

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
July 10, 2017

The July 2017 Regular Meeting of the Tobyhanna Township Board of Supervisors was held on July 10, 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 7:08 p.m. It was determined that a quorum was present.
2. Pledge of Allegiance was recited.
3. Announcements

Executive Session was held on June 15, 2017 from 9:00 a.m. to 9:05 a.m. regarding application.

Executive Session was held on July 10, 2017 from 6:55 p.m. to 7:10 p.m. regarding personnel.

Community Day was a success and the Board thanks all community organizations that were part of it. Over 1,000 people attended the event.

4. John Holahan moved to accept the meeting minutes for the June 5, 2017 Work Session and the June 12, 2017 Regular Business Meeting. Heidi Pickard seconded. Vote: All in favor; motion carries.

Brendon Carroll requests to add to the June 15, 2017 minutes that he and Mr. Holahan had quite a debate of the bid proposal and that a motion was made originally to award the bid to Locust Ridge Quarry and also to add that the Director of Public Works voiced some concerns about a bonding issue with the contractor. Mr. Holahan requests the opportunity to listen to the audio of the June 15, 2017 special meeting audio prior to consenting to the

additions. Approval of the June 15, 2017 minutes is tabled for future review.

5. Treasurer's Report - \$726,986.63.

Heidi Pickard moved to approve the Treasurer's Report in the amount of \$726,986.63. Brendon Carroll seconded. Vote: 4 in favor; John Kerrick abstains; motion carries.

6. Solicitor Report

A. Wireless Facilities Management Proposal

Jonathan Reiss, Esquire presents that the zoning ordinance is outdated regarding wireless facilities and that changes in both federal and state law require an update to the Township's ordinance. Mr. Reiss had previously recommended the services of The Cohen Law Group out of Pittsburgh who specializes in wireless law area, and had acquired a proposal from them. Proposal contains the services to work with Mr. Reiss to amend the zoning ordinance and to propose a right of way ordinance, which the Township does not currently have. Proposal is for a flat fee of \$4,500 payable in three installments.

John Holahan recommends accepting Cohen Law Group's proposal in the amount of \$4,500. Brendon Carroll seconded. Vote: All in favor; motion carries.

B. Land Development Waiver for SALDO and Zoning Ordinance

Mr. Reiss presents that the land development waiver for SALDO and zoning ordinance relating to commercial and industrial improvements less than 3,000 square feet was reviewed by the Tobyhanna Planning Commission last week, who recommended that it be adopted.

It was sent to the Monroe County Planning Commission on June 13th. The Board requests that Mr. Reiss moved forward with advertising unless there are substantive changes requested by the Monroe County Planning Commission.

C. Meeting is scheduled with Ann Hutchinson to talk further about the Blakeslee rezoning.

D. One of the five missing easements has been obtained. Need to retain an appraiser and surveyor for the four remaining

easements. Heidi Pickard states that a verbal proposal was received and she is expecting a written proposal soon.

John Kerrick made motion to approve the proposal from Tom McKeown for services on the condition that it comes in as the same as the verbal proposal made at \$750 per property. Heidi Pickard seconded. Vote: All in favor; motion carries.

- E. Mr. Reiss states that his office has been working with the Township for sewer service liens and will continue to do that for approximately the next three months. Mr. Reiss recommends that the Board meet to determine what they would like to do about any outstanding debt owed to them.
- F. Mr. Reiss recommends that the Board dissolve the Sewer Authority and that they should meet to discuss this option.
- G. Mr. Reiss explains that Chapter 113 in the Code of Ordinances, dealing with sewer and on-lot sewage disposal, needs to be amended to reflect the fact that the Township is no longer owner of the sewer system. Mr. Reiss requests authorization to create a draft amendment for Articles 5 & 6 of Chapter 113.

John Holahan made motion to authorize Jonathan Reiss to create a draft amendment for Articles 5 & 6 of Chapter 113 of the Code of Ordinances. Heidi Pickard seconded. Vote: All in favor; motion carries.

7. Reports:

A. Manager

- i. John Jablowski gives updates on the paving project bids for the remaining part of Miller Drive and Long View and will present the bids to the Board at the August meeting.
- ii. Mr. Jablowski explains that there are two bills before the State Legislature; Senate Bill 22 and House Bill 722. These would create a citizen's commission for legislative and congressional redistricting. Mr. Jablowski asks the Board to review and take action at the August meeting.
- iii. Mr. Jablowski advises the Board that correspondence was received from the Pocono Summit Volunteer Fire Company concerning reinstatement of the funding from the

Township. Board decides to table this action for further review.

- iv. Mr. Jablowski requests a special meeting be scheduled for next Monday, July 17, 2017 at 8:00 a.m. to discuss economic development. Board agrees and schedules meeting.
- v. Mr. Jablowski welcomes Autumn Canfield who will join the staff as Assistant Township Manager on July 24, 2017.

B. PMREMS

Heidi Pickard presents that there will be a "Regional Roundup" pig roast fundraiser at Sky Top featuring Snake Oil Willie in early September.

C. PMRPD

John Jablowski presents that there is a meeting on 7/11/17 at the Pocono Mountain Regional Police Department and recognizes the loss of the department's canine.

Mr. Jablowski also notes that the Department is one of the very few law enforcement agencies within the Commonwealth of Pennsylvania to be an accredited law enforcement agency, and is also the largest geographical area in Pennsylvania that is covered by one agency.

D. Open Space

Heidi Pickard states that there is a meeting on Monday 7/17/17 at 5:00 p.m.

Ms. Pickard recognizes the Pocono Mountain Women's Club for celebrating 45 years.

8. Old Business
None.

9. New Business

- A. Rick Bodenschatz - thank you for Historical Marker Donation
Mr. Bodenschatz presented an update on the historical marker project and thanked the Board for all of their support.

The last marker was installed on June 9th bringing the total of installed historical markers to 20. Mr. Bodenschatz comments that the completion of this project exemplifies the substance and pride of our community and the desire to invest in it. Chris Avery presents the Board with framed photos of two of the markers.

Mr. Bodenschatz shows a brochure which includes a driving tour map of all the markers and suggests map can also be downloaded from a free app. There will be a presentation at the Clymer Library on Thursday about the railroads of Township. Board thanks Mr. Bodenschatz for his dedicated work on this project.

- B. Consider Resolution 2017-013 authorize Zoning Officer to approve Fireworks Permits

John Holahan made motion to approve Resolution 2017-013 to authorize Zoning Officer to approve fireworks permits. Heidi Pickard seconded. Vote: All in favor; motion carries.

- C. Consider approving Exeter/ARCO final LDP, Lot 100 New Ventures Park

Jason Honesty from Exeter Property Group thanks the Board for the opportunity to present on the Lot 100 New Ventures Park project. Chris McDermott from Reilly Associates presents an overview of the project and requests final land development approval.

Plans are to develop the lot for a distribution warehouse. Entrance will be off of Industrial Park with a shared driveway. There will be a 15' gravel emergency access to Commercial Boulevard. The building will be served by central sewage with an existing pump station. Water will be provided by an on-lot well with a fire water storage tank with a 300,000 gallon capacity.

Storm water will be controlled by several storm water facilities located on the site using a combination of subservice underneath the parking lot and surface detention areas on the other side of the emergency access. There will be screening on the north side at the top of the hill. Maintenance of the driveway will be the responsibility of the property owner.

Previous review of traffic led to an offsite mitigation improvement being identified at Route 940 and Route 115 for Lots 110 & 100. At that time there was a negotiated contribution of \$15,000 for Lot 110 and \$35,000 for Lot 100 which is part of the developer's agreement, for the Township to make improvements at that intersection.

Mr. McDermott requests the Board reiterate the approval of four waivers; 124-86.B, 135-12.D.2, 135-17.L and 135-17.M that were previously granted in 2008.

John Holahan made motion to approve the final land development plan for the Exeter Blakeslee Lot 100 subject to the applicant satisfactorily addressing items in Bob McHale's letter dated July 5, 2017 and also to approve waivers in Township Code 124-86.B vertical profiles for channels, SALDO Section 135-12.D.2, SALDO Section 135-17.L and SALDO Section 135-17.M. Heidi Pickard seconded. Vote: All in favor; motion carries.

- D. Elliott Greenleaf & Dean [Labor Attorney] proposal
Mr. Jablowski states that he received the proposal from Elliott Greenleaf & Dean to review the Township's existing job descriptions at \$225 per hour.

John Holahan made motion to obtain Elliott Greenleaf & Dean at \$225 per hour for review of Township's job descriptions. Brendon Carroll seconded. Vote: All in favor; motion carries.

- E. Assignment and Assumption of Revised and Restated Agreement between Tobyhanna Township and SIDE Corporation for Payment in lieu of taxes under the Keystone Opportunity Act

Jonathan Reiss clarifies that SIDE Corp cannot do an assignment under this agreement without the Board's consent.

John Holahan makes motion to approve the assignment and assumption of revised and restated agreement for payment in lieu of taxes under the Keystone Opportunity Act from SIDE Corporation to Exeter Properties. John Kerrick seconded. Vote: All in favor; motion carries.

10. Board of Supervisors Report/Comment
None.

11. Public Questions and Comments

Q. Dot Hanley asks what is being done to encourage businesses to come to the Blakeslee area. Anne Lamberton responds that a town hall meeting was just held in Blakeslee with a vision and proposed project with a new set of ordinances. John Jablowski adds that there are plans in the works and invites the public to come to the office to view the plans. Through working with several agencies - the State Department of Economic Development, The Heritage Tourism Bureau, Department of Agriculture - there is opportunity to create a unique Pennsylvania experience here, but it all depends on the people that own and operate the properties to say yes, we want something different.

Mr. Jablowski talks about the Tobyhanna Township Business Association which promotes small businesses within the township and is pleased to report that eight new businesses have opened up so far this year.

Q. Pat Simonik makes comment regarding the sign ordinance and suggesting that a town in Vermont allows no signs and the businesses there are thriving. Anne Lamberton refers them to the Township's website to review the proposed sign ordinance suggesting that it is very restrictive and well thought through.

Q. Joseph Colyer requests the Board enforce policies across the board equally. Suggests that there are companies popping up all over and nothing is being done. Mr. Jablowski offers to discuss this issue further when Mr. Colyer comes in to review plans. Board concurs and thanks Mr. Colyer for bringing attention to it.

Q. Sullivan Trail desperately needs attention. Anne Lamberton asks John Jablowski to reach out to PennDOT.

12. Anne Lamberton moves to adjourn the meeting. John Kerrick seconded. Meeting adjourned at 8:07 p.m.