

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
June 12, 2017

The June 2017 Regular Meeting of the Tobyhanna Township Board of Supervisors was held on June 12, 2017 at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania 18350.

Present were Supervisors Anne Lamberton, John Holahan, III, Heidi A. Pickard, Brendon Carroll and John E. Kerrick, Solicitor Jonathan J. Reiss, Esquire and Township Manager John Jablowski Jr.

1. Chair Anne Lamberton called the meeting to order at 7:00 p.m. It was determined that a quorum was present.
2. Pledge of Allegiance was recited.
3. Announcements

Executive Session was held on June 6, 2017 from 7:30 a.m. to 8:40 a.m. as well as June 12, 2017 from 6:15 p.m. to 6:55 p.m. involving legal litigation involving the police commission.

4. Heidi Pickard moved to accept the meeting minutes for the May 1, 2017 Work Session, the May 8, 2017 Regular Business Meeting, the May 11, 2017 Special Meeting and the May 17, 2017 Special Meeting. Brendon Carroll seconded. Vote: All in favor; Minutes accepted.
5. Treasurer's Report - \$614,592.60

John Holahan moved to approve the Treasurer's Report in the amount of \$614,592.60. Brendon Carroll seconded. Vote: All in favor; Motion carries.

6. Solicitor Report
Jonathan Reiss, Esquire presents:

- A. There is an issue that exists since 2009-2011 regarding mini cell antennas appearing in the township's rights of way. The PUC recently announce that those are not public utilities that townships could regulate those for use in your right of way.

That decision is under appeal. Mr. Reiss also noticed that the zoning ordinance was never updated when both federal and state law changed and it should have been updated at that time.

Mr. Reiss recommends that the zoning ordinance be looked at to be updated so that it complies with both federal and state law regarding cell antennas and also that the right of way ordinance be prepared for the Board's consideration that would allow the Township to charge for and regulate the use of the right of way. The Board authorizes Mr. Reiss to do so.

B. Mr. Reiss presents that he had sent the proposed amendment to the Subdivision And Land Development Ordinance and to the Zoning Ordinance regarding the 3,000 sq. ft. industrial structure improvement and those were to address issues raised by the Monroe County Planning Commission. Mr. Reiss requests the Board authorize him to send this to the two planning commissions so that they can review it and issues and comments and then schedule a hearing. The Board authorizes Mr. Reiss to do so.

7. Anne Lamberton announces to the public who have attended to discuss the sign ordinance and the topic of digital signs that the township is reviewing additional key areas that may limit the areas that will permit digital signage.

John Jablowski addresses the public and states that the Board is reviewing whether it is more than a sign issue that needs to be decided on but more of a land usage issue. How do we want the various villages within our community to be? If we look at it from this perspective, then we can decide the areas of land use and instead of having commercial, commercial, commercial, it would be village neighborhood, village commercial, village business, and really zero down to the various villages on how we want the particular land use to be within that village and thus the signs are part of that.

Mr. Jablowski suggests presenting at the next work session some land use discussion with a component of signs, but land use discussion on village, village center, entertainment and resort, and just really look at it from the land use as opposed to overlaying on commercial.

Brendon Carroll thanks all who have sent in comments for review.

8. Old Business

- A. Heidi Pickard made motion to approve a \$100 Veterans Day Wreath Ceremony to the Pocono Lions Club and a \$250 donation to the Monroe County Historical Association. Brendon Carroll seconded. Vote: All in favor; motion carries.
- B. Mr. Jablowski presents to all that on Thursday evening, June 15th, Hunter Barabas will be honored an Eagle Scout. All Supervisors are welcome to attend. Mr. Jablowski will attend and present Mr. Hunter Barabas with a special Township pin to recognize his special achievement.
- C. John Jablowski presents a correspondence he received from the Pocono Summit Volunteer Fire Company in reference to a letter of support from the Township to PennDOT regarding their forthcoming parade. Board has not yet received the audit documents that they had requested from the Pocono Summit Volunteer Fire Company and therefore denies the request for letter of support.
- D. Mr. Jablowski reminds the Board that the equipment bid expires at the end of the month. The existing contractor is willing to hold his prices for 2017 at the 2016 rates for the remaining of this fiscal year. Discussion follows on contract information, equipment bid costs and current project completion dates. Board requests more time to talk about this issue. Mr. Reiss suggests that the Board just to continue on with the contract that currently exists until discussions can take place.

9. New Business

- A. Kalahari Resorts - Fireworks Display on July 4th, 2017. John Holahan made motion to approve the Kalahari Resorts Fireworks Display on July 4th, 2017. Heidi Pickard seconded. Vote: All in favor; motion carries.
- B. Tobyhanna Township Community Day - Fireworks Display on July 8th. Heidi Pickard made motion to approve Tobyhanna Township Community Day Fireworks Display on July 8th, 2017. John Holahan seconded. Vote: All in favor; motion carries.
- C. FedEx Canopy - request for waiver of Land Development

John Holahan made motion to grant waiver of Land Development in FEDEX request to build a maintenance canopy. John Kerrick seconded. Vote: All in favor; motion carries.

D. FedEx Cross - Dock Terminal Expansion Land Development Plan.

Rege Sofranko with Tri County Engineering presents project expanding the dock facility at the FEDEX location. Project includes creating a T-deck out of current deck as well as expand parking and storm water management facilities.

John Kerrick made motion to approve the FEDEX Cross Dock Terminal Expansion subject to the June 7, 2017 review letter written by Township Engineer Bob McHale. Brendon Carroll seconded. Vote: All in favor; motion carries.

John Holahan made motion to approve the waivers for Subdivision and Land Development - SALDO Section 135-12.D2 and Section 135-15.A15 and SALDO Section 135-17.L and SALDO Section 135-17.M. Heidi Pickard seconded. Vote: All in favor; Motion carries.

E. Resolution - Appoint Joint Board of Appeals Alternate Member

Not addressed at this time.

F. I-380 SB Ramp Relocation Project-Pennoni Proposal

John Jablowski updates the Board that we have ten percent of the 1.5 million dollars along with ten percent of the LSA money that's been received to date which is approximately. Ten percent of those grant allocations can be used towards this. As the Board knows, we will be submitting another 2.5 million request to the State for additional multimodal funding and if we are successful in that, ten percent of that can be used towards this.

John Kerrick made motion to approve the I380 SB Ramp Relocation Project. Brendon Carroll seconded. Vote: All in favor; motion carries.

G. Capital Plan for funds received from Sale of WWTP

Board decides to table this item until more information is received.

H. Appoint Township Representative to T.T.B.A.
John Kerrick made motion to appoint Barbara Nichols as
Township Representative to T.T.B.A. Heidi Pickard seconded.
Vote: All in favor; motion carries.

John Jablowski announces that there are two new businesses
opening in the Township. Alfredos Restaurant and Access
Cornerstone in Pocono Summit.

10. Board of Supervisors Report
Nothing at this time.
11. Public Questions and Comments
12. Meeting adjourned at 7:41p.m.

Minutes recorded by Debra S. Jean.