Social Clubs (Not including food services)	Seats	8.5
11. Service Station (garages)	Service Bay	100.0
12. Car Wash	Wash Bay	247.0
13. Laundromat	Washer	123.5
14. Beauty Shop	Chair	247.0
15. Public Swimming Pool Owned and operated by a public entity or non-profit organization (Not including pool backwash or drains)	Each Pool	1,000.0

16. Schools and Daycares	r	247.0
a. Per Employee	Total # of Employees	10.0, Plus
b. Per Student	Total # of Student	8.5, Plus
c. Per Caf. Meal Service	Total of a + b above	10.0, Plus
d. Showers	Total # of Showers	100.0
17. Gym/Fitness Center	Patron	16.5
18. Post Office	Each	247.0
19. Fire House	Each	247
(Not including social clubs or residential services)		
20. Nursing Home/Hospital Bed		123.5
21. Funeral Home	Each	494.0
22. Stadium	Seat	3.0
(Not including food services)		
23. Banquet or Service Hall	Each	
a. None-food services	Seat	1.0, Plus
b. Food Services	Meal	5.0, Plus
(Disposal Utensils and dishware)		
c. Food Services	Meal	8.0, Plus
(Washable Utensils and dishware)		
24. Recreation Area w/o services	Each	247.0
25. Movie Theaters	Seat/Car	3.5
(indoor and drive in)		
26. Commercial garbage grinder	Each	247.0
27. Camps		
a. Camp Site	Site	50.0
b. RV/camper	Site	100.0
c. Laundry Services	Site	15.0
28. Churches	Seat	2.0
29. Dormitory/group housing	Bed	35.0
30. Motel/Hotel	Room	75.0

B. Existing Users and those proposed uses that can provide flow data for no less than one year from a similar facility may utilize the peak monthly recorded flow plus 10% factor of safety as the basis of EDU allocation.

C. All EDU flow calculations are subject to review and approval by the Township Engineer.

SECTION 3 - PROHIBITED WASTES

- 3.1 No Person shall discharge, or shall cause or allow to be discharged, into the Sewer System any storm sewer, surface water, artesian well water, spring water, ground water, roof runoff, subsurface drainage, building foundation drainage, cellar drainage, any swimming pool filter or pool discharges , condensate, de-ionized

water, noncontact cooling water or drainage from roof leader connections. The Commissioners may, by a Special Sewer Services Agreement, allow for such discharges with specific conditions-based recommendations for monitoring and restrictions based on recommendations from the Engineer.

3.2 Except as otherwise provided, no Person shall discharge, or cause or allow to be discharged, into the Sewer System any matter or substance:

- A. Having a temperature higher than one hundred forty degrees Fahrenheit (140° F.) or less than thirty-two degrees Fahrenheit (32° F.), or which will inhibit biological activity in the Treatment Plant resulting in Interference, but in no case which causes the temperature at the introduction into the Treatment Plant to exceed 104 degrees F (40 degrees C);
- B. Which causes Pass Through or Interference;
- C. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the Treatment Plant or to the operation of the Treatment Plant, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140° F using methods in 40 CFR 261.21. At no time shall two (2) successive readings on an explosion hazard meter, at any point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limits (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the Township, the Commonwealth or EPA has notified the User is a fire hazard or a hazard to the Sewer System;
- D. Containing any solid wastes with particles greater than one-half inch (1/2") in any dimension, resulting from preparation, cooking, and dispensing of food and from handling, storage and sale of produce, which wastes commonly are known as garbage, which have not been ground by household type garbage disposal units or other suitable garbage grinders;
- E. Containing any solids or viscous substances which may cause obstruction to flow in the Sewer System or other interference with the proper operation of the Sewer System and/or the Treatment Plant such as, but not limited to: animal guts or tissues, paunch manure, bones, hair, hides or fleshings, feathers, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, strings, wood, plastics, gas, tar, asphalt residues,

residues from refining or processing of fuel or lubricating oil, mud, glass grinding or polishing wastes, dental floss, wool or other fibers;

- F. Having a pH lower than 5.0 or higher than 10.0, or having any other corrosive property capable of causing damage or hazards to structures or equipment of the Sewer System or any Sewer or to any Person engaged in operation and maintenance of the Sewer System;
- G. Containing toxic or poisonous substances, or which result in the presence of toxic gases, vapors, or fumes, in sufficient quantity to injure or to interfere with any sewage treatment process, to constitute hazards to humans or animals or to create any hazards in sewers which shall receive treated effluent from the Sewer System;
- H. Containing dyes or other materials with objectionable color, from any source that will result in a Treatment Plant effluent exceeding limits in compliance with applicable state or federal regulations, and/or the Treatment Plant's NPDES permit;
- I. Any substance which may cause the Treatment Plant's effluent or any other product of the Treatment Plant, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the Treatment Plant cause the Township to be in non-compliance with sludge use or disposal criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or Commonwealth criteria applicable to the sludge management method being used;
- J. Containing radio-active substances and/or isotopes of such half-life or concentration that will result in a Treatment plant effluent exceeding limits in compliance with applicable state or federal regulations;
- K. Having a chlorine demand in excess of twelve (12) mg/l at a detention time of twenty (20) minutes;
- L. Prohibited by any permit issued by the Commonwealth or the EPA;
- M. Containing wastes which are not amenable to biological treatment or reduction in existing treatment facilities, specifically non-biodegradable complex carbon compounds;
- N. Having a waste strength in excess of the table below (except as authorized by written agreement);

0. Having any waste containing toxic or poisonous substances in excess of the following limits, measured at the point of discharge to the Sewer System. Any concentrations exceeding the above will be considered a Violation and subject to Surcharges.

Parameter	concentration, mg/l	Permitted Mass Loading per EDU lbs
Amonia Nitrogen as N	36	0.074
Arsenic	5.00	0.010
Barium	100.00	0.206
Benzene	0.50	0.001
BOD5	306.00	0.631
Cadmium (as Cd)	1.00	0.002
Carbon Tetrachloride	0.50	0.001
Chlordane	0.03	0.00006
Chlorobenzene	100.00	0.206
Chloroform	6.00	0.012
Chromium	5.00	0.010
o-Cresol	200.00	0.412
m-Cresol	200.00	0.412
p-Cresol	200.00	0.412
Cresci	200.00	0.412
2,4-D	10.00	0.021
1,4-Dichlorobenzene	7.50	0.015
1,2 Dichloroethane	0.50	0.0010
1,1 Dichloroethylene	0.70	0.0014
2,4 Dinitrotoluene	0.13	0.0003
Endrin	0.02	0.00004
FOG	87.00	0.179
Heptachlor	0.01	0.00002
Hexachlorobenzene	0.13	0.0003
Hexachlorobutadiene	0.50	0.0010
Hexachloroethane	3.00	0.006
Lead	5.00	0.010
Lindane	0.40	0.0008
Mercury	0.20	0.0004
Mexthoxychlor	10.00	0.021
Methyl ethyl ketone	200.00	0.412
Nitrobenzene	2.00	0.004
Pentachlorophenol	100.00	0.206
Pyridine	5.00	0.010
Selenium	1.00	0.002
Silver	5.00	0.010
Tetrachloroethylene	0.70	0.0014
Toxaphene	0.50	0.001
TP as P	21.00	0.043
Trichloroethylene	0.50	0.001
2,4,5 - Trichlorophenol	400.00	0.825
2,4,6 - Trichlorophenol	2.00	0.004
2,4,5 - TP (Silvex)	1.00	0.002
TSS	260.00	0.536
TDS	327.00	0.674
Vinyl Chloride	0.20	0.0004

- S. Containing any substance not mentioned in the foregoing list that will cause Interference or Pass Through at the Treatment Plant and exceed the maximum permitted levels for such substance under the requirements of the EPA, DRBC, BCRA, the Commonwealth or; other governmental agencies having jurisdiction;
- T. Any other substance prohibited by resolution, rule, regulation, or agreement of the Township hereafter enacted or adopted from time to time;
- U. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- V. Consisting of medical wastes, except as specifically authorized by the Township in a wastewater discharge permit;
- W. Causing, alone or in conjunction with other sources, the Treatment Plant's effluent to fail a toxicity test;
- X. Consisting of detergents, surface-active agents or other substances which may cause excessive foaming in the POTW; or
- Y. Consisting of fats, oil or greases of animal or vegetable origin in concentrations which exceed 87 mg/l or otherwise cause Interference or Pass Through.
- Z. Containing total solids of such character and quantity that unusual attention or expense is required to handle such materials at the Treatment Plant, except as may be approved in writing by BCRA and supported by the BCRA's engineers.
- AA. Containing trucked or hauled pollutants.
- BB Consisting of noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.
- CC. Containing cesspool, septic tank, porta-potty, holding tank discharges, or other septage, unless approved or consented to by the Township.
- DD. Containing sewage, water, or waste of such character and quantity that unusual attention or expense is required to handle such materials at the Treatment Plant, except as may be approved in writing by BCRA and supported by BCRA's engineers.

- EE. Containing sewage, water, or waste containing substances in demonstrated sufficient quantities, which when admixed in the total Treatment Plant influent wastewaters, will interfere with the biochemical processes of the Treatment Plant or the ultimate disposal of sludge or that will pass through the Treatment Plant and cause the effluent to exceed any Legal Requirements. No specific limits have been set herein. Actual Treatment Plant performance will be the basis for setting such limits.
 - FF. Containing Total Dissolved Solids (TDS) which cannot be removed by the treatment process, which consequently passes on to the Treatment Plant's effluent, thereby violating the Treatment Plant's NPDES permit except as may be approved in writing by the Township and BCRA.
- 3.3 Under no circumstances shall any Person discharge or cause to be discharged into the Sewer System any of the substances listed above, without first securing written permission to do so from the designated representative of the Township.
 - 3.4 Upon the promulgation of the Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Resolution for sources in that subcategory, shall immediately supersede the limitations imposed under this Resolution. The Township shall notify all affected Users of the applicable reporting requirements under 40 CFR, Section 403.12.
 - 3.5 No User shall ever increase the use of process wastewater or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the Township or the Commonwealth.
 - 3.6 Whenever a Person is authorized by the Township and the appropriate governmental agencies to discharge any Domestic Sanitary Sewage or Industrial Waste containing any of the substances or possessing any of the characteristics described above, such discharge shall be subject to the continuing approval, inspection, and review of the Township. If, in the opinion of the Township, such discharges are causing or will cause damage to the sewage system infrastructure or will cause the Township to be in violation of any agreement or order, the Township shall order the Person causing such discharge to cease doing so forthwith, or to take other appropriate action, including exercising the remedies provided in the Connection Ordinance, or delegating to another party duties to take appropriate action, to eliminate the harmful discharge.

- 3.7 Whenever the Township determines that a User is contributing to the Sewer System a Prohibited Discharge, the Owner shall be so notified and shall be required to take such corrective actions as are necessary to correct and alleviate such discharge.
- 3.8 Nothing contained herein shall be construed as prohibiting any special agreement or arrangement between the Township and the Owner of an Improved Property or other Person allowing Industrial Wastes of unusual strength or character to be admitted into the Sewer System.
- 3.9 Where necessary or appropriate, in the opinion of the Township or BCRA, the Owner of an Improved Property shall provide, at the sole expense of the Owner, suitable pretreatment facilities acceptable to the Township and BCRA.
- 3.10 Plans, specifications, and any other pertinent information relating to proposed facilities for preliminary treatment and handling of Industrial Wastes shall be submitted for approval of the Township and BCRA. No construction of any such facility shall commence until approval has been obtained, in writing, from the Township and BCRA, and until approval has been obtained from any and all regulatory bodies having jurisdiction.
- 3.11 Such facilities for preliminary treatment and handling of Industrial Wastes shall be continuously maintained, at the sole expense of the Owner, in good operating condition satisfactory to the Township and BCRA. The Township and BCRA shall have access to such facilities at reasonable times for purposes of inspection and sampling.

SECTION 4 - INDUSTRIAL WASTES AND LARGE SYSTEM USERS

- 4.1 No person shall discharge or cause to be discharged into the Sewer System any Industrial Wastes or wastes not generated from Domestic Sources without prior application for and receipt of a written permit from the Township and/or BCRA.
- 4.2 Any Person desiring to make or use a connection through which wastes not from a Domestic Source shall be discharged into the Sewer System shall file with the Township/BCRA a completed "Industrial Wastes Questionnaire", furnished by the Township/BCRA, which shall supply pertinent data, including estimated quantity of flow, characteristics and constituents of the proposed discharge. The cost of obtaining all such data shall be borne by the Person desiring to make or use the connection to the Sewer System.
- 4.3 Ten (10) days prior to the first day of January, April, July and October of each year, each Large System User shall provide a written report consisting of total anticipated flows in the following quarter, any changes in operations in the service connection, reports of any spills or exceedances, any testing requested by the Township or any

other event or potential service change which could affect the system operations or exceed hydraulic or organic loading allocation.

- 4.4. When required by the Township, the Owner of any Improved Property serviced by a Building Sewer carrying Industrial Wastes or Large System User shall install, at his expense, a suitable control manhole, together with such necessary meters and other appurtenances in the Building Sewer, to facilitate observation, sampling, and measurement of the waste flow.
- 4.5. All measurements, tests, and analyses of the characteristics of waters and wastewaters to which reference is made herein shall be performed in accordance with test method(s) approved by the U.S. Environmental Protection Agency ("EPA") under 40 C.F.R. Part 136. If 40 C.F.R. Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where EPA determines that Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Authority. Samples shall be collected at the control manhole, or in the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the Sewer System to the point at which the Building Sewer is connected, or at another location determined by the Township to be most representative of the discharge under evaluation. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of an Improved Property is appropriate or whether a grab sample or samples must be taken.)
- 4.6. The Township may, at its sole discretion, require that metering data or real time testing data, be integrated into the Township SCADA System. Such work shall be performed by the Township's Control Consultant with costs of the installation and integration being paid by the User.
- 4.7. Any Industrial Establishment discharging Domestic Sanitary Sewage and/or Industrial Wastes into the Sewer System and contemplating a change in the method of operation which will alter the characteristics and/or volume of such wastes being discharged shall notify the Township and BCRA, in writing, at least thirty (30) days prior to institution of such change.

SECTION 5 - INTERCEPTORS, GARBAGE GRINDERS, PRETREATMENT AND/OR EQUALIZATION

- 5.1 Industrial Establishments discharging Industrial Wastes shall be subject to the Rules and Regulations adopted by BCRA and attached hereto as Exhibit A. Township appoints BCRA to as its agent on its behalf with respect to the regulation of Industrial

Establishments. The Township also retains the right to provide such administration and enforcement as it deems necessary for the protection of the Township's System.

- 5.2 Grease, Oil, and Sand Interceptors shall be provided by the Owner of any Industrial, Commercial, Educational or Institutional Establishment, at his or its sole cost and expense, when required by the Township and/or BCRA, for the proper handling of liquid wastes containing excessive grease, inflammable wastes, sand, or other harmful substances. All interceptors shall be of a type and capacity approved by the Township and/or BCRA and be constructed or installed at a satisfactory location in accordance with plans approved by the Township and/or BCRA prior to installation or commencement of construction.
- 5.3 The use of mechanical garbage grinders in an Industrial, Commercial, Educational or Institutional Establishment shall not be permitted without prior written approval from the Township.
- 5.4 The Township may require Industrial, Commercial, Educational or Institutional Establishments having large variations in rates of waste discharge by way of flow rate on a daily, instantaneous or weekly or by strength of waste to install suitable regulating devices for pretreating and/or equalizing waste flows to the Sewer System when in the sole opinion of the Township Engineer that such discharges have potential to cause damage or operational concerns to the Pocono system or the BCRA WWTP.

SECTION 6 - GRINDER PUMPS

- 6.1 The Owner of any Improved Property, upon direction of the Township, shall install (unless otherwise agreed to by the Township), operate and maintain at such Owner's cost and expense, a grinder pump or similar apparatus satisfactory to the Township in the manner and at the location directed by the Township. Such grinder pump shall be installed at the time such Improved Property is connected to the Sewer System and shall be subject to inspection and approval together with the remainder of the Building Sewer.
- 6.2 All grinder pumps shall be owned and operated by the User.
- 6.3 All grinder pumps connected to a common low pressure sewer force main owned and operated by the Township shall utilize semi positive displacement type pumps with a flow rate per pump between 9 and 16 gpm regardless of operating pressures.

SECTION 7- VIOLATIONS

- 7.1 For any Violation or Significant Violation the Township may pursue any or all of the following enforcement rights and remedies as the Township, in its sole discretion, may elect:
- A. The Township shall have all Enforcement rights and remedies as set forth in the Connection Ordinance, all of which rights and remedies are incorporated herein by reference; and/or,
 - B. If a User is the source or cause, in whole or in part, of a Significant Violation and the Township either incurs, or is put on notice that it must pay, Violation Costs and/or a surcharge imposed by BCRA in relation to such Significant violation, the Township shall provide notice thereof to the User, and shall have the right to impose, demand and collect payment of/reimbursement for all such Violation Costs and surcharges imposed by BCRA upon the Township with respect to each such Significant Violation, which shall be due and payable by the User to the Township upon demand; in addition the Township may require that the User (i) indemnify and hold harmless the Township from, and pay, any and all resulting uninsured liabilities associated with such Violation Costs, (ii) pay any subrogation claims of the Township and/or (iii) pay any costs relating to obtaining any new permits and/or any increases in the insurance premiums payable by the Township resulting from such Violation or Significant Violation; and/or,
 - C. The User shall pay to the Township upon demand any surcharge(s) imposed upon the User by the Township pursuant to this Resolution.
- 7.2. In addition to the foregoing, the User shall take immediate action, with the approval of the Township, to alleviate the cause(s) of the Violation or Significant Violation, at the sole cost and expense of the User. The Township reserves all legal rights and remedies, including without limitation, the right to injunctive relief to enforce the obligation of the User to take such corrective action.

SECTION 8 - MISCELLANEOUS

- 8.1 The Township, BCRA, and their respective agents shall have the right of access, at all reasonable times, to any part of any Improved Property as necessary for purposes of inspection, observation, measurement, sampling, and testing and for performance of other functions relating to service rendered by the Township and/or BCRA. Where the Owner/User has security measures in force which would require proper identification and clearance before entry onto their premises, the Owner/User shall make the necessary arrangements with their security guards/personnel so that upon presentation of suitable identification, personnel from the Township and BCRA will be permitted to enter onto the Owner's/User's premises, without delay, for the purposes of performing their specific responsibilities.

- 8.2 The Owner of any Improved Property shall be liable for all acts of tenants or other occupants of such Improved Property, as may be permitted by law, insofar as such acts shall be governed by the provisions of this Resolution.
- 8.3 The Township may, from time to time, modify these rules and regulations as it shall deem necessary and proper in connection with the use and operation of the Sewer System (as well as BCRA in the case of the Treatment Plant), which rules and regulations shall be, shall become and shall be construed as part of this Resolution. The Township hereby adopts BCRA's Rules and Regulations (appended hereto as Exhibit A) by reference. Should any of the provisions of the rules and regulations expressly set forth in this Resolution conflict with or be inconsistent with, BCRA's Rules and Regulations, then BCRA's Rules and Regulations shall supersede and control those of the Township, except to the extent such rules and regulations of the Township are more stringent than the conflicting BCRA's Rules and Regulations.
- 8.4 Should any provision hereof be finally determined by a court of competent jurisdiction to be illegal or invalid, no other provision of this Resolution shall be affected, and this Resolution shall be construed and enforced as if such illegal or invalid provision had not been contained herein,
- 8.5 This Resolution shall be effective immediately.
- 8.6 Township shall have the right to assign any of its rights, or delegate any its duties, hereunder to a municipal authority or to another local government unit, in the Township's sole discretion.
- 8.7 This regulation shall supersede any previous regulation in the event of a conflict in standards or procedures.

DULY ADOPTED, by the Board of Commissioners of the Township of Pocono, Monroe County,
Pennsylvania, in lawful session duly assembled, this day of _____, 20____.

TOWNSHIP OF POCONO
Monroe County, Pennsylvania

BY:

Chairman of the Board of Commissioners

ATTEST_____
(Asst) Secretary of the Township

(TOWNSHIP SEAL)

Exhibit A – BCRA Rules and Regulations

Exhibit B – Tapping Fee Study

POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA
BOARD OF COMMISSIONERS

RESOLUTION NO. 2025-43

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN ACT 101, SECTION 904 RECYCLING PERFORMANCE GRANT APPLICATION TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP), BUREAU OF WASTE MANAGEMENT

WHEREAS, the Pennsylvania Department of Environmental Protection (DEP), through the Bureau of Waste Management, administers the Act 101, Section 904 Recycling Performance Grant Program to support and reward municipal recycling efforts; and

WHEREAS, Pocono Township operates and maintains municipal waste and recycling programs for the benefit of its residents, and has documented qualifying recyclable materials collected during Calendar Year 2024; and

WHEREAS, Pocono Township's recycling program is operated in accordance with the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) and the performance requirements for Section 904 grants set forth in Act 140 of 2006; and

WHEREAS, the Section 904 Recycling Performance Grant provides reimbursement to municipalities for their recycling achievements and supports continued investment in waste diversion and environmental sustainability; and

WHEREAS, the Board of Commissioners desires to apply for the Calendar Year 2024 Section 904 Recycling Performance Grant to offset local program costs and to support ongoing waste minimization and recycling initiatives:

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

1. Pocono Township is hereby authorized to submit the Calendar Year 2024 Act 101, Section 904 Recycling Performance Grant Application to the Pennsylvania Department of Environmental Protection.
2. The Township Manager is authorized to execute all documents, forms, certifications, and agreements required as part of the grant application and to act as the Township's official representative in all related matters.
3. The Board affirms that all information submitted as part of the Section 904 grant application is accurate to the best of the Township's knowledge, that Pocono Township will retain documentation supporting all reported tonnages, and that Pocono Township will comply with all program requirements upon award.

RESOLVED AND ADOPTED this ____ day of _____, 2025, by the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania.

POCONO TOWNSHIP BOARD OF COMMISSIONERS

Chairperson

Vice Chairperson

Commissioner

Commissioner

Commissioner

ATTEST:

Township Secretary

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2025-44

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE RUNNING LANE, LLC REVISED PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

WHEREAS, the applicant, Running Lane, LLC, obtained conditional approval of a preliminary/final land development plan application for a plan titled “Preliminary/Final Land Development Plan for Running Lane, LLC Land Development” (the “Plan”), as evidenced by Resolution No. 2022-05; and

WHEREAS, the Plan has been revised to include a 107-room hotel, along with revisions to the parking lot and stormwater management system (the “Revised Plan”); and

WHEREAS, the Township Engineer has reviewed the Revised Plan and offered comments in his letter dated November 11, 2025; and

WHEREAS, the Pocono Township Planning Commission recommended the conditional plan approval of the Revised Plan at a meeting held on December 8, 2025; and

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

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

That the “Preliminary/Final Land Development Plan for Running Lane, LLC Land Development” as shown on the revised plan prepared by Bue-Morris Associates, LLC, dated December 20, 2019, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer’s letter dated November 11, 2025.
2. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security, if deemed necessary by the Township.
3. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security, if deemed necessary by the Township.
4. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township, if deemed necessary by the Township.
5. The applicant shall pay all necessary fees associated with the Plan, including, but not limited to any outstanding plan account charges and all professional services fees, prior to the recording

of the Plan.

6. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.
7. The applicant shall provide three (3) mylars for recording the plans and eight (8) sets of paper prints which are signed and notarized by the owner and sealed by the engineer.
8. The applicant shall meet all conditions of the preliminary/final plan approval, and Plan shall be recorded within twelve (12) months of Conditional Preliminary/Final Plan approval, and agrees that if such conditions are not met, the Conditional Preliminary/Final Plan approval will be considered void.
9. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the _____ day of _____, 2025.

ATTEST:

Township of Pocono
Board of Commissioners

By: _____
Print Name: Jerrod Belvin
Title: Township Manager

By: _____
Print Name: Richard Wielebinski
Title: President



YOUR GOALS. OUR MISSION.

November 11, 2025

Pocono Township Board of Commissioners
205 Old Mill Road
Tannersville, PA 18372

**SUBJECT: RUNNING LANE, LLC
PRELIMINARY/FINAL LAND DEVELOPMENT PLAN REVIEW NO. 6
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
POCONO TOWNSHIP LDP NOS. 1313 & 1360, T&M PROJECT NO. POCO-R0740**

Dear Commissioners:

Pursuant to the Township's request, we have performed our sixth review of the Preliminary/Final Land Development Plan for the Running Lane, LLC Land Development. The submitted information consists of the following items.

- Response to Township Engineer comments dated March 19, 2020, prepared by Bue-Morris Associates, Inc., dated July 8, 2025
- Response to BCRA Plan Review No. 3 prepared by Bue-Morris Associates, Inc., dated October 3, 2025
- Will Serve Letter prepared by Brodhead Creek Regional Authority, dated October 15, 2025
- Response to Monroe County Conservation District Technical Review Comments, prepared by Bue-Morris Associates, Inc., dated September 22, 2025
- Final Land Development Plan (19 sheets) prepared by Bue-Morris Associates, Inc., dated December 20, 2019, revised September 29, 2025

Submitted under Separate Cover

- Sewage Facilities Planning Module Exemption Modification letter prepared by Bue-Morris Associates, Inc., with exemption form and EDU calculations
- PADEP General NPDES Permit No. PAD450053 A-1 issued October 28, 2025
- Site Improvements Cost Estimate for Security dated July 8, 2025
- Pipe Capacity Calculations dated September 11, 2025
- Post Construction Stormwater Management Report prepared by Bue-Morris Associates, Inc., dated March 12, 2025



BACKGROUND INFORMATION

The Applicant, Running Lane, LLC, is proposing a land development and minor subdivision/lot combination on an existing property located along State Route (S.R.) 0611, approximately 0.7 miles south of the intersection with Lower Swiftwater Road (S.R. 0314) (PIN No. 12-6364-04-74-4153). The existing property (Tract 1) is located within the C, Commercial Zoning District and consists of the Pocono Brewing Company with associated parking, stormwater management and on-lot water and sewer services. The existing property is split by S.R. 0611, and has a total gross area of 5.47 acres, with 0.507 acres located on the eastern side of S.R. 0611. The Pocono Brewing Company is located on the remaining western portion of the property.

The proposed Minor Subdivision/Lot Combination was conditionally approved by the Board of Commissioners at its meeting held on March 18, 2019. Vacation of a portion of Wiscasset Avenue was required as part of the Minor Subdivision/Lot Combination. Vacation was approved by the Board of Commissioners at its meeting held on October 21, 2019.

The proposed land development will occur on proposed Tract 1 and will be located on the western side of S.R. 0611. The development will consist of a 4-story, 107 room hotel with a pool. The Pocono Brewing Company will remain, and the existing parking area is proposed to be expanded. Underground stormwater management systems and a rain garden are also proposed. The site will be serviced by public water and sewer. A Conservation Easement Area is now proposed on the eastern side of State Route 0611.

In accordance with Section 405.B.1.j, the existing restaurant, and proposed hotel are permitted uses within the C, Commercial Zoning District.

The Township Board of Commissioners conditionally approved the Final Land Development Plan at its meeting held on April 16, 2020. A time extension for plan recordation to February 6, 2026 was received from Bue-Morris Associates, Inc.

The following revisions have been made to the submitted plan since Preliminary/Final Plan approval.

1. The approved plan included 90 hotel rooms. The revised plan now includes 107 hotel rooms.
2. The new hotel layout has reduced the number of parking spaces, however the required number of parking spaces is still met. One hundred eighty-four (184) parking spaces are required, and 186 parking spaces are proposed. The reduction in parking spaces does not affect the parking lot layout or circulation.
3. The number of required EDUs has increased, and sewage planning will be reviewed. Refer to Comment 2.
4. Storm sewer pipe diameters have decreased, and additional calculations will be required to confirm capacity. Refer to Comments 30 through 33.
5. Four (4) rain gardens were proposed on the approved plan and only one (1) is proposed on the submitted plan. The remaining rain garden and associated storm sewer system continue to capture and bypass off-site stormwater runoff. The proposed underground basins continue to meet the requirements of the Stormwater Management Ordinance.

Based on our review of the above information and Boucher & James, Inc.'s previous review letter dated March 19, 2020, we offer the following comments and/or recommendations for your consideration.



SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS.

1. In accordance with Sections 306.2.6.C and 406.6.J (current Sections 390-17.E.(6)(c) and 390-19.F.(6)(c)), the Applicant shall be responsible for submission of the Plan and all required supporting documentation to the Monroe County Planning Commission, the Monroe County Conservation District, PennDOT, and all other governing agencies. *The proposed Land Development requires the following agency approvals.*
 - a. *Pocono Township – Connection of proposed sanitary sewer*
The plan shall be reviewed by the Pocono Township Sewer Engineer.
 - b. *Pocono Township – Fire Company*
The Applicant indicates a verbal approval was received.
 - c. *Pennsylvania Department of Environmental Protection & Monroe County Conservation District – Letter of Adequacy and NPDES Permit for Stormwater Discharges from Construction Activities*
A Major Amendment to the existing Individual NPDES Permit was included with this submission. Permit No. PAD450053 A-1
 - d. *Pennsylvania Department of Environmental Protection – Sewage Facilities Planning Module Exemption*
A Sewage Facilities Planning Module Exemption Modification letter with exemption form and EDU calculations have been provided with this submission. Approval from PADEP is pending.
 - e. *Pennsylvania Department of Transportation – Highway Occupancy Permit*
A PennDOT HOP was issued July 3, 2019, however a revised plan is being reviewed. The revised permit shall be provided to the Township upon receipt.
 - f. *Brodhead Creek Regional Authority – Water service connection*
A will-serve letter from the Brodhead Creek Regional Authority, dated October 15, 2025 was provided with this submission

(From Previous Comment 1) All submissions, reviews and approvals shall be provided to the Township.
2. In accordance with Sections 306.6, 406.6.H.1, and 611.A (current Sections 390-19.J and 390-29.J.(8)(a)), the Township shall concurrently make its decision on the Sewage Facilities Planning Module, and if approval is granted, the completed sewage planning documents shall be forwarded to the Pennsylvania Department of Environmental Protection. Land Development Plan approval shall be conditioned upon Department of Environmental Protection sewage planning approval. ***(From Previous Comment 2) The Sewage Facilities Planning Module has been revised to***



include the required number of EDUs associated with the increase in hotel rooms. The approved Sewage Facilities Planning Module Exemption shall be provided upon receipt.

3. In accordance with Section 306.13 (current Sections 390-17.M and 390-19.Q), “upon completion of all improvements, the Applicant shall provide to the Township two (2) paper sets of plans and one (1) compact disk with the plans in PDF format certified by the Applicant’s engineer showing all such improvements installed to document conformance with the Record Plan. Failure of the Applicant to provide as-built plans shall constitute a violation of this Ordinance and shall be subject to all the enforcement proceedings contained in this Ordinance and may result in rescission of approval. (See Section 408 for As-Built requirements.)” An As-Built Plan deviating in any material respect from the Record Plan will require a revised Land Development Plan to be submitted for approval. *(Previous Comment 3) A note shall be placed on the plan. (From Previous Comment 3) Note 2.VI under the Recordation and Notice of Termination Requirements on Sheet 5 shall be revised to include the requirement that the as-built plan be submitted to the Township for review and acceptance.*
- 4.-7. Previous Comments 4 through 7 satisfied.
8. In accordance with Section 406.6.B (current Section 390-29.J.(2)), “exterior elevations of any proposed buildings including at least the front and side elevations” must be provided. *Exterior elevations of the proposed hotel must be submitted. (Previous Comment) An elevation and site plan of a similar hotel has been submitted for the Township’s review. The Township shall determine if this is acceptable. (From Previous Comment 8) Exterior building elevations were provided with a previous submission. As discussed with the Planning Commission at its meeting held on March 12, 2018, exterior elevations of the proposed hotel shall be submitted for review and comment.*
9. In accordance with Section 500 (current Section 390-32.B), no final plan shall be signed by the Board of Commissioners for recording in the office of the Monroe County Recorder of Deeds until:
 - A. All improvements required by this Ordinance are installed to the specifications contained in Article VI of this Ordinance and other Township requirements and such improvements are certified by the Applicant’s Engineer; or,
 - B. Proposed developer’s agreements and performance guarantee in accord with Section 503 and the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as amended, have been accepted by the Board of Commissioners.*(From Previous Comment 9) A performance guarantee, per Section 503, shall be provided prior to plan recordation. A Site Improvements Cost Estimate for Security was included with this submission and will be reviewed under separate cover.*
- 10.-11. Previous Comments 10 and 11 satisfied.
12. In accordance with Section 509 (current Section 390-41), “all applicants proposing any subdivision and/or land development requiring the installation of improvements as required by this Ordinance shall, prior to final plan approval by the Board of Commissioners, and if so directed by the Board



of Commissioners, enter into a legally binding development agreement with the Township whereby the developer guarantees the installation of the required improvements in accord with the approved plan and all Township requirements.” *(From Previous Comment 12) A development agreement must be executed prior to plan recordation.*

13.-18. Previous Comments 13 through 18 satisfied.

19. In accordance with Sections 615.7.D.2 and 615.9.B.11 (current Section 390-55.G.(4)(b)), landscaping shall be considered an improvement for the purposes of installation and the provision of a performance guarantee in accord with this Ordinance. In addition, the Developer or landowner shall provide to the Township a performance guarantee equal to the amount necessary to cover the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of 18 months following the installation and approval of the landscaping. *(From Previous Comment 19) The proposed landscaping must be included in the construction cost estimate.*

20. In accordance with Section 619.B (current Section 390-58.B.(1)), common open spaces, recreation areas, and/or in-lieu-of fees “shall apply to any subdivision for which a preliminary plan or a combined preliminary/final plan and any land development for which a plan is submitted after the effective date of this Section 619”. *(From Previous Comment 20) The revised plan indicates a limit of disturbance area of 4.04 acres, therefore the calculated fee in-lieu-of is \$5,656.00 (4.04 acres * \$1,400/acre)*

21.-22. Previous Comments 21 and 22 satisfied.

STORMWATER MANAGEMENT ORDINANCE COMMENTS

The proposed development is located within the McMichaels Creek Watershed and the B-2 Management District. The project site discharges to Scot Run which has a Chapter 93 Classification of High Quality (HQ).

23. In accordance with Section 701.A (current Section 365-27.A), “for subdivisions and land developments the Applicant shall provide a performance guarantee to the Municipality for the timely installation and proper construction of all stormwater management controls as required by the approved Stormwater Management Site Plan in the amount and method of payment provided for in the Subdivision and Land Development Ordinance.” *(From Previous Comment 23) The required performance guarantee must be provided prior to plan recording.*

24. Previous Comment 24 satisfied.

25. In accordance with Section 703.A (current Section 365-29.A), “prior to approval of the site’s Stormwater Management Site Plan, the Applicant shall sign and record a Maintenance Agreement in the form and substance satisfactory to the Board of Commissioners, covering all stormwater control facilities that are to be privately owned.” *(From Previous Comment 25) The required maintenance agreement must be provided prior to plan recording.*



PLAN REVISION COMMENTS

26. The plan shall be relabeled as a Preliminary/Final plan and shall include the original preliminary plan date and subsequent revisions. *(From Previous Comment 26) This shall still be addressed.*
27. On Sheet 2, the date of Revision C referenced for the Minor Subdivision/Lot Combination Plan is not consistent with our files. The plan on file is dated June 2017 and last revised December 20, 2018. Sheet 2 shall be revised accordingly. *(Previous Comment 27) This shall still be addressed.*
28. On Sheet 1, the Pocono Township Engineer signature block shall be revised to reference T&M Associates. *(New Comment)*
29. The list of modifications and sidewalk deferral on Sheet 1 shall be revised to include the approval date from the Board of Commissioners. In addition, Sections 301.1 and 301.6 shall be added to the list to allow preliminary/final plan approval, and Section 406.4 shall be revised to 406.4.A, Section 601.1.F.5.b shall be revised to 601.1.F.5.b.1, and Section 615.6 shall also include Tables 615-1 and 615-2. *(New Comment)*
30. The revised plans now propose 15-inch diameter pipe along storm sewer pipes P-25 through P-29 and P-31 through P-32. Previously, 30-inch, 24-inch, and 18-inch diameter pipes were proposed. Calculations shall be submitted showing the small diameter pipes will convey the stormwater as previously approved. In addition, the pipe diameters listed in the Storm Sewer Structure chart on Sheet 10 shall be revised for consistency with the profiles. *(New Comment)*
31. The invert elevations listed at P-8 and P-10 create a slope of 1.58% through pipe P-8. The Pipe Profile: P-8 & P-9 shall be revised. *(New Comment)*
32. The invert elevations of P-10 listed at inlet I-9 are inconsistent in Pipe Profile: P-8 & P-9 and in Pipe Profile P-10, P-9, P-6, P-4 & P-22. The profiles shall be revised, and the associated pipe slope shall be confirmed and revised as needed. The Storm Sewer Structure chart provided on Sheet 10 shall also be revised accordingly. *(New Comment)*
33. The invert up elevation of P-5 listed at inlet I-5 in the Pipe Profile: P-7 & P-5 is lower than the invert down elevation of P-5 at inlet I-6. The invert elevations shall be revised accordingly. The Storm Sewer Structure chart provided on Sheet 10 shall also be revised. *(New Comment)*
34. The reference made to P-18 in the Storm Sewer Structures chart on Sheet 10 at inlet I-12 shall be revised to P-13 for consistency with the plan view. *(New Comment)*
35. The planting schedule on Sheet 9 shall be revised to list the correct quantity of proposed plantings. *(New Comment)*

The above comments represent a thorough and comprehensive review of the information submitted, with the intent of giving the Township the best direction possible. However, due to the nature of comments, the receipt of a revised plan submission may generate new comments.

In order to facilitate an efficient re-review of revised plans, a letter shall be provided, addressing item by item, action in response to each of our comments.



If you should have any questions regarding the above comments, please call me.

Sincerely,

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

JST/meh

cc: Jerrod Belvin, Manager – Pocono Township
Paul Morgan, Zoning Officer – Pocono Township
Leo DeVito, Esquire – Township Solicitor
Lisa Pereira, Esquire – Broughal & DeVito, LLP
Silvio Vitiello, Running Lane, LLC – Property Owner/Applicant
Sarah Bue-Morris, Bue-Morris Associates, Inc. – Applicant's Engineer
Chuck Niclaus, P.E. – Barry Isett Associates
Brian D. Courtright, P.L.S. – Applicant's Surveyor
Melissa E. Hutchison, P.E. – T&M Associates

TOWNSHIP OF POCONO, MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2025-45

**A RESOLUTION GRANTING CONDITIONAL APPROVAL
OF THE BROOKDALE SPA FINAL LAND DEVELOPMENT PLAN**

WHEREAS, the Applicant, Brookdale Enterprises, LLC, submitted a final plan application titled "Brookdale Spa Land Development Plan" (the "Plan"). The Applicant proposes to construct a 2-story, 38,150 s.f. Nordic style Spa, including outdoor thermal and hydrothermal amenities. The Applicant is also proposing a 2-story, 50-bed employee housing building and a maintenance building. The property is located in the RD Recreation Zoning District and is known as Monroe County Tax ID No. 12.11.1.32-4; and

WHEREAS, the applicant previously received conditional preliminary plan approval as set forth in Resolution No. 2025-26; and

WHEREAS, the Township Engineer has reviewed the Plan and offered comments in his letters dated November 19, 2025 and December 4, 2025; and

WHEREAS, the Pocono Township Planning Commission recommended conditional final plan approval at its meeting held on December 8, 2025; and

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

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

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

1. SALDO Section 390-52.E(4)(g)[7]: Fire-flow Water Requirements. *Applicant is granted a partial waiver of this Section as it relates to water system design capacity for fire flow water and fire hydrants beyond the requirements for sprinkler systems for the Spa building and the employee housing building as required by the Building Code. Fire protection will be provided to the building by sprinklers and a dry fire hydrant will be provided on site, supplied by Brookdale Lake*
2. SALDO Section 390-38.C(3): "Any improvements which will remain private. In the case where roads, drainage facilities, a central sewage treatment system or central water supply, or any other improvements are to remain private, the developer shall provide for the establishment of an escrow fund in accord with §390-35A to guarantee the operation and maintenance of the improvements. Said fund shall be established on a permanent basis with administrative provisions approved by the Board of Commissioners. The amount of said fund shall be 15% of the construction cost of the system as verified by the Township Engineer. The maintenance and operation of the improvements and the administration of

any required maintenance fund account shall be clearly established as the joint responsibility of the owner(s) of each structure or dwelling unit served by such system. Such responsibility and the mechanism to accomplish same shall be established by deed covenants and restrictions which shall be subject to the approval of the Board of Commissioners.” *An operation and maintenance agreement and guarantee shall not be required.*

3. SALDO Sections 390-58.3B.(1), 390-58.C.(1), 390-59.F and 390-58.K.: Common Open Space, Recreation Areas, and In-Lieu Fees. *The Applicant shall not have to dedicate common open space, provide recreation areas or pay in-lieu of fees.*

That the “Brookdale Spa Land Development Plan” as shown on the final land development plan prepared by RKR Hess, dated August 30, 2024, as revised, be hereby approved with the following conditions and provided the plan is revised as follows, subject to the review and approval of the Township Engineer and/or Township Solicitor:

1. The applicant shall comply with all of the conditions and requirements identified in the Resolution No. 2025-26 pertaining to the conditional preliminary plan approval granted by the Board of Commissioners on July 7, 2025.
2. The applicant shall comply with all of the conditions and requirements identified in the Township Engineer’s letters dated November 19, 2025 and December 4, 2025.
3. The applicant shall enter into an Improvements Agreement with the Township and provide appropriate security.
4. The applicant shall enter into a Maintenance Agreement with the Township and provide appropriate security.
5. The applicant shall enter into a Stormwater Management and Maintenance Agreement with the Township.
6. The applicant shall pay all necessary fees associated with the Plan, any outstanding plan account charges and all professional services fees, prior to the recording of the Plan.
7. The applicant shall obtain all required permits and approvals from other governmental and regulatory agencies prior to presenting the Plan for signatures.
8. The applicant shall provide the requisite number of plans which are signed and notarized by the owner and sealed by the engineer.
9. The applicant shall meet all conditions of the final plan approval, and Plan shall be recorded within twelve (12) months of Conditional Final Plan approval, and agrees that if such conditions are not met, the Conditional Final Plan approval will be considered void.
10. The applicant shall accept these conditions in writing within five (5) days of receipt of the Board of Commissioners Resolution, otherwise the Plan is denied.

RESOLVED at a duly constituted meeting of the Board of Commissioners of the Township of Pocono the _____ day of _____, 2025.

ATTEST:

Township of Pocono
Board of Commissioners

By: _____
Print Name: Jerrod Belvin
Title: Township Manager

By: _____
Print Name: Richard Wielebinski
Title: President



YOUR GOALS. OUR MISSION.

December 4, 2025

Pocono Township Planning Commission
112 Township Drive
Tannersville, PA 18372

**SUBJECT: BROOKDALE SPA – 2436 BACK MOUNTAIN DRIVE
FINAL LAND DEVELOPMENT REVIEW NO. 2
POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA
POCONO TOWNSHIP LDP NO. 1425, T&M PROJECT NO. POCO-R0680**

Dear Planning Commission Members:

Pursuant to the Township's request, we have performed a review of the Final Land Development Plan Application for Brookdale Spa. The submitted information consists of the following items.

- Response letter dated November 25, 2025 prepared by UTRS.
- Updated Waiver Request.
- Updated Stormwater Calculations dated November 24, 2025.
- Inlet Drainage Area Plan Sheet C.DAI.02 prepared by RKR Hess, dated August 30, 2024, last revised November 24, 2025.
- Brookdale Spa Land Development Plan Sheets C.ES.05, C.DES.01, C.DES.02, C.PC.02, C.PST.05, and C.DPC.03 prepared by RKR Hess, last revised November 24, 2025.

BACKGROUND INFORMATION

The Applicant, Brookdale Enterprises, LLC, has submitted a Final plan proposing the Brookdale Spa Land Development on the southern side of Back Mountain Road, west of the intersection of Dyson and Brookdale Roads. The existing property, Lot 2 of the Brookdale Subdivision, is located within the RD, Recreation Zoning District and consists of a single parcel (Tax ID No. 12/11/1/32-4). The property has an area of 31.59 acres and consists of mostly woodland areas with steep slopes, the Scot Run watercourse, and wetlands.

The site is proposed to be developed with a Nordic style Spa which consists of outdoor thermal and hydrothermal amenities as well as a 2-story 38,150 s.f. building with traditional spa services, restaurant, reception area, retail spaces, and locker rooms. The plans also propose a 2-story 50-bed employee housing building and a maintenance building. The previously submitted narrative states that the spa can accommodate 400 to 525 people and will have up to 55 staff members. Spa services are booked for 4-hour sessions. The plans propose 339 parking spaces, including 9 handicap spaces, 2 bus parking spaces, and 4 off-street loading spaces. Access to the development will be via a driveway taking access from Back



Mountain Road. An existing driveway access at the west end of the property is proposed to remain, but not be improved. The plan also depicts above ground and underground stormwater management facilities. The project is proposed to be served by on-lot water and central sewage disposal via the existing Brookdale Resort Wastewater Treatment Facility.

The plan received Preliminary Land Development approval from the Board of Commissioners on July 7, 2025.

Based on our review of the above information and our previous Final Land Development Plan review letter dated November 19, 2025, we offer the following comments and/or recommendations for your consideration.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

Note that the Applicant is requesting waivers from SALDO requirements as discussed in Comments 4, 7, and 8. These waiver requests were deferred to Final Plan approval.

1. In accordance with Section 390-29.J.(7), Supporting documents and information, “Water supply information. In the case of individual on-lot wells, information documenting water table depth and potential for affecting the groundwater supply. In the case of community systems:
 - (a) A statement from a professional engineer of the type and adequacy of any community water supply system proposed to serve the project.
 - (d) Privately owned central system. A statement setting forth the proposed ownership of the system and responsibility for operation and maintenance.
 - (e) A copy of any application for any permit, license or certificate required by DEP or the Pennsylvania Public Utility Commission for the construction and operation of any proposed central water supply system. Land development plan approval shall be conditioned on the issuance of said permits by PA DEP and/or PA PUC.”

The well permit application was submitted to PADEP for review. The department issued a comment letter, and the applicant is currently addressing those comments. The permit must be received prior to the construction of any water supply facility. (Previous Comment 1) The response letter states the permit is pending PADEP signature.

2. In accordance with Section 390-29.J.(9), supporting documents to be submitted include “A list of any public utility, environmental or other permits required and if none are required, a statement to that effect. The Township may require a professional engineer's certification of such list.” In addition, and in accordance with Section 390-29.J.(19), “All required state or federal environmental and other permits.” *The Design Engineer shall submit the required list of required permits/approvals to the Township. The following outside agency approvals are required:*
 - c. *Pennsylvania Department of Environmental Protection – Sewage Facilities Planning Module, Water Supply Permit – Conditional Approval of Sewage Planning received March 24, 2025. The Water Supply Permit is currently under review with the PADEP. (Previous Comment 2) The response letter states the permit is pending PADEP signature.*



3. Previous Comment satisfied.
4. In accordance with Section 390-38.C.(3), "Any improvements which will remain private. In the case where roads, drainage facilities, a central sewage treatment system or central water supply, or any other improvements are to remain private, the developer shall provide for the establishment of an escrow fund in accord with §390-35A to guarantee the operation and maintenance of the improvements. Said fund shall be established on a permanent basis with administrative provisions approved by the Board of Commissioners. The amount of said fund shall be 15% of the construction cost of the system as verified by the Township Engineer. The maintenance and operation of the improvements and the administration of any required maintenance fund account shall be clearly established as the joint responsibility of the owner(s) of each structure or dwelling unit served by such system. Such responsibility and the mechanism to accomplish same shall be established by deed covenants and restrictions which shall be subject to the approval of the Board of Commissioners." *An operation and maintenance agreement and guarantee shall be required for the stormwater management facilities, sewage system, and water supply.*

The Applicant has requested a partial waiver to this requirement. The waiver justification states, "An operation and maintenance agreement will be provided for stormwater management facilities, the sewer system and water supply system. The requirement for operation and maintenance of these systems is the owner of the property. The agreement will confirm the responsibility of the owner to maintain the required improvements and penalties detailing the consequences if the property owner fails to properly operate and maintain these required facilities."

and

"This requirement for a guaranteed maintenance fund is appropriate where common facilities are provided by a developer and lots or portions of the project are conveyed to other owners who will be responsible for the long term maintenance of the facilities when the developer is gone. In this case, entity responsible for the operation and maintenance of the required improvements is the entity who owns the property. Because of this, we request the operation and maintenance requirements be clearly documented in agreements with the property owner but the requirement for financial security for operation and maintenance of required site improvements be waived." The Board of Commissioners must make a determination on this waiver request. (Previous Comment 4)

5. Per Section 390-52.E.(1), "Project supply. If an approved public water supply is not accessible and water is to be furnished on a project basis, the applicant shall, upon submission of the subdivision or land development plan, submit written evidence that he has complied with all Township and state regulations, and that the proposed system to be installed meets the requirements of the PA PUC, PA DEP, and any other applicable regulations." *The well permit application was submitted to PADEP for review. The department issued a comment letter, and the applicant is currently addressing those comments. The permit must be received prior to the construction of any water supply facility. (Previous Comment 5) The response letter states the permit is pending PADEP signature.*



6. Per Section 390-52.E.(4)(d), "The design and installation of any central (public or community) water supply system shall be subject to the approval of the Township, the PA DEP and other regulatory bodies having jurisdiction. Any such system shall be further subject to satisfactory provisions for the maintenance thereof. Standards and materials for the construction of any central water supply system shall meet or exceed those requirements described in the "Public Water Supply Manual of the Pennsylvania Department of Environmental Protection" and shall be subject to the approval of the Township." *The well permit application was submitted to PADEP for review. The department issued a comment letter, and the applicant is currently addressing those comments. The permit must be received prior to the construction of any water supply facility. (Previous Comment 6) The response letter states the permit is pending PADEP signature.*
7. Per Section 390-52.E.(4)(g)[7], "For any new commercial or industrial use, a minimum pressure of 30 pounds per square inch shall be provided which shall meet all potable water supply requirements for the intended use in addition to providing fire-flow water requirements for a minimum duration of two hours of not less than 500 gallons per minute at residual pressures of 30 pounds per square inch. Fire hydrants for either residential, commercial, or industrial development shall be spaced every 600 feet within the proposed development." *Documentation that the required fire flows can be met must be provided to the Township. The Applicant has requested a partial waiver to this requirement. The waiver justification states, "A waiver of the requirement is requested related to water system design capacity for fire flow water and fire hydrants beyond the requirements for sprinkler systems for the Spa building and the employee housing building as required by the Building Code." (Previous Comment 7)*
8. In accordance with the Section 390-58 Common Open Space, Recreation Areas, and In-Lieu Fees:
 - A. Section 390-58.B.(1), "This §390-58 shall apply to any subdivision for which a preliminary plan or a combined preliminary/final plan and any land development for which a plan is submitted after the effective date of this §390-58."
 - B. Section 390-58.C.(1), "The proposal for common open space, installation of recreation facilities and/or fees shall be offered for review by the Planning Commission and the Pocono Township Park and Recreation Committee."
 - C. Section 390-58.F., "Fees. If the Board of Commissioners and the applicant agree that a proposed subdivision or land development will pay fees-in-lieu of dedicating open space, this fee shall be as established by the Township Fee Schedule, which may be updated by resolution of the Board of Commissioners."
 - D. Section 390-58.K., "Timing of nonresidential fees. Fees required by this §390-58 for any nonresidential subdivision or land development shall be paid prior to the recording of the final plan of a subdivision or land development, as applicable."

*The plans do not propose any open space to be dedicated to the Township, therefore, the Applicant shall pay the applicable in-lieu fees, as required by Section 390-58. Should it be determined that open space is required and a fee in-lieu-of will be provided, would be \$28,686.00 (20.49 disturbed acres * \$1,400.00).*



The Applicant has requested waiver to this requirement. The waiver justification states, "The proposed project will provide a positive tax benefit to the Township, County and State. The project provides recreation and service to residents and guests of the community. The project does not provide new housing units that will increase the number of residents in the Township and impact the use and demand of existing open space facilities. Based on the specific characteristics of this project, a waiver request of the requirement to provide open space or a fee in lieu of open space is requested." The Board of Commissioners must make a determination on this waiver request. (Previous Comment 8)

SANITARY SEWER AND PUMP STATION COMMENTS

9. Lot 2 (this project) and Lot 3 are separate legal parcels. An easement on Lot 3, to benefit Lot 2, must be provided to allow for the installation and future maintenance of the force mains. *As noted in our previous review letters, proposed sewer easements have been indicated on the plan. The grant of the easements will be required based on the as-built of the project confirming the location of the forcemain, prior to issuance of an occupancy permit for the project. (Previous Comment 9)*
10. An easement through the Brookdale Resort property for the connection and future maintenance of the force main to the existing Wastewater Treatment Facility must be provided. *A proposed easement has been added to Sheet C.S.01. Since the properties are all controlled by the same owners, we support the applicant's request that the easements be required after the construction of the sewer forcemain prior to the issuance of an occupancy permit. (Previous Comment 10)*
11. Notation shall be added to the Site Plan stating the ownership and maintenance responsibilities of the force main and sewage pump station and the requirement for an operational plan to be prepared which includes the operation and maintenance responsibilities, schedules, and emergency contacts. This shall be provided to the Township prior to issuance of a Certificate of Occupancy. *The notation has been added. The O&M Plan shall be provided to the Township prior to issuance of a Certificate of Occupancy. (Previous Comment 11)*

WATER COMMENTS

12. The plans identify a water treatment, storage, and pump system within the maintenance building. Information related to this treatment must be provided to the Township for review. *The plan has been submitted to the PADEP, which will prepare a technical review. PADEP approval shall be provided prior to construction of any water supply facility. (Previous Comment 12) The response letter states the permit is pending PADEP signature.*
13. The project will require a water supply permit under PA Code, Title 25, Chapter 109. *PADEP approval shall be provided prior to construction of any water supply facility. (Previous Comment 13) The response letter states the permit is pending PADEP signature.*



STORMWATER MANAGEMENT ORDINANCE COMMENTS

14. In accordance with Section 365-19. B.(19), the stormwater site plan shall contain "A fifteen-foot-wide access easement to and around all stormwater management facilities that would provide ingress to and egress from a public right-of-way." *A blanket stormwater easement for access is included in Note 9 of sheet C.C.02. This blanket easement shall be included in the Stormwater Management Agreement. (Previous Comment 14)*
15. In accordance with Section 365-27. C., "At the completion of the project, and as a prerequisite for the release of the performance guarantee, the applicant or his representatives shall:
- 1) Provide a certification of completion from a Pennsylvania-licensed professional engineer, verifying that all required stormwater management facilities have been constructed according to the plans and specifications and approved revisions thereto as follows:

"I (Design Engineer), on this date (date of signature) hereby certify that the stormwater management facilities have all been installed in accordance with the approved Stormwater Management Site Plan for (name of project) and in compliance with the design standards and requirements of the Ordinance."
 - 2) Provide a set of record drawings with a certification from the contractor on the record drawings that states:

"I, (insert signer's name), state that I am the (insert position) of (insert name of contractor) on this date (date of signature), hereby certify (1) that I am duly authorized to make this certification of behalf of (insert name of contractor), and (2) that all stormwater management facilities have been constructed according to the approved plans and specifications and approved revisions thereto.""
- The certification and drawings shall be prepared and provided as required by this Section. This requirement will be included in the Stormwater Management Agreement. (Previous Comment 15)*
16. In accordance with Section 365-29., "Prior to approval of the site's stormwater management site plan, the applicant shall sign and record a maintenance agreement in form and substance satisfactory to the Board of Commissioners, covering all stormwater control facilities that are to be privately owned." *This shall be completed at the time of Final Plan approval and as required by this Section. (Previous Comment 16)*

MISCELLANEOUS COMMENTS

17. Previous Comment satisfied.



If you should have any questions, please call me.

Sincerely,

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

JST/arm

cc: Jerrod Belvin – Pocono Township Manager
Paul Morgan – Zoning Officer
Leo DeVito, Esq. – Township Solicitor
Lisa Pereira, Esq. – Broughal & DeVito, LLP
Brookdale Enterprises, LLC – Applicant
Nate Oiler, P.E. – RKR Hess, a division of UTRS, Inc.
Kristina Heaney – Monroe County Conservation District
Amy R. Montgomery, P.E. – T&M Associates
Melissa E. Hutchison, P.E. – T&M Associates



Pennsylvania
**Department of
Environmental Protection**

December 11, 2025

VIA EMAIL: garygallerie@yahoo.com

Gary Gallerie, Facility Director
Brookdale Enterprises, LLC
2813 Route 611
P.O. Box 531
Tannersville, PA 18372

Re: Noncommunity Water System Application
Construction Approval
Brookdale SPA
PWSID# 2451451
APS No. 1142059, Auth ID 1535073
Pocono Township, hvt County

Dear Gary Gallerie:

The Department of Environmental Protection (Department) has completed its review of the Noncommunity Water System Application (NCWSA) that was received on July 15, 2025, and additional information received on October 9, 2025, to construct a new groundwater supply well, disinfection facilities with contact piping, three finished water storage tanks, booster pumps, and pressure tanks with all necessary appurtenances including fire suppression capability. Based on the information provided in your NCWSA, the system appears to meet minimum Public Water System design standards.

Pursuant to 25 PA Code §109.505, the Department hereby approves your water system as described in your NCWSA subject to the Special Conditions listed below.

Special Conditions of Construction Approval:

1. The maximum instantaneous flow rate through the contact segment shall not exceed 69 gallons per minute and the minimum total contact tank volume shall not be less than 1,657.73 gallons in order to maintain a minimum of 20 minutes of contact time for Entry Point No. 100.
2. Prior to issuance of an Operation Permit, the facilities shall be properly disinfected in accordance with [25 PA Code Chapter 109.711](#) of the Safe Drinking Water regulations and the most recent procedures established by the American Water Works Association (AWWA). Water from the storage tank shall be tested for total coliforms in accordance with AWWA standards. The samples shall be analyzed by a Department-accredited laboratory. Copies of the satisfactory microbiological test results shall be submitted to the Department.

3. The maximum permitted capacity of Well 001 (TW-C) shall not exceed 69 gallons per minute.

No deviations from approved plans or specifications affecting the treatment process, quality, or quantity of water shall be made without prior written approval from the Department. If you intend to make any changes other than those described in your NCWSA, please contact the Department to obtain written authorization prior to proceeding.

The facilities approved for this public water system are contained in the enclosure to this letter titled: "Attachment A: Construction".

The proposed facilities may not be placed into service until you obtain a separate operation approval from the Department. Please notify this office within 15 days of completion of the construction. At that time, the Department may schedule an inspection of the water system.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457, Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time period. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <https://ehb.pa.gov/> or by contacting the Secretary to the Board at 717.787.3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717.787.3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

Gary Gallerie
Brookdale Enterprises, LLC

-3-

December 11, 2025

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions, please contact Deborah S. Wilkes at 570.830.3102 or dwilkes@pa.gov.

Sincerely,

Brian T. Yagiello

Brian T. Yagiello
Environmental Program Manager
Safe Drinking Water Program

Enclosure

cc: Russell Scott/RKR Hess – rscott@rkrhess.com

Attachment A

The following facilities and treatments systems are approved and shall be installed as described in your NCWS Application. The facilities and treatments systems shall be maintained and kept in working condition.

Attachment A			
<input checked="" type="checkbox"/> Well			
Well Name	TW-C (Source 001)	Maximum Instantaneous Pumping Rate	69 gpm at 251 feet TDH
Location	Lat. 41° 04' 52.41" N Long. 75° 20' 25.26" W	10 HP Goulds Model 65GS100 Submersible Well Pump with VFD	
<input checked="" type="checkbox"/> Sodium Hypochlorite Disinfection			
Chemical Feed Location	Volume (gallons)	Disinfection Segment	Baffling Factor
After Meter and Prior to Contact Piping	1,650.39	30 feet of 36" Class 52 DIP Chlorine Contact Pipe	0.9
	7.34	20 feet of 3" DR 11 HDPE Chlorine Contact Pipe	0.9
<input checked="" type="checkbox"/> Pump Station – 10 HP Triplex booster pump system (3) & Fire Pump (1)			
Location	After Storage Tanks	Number of Pumps	4 Total
Pump No.	1, 2 & 3	Pump No. 4 (Fire Pump)	Fire Pump Franklin Electric 15VR-05-00stg-10HP Vertical Multi-Stage
GPM	200 gpm (w/one pump on stand-by)	GPM	100 gpm
TDH	200 ft.	TDH	200 ft.
<input checked="" type="checkbox"/> Finished Water Storage Tank			
Name	Rotoplas	Volume	8,000 gallons (each)
Number of Tanks	3		
Type of Storage Tank	Vertical Water Storage Tank	Diameter	10 ft.
Location	After Chlorine Contact Piping	Max Water Height	13.25 ft.
Name	Norwesco, Inc. (Fire Protection Storage)	Volume	8,400 gallons
Number of Tanks	1		
Type of Storage Tank	Vertical Water Storage Tank	Diameter	10 ft.
Location	After Chlorine Contact Piping	Max Water Height	13.9ft.

Brookdale SPA
PWSID# 2451451

Name	Amtrol Well-X-Trol WX350 Pressure Tank	Volume	119 gallons (each)	
Number of Tanks	2			
Type of Storage Tank	Hydro-pneumatic Tank	Diameter	2.2 ft.	
Location	After Tri-plex domestic water pump	Max Water Height	5.2 ft.	
☑ Distribution System				
		Material(s)	HDPE	95.9%
Approximate Length	2,782 ft.		PVC	3.0 %
			DIP	1.0 %

**Pocono Township Board of Commissioners
Regular Meeting Minutes
December 2, 2025 | 6:00 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on December 2, 2025 and was opened by Chair Richard Wielebinski at 6:00 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Leo DeVito-Township Solicitor via Zoom; Jon Tresslar- Engineer; Patrick Briegel-Public Works Director; Jerrod Belvin-Township Manager; James Wagner, Chief of Police; Erica Tomas-Administrative Assistant, Paul Morgan, SFM Consulting; Jennifer Gambino, PW Asst. Mgr.

Resolutions

- Rich Wielebinski made a motion, seconded by Mike Velardi, to Table Resolution 2025-37 Accepting the revised Sewer Rules and Regulations. Ellen Gndt asked for an explanation. All in favor. Motion carried.
- Rich Wielebinski made a motion, seconded by Mike Velardi, to approve Resolution 2025-42 extending the time line on the Pocono Hospitality LDP #1341 for ~~(1-year)~~ 6 months. Ellen Gndt stated her opinion on the extension. Rollcall vote: Ellen Gndt, nay; Natasha Leap, aye; Mike Velardi, aye; Rich Wielebinski, aye. (3-1) Motion carried.

Consent Agenda

Rich Wielebinski made a motion, seconded by Mike Velardi, to approve the transfer of moneys from the General Fund to cover the bonuses for the manager in the amount of \$12,500, the public works director in the amount of \$6,500 and the Chief of Police in the amount of \$6,500 along with the appropriations list. The public commented on the matter along with Rich Wielebinski and Mike Velardi. All in favor. Motion carried.

Rich Wielebinski made a motion, seconded by Mike Velardi, to approve the Consent Agenda listed below. All in favor. Motion carried.

- Old business consisting of the minutes of the November 17, 2025 regular meeting of the Board of Commissioners. Rich Wielebinski clarified that the Board of Commissioners does not have the authority to allow anyone to encroach on wetlands as per a discussion regarding Core5 with Ellen Gndt.
- Financial transactions through December 2, 2025 as presented, including appropriations & ratification of expenditures in the amount of \$377,475.14 for the following accounts: General Fund, Sewer Operations, Gross Payroll, Capital Reserve, Construction Fund, Transfers.

NEW BUSINESS

Commissioner Comments

Richard Wielebinski – President

- Rich Wielebinski eliminated the Motion to Accept the Eligibility list of the following PTVFC members to include active firefighters, life members and active members: Harry Andress, Nick Balascsak, Preston Baransky, Mitch Bartholomew, Al Camacho, Tom Gallagher, Joe Gilliland, Brad Harrison, Chad Kilby, Bridget Kresge, Kevin Kresge Jr., Ron Labar, Paul Layman, Thomas Learn, Matthew Lentz, Julia Loua, Mike McMann, Jordan Merring, Tom Moser, Thomas Olsen, Bruce Opachinski, Ronald Otis, Chris Proulx, Robert Rasely, Gabe Romano, Corey Sayre Jessica Sayre, William Sayre, Mike Sierra, Brian Wessner, Nipper Anglemeyer, Thomas Beseckar, Donald Bonser, Ray Butz, Jim Brennan, Peter Gallagher, Robert Gupko, John Fedish, Thomas Ferrel, Paul Frantz, Paul Johnson, Jerry Lastowski,

Ray Mraz, Patrick Ross, Dennis Schmoyer, Doug Smith, Bradley Wise, Jerry Yongken, Steve Jacobs, Dave Kalucki, Chris Kinsley Jr., Chris Kinsley Sr., Robert Kinsley, Alvin Kresge Jr., Alvin Kresge Sr., Dan Kresge, Kevin Kresge, Tom Kresge, Randy Rasely, Randy Rode, Joe Folsom, Bill Sebring, Dale Sebring, Kyle Sebring, Todd Sebring, Troy Sebring, Mike Shay, Donald Simpson, Nick Starner, Amy Bullis, Gabby Bullis, Bryden Fair, Pamela Learn, Laura McMann, Angelia Myers, Mike Putnam, Abigail Putnam, Brandee Starner, Angela Tullo, Mike Velardi. Due to changes that need to be made prior to being voted upon.

Ellen Gmandt stated that she was contacted by taxpayers regarding the motions below and would like to discuss further in an executive session. Mike Velardi and Rich Wielebinski respectfully disagreed with her based upon prior discussions and motions.

- Rich Wielebinski made a motion, seconded by Mike Velardi, to award James Wagner a performance bonus of \$6,500 for his assistance in accreditation work & Police architectural assistance to be drawn from 454.110. Rollcall vote: Ellen Gmandt, nay; Natasha Leap, aye; Mike Velardi, aye; Rich Wielebinski, aye. Motion carried. Ellen Gmandt stated that she wanted to have a discussion prior to the motion and asked that the minutes reflected that.
- Richard Wielebinski made a motion, seconded by Mike Velardi, to award Patrick Briegel a performance bonus of \$6,500 for his Project Management, and utilities connections, in the construction of the new admin wing, to be drawn from 454.110. Rollcall vote: Ellen Gmandt, nay; Natasha Leap, aye; Mike Velardi, aye; Rich Wielebinski, aye. Motion carried. Ellen Gmandt stated for the same reason as the prior motion. .
- Richard Wielebinski made a motion, seconded by Mike Velardi, to award Jerrod Belvin a performance bonus of \$12,500 for his Project Management & Tech installation/ provisioning, in the construction of the new admin wing, to be drawn from 454.110. Rollcall vote: Ellen Gmandt, nay; Natasha Leap, aye; Mike Velardi, aye; Rich Wielebinski, aye. Motion carried. Ellen Gmandt stated for the same reason as the prior motions.

Natasha Leap – Vice President

Ellen Gmandt – Commissioner

- Update – Solar Field – The entire site has been stabilized. They are ceasing any construction operations until the first of the year. The Conservation District recommended they raise the skimmer on basin 305 in order to resolve prior issues. Ellen Gmandt asked regarding any prior agreements for when the site is decommissioned. Leo DeVito stated that once the lease is up they must replant all the trees.
- Ellen Gmandt made a motion, seconded by Richard Wielebinski, to forward the new map regarding the Pocono Manor Historic District re-write to the Planning Commission and MCPC for recommendation and advertise for a public hearing for the 27th of January. Discussion took place. All in favor. Motion carried.
- Ellen Gmandt made a motion, seconded by Mike Velardi, to appoint Zelenski Axelrod as Pocono Township Auditor for 2025 and have them provide a separate engagement letter to perform audit on Amusement tax specific details to be worked out with auditors and BOC for 2025 with a cost of \$19,305. Rich Wielebinski asked for explanation regarding a separate audit for amusement tax. Ellen Gmandt stated that the township has a right to go in and audit anyone who is paying that tax. All in favor. Motion carried.
- Ellen Gmandt asked regarding the Core5 warehouse questions she has for the solicitor and he hasn't heard anything yet.

Brian Winot – Commissioner

Richard Wielebinski made a motion, seconded by Natasha Leap, to approve the solicitor to advertise the draft Ordinance for the December 15th BOC meeting with a snow date of December 16th regarding Truck Traffic restrictions on Back Mountain Road and parts of Brookdale Road. All in favor. Motion carried.

Mike Velardi – Commissioner

Mike Velardi made a shout out to the DPW staff for the amazing work they do prior and during snow events.

Mike also let everyone know that he has tickets still available for the fundraisers.

Reports

Zoning Report-SFM Consulting – Paul went over the report with the board.

Police – James Wagner, Chief

The chief gave a shout out to Pat Briegel and the DPW crew for the assistance in solving the traffic nightmare that occurred at 611 and Brookdale Road today.

- Rich Wielebinski made a motion, seconded by Natasha Leap, to approve the purchase of GSA – Paragon ADA Kit in the amount of \$7,414.32. Discussion: Ellen Gndt asked if it can be purchased this year. All in favor. Motion carried.

Manager Report – Jerrod Belvin

- Police Wing Update – Thank you for the amazing work the police department does during the black Friday shopping season. Minor changes being made and ready to go out for bid in January.
- Defined Benefit Approvals – Sent to board.
- Liquid Fuels Audit – sent to board and approved for 100% allotment. Ellen Gndt asked regarding the calculation by Foster and Foster and accuracy. Jerrod Belvin confirmed they have been checked.

Public Works – Patrick Briegel

Patrick Briegel stated that the gratitude is mutual with respect to Chief Wagner's prior comments.

- The access gate for the rear parking area has been installed. We are just waiting on the controller.
- The leaf cleanup was a success. We had over three dozen residents participate and hope for even more next year. Some residents utilized the leaf drop off at MVP.
- Congratulations to the DPW crew for an amazing job with the first snow event of the season.

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

- Tree lighting December 5th
- Magic Mistletoe Market December 6th

Township Engineer Report- Jon Tresslar

- Sewer Business on going.
- Learn Road safety enhancement project and roundabout survey work is out for bid.
- TLC walking bridge – currently working on demolition plan for the existing bridge.

Township Solicitor Report-Leo V. DeVito.

- Rich Wielebinski made a motion, seconded by Natasha Leap, to advertise the Draft Ordinance Hearing for December 15th BOC meeting with a snow date of December 16th, to dissolve the PJJWA. Discussion occurred between the board. All in favor. Motion carried.
- Rich Wielebinski made a motion, seconded by Mike Velardi, to send the Draft Ordinance regarding Fowl & Recreation Use with a restriction of 5 acres or more to have a rooster. Discussion occurred between the board regarding roosters and acreage. Discussion followed by the public. All in favor. Motion carried.
- Upcoming zoning hearing December 23, to put in a small cell tower at Camelback.

- Leo thanked the board for the consideration regarding the weather and meeting attendance via zoom.

Adjournment – R. Wielebinski made a motion, seconded by M. Velardi, to adjourn the meeting 7:14 p.m. All in favor. Motion carried.

POCONO TOWNSHIP

Monday December 15, 2025

SUMMARY

Ratify

General Fund	\$	7,252.69
Payroll	\$	264,909.24
Sewer Operating	\$	656,804.20

Bill List

TOTAL General Fund	\$	103,725.55
TOTAL Sewer OPERATING Fund	\$	206,244.42
TOTAL Sewer CONSTRUCTION Fund	\$	9,719.53
TOTAL Capital Reserve Fund	\$	60,183.51
TOTAL EXPENDITURES	\$	1,308,839.14

Fire Tax Disbursement	\$	3,606.51
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Budget Adjustments

General Fund	\$	118,140.22
Capital Reserve	\$	150,000.00
Sewer Operating	\$	27,500.00

<u>Budget Appropriations</u>	\$	295,640.22
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POCONO TOWNSHIP CHECK LISTING
Monday December 15, 2025

General Fund

Payroll

Date	TYPE	Vendor	Memo	Amount
12/09/2025	TRANSFER ADP		PAYROLL 11/24/25 - 12/7/25	\$ 264,909.24
			TOTAL PAYROLL	\$ 264,909.24

General Expenditures

Date	Check	Vendor	Memo	Amount
11/24/2025	3361	Blue Ridge Communications	Internet	54.95
11/24/2025	3362	Pitney Bowes	Pocono TWP Postage Machine Rental	193.11
11/24/2025	3363	Pocono Record	BOC 10/6/25 Time Change	36.46
12/04/2025	3365	AMERICAN UNITED LIFE INSURANCE CO. GTL		3,251.88
12/04/2025	3366	Blue Ridge Communications	TLC Internet	54.95
12/04/2025	3367	Brodhead Creek Regional Authority	WATER	131.94
12/04/2025	3368	PENTELEDATA	INTERNET	846.13
12/04/2025	3369	PENTELEDATA	Internet	395.01
12/04/2025	3370	Waste Management of Pennsylvania, Inc.	Old Mill Rd Dumpster Service	188.26
12/04/2025	3372	ROCCANOVA, BRAD	12/5 & 6 Event DJ	1,900.00
12/05/2025	3373	Anthony Photo Creations	XMast Tree Lighting Photography	200.00
			TOTAL General Fund Bills	\$ 7,252.69

Sewer Operating Fund

Date	Check	Vendor	Memo	Amount
11/24/2025	1519	BLUE RIDGE COMMUNICATIONS	PHONE	132.64
11/24/2025	1520	MET-ED	ELECTRIC	519.92
12/04/2025	1521	BRODHEAD CREEK REGIONAL AUTHORITY	Water	110.60
12/04/2025	1522	First Keystone Community Bank	LOAN PRINCIPAL & INTEREST	655,686.00
12/04/2025	1523	PENTELEDATA	Sewer Modems	355.04
			TOTAL Sewer Operating Fund	\$ 656,804.20

TOTAL General Fund

TOTAL Sewer Operating

TOTAL

\$	7,252.69
\$	656,804.20
\$	664,056.89

Authorized by:
Transferred by:

POCONO TOWNSHIP CHECK LISTING

Monday December 15, 2025

General Fund

Date	Check	Vendor	Memo	Amount
12/09/2025	3374	Ace Trucking & Repairs, Inc.	Add GCW to 3 Trucks	150.00
12/09/2025	3375	AFLAC	Supplemental Ins	349.56
12/09/2025	3376	Angle, Joshua	12/4/25 Uniform Reimb	239.93
12/09/2025	3377	ARGS Technology, LLC	Nov 2025 Remote IT Services	7,729.17
12/09/2025	3378	Aspen Pest Control, LLC	Old Mill Rd Fall 2025 Pest Control	312.00
12/09/2025	3379	Auto Parts of Tannersville, Inc.	SUPPLIES	1,732.11
12/09/2025	3380	Bartholomew, Mitchell O	Uniform Reimbursement	450.00
12/09/2025	3381	Best Auto Service & Tire Center	POLICE CAR SERVICES	2,253.19
12/09/2025	3382	Bianchi, Joe	Boot Reimbursement	51.44
12/09/2025	3383	Brand, Andrew	Uniform Reimbursement	97.93
12/09/2025	3384	Brodhead Creek Regional Authority	SEWER	247.50
12/09/2025	3385	Cefali & Associates PC	Aug & Sep 2025 Treasury Services	831.25
12/09/2025	3386	Cyphers Truck Parts	10' 6 Way Coiled C for Truck 16	67.98
12/09/2025	3387	Davidheiser's Inc.	Tracker & ENRADD Testing	592.00
12/09/2025	3388	E.M. Kutz, Inc.	Head Unit w/Bracket for Truck 6	823.84
12/09/2025	3389	Espenshade, Brian	Sep - Nov 2025 Mileage Reimbursement	104.30
12/09/2025	3390	General Code	Supplement 6	5,010.00
12/09/2025	3391	Gotta Go Potities, Inc.	RENTALS	1,060.00
12/09/2025	3392	Grant Success Lab	Dec 2025 Grant Services	3,300.00
12/09/2025	3393	H. M. Beers, Inc.	Nov 2025 SEO Services	3,300.00
12/09/2025	3394	Heritage Lawn & Landscaping, LLC	Old Mill Rd Tree Removal	1,250.00
12/09/2025	3395	HUNTER KEYSTONE PETERBILT, L.P.	Antenna & LTD Classic	337.42
12/09/2025	3396	Iadisernia, John	11/22/25 Uniform Reimb	279.07
12/09/2025	3397	Iannazzo, Marc	TRAINING TRAVEL REIMBURSEMENT	216.54
12/09/2025	3398	Jan-Pro of NEPA	CLEANING	2,520.12
12/09/2025	3399	Kimball Midwest	Screws; Cable Ties; Receptacle	156.00
12/09/2025	3400	Lauter, Kevin	11/25/25 Uniform Reimb.	250.02
12/09/2025	3401	Locust Ridge Quarry	STONE	3,730.58
12/09/2025	3402	Marshall Machinery, Inc.	Shear Bolts	72.20
12/09/2025	3403	MAULA MAURA	YOGA IN THE PARK	75.00
12/09/2025	3404	Melley, Ryan	11/28/25 Boot Reimb	126.00
12/09/2025	3405	MelLife - Non Uni. Pen. Plan	PENSION	9,207.33
12/09/2025	3406	Mountain Road Feed Store	Straw & Grass Seed for Kenny's Way	635.75
12/09/2025	3407	MRM Workers' Compensation Pooled Trust	Install 4 of 12	19,249.31
12/09/2025	3408	Nationwide - 457	Pocono TWP 457 Plan	5,049.36
12/09/2025	3409	NEPA Business Technologies LLC	Dec 2025 Phone System Support	98.00
12/09/2025	3410	Pocono Record	NOTICES	1,433.56
12/09/2025	3411	Portland Contractors, Inc.	Nov 2025 Op & Directions	350.00
12/09/2025	3412	PPL Electric Utilities	ELECTRIC	1,404.32
12/09/2025	3413	Schmatter, John	12/3/25 Uniform Reimb	450.00
12/09/2025	3414	Smith, Doug	11/19/25 Uniform Reimb.	327.75
12/09/2025	3415	Staples	Copy Paper	212.45
12/09/2025	3416	Steele's Hardware, Inc.	SUPPLIES	59.32
12/09/2025	3417	Steele's Hardware, Inc.	SUPPLIES	365.62
12/09/2025	3418	Steele's Hardware, Inc.	Electrical Tape	8.99
12/09/2025	3419	Stettler, Jr. Michael	12/7/25 Uniform Reimb	224.99

12/09/2025 3420	STTC Service Tire Truck Centers, INC.	Goodyear Tires 6ea for Truck 15	2,158.42
12/09/2025 3421	Teamster Local 773 - Non-Uniform	Nov/Dec 2025 Union Dues	1,944.00
12/09/2025 3422	Teamster Local 773 - Police	Nov/Dec 2025 Union Dues	3,652.00
12/09/2025 3423	Terrence P. Brennan, M.A.	6/17/25 Gupko Testing	400.00
12/09/2025 3424	TRAISR, LLC	Oct 2025 SaaS	733.33
12/09/2025 3425	Tulpehocken Mountain Spring Water Inc	December 2025 Monthly Activity No Invoice #	10.00
12/09/2025 3426	ULINE	LOCKERS, FURNITURE	2,396.36
12/09/2025 3427	UNIFIRST Corporation	TWP Mals	98.32
12/09/2025 3428	US BANK - Lockbox CM9722	Police Pension EE Contribution	7,426.31
12/09/2025 3429	Waldren, Robert	12/1/25 Uniform Reimb	289.95
12/09/2025 3430	Wardnick Welding & Fabrication LLC	Welding for Old Mill Rd	625.00
12/09/2025 3431	Wilson Products Compressed Gas Co.	Argon & Oxygen Cylinder Rentals	316.87
12/09/2025 3432	Wittel, Jason	6 Trucks w/2 Door Lettering	450.00
12/09/2025 3433	World Fuel Services, Inc.	FUEL	6,453.09
TOTAL GENERAL FUND			\$103,725.55

Sewer Operating Fund

Date	Check	Vendor	Memo	Amount
12/09/2025 1524		BRODHEAD CREEK REGIONAL AUTHORITY	PA One Call Dec 2025	1,500.00
12/09/2025 1525		BRODHEAD CREEK REGIONAL AUTHORITY	Dec 2025 O&M	122,164.75
12/09/2025 1526		BRODHEAD CREEK REGIONAL AUTHORITY	Manko/Gold/Katcher/Fox Inv 12408-00009-127656	20,819.60
12/09/2025 1527		BROUGHAL & DEVITO, L.L.P.	Sewer Matters	544.50
12/09/2025 1528		EEMA O&M Services Group, Inc.	O&M Dec 2025	16,259.82
12/09/2025 1529		Evoqua Water Technologies LLC	BIOXIDE	9,733.46
12/09/2025 1530		Henry's Generator Service	Pump Station 5 Service	3,474.00
12/09/2025 1531		PA One Call System, Inc.	Sewer Mapping	88.89
12/09/2025 1532		Pocono Township	Admin Serv & Overhead	30,606.50
12/09/2025 1533		Steele's Hardware, Inc.	SUPPLIES	52.05
12/09/2025 1534		Steele's Hardware, Inc.	Pipe Insulation for Old Mill Rd Sewer	7.18
12/09/2025 1535		SUBURBAN TESTING LABS	Monthly NPDES	527.00
12/09/2025 1536		TRAISR, LLC	Oct 2025 SaaS	366.67
TOTAL Sewer Operating Fund				\$206,244.42

Sewer Construction Fund

Date	Check	Vendor	Memo	Amount
12/09/2025 1031		Central Clay Products, Inc.	Sewer Line Products for Old Mill Rd	165.44
12/09/2025 1032		Eureka Stone Quarry	Seasonal 5.9820 In for Old Mill Rd Sewer/Water	429.33
12/09/2025 1033		Fry's Plastic, LLC	2 x 200' IDR 9 for Old Mill Rd Sewer/Water Hookup	677.51
12/09/2025 1034		L & N Zimmerman Excavating Inc.	2623 PA 715 Sewer Lateral	7,040.50
12/09/2025 1035		Locust Ridge Quarry	2A 33.27 In for Old Mill Rd Sewer/Water	1,372.79
12/09/2025 1036		STEELES HARDWARE INC	PVC Couple; Flex Couple; Pipe Joint Compound for Old Mill Rd Sewer Line	33.96
TOTAL Sewer Construction Fund				\$9,719.53

Capital Reserve Fund

Date	Check	Vendor	Memo	Amount
12/09/2025 1149		Barco Products, LLC	Picnic Table & Bench, Solar Lamp for TLC Park	4,034.72
12/09/2025 1150		FNB EQUIPMENT FINANCE	Lease Pmt	46,683.79
12/09/2025 1151		Freedom Sports LLC	Police supplies	9,465.00

Liquid Fuels

TOTAL Capital Reserve Fund \$60,183.51

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

Fire Tax Disbursement

Date	Check	Payee	Memo	Amount
12/15/2025	1068	CHELSEA POCONO FINANCE LLC	COUNTY REASSESSMENT	\$ 3,606.51
				TOTAL Fire Tax <u>\$3,606.51</u>

General Fund	\$	103,725.55	
Sewer Operating	\$	206,244.42	Authorized by: _____
Sewer Construction Fund	\$	9,719.53	
Capital Reserve	\$	60,183.51	
Fire Tax Disbursement	\$	3,606.51	
TOTAL	\$	383,479.52	Transferred by: _____

BUDGET ADJUSTMENTS REQUEST 2025

Monday December 15, 2025

GENERAL FUND		FROM	Amount	TO	Amount	Explanation
471.100 · New Twp Complex Principal			7,000.00	403.310 · Tax Collection Professional Srv	7,000.00	Line needs to be increased to cover deficit
			500.00	407.451 · GEN GOV IT CONTRACTED SERVICES	500.00	Line needs to be increased to cover deficit
			500.00	410.270 · Police IT	500.00	Line needs to be increased to cover deficit
			1,500.00	454.450 · Park Contracted Services	1,500.00	Line needs to be increased to cover deficit
			600.00	405.120 · Secretary OT	600.00	Line needs to be increased to cover deficit
			200.00	410.187 · Police Overtime Civ Support	200.00	Line needs to be increased to cover deficit
			4,000.00	401.200 · Administration Allowances	4,000.00	Line needs to be increased to cover deficit
			1,000.00	409.220 · Building Operating Supplies	1,000.00	Line needs to be increased to cover deficit
			2,000.00	406.340 · Gen Govt Advertising & Printing	2,000.00	Line needs to be increased to cover deficit
			17,300.00		17,300.00	
TOTAL ADJUSTMENTS						
CAPITAL RESERVE			Amount	TO	Amount	Explanation
		401.000 MUNICIPAL CAPITAL COMPREHENSIVE	150,000.00	410.000 POLICE CAPITAL COMPREHENSIVE	150,000.00	Line needs to be increased to meet expenses for the remainder of the year
SEWER OPERATING			Amount	TO	Amount	Explanation
		471.200 1ST KEYSTONE PRINCIPAL	27,500.00	429.200 BCRA SEWAGE TREATMENT	27,500.00	Line needs to be increased to meet expenses for the remainder of the year
GENERAL FUND						
	FROM	ORIGINAL BUDGET	Increase/(Decrease)	ADJUSTED BUDGET		Explanation
	387.100 CONTRIBUTIONS & DONATIONS	\$ 60,600.00	\$	860.00	\$ 61,460.00	No effect on fund balance. Revenue offsets expenditure.
	457.450 COMMUNITY EVENTS	\$ 72,600.00	\$	860.00	\$ 73,460.00	No effect on fund balance. Revenue offsets expenditure.
SEWER OPERATING				ADJUSTED BUDGET		Explanation
	FROM	ORIGINAL BUDGET	Increase/(Decrease)			
	341.010 INTEREST ON INVESTMENTS	\$ 100,000.00	\$	103,287.26	\$ 203,287.26	No effect on fund balance. Revenue offsets expenditure.
	429.300 PROFESSIONAL SERVICES	\$ 447,289.00	\$	63,169.01	\$ 510,458.01	No effect on fund balance. Revenue offsets expenditure.
	429.374 EQUIPMENT REPAIR & MAINTENANCE	\$ 100,000.00	\$	40,118.25	\$ 140,118.25	No effect on fund balance. Revenue offsets expenditure.

Member	Status	Hire Date
	** deceased	
Bullis, Amy	Active and Honorary	
Bullis, Gabbi	Active Member	
Kresge, Jame	Active Member	
Learn, Pam	Active Member	
McMann, Laura	Active Member	
Myers, Angelia	Active Member	
Putnam, Abby	Active Member	
Putnam, Mike	Active Member	
Starner, Brandee	Active Member	
Tullo, Angela	Active Member	
Boylan, Maryann	Aux.	
Brennan, Laura	Aux.	
Chirip, Joann	Aux.	
DeHaven, Lorrie	Aux.	
Frantz, Mary	Aux.	
Getz, Jericha	Aux.	
Gilliland, Cadi	Aux.	
Kinyon, Kim	Aux.	
Kornecki, Jennifer	Aux.	
Kresge, Dorothy	Aux.	
Kresge, Therea	Aux.	
Nellegar, Mary	Aux.	
Rice, Elaine	Aux.	
Sebring, Susan	Aux.	
Volpe, Heather	Aux.	
Widdoss, Anna	Aux.	
Ackerman, Dee	Aux. & Honorary	
Baransky, Preston	Fire Police	
Layman, Paul	Fire Police	
Opachinski, Bruce	Fire Police	
Veit, John	Fire Police	
Andress, Harry	Fire Police	
Ahmad, Daniel	Firefighter	

Balascsak, Nick	Firefighter	
Bartholomew, Mitchell	Firefighter	
Camacho, Al	Firefighter	
Culbert, Christian	Firefighter	
Gallagher, Tommy	Firefighter	
Gilliland, Joe	Firefighter	
Harrison, Brad	Firefighter	
Kilby, Chad	Firefighter	6/22/2007
Kresge, Bridgette	Firefighter	
Kresge, Kevin Jr.	Firefighter	
Kresge, Logan	Firefighter	
LaBar, Ronald	Firefighter	
Learn, Thomas	Firefighter	
Lentz, Matthew	Firefighter	
Loua, Julia	Firefighter	
McCrabb, Jason	Firefighter	
McMann, Michael	Firefighter	
Merring, Jordan	Firefighter	
Möser, Tom	Firefighter	
Olsen, Thomas (TJ)	Firefighter	
Otis, Ronald	Firefighter	
Ramierz, Y. (Jay)	Firefighter	
Rasely, Robert	Firefighter	
Romano, Gabe	Firefighter	
Sayre, Bill	Firefighter	
Sayre, Corey	Firefighter	
Sayre, Jessica	Firefighter	
Sierra, Mike	Firefighter	
Wessner, Brian	Firefighter	
Harrison, Emily	Jr. Firefighter	
Sebring, Blake	Jr. Firefighter	
Angle, Josh	Life	
Anglemeier, Nipper	Life	
Besecker, Thomas	Life	
Bonser, Donald	Life	

Brennan, Jim	Life	
Butz, Ray	Life	
DeHaven, Tracy	Life	
Fedish, John	Life	
Ferral, Thomas	Life	
Folsom, Joe	Life	
Furino, Salvatore	Life	
Gallagher, Pete	Life	
Getz, Edward	Life	
Gupko, Robert	Life	
Hamill, Pete	Life	
Hazen, Gerry	Life	
Jacobs, Steve	Life	
Johnson, Paul	Life	
Kalucki, Dave	Life	
Kinsley, Chris Jr.	Life	
Kinsley, Chris Sr.	Life	
Kinsley, Robert	Life	
Kresge, Alvin	Life	
Kresge, Alvin Jr.	Life	
Kresge, Daniel	Life	
Kresge, Kevin Sr.	Life	
Kresge, Tom	Life	
Lastowski, Jerry	Life	
Loysen, Jim	Life	
Manuel, Jack Jr.	Life	
Meixell, Gary	Life	
Mraz, Ray	Life	
Mraz, Scott	Life	
O'Neal, Jame	Life	
Proulx, Chris	Life	
Rasely, Randy	Life	
Rode, Randal	Life	
Schmoyer, Dennis	Life	
Sebring, Dale	Life	

Sebring, Dan	Life	
Sebring, Kyle	Life	
Sebring, Todd	Life	
Sebring, Troy	Life	
Sebring, William	Life	
Shay, Mike	Life	
Shick, James	Life	
Shock, Jim	Life	
Smith, Doug	Life	
Starnner, Nicholas	Life	
Vanfleet, Kyle	Life	
Wise, Bradley	Life	
Woodman, Scott	Life	
Youngken, Jerry	Life	
Ross, Patrick	Life	
Simpson, Donald	Life/Honorary Chief	

Notary Acknowledgement Form

STATE OF PENNSYLVANIA

COUNTY OF MONROE

On the 10th day of December in the year 2025 before me, the undersigned notary public, personally appeared Jordan Merring personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the Instrument.



Jordan Merring, Fire Chief, Pocono Township

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

My term expires: 7/1/2029

Notary Public

(NOTARY SEAL)



Commonwealth of Pennsylvania - Notary Seal
Krisann MacDougall, Notary Public
Monroe County
My commission expires February 1, 2029
Commission number 1099593
Member, Pennsylvania Association of Notaries

PUBLIC NOTICE

POCONO TOWNSHIP

2026 PUBLIC MEETING SCHEDULE

BOARD OF COMMISSIONERS MEETINGS

The Pocono Township Board of Commissioners will meet the 1st and 3rd Monday of each month at 6 p.m., except holidays (when the meeting shall be moved to Tuesday), and unless otherwise advertised, at the Pocono Township Municipal Building, 205 Old Mill Road, Tannersville, PA. The Board of Commissioners will discuss public sewer business during their first regularly scheduled meeting each month.

Meeting dates: January 5 Reorganization and regular meeting and January 20; February 2 and 17; March 2 and 16; April 6 and 20; May 4 and 18; June 1 and 15; July 6 and 20; August 3 and 17; September 8 and 21; October 5 and 19; November 2 and 16; December 7 and 21.

PLANNING COMMISSION MEETINGS

The Pocono Township Planning Commission will meet the 2nd Monday of each month at 6 p.m. for general business, except holidays (when meetings shall be moved to Tuesday). The Planning Commission shall conduct a Work Session on the 4th Monday of each month to review amendments to the Township's Zoning Ordinance and SALDO, unless otherwise advertised below due to a holiday.

Meeting dates: January 12 and 26; February 9 and 23; March 9 and 23; April 13 and 27; May 11 and 26; June 8 and 22; July 13 and 27; August 10 and 24; September 14 and 28; October 13 and 26; November 9 and 23; December 14 and 28.

If you require special accommodations to attend a public meeting, please contact the Township at 570-629-1922 to discuss how Pocono Township may best accommodate your needs.

Fw: Email of Resignation

From Jerrod Belvin <JBelvin@poconopa.gov>
Date Thu 12/11/2025 3:07 PM
To Krisann MacDougall <kmacdougall@poconopa.gov>

From: bwinot@nesitecontractors.com <bwinot@nesitecontractors.com>
Sent: Thursday, December 11, 2025 1:29 PM
To: Jerrod Belvin <JBelvin@poconopa.gov>
Subject: Email of Resignation

Jerrod,

Effective immediately I resign as a Pocono Township Commissioner. Thank you and the rest of the BOC for the opportunity to serve my community.

Be Well,



CONFIDENTIALITY NOTICE: This email and any files transmitted herewith are intended solely for the use of the individual or entity to which they are addressed and may contain confidential and privileged information protected by law. If you received this email in error, please notify the sender immediately by return email, delete this communication, and destroy all copies thereof. If you are not the intended email recipient, any further review, use, dissemination, distribution, or copying of this email is strictly prohibited.

An official website of the United States government [Here's how you know](#)

Home of the Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) is a place where you can find information about the Department's mission, vision, and values. It is also a place where you can find information about the Department's programs and services. The Department's website is updated on a regular basis to ensure that it is current and accurate.

2025-2026 | 2024-2025 | 2023-2024 | 2022-2023

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IN THIS SECTION

Cargo Securement Rules

Background

On September 27, 2002, the Federal Motor Carrier Safety Administration (FMCSA) published new cargo securement rules. Motor carriers operating in interstate commerce must comply with the new requirements beginning January 1, 2004. The new rules are based on the North American Cargo Securement Standard Model Regulations, reflecting the results of a multi-year research program to evaluate U.S. and Canadian cargo securement regulations; the motor carrier industry's best practices; and recommendations presented during a series of public meetings involving U.S. and Canadian industry experts, Federal, State and Provincial enforcement officials, and other interested parties. The new rules require motor carriers to change the way they use cargo securement devices to prevent articles from shifting on or within, or falling from commercial motor vehicles. The changes may require motor carriers to increase the number of tiedowns used to secure certain types of cargo. However, the rule generally does not prohibit the use of tiedowns or cargo securement devices currently in use. Therefore, motor carriers are not required to purchase new cargo securement equipment or vehicles to comply with the rule. The intent of the new requirements is to reduce the number of accidents caused by cargo shifting on or within, or falling from, commercial motor vehicles operating in interstate commerce, and to harmonize to the greatest extent practicable U.S., Canadian, and Mexican cargo securement regulations.

Applicability of the New Rules

The new cargo securement rules apply to the same types of vehicles and cargo as the old rules, covering all cargo-carrying commercial motor vehicles (as defined in 49 CFR 390.5) operated in interstate commerce. This includes all types of articles of cargo, except commodities in bulk that lack structure or fixed shape (e.g., liquids, gases, grain, liquid concrete, sand, gravel, aggregates) and are transported in a tank, hopper, box or similar device that forms part of the structure of a commercial motor vehicle.

Performance Criteria

FMCSA has adopted new performance requirements concerning deceleration in the forward direction, and acceleration in the rearward and lateral directions, that cargo securement systems must withstand. Deceleration is the rate at which the speed of the vehicle decreases when the brakes are applied, and acceleration is the rate at which the speed of the vehicle increases in the lateral direction or sideways (while the vehicle is turning), or in the rearward direction (when the vehicle is being driven in reverse and makes contact with a loading dock). Acceleration and deceleration values are commonly reported as a proportion of the acceleration due to gravity (g). This acceleration is about 9.8 meters/second/second (32.2 feet/second/second), which means that the velocity of an object dropped from a high elevation increases by approximately 9.8 meters/second (32.2 feet/second) each second it falls. FMCSA requires that cargo securement systems be capable of withstanding the forces associated with following three deceleration/accelerations, applied separately:

1. 0.8 g deceleration in the forward direction;
2. 0.5 g acceleration in the rearward direction; and
3. 0.5 g acceleration in a lateral direction.

These values were chosen based on researchers' analysis of studies concerning commercial motor vehicle performance. The analysis indicated that the highest deceleration likely for an empty or lightly loaded vehicle with an antilock brake system, all brakes properly adjusted, and warmed to provide optimal braking performance, is in the range of 0.8-0.85 g. However, a typical loaded vehicle would not be expected to achieve a deceleration greater than 0.6 g on a dry road. The typical lateral acceleration while driving in a curve or on a ramp at the posted advisory speed is in the range 0.05-0.17 g. Loaded vehicles with a high center of gravity roll over at a lateral acceleration above 0.35 g. Lightly loaded vehicles, or heavily loaded vehicles with a lower center of gravity, may withstand lateral acceleration forces greater than 0.5 g.

Generally, motor carriers are not required to conduct testing of cargo securement systems to determine compliance with the performance requirements. The new rules explicitly state that cargo immobilized or secured in accordance with the general securement rules, or the commodity-specific rules, are considered to meet the performance criteria.

Requirements for Securement Devices

The new rules require that all devices and systems used to secure cargo to or within a vehicle must be capable of meeting the performance criteria. All vehicle structures, systems, parts and components used to secure cargo must be in proper working order when used to perform that function with no damaged or weakened components that could adversely affect their performance. The cargo securement rules incorporate by reference manufacturing standards for certain types of tiedowns including steel strapping, chain, synthetic webbing, wire rope, and cordage. FMCSA has updated the rules to reference the November 15, 1999, version of the National Association of Chain Manufacturers (NACM) Welded Steel Chain Specifications. The agency notes that some of the working load limit values in the 1999 version differ slightly from the previous edition of this publication. Also, the 1999 version includes working load limits for a new grade of alloy chain, grade 100. The agency also changed its reference for synthetic webbing from the 1991 edition to the 1998 edition of the Web Sling and Tiedown Association's publication. Generally, the working load limits are the same as those in the 1991 publication. Changes in the references do not necessarily mean the older securement devices need to be replaced. Motor carriers are not required to replace tiedown devices purchased prior to January 1, 2004. If the tiedowns satisfied the old rules, the devices should also satisfy the new rules.

Proper Use of Tiedowns

The new regulations require each tiedown to be attached and secured in a manner that prevents it from becoming loose, unfastening, opening or releasing while the vehicle is in transit. All tiedowns and other components of a cargo securement system used to secure loads on a trailer equipped with rub rails must be located inboard of the rub rails whenever practicable. Also, edge protection must be used whenever a tiedown would be subject to abrasion or cutting at the point where it touches an article of cargo. The edge protection must resist abrasion, cutting and crushing.

Use of Unmarked Tiedowns

The new rules do not prohibit the use of unmarked tiedown devices. Although many of the participants in the public meetings and numerous commenters to the rulemaking proposal argued the rules should include such a prohibition, FMCSA believes it is inappropriate to prohibit unmarked tiedowns at this time. However, in view of the potential safety hazards of motor carriers misidentifying unmarked tiedowns, there is a provision that unmarked welded steel chain be considered to have a working load limit equal to that of grade 30 proof coil, and other types of unmarked tiedowns be considered to have a working load limit equal to the lowest rating for that type in the table of working load limits.

Unrated and Unmarked Anchor Points

FMCSA's cargo securement rules do not require rating and marking of anchor points. While the agency encourages manufacturers to rate and mark anchor points, the new rules do not include a requirement for ratings and markings.

Front End Structures on CMVs

FMCSA revised its rules concerning front-end structures or headerboards by changing the applicability of the requirements to cover CMVs transporting cargo that is in contact with the front-end structure of the vehicle. By contrast, the old rules required certain vehicles to be equipped with front-end structures regardless of whether the devices were used as part of a cargo securement system.

Summary of the new cargo rules

The new cargo securement rules include general securement rules applicable to all types of articles of cargo, with certain exceptions, and commodity-specific rules covering commodities that are considered the most difficult to determine the most appropriate means of securement. Requirements concerning securement, working load limits, blocking and bracing are applicable to all commodities being transported. The commodity-specific requirements take precedence over the general rules when additional requirements are given for a commodity listed in those sections. This means all cargo securement systems must meet the general requirements, except to the extent a commodity-specific rule imposes additional requirements that prescribe in more detail the securement method to be used.

General Rule

Cargo must be firmly immobilized or secured on or within a vehicle by structures of adequate strength, dunnage (loose materials used to support and protect cargo) or dunnage bags (inflatable bags intended to fill space between articles of cargo or between cargo and the wall of the vehicle), shoring bars, tiedowns or a combination of these.

Cargo Placement and Restraint

Articles of cargo that are likely to roll must be restrained by chocks, wedges, a cradle or other equivalent means to prevent rolling. The means of preventing rolling must not be capable of becoming unintentionally unfastened or loose while the vehicle is in transit. Articles of cargo placed beside each other and secured by transverse tiedowns must be:

1. Placed in direct contact with each other, or
2. Prevented from shifting towards each other while in transit.

Minimum Working Load Limit for Cargo Securement Devices and Systems

The aggregate working load limit of any securement system used to secure an article or group of articles against movement must be at least one-half the weight of the article or group of articles. The aggregate working load limit is the sum of: One-half the working load limit of each tiedown that goes from an anchor point on the vehicle to an attachment point on an article of cargo; and The working load limit for each tiedown that goes from an anchor point on the vehicle, through, over or around the cargo and then attaches to another anchor point on the vehicle.

Minimum Number of Tiedowns

The cargo securement system used to restrain articles against movement must meet requirements concerning the minimum number of tiedowns. This requirement is in addition to complying with rules concerning the minimum working load limit. When an article of cargo is not blocked or positioned to prevent movement in the forward direction, the number of tiedowns needed depends on the length and weight of the articles. There must be - one tiedown for articles 5 ft or less in length, and 1,100 lbs or less in weight; two tiedowns if the article is -

1. 5 ft or less in length and more than 1,100 lbs in weight; or
2. greater than 5 ft but less than 10 ft, regardless of weight.

In the following example, one tiedown is required because the article of cargo is 5 ft in length and does not exceed 1,100 lbs. If the article of cargo were greater than 5 ft in length but less than 10 ft, two tiedowns would be needed regardless of the weight. When an article of cargo is not blocked or positioned to prevent movement in the forward direction, and the item is longer than 10 ft in length, then it must be secured by two tiedowns for the first 10 ft of length, and one additional tiedown for every 10 ft of length, or fraction thereof, beyond the first 10 ft. An example of this is provided below. If an article is blocked, braced or immobilized to prevent movement in the forward direction by a headerboard, bulkhead, other articles that are adequately secured, or other appropriate means, it must be secured by at least one tiedown for every 10 ft of article length, or fraction thereof.

Special Rule for Special Purpose Vehicles

Generally, the basic rules concerning the minimum number of tiedowns do not apply to a vehicle transporting one or more articles of cargo such as, but not limited to, machinery or fabricated structural items (e.g., steel or concrete beams, crane booms, girders, and trusses, etc.) which, because of their design, size, shape or weight, must be fastened by special methods. However, any article of cargo carried on that vehicle must be secured adequately to the vehicle by devices that are capable of meeting the performance requirements and the working load limit requirements.

Commodity-Specific Securement Requirements

FMCSA has adopted detailed requirements for the securement of the following commodities: logs; dressed lumber; metal coils; paper rolls; concrete pipe; intermodal containers; automobiles, light trucks and vans; heavy vehicles, equipment and machinery; flattened or crushed vehicles; roll-on/roll-off containers; and large boulders. During public meetings concerning the development of the model regulations, participants said that these commodities cause the most disagreement between industry and enforcement agencies as to what is required for proper securement.

393.116 - Logs

The rules for the transportation of logs are applicable to the transportation of almost all logs with the following exceptions:

1. Logs that are unitized by banding or other comparable means may be transported in accordance with the general cargo securement rules.
2. Loads that consist of no more than four processed logs may be transported in accordance with the general cargo securement rules.
3. Firewood, stumps, log debris and other such short logs must be transported in a vehicle or container enclosed on both sides, front, and rear and of adequate strength to contain them. Longer logs may also be transported in an enclosed vehicle or container.

393.118 - Dressed Lumber and Similar Building Products

The rules in this section apply to the transportation of bundles of dressed lumber, packaged lumber, building products such as plywood, gypsum board or other materials of similar shape. Lumber or building products that are not bundled or packaged must be treated as loose items and transported in accordance with the general cargo securement rules. For the purpose of this section, the term " bundle " refers to packages of lumber, building materials or similar products which are unitized for securement as a single article of cargo.

393.120 - Metal Coils

The rules in this section apply to the transportation of one or more metal coils which, individually or grouped together, weigh 2,268 kg (5,000 lbs) or more. Shipments of metal coils that weigh less than 2,268 kg (5,000 lbs) may be secured in accordance with the general cargo securement rules.

393.122 - Paper Rolls

The rules for securing paper rolls are applicable to shipments of paper rolls which, individually or together, weigh 2,268 kg (5,000 lbs) or more. Shipments of paper rolls that weigh less than 2,268 kg (5,000 lbs), and paper rolls that are unitized on a pallet, may either be secured in accordance with the rules in this section or the general cargo securement rules.

393.124 - Concrete Pipe

The rules in this section apply to the transportation of concrete pipe on flatbed trailers and vehicles and lowboy trailers. Concrete pipe that is bundled tightly together into a single rigid article with no tendency to roll, and concrete pipe loaded in a sided vehicle or container must be secured in accordance with the general rules.

393.126 - Intermodal Containers

The requirements for intermodal containers cover the transportation of these containers on container chassis and other types of vehicles. Intermodal containers are freight containers designed and constructed to permit them to be used interchangeably in two or more modes of transportation. Cargo contained within intermodal containers must be secured in accordance with the general cargo securement rules or, if applicable, the commodity-specific rules.

393.128 - Automobiles, Light Trucks and Vans

This portion of the new standards applies to the transportation of automobiles, light trucks, and vans which individually weight 4,536 kg (10,000 lbs) or less. Vehicles which individually are heavier than 4,536 kg (10,000 lbs) must be secured in the same manner as heavy vehicles, equipment and machinery (see the rules under /393.126).

393.130 - Heavy Vehicles, Equipment and Machinery

These requirements are applicable to the transportation of heavy vehicles, equipment and machinery which operate on wheels or tracks, such as front end loaders, bulldozers, tractors and power shovels and which individually weigh 4,536 kg (10,000 lbs) or more. Vehicles, equipment and machinery which is lighter than 4,536 kg (10,000 lbs) may be secured in accordance with these rules, the rules for automobiles, light trucks and vans, or the general freight requirements.

393.132 - Flattened or Crushed Vehicles

The transportation of vehicles such as automobiles, light trucks and vans that have been flattened or crushed is covered by these requirements. The transportation of automobiles that are flattened or crushed in a crash or accident, as opposed to being intentionally flattened or crushed in preparation for transportation to recycling facilities, is not subject to these requirements. However, vehicles damaged in a crash or accident are subject to the general cargo securement requirements.

393.134 - Roll-on/Roll-Off or Hook-lift Containers

These rules apply to the transportation of roll-on/roll-off or hook lift containers. A hook-lift container is defined in 49 CFR 393.5 as a specialized container, primarily used to contain and transport materials in the waste, recycling, construction/demolition and scrap industries, which is used in conjunction with specialized vehicles in which the container is loaded and unloaded onto a tilt frame body by an articulating hook-arm. Section 393.134 is not, however, applicable to the operation of hoist-type equipment (or hoist equipment) as described in American National Standards Institute (ANSI) publication ANSI Z245.1. Hoist-type equipment should be considered separate and distinct from roll-on/roll-off equipment and, therefore, not subject to 393.134. Containers transported on hoist-type equipment must be secured in accordance with the general securement rules.

393.136 - Large Boulders

The rules in this section are applicable to the transportation of any large piece of natural, irregularly shaped rock weighing in excess of 5,000 kg (11,000 lbs) or with a volume in excess of 2 cubic-meters on an open vehicle, or in a vehicle whose sides are not designed and rated to contain such cargo. Pieces of rock weighing more than 100 kg (220 lbs), but less than 5,000 kg (11,000 lbs) must be secured, either in accordance with this section, or in accordance with the general cargo securement rules, including: (1) rock contained within a vehicle which is designed to carry such cargo; or (2) secured individually by tie-downs, provided each piece can be stabilized and adequately secured. Rock which has been formed or cut to a shape and which provides a stable base for securement must also be secured, either in accordance with the provisions of this section or in accordance with the general securement rules.

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Vehicle and Roadside Operations Division (MC-PSV)
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U.S. DEPARTMENT OF TRANSPORTATION
Federal Motor Carrier Safety Administration
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WASHINGTON, DC 20590
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Bid Tabulation Leann Road Roundabout Project Re-Bid Project No.: POC0-00112 December 10, 2025												
Reference No.	Description	Unit of Measure	Quantity	Northstar Site Construction	Ashworth Enterprises, Inc.	Charles H. Hines & Son, Inc.	North Construction	HAK Group, Inc.	Kaiser Construction	Green Industries Inc. and Baker & Baker	Position & Meter, Engineering and Survey	
#1-1	Rebar/Concrete/Construction	LS	1	\$24,662.00	\$1,800.00	\$13,092.00	\$18,000.00	\$82,694.83	\$25,000.00	\$7,500.00	\$44,646.87	\$112,536.00
#1-2	Maintenance & Protection of Traffic	LS	1	\$6,387.00	\$4,096.00	\$7,380.00	\$7,500.00	\$10,096.26	\$35,000.00	\$16,750.00	\$16,606.75	\$4,653.00
#1-3	18" SW Sock	LF	307	\$3,677.25	\$5,596.00	\$3,599.50	\$3,970.00	\$2,317.25	\$6,400.00	\$2,761.00	\$2,959.48	\$4,298.00
#1-4	Iron Protection Fence	LF	345	\$1,725.00	\$2,764.00	\$1,331.62	\$1,388.00	\$1,763.05	\$7,450.00	\$2,079.00	\$2,035.56	\$1,105.00
#1-5	Iron Protection	EA	5	\$665.00	\$1,250.00	\$675.00	\$750.00	\$830.55	\$5,000.00	\$675.00	\$1,004.00	\$500.00
#1-6	Concrete Washout	EA	1	\$2,172.00	\$2,800.00	\$300.00	\$1,000.00	\$512.50	\$5,000.00	\$500.00	\$2,655.50	\$625.00
#1-7	Cracking and Cracking	LS	1	\$2,271.75	\$7,155.00	\$3,200.00	\$7,000.00	\$2,818.76	\$10,000.00	\$4,100.00	\$6,000.00	\$12,664.00
#1-8	Remove Existing Trees	EA	7	\$11,931.82	\$6,200.00	\$8,000.00	\$21,000.00	\$8,551.15	\$24,500.00	\$11,900.00	\$6,000.00	\$3,855.00
#1-9	Remove Existing Buildings	LS	1	\$1,122.50	\$4,950.00	\$2,330.00	\$1,000.00	\$5,704.56	\$6,000.00	\$5,540.00	\$1,342.00	\$1,308.00
#1-10	Install & Connect New UC Propane Tank and Remove Existing UC Propane Tank	LS	1	\$18,203.00	\$9,688.00	\$12,569.00	\$16,000.00	\$4,601.25	\$20,000.00	\$39,560.00	\$14,228.82	\$26,131.00
#1-11	Remove Existing Roadway	EA	1	\$561.25	\$2,450.00	\$400.00	\$1,500.00	\$2,032.40	\$3,500.00	\$1,750.00	\$1,631.00	\$1,397.00
#1-12	Shovel and Remove Existing Asphalt Road Surface	SY	1620	\$12,655.00	\$16,000.00	\$9,315.70	\$20,240.00	\$16,410.00	\$9,700.00	\$24,500.00	\$44,178.70	\$29,340.00
#1-13	Shovel and Remove Existing Asphalt Road Surface	SY	2250	\$20,312.50	\$16,000.00	\$20,312.50	\$48,792.50	\$3,737.50	\$3,750.00	\$16,250.00	\$38,377.50	\$18,500.00
#1-14	Shovel and Remove Existing Asphalt Road Surface	EA	1	\$2,000.00	\$500.00	\$800.00	\$1,000.00	\$2,447.71	\$2,500.00	\$875.00	\$850.00	\$2,140.00
#1-15	Install New Concrete Splitter Bands with Hydraulic Curb	SY	28	\$15,071.00	\$15,071.00	\$20,776.00	\$11,400.00	\$28,234.76	\$11,000.00	\$11,500.00	\$22,886.00	\$23,532.00
#1-16	Remove Existing Roadway	SY	225	\$17,463.75	\$18,790.00	\$24,390.00	\$12,795.00	\$17,466.56	\$10,500.00	\$76,900.00	\$71,599.40	\$35,400.00
#1-17	18" SW Sock	EA	5	\$22,296.25	\$19,000.00	\$24,340.00	\$25,300.00	\$24,601.20	\$45,000.00	\$20,250.00	\$25,174.46	\$25,065.00
#1-18	18" SW Sock	LF	302	\$10,522.00	\$28,958.00	\$33,173.68	\$41,720.00	\$44,955.71	\$55,870.00	\$36,340.00	\$38,625.64	\$32,404.00
#1-19	18" SW Sock	SY	1620	\$29,747.50	\$13,040.00	\$28,888.00	\$19,550.00	\$17,617.30	\$15,300.00	\$40,750.00	\$30,071.50	\$26,340.00
#1-20	18" SW Sock	Then	356	\$10,555.00	\$17,275.00	\$20,568.80	\$40,825.00	\$46,707.83	\$31,475.00	\$74,550.00	\$103,518.00	\$69,540.00
#1-21	18" SW Sock	Then	136	\$15,525.00	\$23,866.00	\$16,875.00	\$16,875.00	\$21,025.25	\$20,250.00	\$35,775.00	\$41,063.00	\$41,210.00
#1-22	18" SW Sock	SY	1830	\$14,897.00	\$4,675.00	\$4,187.00	\$2,677.50	\$2,899.10	\$1,630.00	\$1,560.00	\$1,255.10	\$5,395.00
#1-23	18" SW Sock	LF	645	\$2,096.25	\$2,580.00	\$4,315.25	\$665.00	\$1,825.35	\$3,870.00	\$1,612.00	\$1,470.00	\$2,945.00
#1-24	18" SW Sock	LF	558	\$4,155.00	\$18,270.00	\$20,220.76	\$19,900.00	\$11,567.34	\$6,128.00	\$8,928.00	\$19,602.00	\$13,950.00
#1-25	18" SW Sock	SY	675	\$7,437.50	\$1,725.00	\$10,405.25	\$13,125.00	\$18,218.75	\$17,500.00	\$15,500.00	\$4,287.50	\$16,137.50
#1-26	18" SW Sock	SY	1620	\$4,050.00	\$1,540.00	\$8,018.00	\$1,650.00	\$2,899.80	\$6,480.00	\$8,910.00	\$1,377.00	\$2,754.00
#1-27	18" SW Sock	EA	20	\$9,405.00	\$10,000.00	\$1,300.00	\$14,000.00	\$1,068.80	\$24,000.00	\$7,500.00	\$4,982.80	\$5,863.00
#1-28	18" SW Sock	LF	440	\$1,190.00	\$2,680.00	\$1,081.00	\$200.00	\$716.40	\$460.00	\$100.00	\$2,562.40	\$4,154.00
#1-29	18" SW Sock	LF	188	\$532.50	\$1,850.00	\$662.50	\$555.00	\$560.00	\$185.00	\$467.50	\$2,299.38	\$4,532.50
#1-30	18" SW Sock	LF	1135	\$2,817.50	\$1,000.00	\$2,887.25	\$2,270.00	\$1,717.90	\$1,135.00	\$1,702.50	\$2,432.00	\$4,540.00
#1-31	18" SW Sock	SY	155	\$4,560.00	\$7,750.00	\$4,534.50	\$8,515.00	\$7,156.15	\$6,475.00	\$1,240.00	\$2,500.15	\$4,495.00
#1-32	18" SW Sock	LF	80	\$16,100.00	\$12,400.00	\$15,632.00	\$19,300.00	\$13,407.20	\$4,400.00	\$16,000.00	\$17,790.40	\$18,320.00
#1-33	18" SW Sock	SY	202	\$1,505.00	\$1,757.40	\$1,010.00	\$1,010.00	\$509.84	\$4,000.00	\$4,000.00	\$484.00	\$5,830.00
#1-34	18" SW Sock	CY	17	\$4,343.00	\$1,218.00	\$1,036.00	\$3,910.00	\$1,761.00	\$1,761.00	\$1,415.00	\$5,871.80	\$5,729.00
TOTAL PROJECT BID AMOUNT											\$564,389.83	\$194,204.00

INTERMUNICIPAL PARCEL DESIGNATION AGREEMENT

THIS AGREEMENT ("Agreement") is made and entered into as of this ____ day of _____, 2025, by and among **POCONO TOWNSHIP**, a political subdivision of the Commonwealth of Pennsylvania, with offices located in Monroe County, Pennsylvania ("Pocono Township"); **POCONO MOUNTAIN SCHOOL DISTRICT**, a public school district organized under the laws of the Commonwealth of Pennsylvania ("School District"); and **611 LAND DEVELOPMENT, LLC**, a Pennsylvania limited liability company ("Developer").

WHEREAS, Developer is the owner and developer of certain real property identified as Monroe County Parcel No. 12.9.1.26-2 (the "Property"); and

WHEREAS, Developer has obtained conditional approval for certain Land Development Plans to develop the Property from Pocono Township, and is in the process of obtaining conditional approval for said Land Development Plans from Hamilton Township; and

WHEREAS, Hamilton Township has made it an express condition of Hamilton Township's execution of PennDOT Form M-950AA, which is a necessary condition of final approval for both Pocono Township and Hamilton Township's final, unconditional approval of the said Land Development Plan; and

WHEREAS, the Property is presently identified by the Monroe County Assessment Office as being located within Pocono Township;

WHEREAS, the parties acknowledge that pursuant to the Land Development Plan and the Consolidated County Assessment Law, 53 Pa.C.S. § 8818(b), the Property, once developed in accordance with the Land Development Plan, should properly be designated as a parcel located within Hamilton Township, Monroe County, Pennsylvania;

WHEREAS, the parties desire to memorialize their mutual understanding that upon issuance of building permits for the Property, the Monroe County Assessment Office shall renumber and designate the Property as a Hamilton Township parcel for all purposes of assessment, taxation, and administration.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, and intending to be legally bound hereby, the parties agree as follows:

1. Upon the issuance of building permits by Hamilton Township for the construction of improvements to the Property, the parties hereby consent and agree that the Monroe County Assessment Office shall reassign, renumber, and redesignate the Property as a parcel located within Hamilton Township, Monroe County, Pennsylvania.

2. Pocono Township and the School District acknowledge and consent to the reassignment described above and agree to cooperate in any necessary administrative actions to effectuate the reassignment.

3. Developer shall be responsible for any fees, costs, or documentation required by Monroe County to complete the reassignment of parcel designation.

4. Developer shall construct all improvements in accordance with the Land Development Plan. Any substantive deviation from the Land Development Plan that reasonably calls into question the applicability of the Consolidated County Assessment Law at 53 Pa.C.S. § 8818(b) shall render this Agreement null and void.

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

6. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania.

7. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Electronic or facsimile signatures shall be deemed valid and binding to the same extent as original signatures.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above written.

POCONO TOWNSHIP

Date:

By: _____

611 LAND DEVELOPMENT, LLC

Name:

Title:

Date:

By: _____

Name:

Title:

Date:

POCONO MOUNTAIN SCHOOL
DISTRICT

By: _____

Name:

Title:

POCONO TOWNSHIP PLAN STATUS
12/15/2025

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												
		1730040R	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 Hallet Road	Land Devt					9/3/2025			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 Scolrun Avenue	Land Devt					11/25/2024			
1448	POCO-R1280	-	Pocohanne Point Apartments	Land Devt					8/28/2025			
1452	POCO-R1350	-	TL Realty Corp. Learn Road	Land Devt					10/28/2025			
Final Plans Under Consideration												
1451	POCO-R1340	-	3172 Rte. 715 - Shanti Dayal (11/10/25)	Land Devt	Final	2/8/2026	1/12/2026	2/2/2026	12/3/2025	12/8/2025		
Preliminary Plans Under Consideration												
1453	POCO-R1360	-	Mt. Villa Resort (406 Cherry Lane Rd.) (11/10/25)	Land Devt	Preliminary	2/8/2026	1/12/2026	2/2/2026	12/9/2025	12/8/2025		
1446	POCO-R1250	-	Members First Federal CU (10/14/25)	Land Devt	Prelim/Final	2/28/2026	2/9/2026	2/17/2026	10/31/2025	12/8/2025		Extension to 2/28 rec'd 11/26
1445	POCO-R1180	-	Mtn. Edge Village Comm. TH Units 57A-H (4/14/25)	Land Devt	Prelim/Final	3/30/2026	3/9/2026	3/16/2026	9/8/2025	12/8/2025		Extension to 3/30 rec'd 12/8

POCONO TOWNSHIP PLAN STATUS
12/15/2025

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
1414	POCO-R0612	2330220R	135 Warner Rd. (Schillers Towing) (2/12/24)	Land Devt	Prelim	3/9/2026	2/9/2026	3/2/2026	2/23/2024	12/8/2025		6 month extension rec'd 8/5/25
1387	POCO-R1030	2130161R	Alaska Pete's - 173 Camelback Road (4/10/23)	Land Devt	Prelim/Final	12/30/2026	12/14/2026	12/21/2026	4/27/2023	12/8/2025		Extension rec'd 10/14/25
Land Development Waiver Applications Under Consideration												

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Pending BOC Decision												
1313	POCO-R0740	1730051R	Running Lane Hotel Land Devt (8/14/17)	Rev. to Aprvd Plan	Final	N/A	N/A	N/A	11/11/2025		Approval Rec. 12/8/25	Current LD Approval Extended to 2/6/26
1380	POCO-R0690	2130154R	Phase 1 - The Ridge PRD (10/21/25)	PRD	Final	12/16/2025	N/A	12/15/2025	12/1/2025		N/A	Extension to 12/16 rec'd 12/2
1441	POCO-R1110	-	Leisure Lake @ the Poconos - 1157 Wiscasset Dr. (2/3/25)	Lot Comb.	Final	2/28/2026	N/A	2/16/2026	3/11/2025		N/A	Extension to 2/28 rec'd 11/12
1425	POCO-R0680	-	Brookdale Spa (11/10/25)	Land Devt	Final	2/8/2026	1/12/2026	2/2/2026	11/19/2025		Approval Rec. 12/8/25	
1450	POCO-R1320	-	Carl E. Sluttier Easement Relocation (Hillbilly Ac.) (10/6/25)	Rev. to Aprvd Plan	Final	4/4/2026	N/A	3/16/2026	10/15/2025		N/A	90 Day Ext. rec'd 12/9
Special Exceptions, Conditional Use												
Pending Item List for Planning Commission												
Pending Item List for Board of Commissioners												

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CONDITIONAL PRELIMINARY APPROVAL													
1373	POCO-R0616	2130141R	CORE S-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	Sladden 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	POCO-R0690	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	4/2/2018				
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 4-1/1/25				
1313				Commercial Land Dev't	Prelim/Final	11/11/2025	Recommended for Approval 12/8/25	Approved 4/16/2020	Approval Extended to 2/6/26	8/6/2025	11/6/2025		Extension Requested 1/21/25
1360	POCO-R0740	1730051R	Running Lane Hotel Land Dev't (8/14/17)	Land Dev't/Lot Consolidation	Prelim/Final	9/16/2025	Recommended for Approval 6/9/25	Approved 9/15/25	9/15/2026	3/15/2026	6/15/2026		
1358	POCO-R0730	1630006R1	Tannersville Point Apartments (2023) (6/10/24)	Commercial Land Dev't	Prelim/Final	11/7/2019	Recommended for Approval 12/9/2019	Approved 7/20/2020	7-20/2021				
1362		1930083R	Sanofi Pasteur Perimeter Protection Phase II (4/22/19)	Land Dev't	Prelim/Final	3/9/2026	Approval Rec. 10/14/25	Approved 11/3/25	11/3/2026	5/3/2026	8/3/2026		
1369	POCO-R0617	2130150R	Cranberry Creek Apartments (7/25/22)	Land Dev't	Prelim/Final	10/30/2025	Approval Rec. 11/10/25	Approved 11/17/25	11/17/2026	5/17/2026	8/17/2026		
1373	POCO-R0616	2130141R	CORE S-Warner Road Warehouse (Final Plan) (11/10/25)	Land Dev't	Final		Recommended for approval 6/23/25	Approved 7/7/25	7/7/2026	1/7/2026	4/7/2026		
1372A	POCO-R0621	-	Camp Undermire Dining Hall LD (6/9/25)	Land Dev't	Prelim/Final	8/12/2025	Recommended for approval 3/10/25	Approved 4/7/25	4/7/2026	10/7/2025	1/7/2026		Phase A
1375A	POCO-R0624	-	Swiftwater Solar Amended LD (1/13/25)	Land Dev't	Prelim/Final	2/19/2025	Recommended for approval 4/14/25	Approved 4/21/25	4/21/2026	10/21/2025	1/21/2026		Phase B
1375A	POCO-R0624	-	Swiftwater Solar Amended LD (1/13/25)	Land Dev't	Prelim/Final	4/8/2025	Recommended for approval 2/10/25	Approved 2/18/25	2/18/2026	8/18/2025	11/18/2025		Phase C
1375A	POCO-R0624	-	Swiftwater Solar Amended LD (1/13/25)	Land Dev't	Prelim/Final	2/14/2025	Recommended for approval 3/10/25	Approved 4/7/25	4/7/2026	10/7/2025	1/7/2026		Phase D

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1383		2130157R	Sanofi Pasteur B-55 VDL2 Loading Dock Addition (8/9/21)	Commercial	Prelim/Final	11/16/2021	Conditional Approval 11/22/21	Conditional Approval 12/6/21	12/23/22				
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				
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 11/3/2026	5/3/2026	8/3/2026		Extension Received 11/3/25
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	2330208R	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		
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 Pawada 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		
1449	POCO-R1290	-	Trapasso Route 611 Hotel - Rev. Final Plan (9/10/25)	Land Devt	Final	11/10/2025	Approval Rec. 11/10/25	Approved 11/17/25	11/17/2026	5/17/2026	8/17/2026		
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. End.	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					

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RECORDED													
1277	POCO-R0627	1330276B	Trapasso Hotel (1/24/22)	Land Devt	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 Devt	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 Devt	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 Devt	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 Devt	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 Devt	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 Devt	Prelim/Final	4/20/2022	Conditional Approval 4/25/22	Conditional Approval 6/6/22				1/16/23	
1377	N/A	2130149R	Eudora Hilliard Minor Subdivision (6/28/21)	Residential Land Devt	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 Devt	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 Devt	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 Devt Partners (Wawa-Tannersville Inn) (8/8/21)	Land Devt	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 Devt	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 (Embree) (6/27/22)	Land Devt	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 Devt	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	

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DENIED													
1272	N/A	1130255E	Kopelson Lot 3 Land Devt (08/13/13)	Commercial Land Devt	Prelim	unknown date	Recommended Denial 5/24/21	BOC Rejected 06/21/21					Appealed
	N/A	2030121R	Zitro & Roni Investments	Comm/Res Land Devt	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													
1371		1630006R	Tannersville Point Apartments (10/22/18)	Residential Land Devt	Prelim/Final	2/21/2019	Recommended for Approval 2/25/19						Withdrawn as condition of new development notification to withdraw appl. rec'd 1/21/2022
1386	N/A	2130160R	Dianora Minor Subdivision (8/27/21)(12/26/21)	Minor Sub	Final	9/16/2021							LD Application Withdrawn 2/12/24
1388	N/A	2130154R	The Ridge (8/8/22)	Land Devt	Prelim/Final	9/26/2022							Application Withdrawn 6/13/25
1401	POCO-R0630	2330223R	611 Land Development - Dual Brand Hotel Subdivision (4/8/24)	Minor Sub	Final	3/6/2025							Application Withdrawn 5/12/23
1406	N/A	2230193R	Core 5 Stadden Road Warehouse (8/8/22)	Land Devt	Prelim	10/6/2022							Application Withdrawn
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. Monoplane Tower (4/8/24)	Land Devt	Prelim	8/15/2024							Application Withdrawn 4/30/25
1439	POCO-R1090	-	Summit Road Solar Array (6/9/25)	Land Devt	Prelim	12/6/2025					Denial Rec. 9/10/25		Application Withdrawn 10/1/25