

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION
SEPTEMBER 5, 2017

The Work Session of the Tobyhanna Township Board of Supervisors was held on September 5, 2017 at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania, 18350.

Present were Supervisors Anne Lambertson, John J. Holahan, III (by phone), Heidi A. Pickard, Brendon Carroll, John E. Kerrick, Solicitor Jonathan J. Reiss, Esquire, and Township Manager John Jablowski Jr., MPA.

The Pledge of Allegiance was recited.

1. Chair Anne Lambertson called the meeting to order at 8:00AM.
2. Announcements
 - a. An executive session was held on August 16th from 8:00AM-10:00AM to discuss an appraisal.
 - b. An executive session was held on August 25th from 8:00AM-10:00AM to discuss personnel matters.
3. Solicitor's Report
 - a. Jonathan Reiss has nothing to report.
4. New Business
 - a. Pocono Summit Volunteer Fire Company (PSVFC) Memorandum – Jonathan Reiss asks if he should prepare an ordinance. Sending out a memorandum requires board action. This is a stop-gap measure, pending item 6A on the agenda being adopted at a later date.

John Jablowski states the memorandum calls for a retroactive measure (as of 8:00AM on September 5, 2017) that the PSVFC is decommissioned as an emergency services provider in Tobyhanna Township. John Kerrick motions to approve the memorandum, Brendon Carroll seconds. Brendon Carroll asks about the PSVFC being informed about this decision. John Jablowski states that they have a meeting scheduled for 4:00PM later today.

Jonathan Reiss states that this action does not relieve the township from paying worker's compensation to PSVFC members until item 6A is adopted. John Kerrick comments that there will be no interruption of service. John Jablowski says that other companies will cover the area, and the township's fire companies

will not be secondary for any other township. Further, other municipalities will not call PSVFC as primary or secondary

Brendon Carroll asks what happens if, after the PSVFC is notified of the decommission, they show up to a call. John Jablowski states that because they were not officially dispatched, they are not acting officially, and the township is not liable for any injuries the former members incur.

Heidi Pickard asks about repealing the approved fundraising for PSVFC. Ed Tutrone explains that Tobyhanna Township Volunteer Fire Company (TTVFC) and PSVFC gave a list of acknowledge events, and that they didn't have to come to the Board every year for approval. That list of acknowledged events is on file. John Kerrick amends the motion to add that any fundraising previously approved for PSVFC is null and void. Brendon Carroll seconds. Kerrick, Carroll, Pickard, Lamberton in favor, John Holahan abstains; motion carries.

5. Old Business

- a. Pocono Summit Transportation Study Update – Earl Armitage. Armitage displays the revised 380 and 940 map. His company will survey along 380 in two weeks. The plan takes into account traffic generated by the anticipated development of 380, 940, and 314, as well as bridge expansion, to properly model needed improvements. A 550 ft. deceleration ramp will be added to 380-S. This project is in two phases. Phase I looks at what level of development can be built without having to expand the 940 bridge over 314. Phase II looks at what transportation improvements need to be in place to handle the volume of a built-out area.

The 380-S ramp will realign with Long Pond Road. This impacts Stillwater Drive entrance, which will realign to FedEx Drive. The proposed realignment goes through wetlands, and creating a road with an S curve would minimize the impact to the wetlands. While it does curve, the road will have right of way, and any access point to the new road will have stop controls. The new road will also allow connection with the back of the gas station, and allow secondary access to the post office. The survey will be complete by this month, with base plans by the end of September. Anne Lamberton states that the Stillwater residents are thrilled to have safe access to their community. The township will move the mailboxes for Stillwater.

Another proposed change is the addition of a left turn arrow at the intersection to get on 380 North while driving east on 940. PennDOT has approved this, it is now a matter of getting a contractor to the site to do the work. The township's contractor is Telco, so Armitage will contact them. The Board wants to move forward immediately. John Jablowski states that the LSA grant for \$750,000-

\$800,000 will help with the Stillwater project, which will cost \$1.1 million. Hopefully, the award will be ready by spring.

Armitage states that there are two holdups to a timely project: project design and right of way (ROW) acquisitions and legal hurdles. Generally, the properties are acquired in the township's name, then transferred to PennDOT in one big bundle.

Bob McHale discusses the permitting process through wetlands. Once the total acreage of wetlands impact is determined, the plans proceed to the Army Corps. Once they approve it, the plan proceeds to the environmental agencies. John Jablowski states that the name of Stillwater Drive will have to be changed in order to accommodate the new road for 911 readdressing.

Stanley Menking inquires about the 380-S exit ramp. Earl Armitage explains that the current off ramp will be replaced by a 550 ft. deceleration lane.

- b. Pocono Pines Intersection Concept Plan – Earl Armitage. This concerns the intersection of 940 and 423. This study's goal is to provide a concept plan demonstrating possible improvements, simplifications, and the addition of left turn lanes. The study would produce three alternatives for the intersection.

Wendy Freeman indicated there are preliminary plans for a Welcome Center for Lake Naomi on the northeast corner of the 940 & 423 intersection probably four or five years from now. Such an action would require a member vote, and they are not prepared to do that. The only item that may move forward soon is a sign at the intersection.

Bob McHale discusses locations of accesses for the potential Welcome Center for Lake Naomi. Discussion over truck/bus/bike access, high speed turns, and potential intersection changes ensues. John Jablowski discusses the acquisition of the property at the southeast corner of the intersection as a potential trolley stop. The proposal will cost \$18,500. The Board decides to put this topic on the agenda for Monday.

Earl Armitage explains that the timeline for the submission for the Pocono Summit West project to PennDOT is three months from now. Bob McHale states that the wildcard is getting the wetland issue resolved. Earl Armitage gets his sketches to Rettew, Rettew talks with the Army Corps.

Earl Armitage states that for Long Pond Road, there is a proposal to construct a right turn lane, so there are separate left and right turn lanes. The ramp off of 380-S will have three lanes. Also, there is a proposed road south on Long Pond that would connect Long Pond and FedEx Drive – that is part of the study as well.

6. Return to New Business

- a. Consider Authorizing the Advertisement of Proposed Ordinance Amending Chapter 9. Heidi Pickard motions, Brendon Carroll seconds. John Kerrick asks that Pickard look for funding for an Emergency Coordinator, and Jablowski creates a job description. Pickard states that now may not be the time, as the township has added nearly \$140,000 in staff. Brendon Carroll states that there is a typo in Section 9-10; “meeting” should be plural. Vote: all in favor; motion carries. The hearing and adoption is scheduled for October.

Jonathan Reiss states that the ordinance must be advertised at least seven days in advance, and there must be one advertisement for the special meeting and one for the ordinance. Anne Lamberton sets a special meeting for the third week of September on Friday, September 22nd at 11:00AM.

- b. Blakeslee Concept Plan Update – Borton-Lawson – Sam Steiner & Reginald Miller. Sam Steiner presents the plans for revamping the 940 & 115 intersection in six phases. Phase I –General Sullivan Square. Demolition of the flea market and possible creation of a library, green space, or YMCA. Phase II – Insalaco’s Plaza. The Plaza will remain but add 40,000 sq. ft. of retail, housing. The creation of the Pocono Trading Post, a 135-unit trading post lodge. Phase III – Pennsylvania Experience – 90,000 sq. feet of retail. Beer, wine, and spirits hall of fame building. Micro brews, living quarters. Addition of a canopy, so outdoor spaces can be used year round. Phase IV – Fern Ridge Site. 30,000 sq. ft. of retail, restaurants, lodging/rustic cabins – 50 units. Phase V – Nature Preserve, environmental center, trail creation. Phase VI – Developing 115 corridor, more retail and commercial space, potential additional development in the back.

Sam Steiner states that for every 5 acres of hard, impervious service you lay, you need 1 acre of stormwater treatment. At full buildout, the road should sustain 40,000 trips a day. This allows us to plan for what types of permits driveways will require (medium, high, signalized). The preliminary water usage for a full buildout would be 200,000 gallons per day.

John Jablowski states that we are trying to get one regional MPDS permit. Looking at stormwater project as a whole will save money. Bob McHale cautions that if the township holds the MPDS permit and a contractor comes in and makes a mistake, the township is responsible for that violation. We need a way to protect the township. Jason Fitzgerald discusses possible funding opportunities for the project.

John Jablowski states that the township is working with Marywood University students to design concepts for the Blakeslee area.

- c. LSA Grant Resolution and Funding Commitment letter for relocation of Stillwater Estates Entrance. John Kerrick motions to approve. Heidi Pickard seconds. John Holahan abstains, all else in favor; motion carries.
- d. Short Term Rental Ordinance Discussion. The Board is not interested in pursuing this. Wendy Freeman of Lake Naomi states that the problems lie in occupancy, and there is no way to enforce it. It's difficult to regulate short-term rental properties. Heidi Pickard explains that any action taken against short term rentals would be ineffective, because seasonal rentals and other items would not be affected. Heidi Pickard suggests the creation of nuisance ordinance to deal with this, including fines for multiple violations. Brendon Carroll states that the township cannot be responsible for what someone chooses to do with their house. The board discusses septic overload on properties. The possible creation of a Short Term Rental Ordinance is put to rest.
- e. Citizens Commission for Redistricting – Stanley Menking. Stanley Menking lives at 6149 Lakeview Drive in Lake Naomi. He states that every ten years, districts are redrawn based on population. Addressing how this works is Senate Bill 22 and House Bill 7-22. Legislators have been creating districts, and in essence, choosing their voters. Voters should choose their legislators, not the other way around. Maps for districts are a jigsaw puzzle, and many races run unopposed. The purpose in mind is to put forward a constitutional amendment on the ballot that the voters will vote to draw districts for congress, and the state house and senate. After the next census, the number of districts will decline. The Citizens Commission would consist of four Republicans, four Democrats, and three Independents, who are drawn from three pools of applicants that have no political connections. After their term is over, they are barred from politics and lobbying for the next five years. He asks the board to consider going on record to say that Tobyhanna Township supports this approach to developing congressional legislative districts in the state of Pennsylvania.
- f. RKR Hess Proposal – Act 537 Plan Revision (Sale of the Wastewater Treatment Plant). Autumn Canfield states that the DEP states that there is still a pending permit for transfer of the sewer plant because of incomplete documentation. This should be completed by late January or early February. There was a problem with turning a public system over to a private entity. The DEP has not yet set policies on how to handle this sort of transfer, so the township is caught in a flux of having to produce documents for the DEP's approval without having guidelines of what the DEP wants. Jonathan Reiss states that the Act 537 plan says the treatment plant is a public facility, so the township needs to amend the plan so that it states the treatment plant has been transferred to a private entity.

Heidi Pickard asks for an update on the Chapter 113. Jonathan Reiss states he sent it to Steve McConnell to sign off on it, and it was much more complicated that

they first thought because there are a lot of references to the municipality. These references cannot be all changed to Aqua because some of them relate to township enforcement. McConnell wanted to look at it more closely.

In order to satisfy the DEP's request, RKR Hess asks for an additional \$5,400.

7. Public Comment

- a. John Kerrick asks for an update on the sign ordinance. John Kerrick motions to send the sign ordinance to the township's Planning Commission and Monroe County Planning Commission. Discussion over potential zoning changes ensue. Anne Lamberton suggests taking digital signs out of the ordinance to move it forward. John Jablowski states that we can do a township-wide notification so we don't have to notify each individual property owner in the effected zone. Anne Lamberton suggests moving it forward to the planning commissions as it is proposed. John Holahan wants digital signs taken out of the ordinance. Frustrated discussion ensues, and John Kerrick withdraws his motion.
 - b. John Jablowski comments that he notified the Control Center of the actions of the Board concerning the PSVFC at 8:13AM, and as of 8:14AM everything is in effect.
 - c. John Jablowski announces that he is working with Tunkhannock Township to adopt a local government in Texas. The townships will send office supplies or whatever they need to maintain operations, and the township will help how it can.
8. Heidi Pickard moves to adjourn. Meeting adjourned at 10:12.

Minutes recorded by Julia Heilakka