



POCONO TOWNSHIP COMMISSIONERS
AGENDA

July 18, 2022 | 6:00 p.m.

112 Township Drive, Tannersville, PA

Dial-In Option: 646 558 8656

Meeting ID: 892 102 5946

Passcode: 18372

Zoom Link:

<https://us06web.zoom.us/j/8921025946?pwd=Q1VtaFVkVEpRWTUvdIFrSHJ1cE1Tdz09>

Open Meeting

Pledge of Allegiance

Roll Call

Public Comment

For any individuals wishing to make public comment tonight, including those dialed in by phone, please state:

- 1) *The spelling of your name;*
- 2) *Identify whether you are a taxpayer of Pocono Township; and*
- 3) *Your street address.*

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

Announcements

- The next "Yoga in the Park" Mommy & Me classes at Mountain View Park will be held Thursday evening, July 21 at 6:30 p.m. and Friday, August 5 at 10:00 a.m. Beginners Adult Yoga continues Thursday, July 28 at 6:30 p.m. at the Park and will continue every other Thursday following. The cost is \$10 per person (free for children under 12) and residents can contact the Township at 570-629-1922 to reserve their spot.

Hearings**Ordinance 2022-04 – Zoning Ordinance Amendments**

- Motion to open a Public Hearing to consider adoption of Ordinance 2022-04 amending the code of ordinances of Pocono Township, Chapter 470, Zoning and repealing all ordinances and parts of ordinances inconsistent herewith. **(Action Item)**
- Motion to close public hearing. **(Action Item)**
- Motion to adopt Ordinance 2022-04 amending the code of ordinances of Pocono Township, Chapter 470, Zoning and repealing all ordinances and parts of ordinances inconsistent herewith. **(Action Item)**

Ordinance 2022-05 – Timber Harvest Ordinance Adoption

- Motion to open a Public Hearing to consider adoption of Ordinance 2022-05 amending the code of ordinances of Pocono Township, Part II General Legislation to add a new Chapter 400, Timber Harvesting and repealing all ordinances and parts of ordinances inconsistent herewith. **(Action Item)**
- Motion to close public hearing. **(Action Item)**
- Motion to adopt Ordinance 2022-05 amending the code of ordinances of Pocono Township, Part II General Legislation to add a new Chapter 400, Timber Harvesting and repealing all ordinances and parts of ordinances inconsistent herewith. **(Action Item)**

Presentations – None**Resolutions**

Resolution 2022-26 – Motion to approve Resolution 2022-26 authorizing the submission of a Multimodal Transportation Fund grant application to the Commonwealth Financing Authority in an amount not to exceed \$2 million for the purposes of infrastructure upgrades at the intersection of SR 611, Learn Road and Old Mill Road, and the intersection of Learn Road and Fish Hill Road in Pocono Township. **(Action Item)**

Resolution 2022-27 – Motion to approve Resolution 2022-27 approving a revision to the Official Sewage Facilities Plan of Pocono Township per the Camp Lindenmere Sewage Facilities Planning Module included with the Lindenmere Sports Arts Center LLC land development plan. **(Action Item)**

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the July 5, 2022 regular meeting of the Board of Commissioners.
 - Financial transactions through July 14, 2022 including:
 - Ratification of vouchers payable in the amount of \$5,289.73 and sewer operating expenditures in the amount of \$126.94.
 - Ratification of gross payroll for pay periods ending July 10, 2022 in the amount of \$117,605.65.
 - Vouchers payable in the amount of \$147,339.65.
 - Sewer operating fund expenditures in the amount of \$121,818.23.
 - Sewer construction fund expenditures in the amount of \$34,627.90.
 - Capital reserve fund expenditures in the amount of \$43,592.32.
- (Action Items)**

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

Report of the President

Richard Wielebinski

- Motion to award public bid for the installation of dog park fencing at TLC Park in Tannersville. **(Action Item)**
- Motion to advertise a public hearing for August 15, 2022 at 6:00 p.m. for the purpose of receiving public comment and adoption of the Hamilton-Stroud-Pocono-Stroudsburg (HSPS) Comprehensive Plan. **(Action Item)**
- Discussion regarding state changes to the fireworks law and potential need to evaluate Pocono Township's fireworks ordinance to ensure compliance with new provisions. **(Potential Action Item)**
- Discussion and possible action regarding the advertising of an amendment to the Township's Stormwater Management Ordinance, per the PA DEP's 2022 model ordinance. **(Possible Action Item)**
- Update regarding youth softball/baseball training facility at TLC Park.

Commissioner Comments

Jerrod Belvin – Vice President

- Emergency Management Update
- PPL utility lines and possible drainage issues on Barton Court.
- Discussion and possible action regarding replacement of all basketball rims at Township parks with double rims. **(Possible Action Item)**
- Discussion and possible action regarding sale of the Township generator via Municibid. **(Possible Action Item)**
- Update regarding installation of security cameras at TLC Park.

Ellen Gndt – Commissioner

- Discussion regarding draft grid scale solar ordinance for Pocono Township.
- Update – Amusement Tax collections.

Jerry Lastowski – Commissioner

- Update – Paving of Burton Road following UGI project work.
- Discussion regarding signage on SR 611.

Keith Meeker – Commissioner

Reports

Zoning – None

Police Report

- Update – Patrol officer hiring process.
- Update – Purchase of two ballistic shields.

Ambulance Report – None

Public Works Report

- Current Public Works projects.
- Mountain View Park updates.
- Park Lane Culvert Replacement – Dirt and Gravel Grant.
- Motion to advertise sale of Peterbilt dump truck #12 on Municibid. **(Action Item)**

- Discussion and possible action regarding purchase of UHF radios for the Public Works Department. **(Possible Action Item)**
- Motion to accept quote of \$8,250.00 from Mount Pocono Fence for the installation of a 6-foot chain link fence between TLC Park and the BP gas station in Tannersville. **(Action Item)**

Administration – Manager’s Report

- Estimated ship date of new playground structures for TLC Park set for August 3. Installation to follow.
- Estimated ship date for new slide at Mountain View Park set for August 19. Installation to follow.
- Discussion regarding formalizing official rules for 1) TLC Park and 2) the TLC Park Basketball Court. **(Possible Action Item)**
- Update – Evaluation ongoing regarding electric supplier rates.
- 2022 Township Events
 - Community Day – Saturday, September 10, 2022
 - Trunk-or-Treat – TBD
 - Christmas Tree Lighting – TBD

Township Engineer Report

- Public bid for Mountain View Park fence projects.
- Engineering study for identified stormwater projects – Laurel Lake Road and Oakwood Acres.
- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement.
- TASA SR 611 sidewalk project – Kickoff meeting set for July 29.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue.

Township Solicitor Report

- Zoning Hearing Board updates.
 - Motion to have Township Solicitor attend the Heinzee LLC hearing on August 4, 2022 at 5:00 p.m.
- Update – Johnson Appeal.
- Update – Kelly Trust Property
- Update – PJJWA transfer agreement.

Public Comment

For any individuals wishing to make public comment tonight, including those dialed in by phone, please state:

- 1) The spelling of your name;*
- 2) Identify whether you are a taxpayer of Pocono Township; and*
- 3) Your street address.*

Please limit individual comments to five (5) minutes and direct all comments to the President.

Adjournment

**POCONO TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2022 - 04

**AN ORDINANCE OF THE TOWNSHIP OF POCONO, MONROE COUNTY,
PENNSYLVANIA, AMENDING THE CODE OF
ORDINANCES OF POCONO TOWNSHIP, CHAPTER 470, ZONING AND REPEALING
ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT HEREWITH.**

WHEREAS, the Board of Commissioners of Pocono Township, Monroe County, Pennsylvania, under the powers vested in them by the “First Class Township Code” of Pennsylvania, as well as the laws of the Commonwealth of Pennsylvania, do enact and hereby ordain the following amendment to the Code of Ordinances of Pocono Township.

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

SECTION I. Chapter 470, Zoning, Article II, Terminology, Section 8, Definitions, of the Code of Ordinances of Pocono Township is hereby amended to revise the definition of “Street, G. Private Access Street” as follows:

“G. PRIVATE ACCESS STREET

A private access street provides access to residential lots, from a public or approved street where the residential lot does not have frontage on a public or approved street. The private access street shall have a minimum right-of-way of 25 feet, shall not exceed 750 feet in length and may serve a maximum of three dwelling units. Construction and maintenance of private access streets shall be the sole responsibility of owners benefiting by the use thereof and shall never be offered or accepted by the municipality for public maintenance.”

SECTION II. Chapter 470, Zoning, Article IV, Basic District Regulations, Section 19, RD Recreation District, Subsection C(1)(c), of the Code of Ordinances of Pocono Township is hereby amended as follows:

“(c) Maximum impervious coverage: 35% for residential uses; 80% for other uses.”

SECTION III. Chapter 470, Zoning, Article VI, Planned Residential Development, Section 96, General Requirements, Subsection B(1), of the Code of Ordinances of Pocono Township is hereby amended as follows:

“(1) For tracts containing 50 acres or more with a DEP-approved sewage treatment plant capable of being integrated into a municipal or public sewage disposal system and central water, the maximum gross residential density shall not exceed five (5) units per acre.”

SECTION IV. Chapter 470, Zoning, Article IX, Administration, Section 123, Timber Harvesting Permit, is hereby deleted in its entirety.

SECTION V. Chapter 470, Zoning, Article IX, Administration, Section 124, Schedule of fees, charges and expenses, Subsection A is hereby amended as follows:

“The Board of Commissioner shall establish a schedule of fees, charges and expenses and collection procedures for zoning permits, certificates of occupancy, special exceptions, variances and appeals, and other matters pertaining to this Chapter.”

SECTION VI. **REPEALER**

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

SECTION VII. **SEVERABILITY**

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

SECTION VIII. **ENACTMENT**

This Ordinance shall be effective within five (5) days and shall remain in force until modified, amended or rescinded by Pocono Township, Monroe County, Pennsylvania.

ENACTED AND ADOPTED by the Board of Commissioners this 18th day of July, 2022.

ATTEST:

**TOWNSHIP OF POCONO,
MONROE COUNTY**

TAYLOR MUNOZ
Township Manager

RICHARD WIELEBINSKI
President, Board of Commissioners

POCONO TOWNSHIP, MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2022 – 05

AN ORDINANCE OF THE TOWNSHIP OF POCONO, COUNTY OF MONROE, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF POCONO TOWNSHIP, PART II GENERAL LEGISLATION TO ADD A NEW CHAPTER 400, TIMBER HARVESTING AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Board of Commissioners, Pocono Township, Monroe County, Pennsylvania, desires to amend the Code of Ordinances of Pocono Township, to add a new Chapter 400 regulating timber harvesting within the Township.

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

SECTION I. Part II of the Code of Ordinances of Pocono Township is hereby amended to add Chapter 400, Timber Harvesting, to read as follows:

“Chapter 400. Timber Harvesting

§400-1. Policy; purpose.

In order to conserve forested open spaces and the environmental and economic benefits they provide, it is the policy of the Township of Pocono (the “Township”) to encourage the owners of forestland to continue to use their land for forestry purposes, including the long-term production of timber, recreation, wildlife, and amenity values. The timber harvesting regulations contained in sections 400-1 through 400-8 are intended to further this policy by (1) promoting good forest stewardship, (2) protecting the rights of adjoining property owners, (3) minimizing the potential for adverse environmental impacts, and (4) avoiding unreasonable and unnecessary restrictions on the right to practice forestry and improving human health and welfare of the community.

§400-2. Scope; applicability.

To encourage maintenance and management of forested or wooded open spaces and promote the conduct of forestry as a sound and economically viable use of forested land throughout the Township, forestry activities—including timber harvesting—shall be a permitted use by right in all zoning districts. Sections 400-1 through 400-8 apply to all timber harvesting within the Township where the value of the trees, logs, or other timber products removed exceeds Two Thousand and 00/100 (\$2,000.00) Dollars. These provisions do not apply to the cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement.

§400-3. Definitions.

As used in sections 400-1 through 400-8, the following terms shall have the meanings given in this section:

"Felling" means the act of cutting a standing tree so that it falls to the ground.

"Forestry" means the management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting, and selling trees for commercial purposes, which does not involve any land development. (The definition of forestry is taken from 53 P.S. § 10107 of the Pennsylvania Municipalities Planning Code. Only forests and timberlands subject to residential or commercial development shall be regulated under the Township's land development and subdivision ordinance.)

"Landing" means a place where logs, pulpwood, or firewood are assembled for transportation to processing facilities.

"Landowner" means an individual, partnership, company, firm, association, or corporation that is in actual control of forested land, whether such control is based on legal or equitable title or any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner, and any agents thereof acting on their behalf, such as forestry consultants, who set up and administer timber harvesting.

"Litter" means discarded items not naturally occurring on the site, such as tires, oil cans, equipment parts, and other rubbish.

"Lop" means to cut tops and slash into smaller pieces to allow material to settle close to the ground.

"Operator" means an individual, partnership, company, firm, association, or corporation engaged in timber harvesting, including the agents, subcontractors, and employees thereof.

"Pre-commercial timber stand improvement" means a forest practice, such as thinning or pruning, that results in better growth, structure, species composition, or health for the residual stand but does not yield a net income to the landowner, usually because any trees cut are of poor quality, too small, or otherwise of limited marketability or value.

"Skidding" means dragging trees on the ground from the stump to the landing by any means.

"Slash" means woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.

"Stand" means any area of forest vegetation whose site conditions, past history, and current species composition are sufficiently uniform to be managed as a unit.

"Stream" means any natural or artificial channel of conveyance for surface water with an annual or intermittent flow within a defined bed and bank.

"Timber harvesting," "tree harvesting," or "logging" means that part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.

"Top" means the upper portion of a felled tree that is not merchantable because of small size, taper, or defect.

"Wetland" means "areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions including swamps, marshes, bogs, and similar areas.

§400-4 . Notification; preparation of a logging plan.

A. Notification of commencement or completion. For all timber harvesting operations that are expected to exceed one (1) acre, the landowner shall notify the Township enforcement officer at least five (5) business days before the operation commences and within ten (10) business days before the operation is complete. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and specify the land on which harvesting will occur, the expected size of the harvest area, and, as applicable, the anticipated starting or completion date of the operation.

B. Logging plan. Every landowner on whose land timber harvesting is to occur shall prepare a written logging plan in the form specified by this ordinance. No timber harvesting shall occur until the plan has been prepared and provided to the Township. The provisions of the plan shall be followed throughout the operation. The plan shall be always available at the harvest site during the operation and shall be provided to the code enforcement officer upon request.

C. Responsibility for compliance. The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

§400-5. Contents of the logging plan.

A. Minimum requirements. At a minimum, the logging plan shall include the following:

(1) Design, construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails, and landings

(2) Design, construction, and maintenance of water control measures and structures, such as culverts, broad-based dips, filter strips, and water bars

(3) Design, construction, and maintenance of stream and wetland crossings

- (4) The general location of the proposed operation in relation to municipal and state highways, including any accesses to those highways
- B. Map. Each logging plan shall include a sketch map or drawing containing the following information:
 - (1) Site location and boundaries, including both the boundaries of the property on which the timber harvest will take place and the boundaries of the proposed harvest area within that property;
 - (2) Significant topographic features related to potential environmental problems;
 - (3) Location of all earth disturbance activities, such as roads, landings, and water control measures and structures;
 - (4) Location of all crossings of waters of the Commonwealth; and
 - (5) The general location of the proposed operation to municipal and state highways, including any accesses to those highways.
- C. Compliance with state law. The logging plan shall address and comply with the requirements of all applicable state regulations including, but not limited to, the following:
 - (1) Erosion and sedimentation control regulations contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to the Clean Streams Law (35 P.S. § 691.1 et seq.);
 - (2) Stream crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. § 693.1 et seq.).
- D. Relationships of state laws, regulations, and permits to the logging plan.
 - 1. Any permits required by state laws and regulations shall be attached to and become part of the logging plan. An erosion and sedimentation pollution control plan that satisfies the requirements of Title 25 Pennsylvania Code, Chapter 102, shall also satisfy the requirements for the logging plan and associated map specified in paragraphs A and B of this section, provided that all information required by these paragraphs is included or attached.

§400-6. Forest practices.

The following requirements shall apply to all timber harvesting operations in the Township:

- A. Felling or skidding on or across any public thoroughfare is prohibited without the express written consent of the Township or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the thoroughfare.

- B. No tops or slash shall be left within Twenty-Five (25') feet of any public thoroughfare or private roadway providing access to adjoining residential property.
- C. All tops and slash between Twenty-Five (25') and Fifty (50') feet from a public or private roadway providing access to adjoining residential property or within fifty (50') feet of adjoining residential property shall be lopped to a maximum height of Four (4') feet above the ground.
- D. No tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.
- E. Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.

§400-7. Responsibility for road maintenance and repair; road bonding.

Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49, and Title 67 Pennsylvania Code, Chapter 189, the landowner and the operator shall be responsible for repairing any damage to Township roads caused by traffic associated with the timber harvesting operation to the extent the damage is in excess of that caused by normal traffic. The operator may be required to furnish a bond to guarantee the repair of such damages.

§400-8. Enforcement.

- A. Code enforcement officer.

The code enforcement officer shall administer and enforce for sections 400-1 through 400-8 of this ordinance.

- B. Inspections.

The code enforcement officer may go upon the site of any timber harvesting operation before, during, or after active logging to

- (1) review the logging plan or any other required documents for compliance with sections 400-1 through 400-8; and
- (2) inspect the operation for compliance with the logging plan and other on-site requirements of these regulations. Note that active logging sites are inherently dangerous, even when tree felling is not occurring. No one should ever enter onto an active logging site without the proper personal protective equipment and/or without giving prior notification to the logging supervisor.

- C. Violation notices; suspensions.

Upon finding that a timber harvesting operation is in violation of any provision of this ordinance, the code enforcement officer shall issue the operator and the landowner a written notice of violation describing each violation and specifying a date of not less than 30 days by which corrective action must be taken. The code enforcement officer may order the immediate suspension of any operation upon finding that

- (1) corrective action has not been taken by the date specified in a notice of violation;
- (2) the operation is proceeding without a logging plan; or
- (3) the operation is causing immediate harm to the environment as confirmed by local conservation district and DEP. Suspension orders shall be in writing, issued to both the operator and the landowner, and remain in effect until, as determined by the code enforcement officer, the operation is brought into compliance with this ordinance or other applicable statutes or regulations of the logging plan. The landowner or the operator shall appeal an order or decision of a code enforcement officer within 30 days of issuance to the governing body of the Township.

D. Penalties.

Any landowner or operator who

- (1) violates any provision of this ordinance;
- (2) refuses to allow the code enforcement officer access to a harvest site pursuant to paragraph (b) of this section; or
- (3) fails to comply with a notice of violation or suspension order issued under paragraph c of this section is guilty of a summary offense and upon conviction shall be subject to a fine of not less than One Hundred and 00/100 (\$100.00) plus costs. Each day the violation continues shall constitute a separate offense. The enforcement of this ordinance by the Township shall be by action brought before a district magistrate in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure.”

SECTION II. SEVERABILITY; CONFLICT WITH OTHER PROVISIONS.

If any section, subsection or sentences, clause or phrase of this chapter is for any reason held invalid, such decision or decisions shall not affect the validity of the remaining portions of this chapter. All ordinances of the Township shall remain in full force and effect insofar as they do not conflict with the provisions of this chapter in which case the provisions of this chapter shall govern.

SECTION III. REPEALER.

Any Ordinance or part of any Ordinance conflicting with the terms of this Ordinance is hereby specifically repealed.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall be effective within five (5) days and shall remain in force until modified, amended or rescinded by Pocono Township, Monroe County, Pennsylvania.

ENACTED AND ORDAINED this 18th day of July, 2022.

ATTEST:

**TOWNSHIP OF POCONO
MONROE COUNTY**

TAYLOR MUÑOZ
Township Manager

RICHARD WIELEBINSKI
President, Board of Commissioners

Township of Pocono, Monroe County, Pennsylvania
Resolution 2022-26

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A MULTIMODAL
TRANSPORTATION FUND GRANT APPLICATION TO THE COMMONWEALTH
FINANCING AUTHORITY**

BE IT HEREBY RESOLVED, that the Board of Commissioners of the Township of Pocono, located in Monroe County, Pennsylvania, approves the submission of a Multimodal Transportation Fund grant in an amount not to exceed \$2,000,000 from the Commonwealth Financing Authority to complete infrastructure upgrades at the intersection of SR 611, Learn Road and Old Mill Road, and the intersection of Learn Road and Fish Hill Road in Pocono Township.

BE IT FURTHER RESOLVED, that the Applicant does hereby designate the President of the Board of Commissioners to execute all documents and agreements between the Township of Pocono and the Pennsylvania Department of Community & Economic Development to facilitate and assist in obtaining the requested grant.

SO RESOLVED, this 18th day of July, 2022.

ATTEST:

Township of Pocono
Board of Commissioners

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

By: _____
Print Name: Richard Wielebinski
Title: President



RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE ~~(SUPERVISORS)~~ (COMMISSIONERS) ~~(COUNCILMEN)~~ of Pocono
(TOWNSHIP) ~~(BOROUGH)~~ ~~(CITY)~~, Monroe COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS Lindenmere Sports Arts Center LLC
land developer

Camp Lindenmere, and described in the attached Sewage Facilities Planning Module, and
name of subdivision
proposes that such subdivision be served by: (check all that apply), sewer tap-ins, sewer extension, new treatment facility, individual onlot systems, community onlot systems, spray irrigation, retaining tanks, other, (please specify). _____

WHEREAS, Pocono Township finds that the subdivision described in the attached
municipality
Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the ~~(Supervisors)~~ (Commissioners) ~~(Councilmen)~~ of the (Township) ~~(Borough)~~ ~~(City)~~ of Pocono hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I _____, Secretary, Pocono
(Signature)

Township Board of Commissioners ~~(Borough Council)~~ ~~(City Councilmen)~~, hereby certify that the foregoing is a true copy of the Township ~~(Borough)~~ ~~(City)~~ Resolution # 2022-27, adopted, 18th of July, 2022.

Municipal Address:

Pocono Township
112 Township Drive
Tannersville, PA 18372
Telephone (570) 629-1922

Seal of
Governing Body

**Pocono Township Board of Commissioners
Regular Meeting Minutes
July 5, 2022 | 6:39 p.m.**

The regular meeting of the Pocono Township Board of Commissioners was held on July 5, 2022 and was opened by President Rich Wielebinski at 6:39 p.m. followed by the Pledge of Allegiance.

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

In Attendance: Leo DeVito, Township Solicitor, Broughal & DeVito; Jon Tresslar, Township Engineer, LVL Engineering; Taylor Muñoz, Township Manager; Shawn Goucher, Acting Chief of Police; and Jennifer Gambino, Administrative Assistant.

Public Comment - None

Announcements

- The Board of Commissioners held an executive session on Monday, June 27 at 4:30 p.m. for the purpose of discussing the Public Works Collective Bargaining Agreement and accompanying contract negotiations
- “Yoga in the Park” begins with Mommy & Me classes at Mountain View Park on Friday, July 8 at 10:00 a.m. and continue every other Friday morning. Beginners Adult Yoga Classes begin Thursday, July 14 at 6:30 PM at the Park and will continue every other Thursday. The cost is \$10 per person (free for children under 12) and residents can contact the Township at 570-629-1922 to reserve their spot.

Hearings – None

Presentations

- Patrol Officer Austin Anglemyer was recognized for his promotion to the rank of Corporal.

Resolutions – None

Consent Agenda

- Motion to approve a consent agenda of the following items:
 - Old business consisting of the minutes of the June 20, 2022 regular meeting of the Board of Commissioners.
 - Financial transactions through June 28, 2022 including:
 - Ratification of vouchers payable in the amount of \$1,236.56 and sewer operating expenditures in the amount of \$505.39.
 - Ratification of gross payroll for pay periods ending June 12 and June 26, 2022 in the amount of \$233,038.62.
 - Vouchers payable in the amount of \$47,584.37.
 - Sewer operating fund expenditures in the amount of \$10,043.83.
 - Sewer construction fund expenditures in the amount of \$26,247.65.
 - Capital reserve fund expenditures in the amount of \$4,333.96.
 - Fire Tax disbursement of \$2,058.78.
 - Transfer of \$1,183.33 from the ARPA Fund to the General Fund for the purpose of Traisr implementation costs.

J. Belvin made a motion, seconded by J. Lastowski, to approve the consent agenda. E. Gndt requested an amendment to the minutes for security camera installation to read “bid” rather than “quote.” All in favor. Motion carried as amended.

NEW BUSINESS - None

Report of the President

Richard Wielebinski

R. Wielebinski made a motion, seconded by J. Belvin, to appoint Attorney Robert Kidwell of Newman Williams as Pocono Township Zoning Hearing Board conflict counsel. E. Gndt asked for clarification as to the rate. Motion to approve subject to T. Muñoz reporting back to BOC the rate during next public meeting. All in favor. Motion carried.

- Discussion and possible action regarding the advertising of an amendment to the Township's Stormwater Management Ordinance, per the PA DEP's 2022 model ordinance – J. Tresslar stated these changes are to come into compliance with DEP MS4 requirements. Recommended we adopt the changes to the DEP ordinance, but Township has two months before action must be taken for MS4 compliance. R. Wielebinski emphasized that we will take a pause and incorporate any additional changes that may be needed.
- Discussion is ongoing regarding possible youth softball and baseball training facility at TLC Park and clarification regarding whether the facility must be located in Mount Pocono, per the grant application submitted by Pocono Pride

Commissioner Comments

Jerrod Belvin – Vice President

- Emergency Management Update

Stated there have been some further complaints regarding timing of the Warner Road/SR 715 light. Have requested that PennDOT re-paint the stop bars at the intersection, which is causing cars to not trigger the camera at the light.

Received call from control center on Saturday regarding people turning around on road near the Park Lane culvert replacement project. This is the third time someone has stolen all the Township's road signs on a project site within two years.

Asked how many fireworks complaints have been received this year. S. Goucher stated there were 11 complaints made over July 4th weekend. J. Belvin stated someone was setting off fireworks at TLC Park. Individuals will be cited for fireworks and trespassing.

- Discussion and possible action regarding approval of a revised quote for a L6Q Quick Deploy LPR Camera at TLC Park. **(Action Item)**

Two meetings ago a motion was passed for a RECOR LPR camera at TLC Park. Since that meeting, Motorola has a new camera called the L6Q, which is downscaled for the Park's need. The software license and purchase price are both cheaper. Will also integrate with the Police LPR system.

J. Belvin made a motion, seconded by R. Wielebinski, to rescind the original motion for purchase of a RECOR camera and made a motion to purchase an L6Q camera for a total of \$6,815.00. All in favor. Motion carried.

J. Belvin made a motion, seconded by E. Gndt, to open the agenda for purpose of bidding fence replacements at Mountain View Park. All in favor. Motion carried.

At the last meeting discussion was held regarding fences needing replacement at the Park. After a visit to the park, it was determined the following fences were most in need of replacement: the Little League field backstop, fence along Sullivan Trail, and the softball field backstop.

J. Belvin made a motion, seconded by R. Wielebinski, to put the replacement of three Mountain View Park fences out for public bid. E. Gndt asked for clarification regarding the fences. All in favor. Motion carried.

Ellen Gndt – Commissioner

E. Gndt made a motion, seconded by J. Belvin, to amend the agenda for discussion and possible action regarding the restoration of the spillway stone wingwalls at TLC Park. All in favor. Motion carried.

E. Gndt made a motion, seconded by J. Belvin, to bid out restoration of the stone wingwalls at TLC Park. All in favor. Motion carried.

Discussion regarding purchase of ballistic shields. S. Goucher stated Sanofi may cover the cost of two ballistic shields and that the Township should receive confirmation before the next Board meeting.

Jerry Lastowski – Commissioner

- Update – Paving of Burton Road following UGI project work. Stated UGI has been unresponsive, and they did not take action right after school let out like they indicated they would.

Keith Meeker – Commissioner. No update.

Reports

Zoning

Stated a civil complaint hearing is upcoming on Thursday for 332 Butz Lane, the Taveras case, that has been ongoing for two years now. Expect at least one neighbor to be present. Seeking maximum judgment of \$12,000.

Three ZHB hearings are pending:

Camelback appeal – July 19, 2022

Sunset Hill Shooting Range (Heinzee) – Tentative for August 2, 2022

STR on Laurel Lake Road in an R1 zone – date will be determined

Seeking injunction and liens filed against 2168 White Oak Drive property. Discussion regarding three police reports received for Camelback Road short term rental. Ordinance states that two repeated or uncured violations can result in revocation of license for a year.

Police Report

Hiring process is ongoing. 9 applicants took the written test, and 8 applicants passed. Interviews will commence on July 11. New Glockes are on their way. Range officers are taking red dot training. Update regarding new county RMS system. Gave update regarding progress of 12-hour shifts. Year to date, there have been 54 total open shift hours compared to 319.5 total open shift hours in 2021. Extended call hours are also down.

Ambulance Report – None

Public Works Report

- Current Public Works projects include the Deer Mountain drainage work and the Park Lane Culvert replacement project.
- Mountain View Park updates – No update.

- Update – Park Lane Culvert Replacement – Dirt and Gravel Grant. Project is in progress.

T. Munoz stated repairs will be made to Wilke Road. E. Gnadnt asked if drainage is causing concern.

Administration – Manager’s Report

- Evaluation ongoing regarding electric supplier rates.
- Public hearing for Zoning Ordinance changes scheduled for July 18.
- 2022 Township Events
 - Community Day – Saturday, September 10, 2022
 - Trunk-or-Treat – TBD
 - Christmas Tree Lighting – TBD

Township Engineer Report

- Public bid currently underway for the TLC Park Dog Park. Bids are due by July 18.
- Engineering study for identified stormwater projects – Laurel Lake Road and Oakwood Acres. Completing remaining assessment.
- Parking area design for Old Learn Farm open space parcel adjacent to PPL easement. Further design of parking area underway per PPL ROW requirements.
- TASA SR 611 sidewalk project. Meeting at end of the month with PennDOT.
- Update – Righthand turn lanes from Rt. 611 onto Rimrock Road and Bartonsville Avenue. On hold until funding issues for remaining engineering are resolved.

R. Wielebinski asked for an update regarding sidewalk installation for St. Luke’s Ambulance, Wendy’s and Turkey Hill.

Township Solicitor Report

- Zoning Hearing Board updates.

J. Belvin made a motion, seconded by E. Gnadnt, to have Township Solicitor attend the CMBK Resort Holdings, LLC hearing on July 19, 2022 at 4:00 p.m. All in favor. Motion carried.

- Update – Johnson Appeal. No update.
- Update – Kelly Trust Property. All documents submitted to the Court and waiting on hearing date.
- Update – PJJWA transfer agreement. Forwarded copy of transfer agreement to the Board. Two articles important to the Township – specifically representations and covenants. Discussed remaining funds in PJJWA account and possibility to keep Authority in place for two years in case of any claims. PJJWA would not own anything and would be dissolved after two years. E. Gnadnt asked questions regarding keeping the Authority in existence; specific provisions in the agreement and whether a pension is in existence; outstanding balance in the PJJWA bank account; and approval of the final agreement.

Public Comment

For any individuals wishing to make public comment tonight, including those dialed in by phone, please state:

- 1) *The spelling of your name;*
- 2) *Identify whether you are a taxpayer of Pocono Township; and*
- 3) *Your street address.*

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

Adjournment

J. Belvin made a motion, seconded by E. Gndt, to adjourn into executive session for the purpose of discussing the public works contract. All in favor. Motion carried.

DRAFT

POCONO TOWNSHIP

Monday, July 18, 2022

SUMMARY

Ratify

General Fund	\$	5,289.73
Payroll	\$	117,605.65
Sewer Operating	\$	126.94
Sewer Construction	\$	-
Capital Reserve	\$	-

Bill List

TOTAL General Fund	\$	147,339.65
TOTAL Sewer <u>OPERATING</u> Fund	\$	121,818.23
TOTAL Sewer <u>CONSTRUCTION</u> Fund	\$	34,627.90
TOTAL Capital Reserve Fund	\$	43,592.32
Liquid Fuels	\$	-
TOTAL EXPENDITURES	\$	470,400.42

Fire Tax Disbursement	\$	-
-----------------------	----	---

Budget Adjustments

Budget Appropriations

Budgetary Interfund Transfer

Use of Grant Funds

ARPA FUNDS TO CAPITAL RESERVE

ARPA FUNDS TO GENERAL FUND

Total Transfers	\$	-
-----------------	----	---

Notes:

POCONO TOWNSHIP CHECK LISTING

RATIFY

Monday, July 18, 2022

General Fund

Date	Check	Vendor	Memo	Amount
07/15/2022			PAYROLL ENDING 07/10/2022	\$ 117,605.65
TOTAL PAYROLL				\$ 117,605.65

General Expenditures

Date	Check	Vendor	Memo	Amount
07/11/2022	62282	Blue Ridge Communications	Phone service	\$ 398.46
07/11/2022	62283	Pocono Record	Twp advertising	\$ 348.90
07/11/2022	62284	FIRSTNET	Park hot spot service	\$ 267.37
07/13/2022	62285	Cash	TRENCHER PURCHASE BID CARD # 22957	\$ 4,275.00
TOTAL General Fund Bills				\$5,289.73

Sewer Operating Fund

Date	Check	Vendor	Memo	Amount
07/11/2022	2230	BLUE RIDGE COMMUNICATIONS	Pump stations phones	\$ 126.94
				\$ 126.94

Sewer Construction Fund

Date	Check	Vendor	Memo	Amount
TOTAL Sewer Construction Fund				\$ -

Capital Reserve Fund

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

TOTAL General Fund	\$	122,895.38	_____
TOTAL Sewer Operating	\$	126.94	Authorized by: _____
TOTAL Sewer Construction	\$	-	
Total Capital Reserve	\$	-	_____
			Transferred by: _____
	\$	123,022.32	

POCONO TOWNSHIP CHECK LISTING

Monday, July 18, 2022

General Fund

Date	Check	Vendor	Memo	Amount
7/13/2022	62286	Access Office Technologies	10' Heavy Duty Power Extension Cords 2ea	\$38.00
7/13/2022	62287	ADP, LLC	TWP Payroll/Time/Attendance	\$631.54
7/13/2022	62288	ARGS Technology, LLC	June 2022 Police & TWP IT Services	\$3,429.00
7/13/2022	62289	Best Auto Service Center	Police vehicle maintenance	\$69.95
7/13/2022	62290	Brodhead Creek Regional Authority	TWP Sewer 2 EDUs	\$171.08
7/13/2022	62291	Broughal & DeVito, L.L.P.	Legal services	\$5,594.95
7/13/2022	62292	Cardmember Service	PW supplies	\$1,552.79
7/13/2022	62293	Cardmember Service	TWP licenses, cellphone service	\$1,345.24
7/13/2022	62294	Cardmember Service	Police supplies, licenses, & cellphone service	\$2,383.75
7/13/2022	62295	Central Square Technologies	Metro Alert Server Client Software Annual Maint Fee 8/15/2022 - 8/14/2023	\$4,148.71
7/13/2022	62296	D.G. Nicholas Co.	PW supplies	\$285.95
7/13/2022	62297	Fry's Plastic	Road materials	\$1,417.00
7/13/2022	62298	Gotta Go Potties, Inc	Park rentals & twp rentals	\$385.00
7/13/2022	62299	H. M. Beers, Inc.	June 2022 SEO Services	\$2,200.00
7/13/2022	62300	HUNTER KEYSTONE PETERBILT	Truck repair supplies	\$1,441.26
7/13/2022	62301	Iannazzo, Marc	Police training	\$71.09
7/13/2022	62302	Jan-Pro of NEPA	TWP complex cleaning Jul 2022	\$1,450.00
7/13/2022	62303	JDM Consultants, LLC	July 2022 Grant Consult/Advocacy & DCED GTRP Sub Fee	\$2,600.00
7/13/2022	62304	Kimball Midwest	PW supplies	\$778.00
7/13/2022	62305	Linde Gas & Equipment, Inc.	PW supplies	\$34.32
7/13/2022	62306	Locust Ridge Quarry	Road materials	\$1,894.11
7/13/2022	62307	LVL Engineering Group	Engineering services	\$4,031.84
7/13/2022	62308	Marshalls Creek Quarry	Road supplies	\$259.31
7/13/2022	62309	Medico Construction Equipment Inc.	PW supplies	\$215.00
7/13/2022	62310	MRM Worker's Compensation Pooled Trust	Workers compensation premium	\$14,274.82
7/13/2022	62311	PMHIC	Aug 2022 Health insuranc premium	\$66,563.10
7/13/2022	62312	Portland Contractors, Inc.	June 2022 Monthly Fee	\$320.00
7/13/2022	62313	PPL Electric Utilities	Area lights & traffic lights	\$98.48
7/13/2022	62314	PPL Electric Utilities	Electric service & traffic lights	\$1,315.17

7/13/2022	62315	Ray Price Ford Mt. Pocono	Police Intercept Service	\$194.78
7/13/2022	62316	Reliable Sign and Striping	Kevin's Ln Sign	\$112.00
7/13/2022	62317	Scicutella, Michael	6/20 - 6/23/22 Abington TWP Police Training Facility	\$52.15
7/13/2022	62318	SFM Consulting LLC	June 2022 Zoning & Building Services	\$17,386.60
7/13/2022	62319	Shinetime Auto Wash & Lube	Police Car Washes	\$44.00
7/13/2022	62320	State Workers Insurance Fund	PT Vol Fire Worker's Comp	\$1,732.00
7/14/2022	62321	Steele's Hardware	PW & Park supplies	\$838.10
7/14/2022	62322	Steele's Hardware	PW and Park supplies	\$752.26
7/14/2022	62323	STTC Service Tire Center	PW truck repair	\$39.75
7/14/2022	62324	Suburban propane	Vehicle fuel	\$6,825.47
7/14/2022	62325	Tulpehoken Water	Twp drinking water	\$60.94
7/14/2022	62326	Unifirst	PW uniform and TWP carpets	\$286.14
7/14/2022	62327	Wilson Products	PW supplies	\$16.00
TOTAL GENERAL FUND				\$147,339.65

Sewer Operating

Date	Check	Vendor	Memo	Amount
7/14/2022	2231	BRODHEAD CREEK REGIONAL AUTHORITY	July 2022 O&M	\$ 102,503.84
7/14/2022	2232	BROUGHAL & DEVITO, L.L.P.	Legal services	\$ 1,056.00
7/14/2022	2233	EEMA O&M Services Group, Inc.	July 2022 Op & Maint	\$ 6,978.91
7/14/2022	2234	Emergency Systems Service Co.	Professional services	\$ 6,686.21
7/14/2022	2235	LVL Engineering Group	Engineering services	\$ 2,047.40
7/14/2022	2236	PA One Call System, Inc	Sewer Mapping	\$ 31.91
7/14/2022	2237	PPL Electric Utilities	Pump Stations Electric	\$ 1,975.76
7/14/2022	2238	SUBURBAN TESTING LABS	Monthly NPDES	\$ 538.20
TOTAL Sewer Operating				\$121,818.23

Sewer Construction Fund

Date	Check	Vendor	Memo	Amount
7/14/2022	719	HAYDEN POWER GROUP	PUMP STATION 5 PT II IMPROVEMENTS	\$ 28,035.00
7/14/2022	720	LVL ENGINEERING	ENGINEERING SERVICES	\$ 6,592.90
TOTAL Sewer Construction Fund				\$34,627.90

Capital Reserve Fund

Date	Check	Vendor	Memo	Amount
------	-------	--------	------	--------

7/14/2022	1311	Advanced Collision	New police vehicles painting	\$2,360.56
7/14/2022	1312	CHEMUNG SUPPLY	Drainage project	\$4,532.15
7/14/2022	1313	CLEVELAND BROTHERS EQUIP. CO	Park Lane Project materials	\$11,444.50
7/14/2022	1314	FRY'S PLASTIC LLC	Park Lane Project materials	\$215.28
7/14/2022	1316	LOCUST RIDGE	Park Lane Project materials	\$1,896.79
7/14/2022	1317	LVL ENGINEERING GROUP	Park Lane Project & TLC Park projects	\$6,072.07
7/14/2022	1318	MARSHALS CREEK QUARRY	Park Lane Project materials	\$414.01
7/14/2022	1319	RECREATION RESOURCE USA	Bleachers TLC Park	\$12,995.00
7/14/2022	1320	STEELES HARDWARE	Park Lane Project materials	\$56.96
7/14/2022	1321	VARSITY SCOREBOARD	TLC PARK Scoreboard	\$3,605.00
TOTAL Capital Reserve Fund				<u>\$43,592.32</u>

Fire Tax Disbursement

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

ESSA

General Fund	\$	147,339.65	
Sewer Operating	\$	121,818.23	
Sewer Construction Fund	\$	34,627.90	Authorized by: _____
Capital Reserve	\$	43,592.32	
Fire Tax Disbursement	\$	-	
Liquid Fuels	\$	-	
TOTAL ESSA TRANSFER	<u>\$</u>	<u>347,378.10</u>	Transferred by: _____