

**AGENDA
BOARD OF SUPERVISORS
Work Session
January 3, 2011**

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Secretary Report:
4. Solicitor Report:
5. DPW Report and Sewer Report:
6. Engineering Report:
7. Sewer Enforcement Officer Report:
8. Zoning Officer Report:
9. Committee Reports: PMREMS/PMRPC/Open Space/
CMTPTT Regional Comprehensive Plan
10. New Business:
 - A. Blakeslee Visioning-discussion
 - B. CJ Dickinson-International Fire Code

A G E N D A
Board of Supervisors
Regular Business Meeting
January 3, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: December 13, 2010 Regular Business Meeting
December 20, 2010 Special Meeting
5. Consider the Treasurer's Report: \$235,179.41
6. Solicitor Report:
7. New Business:
 - A. Keswick Pointe PRD Letter of Credit Reduction
8. Public Questions and Comment

ADJOURNMENT

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Joint Work Session/Regular Business Meeting

Tobyhanna Township Government Center Building
State Avenue
Pocono Pines, Pennsylvania 18350
Monday, January 3, 2011, beginning at 4:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
DONALD J. MOYER, Board Member
JAMIE B. KEENER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE, Solicitor

ALSO PRESENT: PHYLLIS HAASE, Zoning Officer

ROBERT McHALE, Township Engineer

ORIGINAL

PANKO REPORTING
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to welcome
2 everyone here this afternoon. We're going to open this
3 up as a joint work session slash business meeting,
4 January 3, 2011.

5 How do you want to -- you want to go
6 down the work session agenda?

7 Why don't we jump down to new
8 business, Blakeslee Visioning discussion.

9 You want to give us a report or --
10 MR. MARK EVANS: Sure. I'd be happy
11 to.

12 My name is Mark Evans. Good to see
13 you again.

14 MR. KERRICK: How you doing?

15 MR. MARK EVANS: I'm joined by my
16 partner, Phil Ehlinger. We thought we would just give
17 you a quick update on what we're about ready to get
18 started on and we need your guidance on how we should
19 get rolling.

20 The -- as you may recall, we have
21 four major steps in the -- in the visioning process for
22 the master plan for Village of Blakeslee. The first
23 step is really where we're listening and really learning
24 more about what -- what the needs of the community are
25 and what the needs of the business -- property owners

1 are in the Village of Blakeslee and we will have a
2 kickoff meeting, so that's gonna be the first order of
3 business, to have a sort of a kickoff meeting with the
4 steering committee that you would appoint.

5 The second item will be a master
6 plan listening session. This could be one full day
7 where we may have six or eight different groups come
8 into the township building and where Phil and I are
9 calling, would do some listening and make sure that all
10 of the full range of concerns of the township's planning
11 commission, the board of supervisors, property owners
12 and citizens would be heard and voiced so that we can
13 guide the plan with good input.

14 And then the -- during that --
15 during those meetings and that sort of listening
16 session, we would likely have a walking tour of the
17 village, probably a virtual walking tour. We believe
18 that rather than dragging people out in the middle of a
19 snowy day in the middle of the winter, we thought
20 through the wonders of Google and a digital video tour
21 that we took a few weeks ago, we may be able to raise a
22 lot of questions and start the dialog during those
23 listening sessions with a virtual walking tour of the
24 village.

25 And that will lay the groundwork for

1 the main public gathering that will guide the visioning
2 and the village master planning, which is really our
3 planning workshop. And so that would be an all-day
4 event. It would involve any and all stakeholders and
5 citizens who want to participate and the goal of that
6 whole process would be to create a detailed plan master
7 plan that would lay out not only the proposed land uses
8 that might be consistent with the communities and
9 township's vision, but also lay out what are some of the
10 design standards that might accompany the village and
11 its -- and its vision.

12 And so ultimately the final stage of
13 this would then be, to present back to you all at a
14 community meeting the recommendations in the form of a
15 report, in forms of a plan, and that would then be fully
16 coordinated with all of the -- fully coordinated with
17 all of the future ordinance work and it's being done by
18 the count -- through the county's consultant and through
19 your own planning consultants, so we would coordinate
20 all that effort.

21 So I think what we're asking of you
22 today is to help us understand, number one, whom -- we
23 don't have to do this here, but to designate whom would
24 you like the steering committee to be. We want to make
25 sure that there's broad representation on the form of

1 township leadership, as well as planning commission
2 leadership and whatever you deem appropriate. We know
3 there's a number of property owners and stakeholders
4 that you might want to have involved in some way in that
5 steering committee. So I think giving us some direction
6 on that would be great.

7 Identifying -- number two, would be,
8 whom would you like to have as the primary point of
9 contact between our consulting group and the township?
10 Let us know who you would like to have us communicate
11 with. And so I guess I sort of open it up there to say,
12 you know, is -- and just that sort of the -- the broad
13 overview in terms of the overall schedule is, we
14 originally and our contract between the township and our
15 firm identifies a seven week schedule. We believe that
16 there may need to be a few additional weeks, not
17 necessarily for us to do the work, but to lay enough
18 time in the schedule for public communication with
19 attendees, so that we make sure we have full
20 participation in those events.

21 So we have a quick handout here that
22 I will share with you here that lays out the 12 week
23 process.

24 MR. KEENER: Mark, as far as the
25 steering committee, what's a number that you feel would

1 be a workable number for the steering committee itself?

2 MR. MARK EVANS: Phil, your thoughts
3 on that?

4 MR. PHIL EHLINGER: Well, a
5 committee of one is best, but I think five's a good
6 workable number, that's a balance -- it could be either
7 way.

8 MR. KEENER: Do we want two
9 supervisors, two planning commission and one at large?
10 You think something like that or do you think --

11 MR. PHIL EHLINGER: I think
12 planning commission involvement is the key.

13 MR. KERRICK: I think the public is
14 key.

15 MS. PICKARD: Yeah. I think --

16 MR. KERRICK: Personally.

17 MR. KEENER: Well, this is just the
18 steering committee. This is -- I mean, the public's
19 going to be very key to get the input of what they want
20 to see, but this is just a matter of making sure that
21 the thing stays organized and helping to get the word
22 out.

23 What about seven? If we had three
24 from the public?

25 MR. KERRICK: I recognize what you

1 -- if you want the steering committee to stay small, I
2 understand. As long as the public has their --

3 MS. PICKARD: I think seven.

4 MR. KERRICK: -- input, I think it's
5 important that property owners in that area and for the
6 township really and the public have their input, that's
7 key.

8 MR. KEENER: Why don't we try to go
9 for seven and, again, I think two from the supervisors,
10 two from planning and three at large; is that --

11 MR. PICKARD: That makes sense. But
12 these meetings that you want to have here and all-day
13 work sessions, we want to get the public involved.
14 We've had a lot of people that wanted to participate.

15 MR. MARK EVANS: Of course.

16 MS. PICKARD: Just wondering whether
17 we have even enough room here to actually do something
18 meaningful or --

19 MR. MARK EVANS: I believe, it is
20 certainly possible, that if there's full participation,
21 we could overwhelm this room. But I --

22 MS. PICKARD: Well, we had that one
23 meeting here, remember we had the county planning
24 commission and some people here, but we had -- pretty
25 full, and that was before we involved the public.

1 That's my concern.

2 MR. MOYER: Do we have another
3 spot?

4 MR. KERRICK: Maybe Lake Naomi would
5 have a spot or the school.

6 MS. LAMBERTON: The school maybe.

7 MR. KEENER: When would you
8 envision having the visioning session? Would that be
9 during the week or possibly on the weekend?

10 MR. MARK EVANS: It is typical that
11 an event like this might occur on a Saturday morning so
12 that we could get as many people participating. It
13 could also occur -- you know, Phil, is that sort of
14 where we're heading on this?

15 We talked about two things, number
16 one, remember the listening sessions, which are really
17 where we're doing a lot of data gathering, we were
18 thinking that rather than having one all-day event, it
19 might make sense to have one event on the listening
20 sessions during a week night or afternoon, that might be
21 compatible with business owners who may be here in the
22 area, and maybe that initial listening session, we could
23 have a Saturday morning listening session that would
24 address those who may be -- you know, work outside the
25 area during the week.

1 And so -- so that listening session,
2 we think we have flexibility to have maybe two, two half
3 day events on the listening session. For the design
4 workshop itself, the master planning workshop, it tends
5 to work best if it's one event, that it's a time that's
6 most workable for as many people as possible, we are
7 flexible. We just -- we need to listen to the township
8 in terms of how we think we can get the highest level of
9 participation.

10 MS. PICKARD: I don't know if we
11 could get into the Family Center. That might make sense
12 to have it out in Blakeslee.

13 MR. KEENER: It would be nice if we
14 could do it there.

15 The Family Center that we had --

16 MR. MARK EVANS: Yes.

17 MR. KEENER: -- driven by?

18 MR. MARK EVANS: Yes.

19 MR. KEENER: Why don't we try to
20 pull the steering committee together, then we could help
21 to make those decisions, then I think it would be best
22 to get the best participation.

23 MR. MARK EVANS: The -- whom would
24 you like as the initial point of contact with our firm
25 as we begin to organize the event?

1 MR. KEENER: I guess that should be
2 Heidi since you're in the office here. Coordinate staff
3 and --

4 MR. MARK EVANS: That would be
5 great.

6 Phil, do you want to talk about the
7 website and idea that we had floated?

8 MR. PHIL EHLINGER: Sure.

9 One of the ideas we'd like to do as
10 far as this project goes is to utilize the web as much
11 as possible given the fact that the time of year and the
12 fact that people have easy access to it. We'd like to
13 create a project website that would be a repository for
14 a lot of the printing materials and also as
15 notifications and keep the public informed and
16 participatory in the process.

17 We're proposing a website domain
18 such as Blakeslee2020.Info, but it could be whatever the
19 township's pleasure is. There's BlakesleePlanning.Info,
20 there's all matter of domains, but the Blakeslee2020 we
21 liked because it does talk to the -- basically the
22 horizon (inaudible) in the next ten years, what we're
23 going to see things going on this plan, and also it's a
24 visioning session, so it's got a nice little (inaudible)
25 there, so, we'd like to create a project website.

1 We're also going to utilize several
2 web based survey tools for people who cannot attend the
3 meeting, will be able to participate in the process
4 on-line. You can actually take a visual survey on-line
5 if they can't get out or they can't attend those
6 meetings.

7 And we also are gonna give -- I'm
8 not gonna say weekly, but periodical e-mail newsletter,
9 e-mail blast on the process for people who want to sign
10 up and who like to sign up for the e-mail notification
11 process.

12 So, again, we're using -- we're
13 gonna use the web as much as possible in a process like
14 this and we are excited about this project. Coming from
15 Bucks County, we wish that people in Bucks County had
16 done what you're doing 20 and 30 years ago. We see an
17 effort like this is right on time for a community like
18 this and there's a lot of public officials in other
19 parts of the state that wished they had done projects --
20 processes like this earlier on.

21 MR. MARK EVANS: Does that
22 direction for creating a project Blakeslee website seem
23 like a good idea?

24 MS. LAMBERTON: Is it possible to
25 use our current website, just put a link on it so we

1 don't have to redesign everything?

2 MS. PICKARD: We have a link on our
3 website.

4 MR. MARK EVANS: We certainly would
5 want to have linkages to that. I think we're not in any
6 way trying to take any emphasis away from the township's
7 website, so we certainly want to --

8 MS. LAMBERTON: I just want to be
9 sensitive to the fact that it's not just Blakeslee, it's
10 all Tobyhanna Township.

11 MR. MARK EVANS: Okay.

12 MS. LAMBERTON: Just a thought.

13 MR. MARK EVANS: Sure.

14 MS. LAMBERTON: I mean, we could be,
15 you know, looking into the future and involving Pocono
16 Pines and Pocono Summit; and if all these property
17 owners want to engage, they should know it's like a
18 township thing not just focusing on Blakeslee.

19 MR. MARK EVANS: It's a very good
20 point.

21 MS. LAMBERTON: It's all taxpayers
22 so --

23 MR. MARK EVANS: It's a very good
24 point.

25 MR. KERRICK: Scratch the Blakeslee

1 and make it Tobyhanna Township --

2 MS. LAMBERTON: That's what I said,
3 maybe we should do something on our web page.

4 MR. KERRICK: That's fine.

5 MS. LAMBERTON: Just a thought.

6 MS. PICKARD: I think they need to
7 have the access to put the information on, so they're
8 going to need to be doing that, not going through our
9 webmaster so it should be a link.

10 MR. PHIL EHLINGER: It's entirely
11 appropriate that the two sites be heavily crossed
12 linked. By creating a separate little domain, which is
13 included in our contract and our fee as far as
14 establishing a domain, it's not gonna cost the township
15 anything, but it creates a separate web presence that we
16 can maintain and go in and --

17 MS. LAMBERTON: Understood.

18 MR. PHIL EHLINGER: -- try to keep
19 fresh.

20 MS. LAMBERTON: I just want it to
21 state Tobyhanna Township not just Blakeslee, so it
22 doesn't offend any of our citizens.

23 MR. MARK EVANS: Those are great
24 points. And so would it be worth us exploring something
25 like Tobyhanna2020.Info or something like that or would

1 you rather we simply make this a subset of the
2 township's website and just keep it under the township's
3 domain?

4 MR. KEENER: I think you might want
5 to do some research on the 2020 thing because Monroe2020
6 was the comprehensive plan, so it might have some
7 conflict there.

8 MR. MARK EVANS: Okay.

9 MS. LAMBERTON: Maybe something new.

10 MR. KEENER: I'm thinking like
11 EnvisionTobyhanna or something to that effect, I think,
12 again, keeping Tobyhanna Township in there because while
13 it is -- this is focused on Blakeslee, it's going to
14 ripple across the township and I think ultimately across
15 the county as opportunity for the reestablishing village
16 centers and everything like that.

17 MR. MARK EVANS: Well, why don't we
18 bring a range of ideas to the initial kickoff meeting
19 and the steering committee can then help guide where
20 this goes. We don't certainly need to make any
21 decisions on this now, we just wanted to sort of open
22 the door. It's a good conversation.

23 Well, I think the next item on our
24 list is simply we'll want to work closely with you,
25 Heidi, to make sure the county sources of various

1 mapping and data that they have available to us can be
2 passed on to us. We'll need a week or two prior to the
3 kickoff meeting where we can get the mapping together
4 and just come prepared to the kickoff meeting with the
5 right information.

6 So I would say as far as we're
7 concerned, as soon as the -- you can designate and
8 gather a group for the steering committee, we would be
9 happy to, you know, arrange a time to meet and get the
10 process started. So what I've handed out here in terms
11 of the overall process is this 12 week schedule.

12 Does that seem to be a good start in
13 terms of the sequence of events?

14 MS. PICKARD: When did you envision
15 starting this, was one of my questions. We're going to
16 shoot for the middle of the winter or we're looking that
17 this is going to start in March and April or are you
18 saying next week is Week 1?

19 MR. MARK EVANS: I would say
20 sometime in January would be Week 1. If -- it need not
21 be this week, but if we wanted to say the third week of
22 January as Week 1, you know? Essentially we need to --
23 I mean, a kickoff meeting could occur anywhere in the
24 next, you know, two to three weeks, I would assume, but
25 it really depends on how many people we have to get

1 together and how long it takes to get those seven or --

2 MS. PICKARD: So the kickoff meeting
3 is with the steering committee not --

4 MR. MARK EVANS: Yes.

5 MS. PICKARD: Okay.

6 MR. MARK EVANS: Kickoff meeting
7 would be with the steering committee. So I would say,
8 why don't you get back to us as to when it's reasonable
9 to get the steering committee together for the kickoff
10 meeting. I think the events that are gonna take the
11 most communication and lead time would be events that
12 involve gathering -- gathering public, gathering
13 stakeholders and I think the sooner that we have a
14 kickoff meeting, the better we can have lead time for
15 the listening sessions, as well as the ultimate planning
16 workshop.

17 So, Heidi, do you want to sort of,
18 you know, identify that and work with your colleagues in
19 identifying what that steering committee might be and --

20 MS. PICKARD: Sure. And you can let
21 me know what specific mapping --

22 MR. MARK EVANS: Sure.

23 MS. PICKARD: -- and data that
24 you're looking for.

25 MR. MARK EVANS: I can work very

1 comfortable -- closely with you on that.

2 I think that in general covers the
3 overview of where we're going. The only other thing
4 that Phil and I had talked about in terms of the overall
5 process, looking toward what we're calling Week 12,
6 community meeting, as the final presentation back to the
7 township, is that we may somewhere in the vicinity of
8 Week 10 want to have some sort of a interim review with
9 the steering committee of our draft recommendations and
10 get feedback and guidance as to whether we're heading in
11 the right direction; so we may want to just identify one
12 additional review meeting for the steering committee at
13 that time.

14 So unless you have any further
15 direction for us, we are ready to get started and begin
16 to work with you on setting calendars and we're very
17 excited about it.

18 MR. KERRICK: Thank you.

19 MR. MARK EVANS: Okay. Thank you.

20 MR. KERRICK: Appreciate your time.

21 MR. MARK EVANS: You're welcome.

22 MR. KERRICK: Next item: CJ

23 Dickinson, International Fire Code.

24 MR. CHARLES DICKINSON: Thank you
25 very much for having me up here today. As most of you

1 know me already, a little bit of background, before I
2 start, about myself.

3 I started with the fire company here
4 in '99 proceeded through 2005 when I was hired by the
5 town of Nags Head until December of '09. We moved back
6 up here and took a position with the Department of
7 Defense to which I'm currently still working.

8 But today I'm not here as the fire
9 company, I'm here as a resident. And understanding that
10 in 2003, I believe it was, the International Fire Code
11 was adopted within the township and the state. I was
12 out at Pocono Mountain West High School. Miss
13 Lamberton, you saw this picture. If I would, I'd like
14 to share this with the supervisors.

15 At the west high school, the main
16 entrance, there was a fire alarm device that was marked
17 out of service, dated July 28, 2010. To me, that's
18 unacceptable. We have a code in place to prevent
19 systems like this from going down.

20 Chapter 9 of the International Fire
21 Code -- I'm sure Bureau Veritas, he's in the back room,
22 can verify this with me -- inspection, testing and
23 maintenance, the fire protection alarm and extinguishing
24 systems shall be maintained in an operative condition at
25 all times and shall be replaced or repaired work

1 effective. I have children in the school district.
2 It's not necessarily just the school district issue, it
3 comes back to you as the supervisors, with the code or
4 whoever the third party is that we're using to enforce
5 the fire code.

6 As an enforcement issue, though, I
7 don't look at it as a punishment. Since it hasn't been
8 enacted upon from 2003 until now, it's an opportunity
9 for the township to educate the business owners of what
10 the code is, why it's in place and why we need to follow
11 the code. We have an extreme life hazard between the
12 four schools that we have in the township on a daily
13 basis in the school year, and to have at least a single
14 pull device at a main entrance where the majority of the
15 people are going to be exiting from, because that's
16 where they entered the building, that's a bit of a
17 problem.

18 2003, in February, the Station
19 Nightclub fire, is anybody familiar with that? Big
20 deal. A lot of people died that night. The town of
21 West Warwick in the State of Rhode Island were held
22 liable and settled out of court for ten million dollars
23 based on an overlook of the fire code official because
24 of a change of occupancy when they didn't inspect the
25 building.

1 I want you guys to be aware that
2 this could come down the pike of you guys being held
3 responsible for something for not enforcing the code and
4 not inspecting the commercial structures in the town.

5 MR. ARMSTRONG: Just let me
6 interrupt, that was Rhode Island, this is Pennsylvania.

7 MR. CHARLES DICKINSON: No, I
8 understand that.

9 MR. ARMSTRONG: Pennsylvania has an
10 immunity's statutory provision for townships of the
11 second class, just needed to clarify.

12 MR. CHARLES DICKINSON: I completely
13 understand that. I'm not -- I'm not trying to berate.
14 I want you guys to be up on top of why we adopt the fire
15 codes. It's not only to help the safety of everybody
16 that comes through the township, everybody that lives in
17 the township. The flip side to that is it's a safety
18 for the volunteer fire fighters that we have in town,
19 the guys who selflessly go out hours on end for training
20 and responding to calls within the township.

21 So I hope with this coming to
22 everybody's attention that this is occurring and from a
23 personal standpoint, I would like to work with you guys,
24 work with the Bureau Veritas, bring Chief Counterman in
25 as the fire department official to work on enacting the

1 code a little bit more to help making the township safer
2 for everybody in a whole instead of just kind of coming
3 across things where you have a school alarm system that
4 was out of service in July, and that picture was taken
5 December 5.

6 Thank you very much for your time.

7 THE REPORTER: Can you just state
8 your name, please?

9 MR. CHARLES DICKINSON: Charles
10 Dickinson.

11 THE REPORTER: Okay. Thank you.

12 MR. KERRICK: Anyone else?

13 Thank you, CJ.

14 MR. CHARLES DICKINSON: Thank you,
15 supervisors.

16 MR. KERRICK: You have questions?

17 MR. ARMSTRONG: No.

18 MR. KERRICK: Do you have a couple
19 questions?

20 MS. LAMBERTON: I just wanted to
21 know if --

22 MS. PICKARD: I want to know what
23 you're going to --

24 MR. KERRICK: Well, I asked and I
25 didn't hear anybody respond. If you have questions then

1 --

2 MR. KEENER: We want to discuss it?

3 MR. KERRICK: Sure. I'd have to
4 do some --

5 MR. ARMSTRONG: Did he leave?

6 MR. KERRICK: I'm not educated on --

7 MS. PICKARD: Phyllis has been
8 working on that with Bill.

9 MR. TROY COUNTERMAN: He's got an
10 emergency, that's why he had to leave.

11 MR. ARMSTRONG: Oh, okay.

12 MR. KERRICK: Can you stay?

13 MR. TROY COUNTERMAN: A couple
14 minutes.

15 MR. KERRICK: You got an emergency
16 too?

17 MR. TROY COUNTERMAN: I can give you
18 a couple minutes and I got to boogy too 'cause the
19 emergency involves his wife.

20 MR. KERRICK: Oh.

21 MS. LAMBERTON: Oh, then go.

22 MR. KERRICK: Well, why don't we do
23 some research, come back another time. We'll have you
24 back and --

25 MS. LAMBERTON: Present some

1 questions.

2 MR. KEENER: Has anybody followed up
3 on this?

4 MR. TROY COUNRTMAN: Not that I know
5 of.

6 MS. LAMBERTON: That was given to me
7 a few weeks ago and I did pass it onto Bureau Veritas.

8 MR. KEENER: What's the status?

9 MR. BILL BURTON: We are gonna
10 follow up on it with Rodney. We haven't discussed,
11 though, as far as -- it's the authority you have in
12 jurisdiction, it's kind of dictating whether or not we
13 go in and do on-site inspections.

14 Under Section 106.2, we have the
15 authority to do the inspections, but the jurisdiction
16 has to determine whether or not we're gonna be able to
17 go in and start.

18 MR. KEENER: Don't you think the
19 school should address it?

20 MR. BILL BURTON: The school is
21 supposed to maintain --

22 MR. KEENER: Has it been brought to
23 their attention?

24 MR. BILL BURTON: The school is
25 supposed to maintain all their pull stations, their

1 sprinkler systems. They're supposed to go in and
2 maintain it.

3 MR. ARMSTRONG: I think what you're
4 saying, it's been brought to the --

5 MR. KEENER: He's waiting for us to
6 tell him to go out there and do it.

7 MR. BILL BURTON: Correct. Correct.

8 MR. ARMSTRONG: So it's been
9 brought to the board's attention.

10 MR. BILL BURTON: Correct.

11 MR. TROY COUNTERMAN: You would have
12 to give your authority -- you're the authority to have
13 the jurisdiction, you have to give your approval for
14 Bureau Veritas to go do these commercial inspections.

15 MS. PICKARD: And we're not sure
16 what direction we're going on the --

17 MR. TROY COUNTERMAN: Right. And
18 the code does allow you to put a fee schedule in there
19 to bill the commercial businesses.

20 MR. KERRICK: So can you do the
21 schools without doing the other commercial?

22 MR. BILL BURTON: Yes. You can take
23 and do certain -- certain occupational classification.
24 We can do assemblies; we can do educational facilities;
25 we can do manufacturing facilities; storage facilities.

1 And it would be a great thing to do assemblies;
2 restaurants where you can have -- where doorways could
3 be blocked; storage facilities where a fireman comes in
4 and doesn't know what's actually stored there, whether
5 there's acetone or whether it's paper products. It's a
6 good thing for the township to look into, inspections.

7 MR. KERRICK: Can I just say one
8 thing or do you want to go first?

9 MR. ARMSTRONG: Go for it.

10 MR. KERRICK: I think it's
11 important that we get together and address this, but I
12 thinks it's important that they go there tomorrow,
13 that's ridiculous.

14 MS. LAMBERTON: Yeah, absolutely.

15 MR. KERRICK: That's crazy.

16 MS. PICKARD: The school is --

17 MS. LAMBERTON: Top priority.

18 MR. KEENER: I mean, I would make a
19 motion that we authorize Bureau Veritas to go out and --

20 MR. KERRICK: Do the schools.

21 MS. LAMBERTON: Tomorrow.

22 MR. KEENER: Well, at least this
23 one, but also bring it to the superintendent's attention
24 that this is of upmost importance that needs to be done
25 today.

1 MR. TROY COUNTERMAN: The code also
2 does say in there that the fire department and their
3 code official have to be notified of those being out of
4 service and being repaired. We were never notified of
5 anything just as if we weren't notified that it was out
6 of service. I mean, the unfortunate thing --

7 MR. ARMSTRONG: Has anyone contacted
8 the school?

9 MR. MOYER: The superintendents.

10 MR. TROY COUNTERMAN: I don't have
11 the authority to contact the school. Neither did Bureau
12 Veritas until you guys give him the authority to contact
13 the school.

14 MR. KERRICK: Did CJ as a parent
15 contact the school?

16 MR. TROY COUNTERMAN: That I don't
17 know. I couldn't answer that.

18 MR. KEENER: I mean, if I knew about
19 that, I'd be calling the superintendent or calling
20 somebody --

21 MS. PICKARD: -- would have called
22 it for the meeting.

23 MR. TROY COUNTERMAN: We are going
24 to try as the fire department to get a meeting with the
25 superintendant to address these issues.

1 MR. ED TUTRONE: We were gonna -- me
2 and Troy were gonna sit down and talk about this. We've
3 had some automatic alarms at the schools. We cover
4 Pocono Mountain West High School, Junior High and TEC,
5 and we were going to see if we can get a meeting with
6 the superintendant and we've done this in the past with
7 the school bus accidents where we got them to come up
8 with a procedure, in a school bus accident, that they
9 never had before, to where we were, about three weeks,
10 at a fire alarm at night, we had to wait for security to
11 get there before we could even enter the building.

12 Once we got in, they couldn't tell
13 what zone even though it was reading at, on the panel,
14 Zone 3. They had no idea what Zone 3 was. Did a whole
15 search of the building, we came up with nothing. The
16 next morning we were back out there again, it turned out
17 to be (inaudible). So what we want to do is go out and
18 speak to them and see if they can put a box or something
19 by the main entrance from their alarm company, like we
20 have in this building here, that tells you what specific
21 detector's going off and where it is with a map.

22 So that's something we want to work
23 on as a fire company so if we can incorporate this in
24 with Bureau Veritas or the supervisors, we'd do that.

25 MR. ARMSTRONG: I just want to say

1 two things; one, you're aware of it, you're the
2 contracted building code official of Tobyhanna Township.

3 MR. BILL BURTON: Correct.

4 MR. ARMSTRONG: I don't have the
5 code in front of me, I don't necessarily know
6 specifically with a situation like this, if the board
7 specifically has to meet and direct you to address it.
8 I don't know if that's the case or not, but I think now
9 that you're aware of it, I think at the very least,
10 authorize them to notify the school with respect to that
11 particular fire prevention facility and resolve it.

12 MR. MOYER: Right. And any other
13 ones that might be open or broken down.

14 MR. ARMSTRONG: Right.

15 MS. LAMBERTON: Inspect the schools.

16 MR. KERRICK: I think the schools
17 ought to be.

18 MS. LAMBERTON: Absolutely.

19 MR. MOYER: Well, yeah. I mean, I
20 think if the superintends were notified that -- I don't
21 know, that's crazy.

22 MR. KEENER: One of the other
23 comments that CJ made was about education and, you know,
24 we're township supervisors, I think it should fall to
25 the fire department to assist with that education and do

1 some public outreach, go attend some assemblies or
2 whatever or even with staff meetings to assist. I'm
3 sure they have fire drills. I think they're required to
4 have fire drills, so maybe meeting with their emergency
5 service department. I'm assuming they have somebody
6 appointed to take care of those responsibilities.

7 MR. TROY COUNTERMAN: Yeah, there's
8 some issues there too. The other day, like Eddie said,
9 again, I don't want to keep you here all day, but with
10 the automatic alarm there, they had those kids outside
11 for 25 minutes plus in ten degree weather without their
12 coats on, that to me is an issue. The alarm in the
13 schools is minor compared to the hypothermia that the
14 kids can get standing outside. It's something that the
15 school has to be made aware of.

16 MR. KEENER: They ought to have some
17 process. If it's over here in the campus, they ought to
18 take them from the high school and move them to the
19 intermediate or vice versa.

20 MR. TROY COUNTERMAN: Absolutely.

21 MR. KEENER: That should be the
22 process.

23 MR. TROY COUNTERMAN: I think it's
24 gonna be a learning process for all of us. Again, CJ
25 coming from Nags Head, the enforcement and inspection

1 side was designated to the fire department for the city
2 so --

3 MR. KEENER: Yeah, again --

4 MR. TROY COUNTERMAN: He's very,
5 very stringent on that type of stuff because that's his
6 background but --

7 MR. KEENER: Mr. Armstrong referred
8 to Rhode Island, each state has different
9 responsibilities --

10 MR. TROY COUNTERMAN: Correct.

11 MR. KEENER: -- for enforcing codes.

12 MR. TROY COUNTERMAN: Correct.

13 MR. KEENER: But I'll make a motion
14 we authorize Bureau Veritas to go out and meet with the
15 school regarding this instant -- this issue
16 specifically, but also to address the overall safety of
17 the fire code at all of the schools within Tobyhanna
18 Township.

19 MS. LAMBERTON: I second.

20 MR. KERRICK: Motion and second.

21 Call the voice. Jamie?

22 MR. KEENER: Vote in favor.

23 MR. KERRICK: Anne?

24 MS. LAMBERTON: I vote in favor.

25 MR. KERRICK: Donny?

1 MR. MOYER: So moved.

2 MR. KERRICK: Heidi?

3 MS. PICKARD: I vote in favor.

4 MR. KERRICK: I'll vote in favor.

5 Motion carried.

6 MR. KEENER: Do we need to take a
7 look at the fee schedule?

8 MR. KERRICK: I don't really care if
9 they charge the school. Because of the kids, it's an
10 issue and I think it needs to be addressed right of way.
11 That's my opinion. We do need to look at a fee schedule
12 and we need to look at this whole thing as a whole but
13 --

14 MS. PICKARD: We need to look at the
15 educational classes and how we want to go about this and
16 it's been a requirement -- I think Phyllis and Bill have
17 already started looking at that, but I think in the
18 meantime the educational institutions that we have
19 probably should be addressed and I'm gonna guess they
20 would ask for a waiver.

21 Do we have a cost? When we started
22 talking about this before --

23 MR. BILL BURTON: There is a section
24 in the contract that we can do it for an hourly rate,
25 and I believe it's \$80 an hour for us to go out and do

1 inspections.

2 MR. KERRICK: This one's on the
3 house, right?

4 MR. BILL BURTON: Yeah.

5 MR. KERRICK: Perfect. That's what
6 I like to hear.

7 And I hope you'll be involved with
8 the visioning with these gentlemen?

9 MR. TROY COUNTERMAN: Just let me
10 know.

11 MR. KERRICK: Okay. Now, we're
12 going to continue with the work session agenda.

13 Do you want to stop the stenographer
14 until we get to our business --

15 MR. TROY COUNTERMAN: Thank you.

16 MR. KERRICK: Thank you.

17 MS. LAMBERTON: Thank you.

18 MR. KERRICK: Is there any need to
19 take verbatim for the next --

20 MS. PICKARD: I don't know, unless
21 you just want to do --

22 MR. KERRICK: Do you want to take a
23 break?

24 MS. PICKARD: -- the two business
25 things we have and then let her go.

1 MR. KERRICK: Then she can go?

2 MS. PICKARD: Yeah.

3 MR. KERRICK: Okay. First item
4 would be to consider the minutes of December 13, 2010,
5 regular business meeting and consider the minutes of
6 December 20, 2010, special meeting.

7 MS. PICKARD: I have some
8 corrections to make. Okay. On the December 13 regular
9 business meeting, Jamie should be spelled J-A-M-I-E
10 throughout and on Page 34, Line 15, it should be A and
11 M, as in Mary, Real Estate.

12 And with that, I'll make the motion
13 to approve the minutes.

14 MR. KERRICK: Do I have a second?

15 MR. MOYER: Second.

16 MR. KERRICK: Motion and second.

17 Questions or comments?

18 Questions or comments from the

19 public?

20 Call the vote. Jamie?

21 MR. KEENER: I vote in favor.

22 MR. KERRICK: Anne?

23 MS. LAMBERTON: I vote in favor.

24 MR. KERRICK: Donny?

25 MR. MOYER: Vote in favor.

1 MR. KERRICK: Heidi?

2 MS. PICKARD: I vote in favor.

3 MR. KERRICK: I vote in favor.

4 Motion carried.

5 Next item on the agenda, consider
6 the treasurer report bill pack dated January 3, 2011,
7 total amount for board approval, \$235,179.41.

8 MS. PICKARD: I make a motion we
9 approve the January 3, 2011 bill pack in the amount of
10 \$235,179.41.

11 MR. KERRICK: Do we have a second?

12 MR. KEENER: Second.

13 MR. KERRICK: Questions or comments
14 from the board?

15 Questions or comments from the
16 public?

17 Call the vote. Jamie?

18 MR. KEENER: I vote in favor.

19 MR. KERRICK: Anne?

20 MS. LAMBERTON: I'll abstain.

21 MR. KERRICK: Donny?

22 MR. MOYER: I vote in favor.

23 MR. KERRICK: Heidi?

24 MS. PICKARD: I vote in favor.

25 MR. KERRICK: Motion carried.

1 Do you have anything that should go
2 on the record for solicitor?

3 MR. ARMSTRONG: Just very briefly,
4 the Blue Ridge Cable franchise renewal agreement, that
5 should be ready in February so long as Blue Ridge's
6 legal department can get through it and approve it. It
7 will be by ordinance so I just need your motion
8 authorizing the advertising for an ordinance with
9 respect to that agreement.

10 MS. PICKARD: So moved.

11 MR. MOYER: Second.

12 MR. KERRICK: Motion and second.

13 Questions or comments?

14 Call the vote. Jamie?

15 MR. KEENER: I vote in favor.

16 MR. KERRICK: Anne?

17 MS. LAMBERTON: I vote in favor.

18 MR. KERRICK: Donny?

19 MR. MOYER: I vote in favor.

20 MR. KERRICK: Heidi?

21 MS. PICKARD: I vote in favor.

22 MR. KERRICK: I vote in favor.

23 Motion carried.

24 MR. ARMSTRONG: And that's all I
25 have.

1 MR. KERRICK: Next item: Keswick
2 Pointe PRD letter of credit reduction. I believe the
3 last time we did this we authorized after our township
4 engineer --

5 MS. PICKARD: We got this and I
6 wanted to put it on the agenda because we weren't
7 meeting again until mid-February.

8 MR. KERRICK: I'm not sure how we
9 worded the motion last time, but if it's all right with
10 you.

11 MS. PICKARD: We make a motion that
12 -- we have a request for --

13 MR. ARMSTRONG: Bob, you've received
14 the request?

15 MR. McHALE: Yes. And I've asked
16 Mr. Hanyon to submit to us the inspection reports,
17 testing reports, all slips, those type of items, to
18 justify and provide us backup to the reimbursement
19 request. The total on the request is a little over
20 \$503,000 and then we'll still need to go out in the
21 field and do some inspections.

22 MR. KEENER: Is that a new request
23 subsequent to our prior --

24 MR. KERRICK: Yes, sir.

25 MS. PICKARD: It's at the end of the

1 year.

2 MR. KERRICK: The end of the year we
3 --

4 MS. PICKARD: Right before the
5 holidays.

6 MR. KERRICK: Pat feels it would be
7 appropriate if the board is in agreement, providing that
8 Bob gets the information he needs and signs off on it.

9 MS. PICKARD: What was the amount?
10 500 -- because mine says 487 --

11 MR. MOYER: 503.

12 MS. PICKARD: 503 --

13 MR. ARMSTRONG: I think what you can
14 do --

15 MR. McHALE: 5-0-3-7-7-6. There was
16 additional moneys he was asking for via e-mail of some
17 items that were included. I think it was fencing around
18 the well house and such.

19 MR. ARMSTRONG: Yeah, I think what
20 you can do is in your motion to make a motion approving
21 an amount --

22 MR. KEENER: Up to?

23 MR. ARMSTRONG: An amount agreeable
24 to the township engineer after reviewing the documents
25 and determining how much should be released. Not

1 specifying the amount because he hasn't reviewed it yet.

2 MR. KERRICK: Is that your motion?

3 MR. ARMSTRONG: That's not -- if
4 that's the motion that the board would like, yes, that's
5 fine.

6 MR. KEENER: I make a motion we
7 approve the letter of credit reduction subject to review
8 and approval by our township engineer and the amount not
9 to exceed the 500 --

10 MR. MOYER: 3.

11 MR. KEENER: What was that?

12 MR. MOYER: 503.

13 MR. BOB McHALE: 503,776.23.

14 MR. KERRICK: Do we have a second?

15 MR. MOYER: Second.

16 MR. KERRICK: Questions or comments
17 from the board?

18 Questions or comments from the
19 public on the motion?

20 Call the vote. Jamie?

21 MR. KEENER: I vote in favor.

22 MR. KERRICK: Anne?

23 MS. LAMBERTON: I vote in favor.

24 MR. KERRICK: Donny?

25 MR. MOYER: I vote in favor.

1 MR. KERRICK: Heidi?

2 MS. PICKARD: I vote in favor.

3 MR. KERRICK: I vote in favor.

4 MS. PICKARD: I had just one other
5 thing.

6 MR. KERRICK: Does Wendi have
7 anything she wants to --

8 MS. PICKARD: That's what I --

9 MR. KERRICK: Wendi, you want to --
10 I guess, so we're on the record, the request that you
11 have? Do you want us to read it or --

12 MS. PICKARD: Well, why don't you
13 share with us.

14 MS. WENDI FREEMAN: Okay. Wendi
15 Freeman, and on behalf of Lake Naomi and Timber Trails
16 we'd like to request permission to be able to use brown
17 numbering for the 911 address numbers only, not street
18 signs, although Timber Trails would like permission to
19 use brown street signs also with a white lettering.

20 MS. PICKARD: Reflective?

21 MS. WENDI FREEMAN: Right.
22 Reflective as per the ordinance and the code.

23 MR. KERRICK: So the signs -- the
24 house signs for Timber Trails, Lake Naomi, brown with
25 white letters reflective?

1 MS. WENDI FREEMAN: Yes.

2 MR. KERRICK: And the street signs,
3 Timber Trails, brown with white letters?

4 MS. HAASE: Excuse me. Can I just
5 clarify that? The house signs, you mean the signs that
6 are out by the road?

7 MS. WENDI FREEMAN: Both.

8 MS. HAASE: Okay. And that are on
9 the home?

10 MS. WENDI FREEMAN: Correct.

11 MS. HAASE: So at the road and the
12 home?

13 MR. KERRICK: What if you can't see
14 it if the house is brown?

15 MR. KEENER: It has to have a
16 background. It has to have some type of a background to
17 make sure you can see the brown.

18 MS. PICKARD: Contrasting.

19 MR. KEENER: You have to have a
20 framing.

21 MS. LAMBERTON: Saying what if the
22 house is brown?

23 MS. PICKARD: We had this with what
24 if the house was white.

25 MS. LAMBERTON: Color paint their

1 house.

2 MS. KEENER: Yep.

3 MS. LAMBERTON: What do you think,
4 Ed?

5 MR. ED TUTRONE: The only thing you
6 really need to do, to make sure that the numbers are
7 contrasting to whatever background; so if the house is
8 brown, it really doesn't matter as long as their numbers
9 are white reflective.

10 MS. LAMBERTON: It sounds fair
11 enough.

12 MR. KEENER: How are you going to
13 see them in the daytime?

14 MS. PICKARD: The white numbers --
15 okay. So --

16 MR. ED TUTRONE: Honestly the most
17 important one is gonna be the one on the street.

18 MR. KERRICK: True.

19 MR. KEENER: Because I think there's
20 going to be people standing outside for the most part.

21 MR. KERRICK: So could we have that
22 in a motion?

23 MS. PICKARD: I move that we allow
24 Lake Naomi and Timber Trails to use brown with white
25 reflective lettering on the post mounted numbered sign

1 at street and on the house in Lake Naomi and Timber
2 Trails.

3 MR. MOYER: Second.

4 MR. KERRICK: What about Timber
5 Trails' road signs?

6 MS. PICKARD: I didn't think that we
7 had that in our ordinance -- for the street signs? The
8 road names.

9 MS. HAASE: The board requested
10 green.

11 MR. KERRICK: All right. So let's
12 -- hold up. That's your motion? Do we have a second to
13 that motion?

14 MS. PICKARD: Yeah, Donny seconded.

15 MR. KERRICK: Oh, I didn't hear you.
16 I'm sorry.

17 Questions or comments?

18 MR. KEENER: We had talked -- the
19 ordinance we adopted was what, all green?

20 MS. HAASE: Correct.

21 MR. ARMSTRONG: For the post mounted
22 signs in the front.

23 MS. HAASE: In the street.

24 MS. PICKARD: So the post mounted
25 sign.

1 MR. KERRICK: Why are we changing
2 it?

3 MS. PICKARD: Because Wendi is
4 asking us to change it.

5 MS. HAASE: The ordinance had
6 stated that they could request the board.

7 MS. PICKARD: I didn't think the
8 street signs had anything to do with this.

9 MS. LAMBERTON: The street signs are
10 green.

11 MS. PICKARD: The township streets'
12 signs are green.

13 MS. LAMBERTON: Right. Understood.
14 But you want the street signs in Timber to be brown?

15 MS. WENDI FREEMAN: Yes, on private
16 -- because they're private roads.

17 MS. LAMBERTON: I understand. I was
18 just concerned about consistency.

19 MR. MOYER: When we did the
20 ordinance, though, we said that if someone requested it,
21 it would be up to the board that they come in, request
22 it --

23 MR. KERRICK: I thought we said that
24 they would be uniformed across the township.

25 MR. MOYER: Did we?

1 MR. KERRICK: I realize what's in
2 the ordinance.

3 MR. KEENER: That's what we
4 preferred.

5 MR. KERRICK: We preferred.

6 MR. KEENER: I guess the ordinance
7 includes the provision for --

8 MS. PICKARD: That's why we said
9 they had to come to us and request if they wanted
10 anything different.

11 MS. HAASE: Many of the developments
12 are wanting to have different colors. Emerald Lakes
13 wants green; I believe Stillwater wants red; Pine Crest
14 wants brown and Timber Trails wants brown.

15 MR. KERRICK: You're talking road
16 signs or are you talking --

17 MS. HAASE: Road signs.

18 MR. KERRICK: Okay. Let's hold up
19 on the road signs. We're talking just house signs and
20 street signs right now. That's her motion.

21 MS. PICKARD: Post mounted --

22 MR. KEENER: Well, you're saying
23 street signs.

24 MR. KERRICK: I'm sorry. House
25 numbers at the street.

1 MR. KEENER: Okay.

2 MR. KERRICK: That's what Heidi's
3 motion is.

4 MS. LAMBERTON: Okay.

5 MR. KEENER: Is that what your
6 motion is or is it --

7 MS. LAMBERTON: And that's what you
8 want?

9 MS. KERRICK: She didn't get into
10 road name signs.

11 MS. PICKARD: I can if we want them.

12 MR. KERRICK: That's your motion and
13 that's what the second is, so we got to vote on that.
14 That's what's on the floor.

15 MS. LAMBERTON: That's what you
16 requested?

17 MR. KEENER: Just the road name
18 signs, the pole mounted road name signs is not what
19 you're requesting?

20 MS. WENDI FREEMAN: Yes, we are, but
21 that's not in this motion.

22 MR. KEENER: You said street signs.
23 You didn't say street --

24 MR. KERRICK: I mis --

25 MS. LAMBERTON: You mean the

1 driveway sign and the house sign.

2 MR. KEENER: Lot numbers.

3 MR. KERRICK: Yeah, I misspoke on
4 the first --

5 MR. ARMSTRONG: This motion is just
6 for the building number signs themselves, not the street
7 signs --

8 MR. KERRICK: But last time we were
9 together, I know what it says in the ordinance, we
10 wanted -- I think you're the one that brought it up, it
11 ought to be uniform across the township, green.

12 MR. KEENER: Yes.

13 MS. LAMBERTON: I'm just concerned
14 for the response people.

15 MS. PICKARD: I didn't have an
16 issue with the private developments, but certainly I
17 felt that township roads in the rest of the township --
18 but we would entertain if Emerald Lakes came in and
19 requested we --

20 MR. KERRICK: You're talking two
21 different things again.

22 MS. PICKARD: I don't think so.

23 MR. KERRICK: The street signs?

24 MS. PICKARD: I'm not.

25 MR. KERRICK: You're talking about

1 the posts?

2 MS. PICKARD: I'm talking about the
3 posts.

4 MR. KERRICK: We said we wanted
5 uniformed green across the township.

6 MS. PICKARD: Exactly.

7 MR. KERRICK: But you just made a
8 motion to change it.

9 MS. PICKARD: If somebody requested
10 it.

11 Well, you can vote no.

12 MR. KERRICK: That's your motion.
13 Second?

14 MS. PICKARD: Vote no.

15 MS. KERRICK: I'm going to.

16 MR. KEENER: I want a further
17 discussion. I mean, what about the emergency services?
18 We had talked about it looking for consistency across
19 the township.

20 MR. KERRICK: That was our concern.

21 MR. KEENER: Is number consistency
22 going to impact your response, color consistency for the
23 house number itself?

24 MR. KERRICK: Our thoughts were, Ed,
25 that you'd be looking for a green sign with white

1 letters in front of every house, and that's what we
2 discussed at our last meeting. I understand Wendi's
3 request.

4 MS. LAMBERTON: I do too.

5 MR. ED TUTRONE: If it -- the
6 biggest thing is gonna be the number, definitely be the
7 white. As far as the green, yeah, if you have it
8 uniformed throughout the rest of the township, then,
9 yes, it's gonna be a lot easier because they're gonna
10 look for the green sign. The green's gonna stand out
11 before the white that you're coming up on it.

12 MS. LAMBERTON: You're entitled to
13 your opinion.

14 MS. PICKARD: The house doesn't have
15 to be green. It could be whatever. It just has to be
16 contrasted white.

17 MR. KEENER: The house just has to
18 be contrasted?

19 MS. PICKARD: White reflective.

20 MR. KEENER: But the street house
21 number signs --

22 MR. KERRICK: You'd certainly see it
23 a lot better than just white letters, I'm telling you.
24 I've been there in the middle of the night.

25 MS. LAMBERTON: That's my concern

1 actually.

2 MR. ED TUTRONE: And I'm gonna just
3 to throw one thing into you here, I'm gonna tell you,
4 there's another development that we've dealt with that
5 if they know they don't have to go green, they're not
6 going to, and if you allow them to do some numbering,
7 different things with numbering, and that's really gonna
8 throw everybody off, if they come in for brown or blue
9 or whatever.

10 MS. PICKARD: What do you mean
11 different things with numbering? Different reflective
12 colors?

13 MR. ED TUTRONE: One of the other
14 developments that we -- that's on one of the main roads,
15 they didn't feel they were roads, we were letting them
16 put numbers out at the end of the drives, two or three
17 different numbers, they come and request a change and
18 you give that to them, then the responders are gonna be
19 looking for green primarily. I think it's gonna cause a
20 problem personally.

21 MR. KERRICK: I agree.

22 MR. MOYER: I got you.

23 MR. KEENER: I mean, I don't know
24 how many other municipalities --

25 MS. LAMBERTON: Paradise is all red.

1 MR. KEENER: Bucks County, do you
2 have consistency of numbers across --

3 MR. PHIL EHLINGER: No. We just
4 enforce the code requirements and it is actually in the
5 fire prevention code about proper numbering contrasting
6 colors, but we don't get into description as to what
7 colors they have to be, just contrast.

8 MR. KERRICK: Contrasting numbers or
9 background?

10 MR. PHIL EHLINGER: The number has
11 to contrast with the background property screens. So it
12 could be a dark letter on a white house or white letter
13 on a dark house.

14 As far as street signs go, our
15 public streets, our public signs are all consistent, but
16 in private neighborhoods, we don't necessarily specify
17 that. We do that for a reason, that our public works
18 guys know what streets not to plow.

19 MR. ED TUTRONE: One of the things
20 -- that's what I was gonna say, one of the things, that
21 they actually said it throughout this process, is that
22 private roads, if you have a different color sign or
23 something detecting that it's not a township road or
24 public road, that helps.

25 It doesn't matter either way to the

1 responder. It's more or less, like what he said, for
2 public works and stuff. That's why we put our T
3 numbers, township road numbers on our signs, versus
4 private, they're just gonna have a name.

5 MR. ARMSTRONG: It has a second?

6 MR. KERRICK: Yeah, we're just in
7 question. We have a motion and second.

8 Any other discussion or comment?

9 I'll call the vote.

10 MS. LAMBERTON: So our ordinance
11 says we can allow different colors but the street signs
12 need to be maintained green?

13 MS. HAASE: No.

14 MS. PICKARD: No.

15 MS. HAASE: There's three signs you
16 should --

17 MR. MOYER: Not really.

18 MS. LAMBERTON: Guys, I want to
19 listen.

20 Go ahead.

21 MS. HAASE: There's three signs.

22 There's a sign that's on the home --

23 MS. LAMBERTON: Right.

24 MS. HAASE: -- which is the number
25 to that parcel. There's a sign that's out to the

1 intersection of the driveway and the road and then
2 there's a sign on the actual road.

3 So what Lake Naomi is requesting is
4 to have the ability in Timber Trails to have all three
5 signs brown. In Lake Naomi they're requesting to have
6 two at the road and on the home.

7 MR. KERRICK: The road name signs in
8 Lake Naomi are township roads so they're green with
9 white.

10 FEMALE VOICE: Right.

11 MR. KERRICK: I don't have a problem
12 personally with Timber Trails with long rifle, brown
13 with white letters; but I think it should be consistent
14 that the number is all the same because the emergency
15 responder knows what he's looking for. Not a brown here
16 and a green there.

17 MR. MOYER: Right.

18 MR. ED TUTRONE: And I believe
19 that's what Heidi said with Paradise, their road name
20 sign, name of the roads are red, but their numbers --

21 MS. PICKARD: Are green.

22 MR. ED TUTRONE: -- are green with a
23 white background.

24 MS. PICKARD: And that's why they
25 want it brown because they were driving through Paradise

1 and they don't like it.

2 MS. WENDI FREEMAN: No, that's not
3 necessarily why. We drove through Paradise to see what
4 it looked like vertical or horizontal, to see if the
5 association should just -- I mean, in the ordinance it
6 says that they could be either way and we're in Lake
7 Naomi, we're trying to decide if we want to allow it to
8 be either way because our standards can actually be more
9 stringent than the township. So we're trying to decide
10 whether we want that to be all horizontal, all vertical.
11 We have not yet made that decision.

12 But the board actually -- it started
13 in Timber Trails, is requesting to have brown signs with
14 brown house numbers and we -- since the board has been
15 discussing this, probably two or three years ago, Pine
16 Crest came in with a sign that was brown that had like
17 yellow lettering and it was decided at that time that it
18 should all be white but that the background would be
19 negotiable and that is how the ordinance is written,
20 that it would be negotiable.

21 So Timber Trails is requesting to
22 have to purchase their street signs in brown and to
23 purchase their house signs in brown with the white
24 reflective number as per the ordinance. Lake Naomi's
25 roads already have their street signs provided by the

1 township. Lake Naomi is requesting to have brown signs
2 out by the road and at the house just 'cause we think
3 that it blends better with the environment, that's the
4 only reason.

5 MR. KEENER: We need more
6 evergreens.

7 MS. PICKARD: The house signs just
8 need to have the white reflective lettering, we don't
9 state what the background is.

10 MS. HAASE: The first --

11 MS. PICKARD: So you're saying they
12 have a problem with the white reflective lettering?

13 MS. WENDI FREEMAN: No.

14 MS. LAMBERTON: No. No.

15 MS. WENDI FREEMAN: We agree that
16 everything --

17 MS. PICKARD: No. So there's no
18 issue with the ones on the building. There's no issue
19 with that.

20 MS. WENDI FREEMAN: The background
21 color that we're requesting is brown.

22 MS. PICKARD: We don't care.

23 MS. HAASE: It initially was
24 discussed at the work session that it was going to be
25 green. It was not adopted that way. It was adopted the

1 option of color.

2 MR. KEENER: Did we not discuss
3 horizontal numbers also?

4 MS. PICKARD: I thought we --

5 MS. LAMBERTON: I thought we did
6 too. Did we go either way on the ordinance? Horizontal
7 or vertical?

8 MS. HAASE: Horizontal or vertical.
9 It was first discussed it was only going to be vertical.
10 It's in the ordinance as it was already existing,
11 horizontal and vertical.

12 MS. LAMBERTON: It's difficult to
13 read.

14 MR. KERRICK: I think when we
15 discussed that, it was a work session. I don't think --
16 Was that a work session, Phyllis, if
17 you were there?

18 MS. HAASE: It was a work session.

19 MR. KERRICK: I don't think we
20 finalized that. If everybody wants brown at the street,
21 that's fine. Whatever. It should be consistent
22 throughout the township so it's easier for the
23 responder. It's not a color issue to me; it's, they
24 should all be the same.

25 MS. HAASE: The only thing I'll add

1 my two cents to this, that for a -- if you're going to
2 make it consistent throughout the whole township,
3 there's kits that a homeowner could purchase in a local
4 hardware store and those are all generic color, it's
5 green. So if we're going to make it easier for the
6 homeowner, if they're going to purchase a kit to do
7 themselves; for a development, I'm certain you're going
8 to be purchasing and having it manufactured.

9 MS. WENDI FREEMAN: We are
10 purchasing ourselves.

11 MS. HAASE: So for a development,
12 they're going to be providing it. Where a homeowner
13 going to a hardware store, they don't have that option
14 of green.

15 MS. PICKARD: Our concern when we
16 made it all one color was that they'd be all different.
17 So whether or not it's different in a community, but if
18 I have ten residents come next week and want different
19 colored signs, I don't want to be in that position.

20 MR. KERRICK: You want to get a sign
21 and look at it?

22 MR. KEENER: We can look at it. My
23 concern is during the day. I think brown's going to be
24 hard to find. I think green's going to be a little
25 easier to see. So you have to not only look at the

1 night condition, but also the day condition.

2 MR. ED TUTRONE: Green's definitely
3 going to be easier to see as far as numbers go. As far
4 as the road name sign, usually when you're coming to an
5 intersection, so that's not going to be as much of an
6 issue, but definitely the numbers at the house are going
7 to be an issue.

8 MS. HAASE: But the sign's going to
9 be at the driveway and the road, so it's going to be
10 right on the road.

11 MR. KEENER: He's talking road
12 signs, not the street numbers signs.

13 MS. HAASE: You're talking about the
14 street numbers reflect.

15 MR. ED TUTRONE: Street numbers
16 should be -- I agree with you, green stands out better
17 versus brown. The road names, whatever the name of the
18 road is, that's not too much of an issue. I mean, that
19 could be brown but --

20 MR. KERRICK: All right. If I'm
21 correct, the motion is for the lot number, house number
22 at the street --

23 MS. PICKARD: Post mounted.

24 MR. KERRICK: -- post mounted at the
25 street and the number on the house for Timber Trails and

1 Lake Naomi, brown. Not the road name sign right now.

2 MR. MOYER: They're all going to
3 stay --

4 MR. KERRICK: That's brown.

5 MS. PICKARD: White reflective.

6 MR. KERRICK: That's the motion and
7 there's a second. So we got to vote on that.

8 Are we ready to vote?

9 Call the vote. Jamie?

10 MR. KEENER: I'm opposed.

11 MR. KERRICK: Anne?

12 MS. LAMBERTON: I vote in favor.

13 MR. KERRICK: Donny?

14 MR. MOYER: I'll vote in favor.

15 MR. KERRICK: Heidi? Go ahead. You
16 got to vote.

17 MS. PICKARD: I don't -- I want to
18 split my vote. I think in the township -- I'm going to
19 say no because I think the township should be green and
20 I don't care about the private development.

21 MR. KERRICK: Okay. I'll vote no.

22 Motion is defeated.

23 Now, do you want to redo your motion
24 and split it or however you want to do it? Do you want
25 to do the road name signs? The only thing that

1 everybody seems to be interested, is the house number --

2 Am I saying that right, Phyllis?

3 -- at the street that we want green
4 and white. Nobody really cares what's on the house and
5 all the township signs are going to be green with white
6 and a development, such as Timber Trails, can be brown
7 with white letters, road names.

8 MR. KEENER: Except where they meet
9 the township's.

10 MR. KERRICK: Correct. Where they
11 meet the township road, they have to be green with
12 white.

13 Do you want to redo your motion,
14 Heidi?

15 MS. PICKARD: I make a motion to
16 approve Timber Trails' request to have the post mounted
17 number signs be brown with white letters.

18 MR. KERRICK: We just voted on that.
19 We voted and defeated it.

20 MR. KEENER: The street --

21 MS. PICKARD: The street names -- I
22 thought we had -- that wasn't in the ordinance and we
23 didn't change that.

24 MS. LAMBERTON: Let's let Phyllis

25 --

1 MR. KERRICK: Do you want to give us
2 a go here, Phyllis? Give us a go ahead.

3 MS. HAASE: The numbers on the
4 home is not an issue. As long as it's white lettering
5 with a contrasting color; the homeowner can place pink
6 on it if they want to. Okay.

7 Where the sign intersects the state
8 or township road --

9 MR. KEENER: The street name sign?
10 The street name sign?

11 MS. PICKARD: The street name sign.

12 MR. KEENER: You got a street name
13 sign and you got a street lot number sign. The street
14 name signs are all going to be green on township roads.

15 MS. HAASE: It's not a lot number.

16 MR. ARMSTRONG: Phyllis --

17 MS. HAASE: Where the sign
18 intersects the driveway of the road, let's put it that
19 way.

20 MR. KEENER: That's a house number.

21 MS. HAASE: That there needs to be,
22 according to our ordinance, green with white reflective
23 lettering. The majority of the developments would
24 prefer to have the option to have whatever color they so
25 choose because some developments are using specific

1 color schemes.

2 MR. KEENER: We don't want that. We
3 want green. Period.

4 MS. HAASE: I understand that. The
5 township's concern was they wanted everything uniformed.
6 So if you're considering Lake Naomi's request, it can't
7 just be for township roads because they have property
8 that abuts --

9 MR. KEENER: We're not considering
10 just town, that's going to be across the board, for
11 everything.

12 MS. HAASE: Right. But the motion
13 that was just made, the discussion, was for township,
14 it's also state roads.

15 MR. KEENER: She made a motion that
16 --

17 MS. HAASE: Okay. But all I'm
18 saying is also state roads, not just township.

19 MR. KEENER: Right. We're talking
20 about the street name sign that is at the intersection
21 of the streets, on private roads, they can be whatever
22 color, if they request them, they can be whatever color
23 they want. On township roads, they're going to be
24 green.

25 MS. HAASE: The township has in our

1 ordinance that signs will be green.

2 MR. KEENER: Yes. But if somebody
3 wants to come in and request a change for private
4 developments, private roads, they can do that.

5 MS. HAASE: In private developments.
6 But if you have a township road and a private road abuts
7 it, you want --

8 MR. KEENER: I just said, it's got
9 to be green.

10 MS. HAASE: Correct.

11 MR. MOYER: Now I'm clear.

12 MR. KEENER: So all the street
13 number -- the house number at the street is going to be
14 green, right? The house number at the street is going
15 to be green?

16 MR. KERRICK: That's what I
17 thought.

18 MR. KEENER: The house number on the
19 house can be whatever as long as it has a white number?

20 MR. KERRICK: Thank you, gentlemen.

21 MS. LAMBERTON: Yeah, they had
22 enough.

23 MR. KERRICK: You had enough?

24 MR. MOYER: You have to stay.

25 MS. LAMBERTON: Go home and check

1 your number.

2 MR. KEENER: And the road name signs
3 on township roads are going to be green.

4 MR. MOYER: On the township sign.

5 MS. LAMBERTON: What color is
6 Conestoga Trail sign going to be?

7 MS. PICKARD: Brown.

8 MR. KERRICK: Brown.

9 MS. LAMBERTON: But it's all private
10 then. You go in Block House Road, that's all your
11 private roads. It doesn't abut anything.

12 MS. WENDI FREEMAN: The roads --
13 from what I understand, the road -- the sign that we
14 have at Block House with 423 will be green.

15 MS. LAMBERTON: Okay.

16 MS. WENDI FREEMAN: Once you get to
17 Block House and Conestoga, those signs are going to be
18 brown. That's what I --

19 MS. LAMBERTON: Okay.

20 MR. KERRICK: All right. Where are
21 we going here? The poor stenographers is like --

22 MS. LAMBERTON: Yeah, you okay over
23 there?

24 MR. ARMSTRONG: Phyllis is getting
25 the ordinance. My recollection of the ordinance is, you

1 don't need to make a motion with respect to the lot
2 number signs mounted on the house. You don't have to
3 worry about that type of motion. They requested to have
4 the lot number signs at the driveway, the end of the
5 driveway, to be brown. It sounds like the board's not
6 in favor of that. So it looks like there's not going to
7 be a motion with respect to that request.

8 The only other request that I'm
9 aware of is from Timber Trails, right?

10 MS. WENDI FREEMAN: Well, yes. I
11 agree with that.

12 MR. ARMSTRONG: Timber Trails for
13 the street road signs to be brown.

14 MR. KERRICK: Heidi didn't feel that
15 we had to ask that question.

16 MS. PICKARD: I didn't think we had
17 it in the ordinance, private road.

18 MR. ARMSTRONG: So that's the only
19 issue right now before the board and I'm waiting for --
20 Phyllis is going to grab the ordinance if --

21 MS. WENDI FREEMAN: Then I would
22 request that the Timber Trails and Lake Naomi, for both
23 requests be dealt with separately. That I would amend
24 my request to state that Timber Trails, a private
25 community, is requesting to have street signs with brown

1 background and white reflective letters and that they
2 are also requesting to have their number signs out there
3 at the driveway to match that and then a separate
4 request for Lake Naomi. So that if you're going to
5 consider them, you would consider one as a private roads
6 community and the other one would be considered because
7 it has public roads.

8 MR. KERRICK: We've already voted
9 and defeated the number for the house at the street,
10 that's out.

11 MS. WENDI FREEMAN: Okay.

12 MR. KERRICK: We didn't, and I don't
13 know whether we have to, on the street name. That's
14 where we got to read the ordinance.

15 MR. ARMSTRONG: So if you want, you
16 can move on until we get the ordinance on your agenda.

17 MR. KERRICK: As soon as we
18 finished, our stenographer can go home.

19 MR. ARMSTRONG: Okay.

20 MS HAASE: You just want the recent
21 --

22 MS. PICKARD: The recent one didn't
23 have --

24 MR. ARMSTRONG: The recent one
25 doesn't have the street signs in it.

1 MR. KERRICK: Take a break.

2 (Discussion off the record.)

3 MR. ARMSTRONG: Okay. Looking at
4 the ordinance, the only thing that the street signs
5 specifications indicate is that it must comply with the
6 current manual on uniform traffic control devices
7 including the background of the signs shall contrast in
8 color from the reflective white text so that the text of
9 the sign is more visible in accordance with the
10 municipal on uniform traffic control devices as amended.

11 So if that publication requires it
12 to be green and it sounds like it doesn't, I don't know,
13 but if it doesn't, there's not an issue. It just needs
14 to comply with that publication. But if it does have to
15 be green under that publication, it has to be green. So
16 I think maybe -- I don't know if Bob or Phyllis are
17 familiar with that publication, if it does indicate
18 where it needs --

19 MS. HAASE: It does not.

20 MR. McHALE: It does not have to be.

21 MR. ARMSTRONG: Well, then there's
22 your answer. I don't think the board needs to take any
23 action here.

24 MR. KERRICK: Do we have a copy of
25 that?

1 MR. McHALE: I have a --

2 MR. KERRICK: The new current one
3 that just changed?

4 MR. McHALE: Yeah.

5 MS. HAASE: It has not been
6 approved.

7 MR. ARMSTRONG: And that is for
8 street --

9 MR. KERRICK: 2012.

10 MR. ARMSTRONG: That is for street
11 signs.

12 MR. KERRICK: 2012 it's going to be
13 approved.

14 MR. KEENER: So we don't have to do
15 anything?

16 MR. ARMSTRONG: You don't have to
17 do anything. And just so you're aware, that's for
18 street signs. Your request for the brown for the lot
19 number signs at the end of the driveway is not a
20 favorable decision of this board. It's been defeated.
21 It's done.

22 Okay. Agreed?

23 MR. MOYER: Agreed.

24 MS. HAASE: I guess -- well, Wendi's
25 confused and now I'm confused because of the discussion,

1 was the board wanted uniformed green signs, correct?

2 MR. ARMSTRONG: For the lot number

3 --

4 MS. PICKARD: The post mounted --

5 MR. KEENER: The number signs.

6 MS. PICKARD: -- numbered signs.

7 MS. HAASE: But you don't care for
8 the private road intersection and state and township
9 road that it be a pink sign?

10 MR. KEENER: If we did, we would
11 have said we want green in the ordinance. I don't think
12 we did that.

13 MR. KERRICK: Phyllis, what did you
14 just say? Ask that again?

15 MS. HAASE: For the street signs.

16 MR. KERRICK: Street sign.

17 MR. KEENER: Same name or number?

18 MS. HAASE: The number -- the name.

19 Now you guys got me confused. The intersection, so, in
20 other words, we're going to have a green township sign
21 intersection, intersecting with a red or a pink sign?

22 MR. KEENER: No. No. Where they
23 intersect to the township road, the signs will be green.

24 MS. HAASE: But it doesn't say that
25 in the ordinance.

1 MR. KEENER: They will be green.

2 MS. PICKARD: Jamie said that.

3 MS. KEENER: We're mounting the
4 posts, aren't we? If it's a township road, we're
5 putting up the posts?

6 MS. HAASE: We're putting up the
7 posts.

8 MR. KEENER: And we're putting the
9 signs on the posts?

10 MR. PICKARD: We're putting the sign
11 up too.

12 MS. HAASE: If it's a development
13 and their road intersects it, they're putting their own
14 sign up where some will be green, some will be red and
15 some will be blue.

16 MR. KERRICK: We'll put the sign up.

17 MS. PICKARD: We're putting the sign
18 up --

19 MR. KERRICK: We'll put the sign up
20 and it will be green.

21 MS. PICKARD: -- where the township
22 meets the state --

23 MR. KERRICK: And the state --

24 MS. HAASE: Because we had that
25 discussion that you wanted it all green.

1 MS. PICKARD: And we're buying those
2 signs and we're putting them up.

3 MS. HAASE: For the developments as
4 well?

5 MR. KERRICK: At the entrance to the
6 development.

7 MS. HAASE: Right.

8 MS. PICKARD: If it intersects the
9 township or the state road.

10 MS. HAASE: Okay.

11 MR. KERRICK: Which is a state road
12 with 423 and Block House Road, we're going to put the
13 sign there.

14 Isn't that what it's called, still
15 Block House Road?

16 MS. WENDI FREEMAN: Yes.

17 MR. KERRICK: But that'll be green.
18 Green and green. Once you get inside, it's different.

19 MR. KEENER: Interior intersections
20 can be whatever they want.

21 MR. KERRICK: Can we move on?

22 (Meeting concluded at 5:06 p.m.)

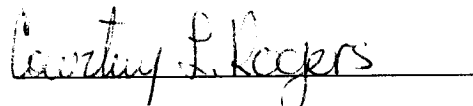
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I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

ORIGINAL



COURTNEY L. ROGERS, C.R.

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

AGENDA

TOWNSHIP OF TOBYHANNA BOARD OF SUPERVISORS REORGANIZATION MEETING

MONDAY, JANUARY 3, 2011

1. Call meeting to order: - Interim Chair.
2. Pledge of Allegiance.
3. Nominate _____ to serve as Chair of the Board of Supervisors.
4. Nominate _____ to serve as Vice-Chair of the Board of Supervisors.
5. Appoint _____ to serve as Township Secretary.
6. Appoint _____ to serve as Asst. Township Secretary; to assist and perform duties of Township Secretary in absence of or disability of Township Secretary.
7. Appoint _____ to serve as Township Treasurer.
8. Appoint _____ to serve as Asst. Township Treasurer.
9. Appoint _____ to serve as Chief Administrator of the Township Non-uniformed Pension Plan.
10. Appoint _____ to serve as Township Emergency Management Coordinator.
11. Appoint _____ to serve as Asst. Township Emergency Management Coordinator.
12. Appoint _____, Township Supervisor, to serve as Township Representative to the Pocono Mountain Regional Police Commission.
13. Appoint _____, Township Supervisor, to serve as Township Representative to the Pocono Mountain Regional Police Commission.
14. Appoint _____, Township of Tobyhanna resident/taxpayer, to serve as Township Representative to the Pocono Mountain Regional Police Commission.
15. Appoint _____, member of the Board of Supervisors, to serve as the Township representative to the Pocono Mountain Council of Governments.
16. Appoint _____, Township Supervisor, to serve as a representative to Pocono Mountain Regional Emergency Services Commission.

17. Appoint _____, Township Supervisor, to serve as a representative to Top of the Mountain Open Space Advisory Committee.
18. Appoint _____, Township Supervisor, to serve as a representative to Regional Comprehensive Plan Committee.
19. Appoint _____ to serve as Open Records Officer in accordance with the Pennsylvania Right-To-Know Law.
20. Appoint _____ to serve as Chair of the Vacancy Board.
21. Appoint _____ as recording secretary to the Board of Supervisors.
22. Appoint _____, to act as Township Solicitor at \$ _____ per hour and \$ _____ per meeting.
23. Appoint _____ to act as Township Planning Commission Solicitor at \$ _____ per hour and \$ _____ per meeting.
24. Entertain a motion establishing the payment of employee salaries and wages on a bi-weekly basis.
25. Entertain a motion establishing the 2011 Holiday Schedule for the Township Employees.
26. Entertain a motion establishing the Tax Assessor's bond at \$40,000. per annum.
27. Entertain a motion establishing the 2011 mileage rate.
28. CERTIFY the five (5) Township Board of Supervisors, Township Engineer and Township Solicitor as delegates to the Pennsylvania Township Supervisors 2011 Annual Convention.
29. CERTIFY _____ to serve as the voting delegate to the Pennsylvania State Association of Township Supervisors 2011 Annual Convention.
30. Approve Agreement to retain Brian Oram, PG for the year 2011 as the professional soil scientist for the Township at the rates set forth in the agreement.
31. Approve L & V Engineering Proposal for Traffic Engineering Services on an as-needed basis for the year 2011.
32. Appoint _____ as Alternate Sewage Enforcement Officer for the year 2011.
33. Consider for enactment Resolution No. 2011-001; setting the dates, times and place for Township Public Meetings to be held.

34. Consider for enactment Resolution No. 2011-002; designating certain financial institutions as depositories for Township monies.
35. Consider for enactment Resolution No. 2011-003; appointing _____ as the public accounting firm to the Township, replacing the elected/appointed Township auditors.
36. Consider for enactment Resolution No. 2011-004; establishing tax rates for the calendar year 2011.
37. Consider for enactment Resolution No. 2011-005; appointing _____ to serve as Special Counsel to the Board on any legal matter that becomes a conflict with the Township Solicitor at \$_____ per hour, \$_____ per meeting.
38. Consider for enactment Resolution No. 2011-006 setting a fee schedule for Subdivision and Land Development, Planned Residential Development, Zoning Hearing Board, Board of Supervisors, and other miscellaneous fees.
39. Consider for enactment Resolution No. 2011-007 amending the Emergency Notification List to the Township's Emergency Operations Plan.
40. Appoint _____ to serve as Township Auditor.

Adjournment.

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: 2011 Reorganization Meeting

Tobyhanna Township Government Center
State Avenue
Pocono Pines, Pennsylvania 18350
Monday, January 3, 2011, beginning at 3:30 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
DONALD J. MOYER, Board Member
JAMIE B. KEENER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE, Solicitor

ALSO PRESENT: PHYLLIS HAASE, Zoning Officer

ROBERT McHALE, Township Engineer

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. ARMSTRONG: Good afternoon. The
2 board of supervisors are now going to be opening their
3 reorganization meeting for the 2011 year in Tobyhanna
4 Township. I think we can call the meeting to order with
5 the pledge of allegiance.

6 (Pledge of allegiance was recited.)

7 MR. ARMSTRONG: With that, to start
8 the reorganization meeting off, it would be appropriate
9 if the board wanted to make a motion or appoint someone
10 as an interim chair for purposes of the reorganization
11 meeting.

12 MS. PICKARD: I'll nominate John
13 Kerrick to serve as the chair of the board of
14 supervisors.

15 MR. KEENER: Second.

16 MR. ARMSTRONG: All those in favor?

17 BOARD MEMBERS: Aye.

18 MR. ARMSTRONG: Motion carries.

19 MR. KERRICK: Thank you. Thank you
20 for your confidence.

21 First item on our agenda: Nominate
22 vice-chairman, board of supervisors.

23 MR. KEENER: I make a motion we
24 nominate Heidi Pickard as the vice-chair of the board of
25 supervisors.

1 MR. KERRICK: Motion. Do we have a
2 second?

3 MR. MOYER: Second.

4 MR. KERRICK: Motion and second.

5 Call the vote. All in favor?

6 MR. MOYER: Favor.

7 MR. KERRICK: Opposed?

8 Motion carried.

9 Next item, appoint a township
10 secretary, the Township of Tobyhanna?

11 MR. KEENER: I make a motion we
12 appoint Heidi Pickard to township secretary.

13 MR. KERRICK: Do we have a second?

14 Motion and second.

15 All in favor signify by saying aye?

16 BOARD MEMBERS: Aye.

17 MR. KERRICK: Opposed?

18 Ayes have it. Motion carried.

19 Next item: We need a nominee to
20 serve as assistant township secretary to assist and
21 perform duties of the township secretary in absence or
22 the disability of the township secretary.

23 MS. PICKARD: I'll nominate Margie
24 Argot to serve as assistant township secretary.

25 MR. KERRICK: Motion. Do we have a

1 second?

2 Motion and second.

3 Questions or comments?

4 Call the vote. Jamie?

5 MR. KEENER: I vote in favor.

6 MR. KERRICK: Anne?

7 MS. LAMBERTON: I vote in favor.

8 MR. KERRICK: Donnie?

9 MR. MOYER: Favor.

10 MR. KERRICK: Heidi?

11 MS. PICKARD: I vote in favor.

12 MR. KERRICK: I was doing a group

13 thing there but it kind of --

14 MR. KEENER: Probably easier doing

15 the group.

16 MR. KERRICK: I'll do the group.

17 Nominee to serve as township

18 treasurer?

19 MS. PICKARD: I'll nominate Terri

20 Dougherty to serve as the township treasurer.

21 MR. KERRICK: Do we have a second?

22 MR. MOYER: Second.

23 MR. KERRICK: All in favor signify

24 by saying aye?

25 BOARD MEMBERS: Aye.

1 MR. KERRICK: Opposed?
2 Ayes have it. Motion carried.
3 Nominee to serve as the assistant
4 township treasurer.

5 MR. KEENER: I nominate Heidi
6 Pickard to serve as assistant township treasurer.

7 MR. KERRICK: Do we have a second?

8 MR. MOYER: Second.

9 MR. KERRICK: Motion and second.
10 All those in favor?

11 BOARD MEMBERS: Aye.

12 MR. KERRICK: Opposed?
13 Ayes have it. Motion carried.

14 Nominee to serve as chief
15 administrator of the Township Nonuniform Pension Plan.

16 MS. PICKARD: Nominate John Kerrick.

17 MR. MOYER: Second.

18 MR. KERRICK: Motion and second.
19 All in favor signify by saying aye?

20 BOARD MEMBERS: Aye.

21 MR. KERRICK: Opposed?
22 Ayes have it. Motion carried.

23 Nominee to serve as township
24 emergency management coordinator.

25 MS. PICKARD: I nominate John

1 Kerrick.

2 MR. KEENER: Second.

3 MR. KERRICK: Just on an interm
4 basis?

5 MR. MOYER: Yeah.

6 MR. KERRICK: Until we get the plan
7 together?

8 MR. MOYER: Until someone comes
9 along.

10 MR. KERRICK: Until someone comes
11 along?

12 MR. MOYER: Yeah.

13 MR. KERRICK: I'll do that.

14 All in favor signify by saying aye?

15 BOARD MEMBERS: Aye.

16 MR. KERRICK: Opposed?

17 Ayes have it. Motion carried.

18 The assistant emergency management
19 coordinator nominee.

20 MS. PICKARD: Table that. Make a
21 motion we table that.

22 MR. KERRICK: Table?

23 Next, to appoint township supervisor
24 to serve township representative to the Pocono Mountain
25 Regional Police Commission. We need two.

1 MS. PICKARD: I'll nominate John
2 Kerrick and Jamie Keener.

3 MR. KERRICK: Do we have a second?

4 MR. MOYER: Second.

5 MR. KERRICK: Call the vote.

6 All in favor signify by saying aye?

7 BOARD MEMBERS: Aye.

8 MR. KERRICK: Opposed?

9 Ayes have it. Motion carried.

10 A nominee to serve the Township of
11 Tobyhanna resident slash taxpayer to serve as the
12 township representative to the Pocono Mountain Regional
13 Police Commission.

14 MR. KEENER: I'll nominate Dave
15 Moyer.

16 MR. MOYER: Second.

17 MR. KERRICK: Motion and second.

18 All in favor signify by saying aye?

19 BOARD MEMBERS: Aye.

20 MR. KERRICK: Opposed?

21 Ayes have it. Motion carried.

22 Nominee, a member of the board of
23 supervisors to serve as the township representative to
24 the Pocono Mountain Council of Governments.

25 MS. PICKARD: I nominate Anne

1 Lamberton and Donald Moyer as alternate.

2 MR. KERRICK: Do we have a second?

3 MR. KEENER: Second.

4 MR. KERRICK: All in favor signify
5 by saying aye?

6 BOARD MEMBERS: Aye.

7 MR. KERRICK: Opposed?

8 Motion carried.

9 Nominee, which is a township
10 supervisor to serve as a representative to the Pocono
11 Mountain Regional Emergency Services Commission?

12 MR. KEENER: I'll nominate Heidi
13 Pickard.

14 MR. KERRICK: Do we have a second?

15 MR. MOYER: Second.

16 MR. KERRICK: All in favor signify
17 by saying aye?

18 BOARD MEMBERS: Aye.

19 MR. KERRICK: Opposed?

20 Ayes have it. Motion carried.

21 Appoint a township supervisor to
22 serve as representative to the Top of the Mountain Open
23 Space Advisory Committee.

24 MS. LAMBERTON: I nominate Heidi
25 Pickard.

1 MR. KERRICK: Do we have a second?

2 MR. MOYER: Second.

3 MR. KERRICK: All in favor signify
4 by saying aye?

5 BOARD MEMBERS: Aye.

6 MR. KERRICK: Opposed?

7 Ayes have it. Motion carried.

8 Appoint a township supervisor to
9 serve as a representative to the Regional Comprehensive
10 Plan Committee.

11 MS. PICKARD: I'll nominate Jamie
12 Keener.

13 MR. MOYER: Second.

14 MR. KERRICK: Wow. All in favor
15 signify by saying aye?

16 BOARD MEMBERS: Aye.

17 MR. KERRICK: Opposed?

18 Ayes have it. Motion carried.

19 We need a nominee to serve as open
20 records officer in accordance with the Pennsylvania
21 Right-To-Know Law.

22 MR. KEENER: I nominate Heidi
23 Pickard.

24 MR. KERRICK: Second?

25 MS. LAMBERTON: I'll second.

1 MR. KERRICK: All in favor signify
2 by saying aye?

3 BOARD MEMBERS: Aye.

4 MR. KERRICK: Opposed?

5 Ayes have it. Motion carried.

6 Appoint a township resident to serve
7 as the chair of the Vacancy Board?

8 MS. PICKARD: I'll nominate Mark
9 Argot.

10 MR. KEENER: Second.

11 MR. KERRICK: Motion and second.

12 All in favor signify by saying aye?

13 BOARD MEMBERS: Aye.

14 MR. KERRICK: Opposed?

15 Ayes have it. Motion carried.

16 Appoint a firm to act as recording
17 secretary to the board of supervisors?

18 MS. PICKARD: I nominate Panko
19 Recording.

20 MR. KERRICK: Do we have a second?

21 MR. KEENER: Second.

22 MR. KERRICK: All in favor signify
23 by saying aye?

24 BOARD MEMBERS: Aye.

25 MR. KERRICK: Opposed?

1 Ayes have it. Motion carried.

2 We need a nomination to act as
3 township solicitor and set the hour and the per meeting
4 rate.

5 You want to leave the room?

6 MR. ARMSTRONG: You want me to leave
7 the room?

8 MR. KERRICK: No, I'm just kidding.
9 Sit down.

10 MR. KEENER: I make a motion we
11 appoint Grim, Biehn & Thatcher to the planning
12 commission solicitor for an hourly rate of \$150 and
13 that's for meetings and --

14 MS. PICKARD: We don't have a
15 meeting.

16 MR. KEENER: Yeah. Okay. That's
17 the standard \$150 an hour.

18 MR. KERRICK: Question on your
19 motion, was that for the board or for the planning or
20 both?

21 MR. KEENER: Both.

22 MR. KERRICK: Okay. Do we have a
23 second for that motion?

24 MR. MOYER: Second.

25 MS. LAMBERTON: Second.

1 MR. KEENER: All in favor signify by
2 saying aye?

3 BOARD MEMBERS: Aye.

4 MR. KERRICK: Opposed?

5 Ayes have it. Motion carried.

6 MR. ARMSTRONG: Thank you.

7 MR. KERRICK: Thank you.

8 MR. MOYER: 150 the same for both
9 planning and --

10 MS. PICKARD: Yes.

11 MR. KEENER: What about the other
12 items on their proposal for litigation and real estate?
13 Should we --

14 MR. ARMSTRONG: If the board would
15 like, you can make the motion to have the litigation and
16 real estate amounts. The litigation amount is 170 and
17 the real estate is 175 pursuant to the November 23, 2010
18 letter.

19 MR. KEENER: I'll make that motion.

20 MR. KERRICK: Second to that motion?

21 MR. MOYER: Second.

22 MR. KERRICK: All in favor signify
23 by saying aye?

24 BOARD MEMBERS: Aye.

25 MR. KERRICK: Opposed?

1 Ayes have it. Motion carried.

2 Entertain a motion to establish the
3 payment of employee salaries and wages on a biweekly
4 basis?

5 MR. KEENER: So moved.

6 MR. KERRICK: Do we have a second?

7 MR. MOYER: Second.

8 MR. KERRICK: All in favor?

9 BOARD MEMBERS: Aye.

10 MR. KERRICK: Opposed?

11 Ayes have it.

12 Entertain a motion establishing the
13 2011 holiday schedule for the township employees?

14 MR. KEENER: So moved.

15 MR. MOYER: Second.

16 MR. KERRICK: All in favor?

17 BOARD MEMBERS: Aye.

18 MR. KERRICK: Opposed?

19 Ayes have it. Motion carried.

20 Entertain a motion establishing the
21 tax assessor's bond at 40,000?

22 MR. KEENER: So moved.

23 MR. MOYER: Second.

24 MR. KERRICK: All in favor?

25 BOARD MEMBERS: Aye.

1 MR. KERRICK: Opposed?

2 Ayes have it. Motion carried.

3 Entertain a motion establishing the
4 2011 mileage rate?

5 What is that?

6 MR. KEENER: That's 51 cents per
7 mile based on the IRS 2011 standard mileage rate.

8 MS. PICKARD: We can make that the
9 IRS standard mileage rate if that would change.

10 MR. KEENER: Yes. Currently at 51
11 cents; that is, otherwise modified.

12 MR. KERRICK: That's your motion?

13 MR. KEENER: Yes.

14 MS. PICKARD: I'll second.

15 MR. KERRICK: You're second?

16 All in favor signify by saying aye?

17 BOARD MEMBERS: Aye.

18 MR. KERRICK: Opposed?

19 Ayes have it.

20 Certify the five township board of
21 supervisors, township engineer and township solicitor as
22 delegates to the Pennsylvania Township Supervisors 2011
23 Annual Convention.

24 MR. MOYER: So moved.

25 MR. KERRICK: Do we have a second?

1 MS. PICKARD: Second.

2 MR. KERRICK: All in favor?

3 BOARD MEMBERS: Aye.

4 MR. KERRICK: Opposed?

5 Ayes have it.

6 Certify a nominee to serve as the
7 voting delegate to the Pennsylvania State Association of
8 Township Supervisors 2011 Annual Convention.

9 MS. PICKARD: I'll certify Jamie
10 Keener and Anne Lamberton as alternate to serve as
11 voting delegates.

12 MR. KERRICK: Do we have a second?

13 MR. MOYER: Second.

14 MR. KERRICK: All in favor?

15 BOARD MEMBERS: Aye.

16 MR. KERRICK: Any opposed?

17 Ayes have it. Motion carried.

18 Approve the agreement to retain
19 Brian Oram, PG, for the year 2011 as a professional soil
20 scientist for the township at the rates set forth in the
21 agreement.

22 MR. KEENER: I will make a motion
23 to approve Brian Oram; however, I'd like to do that at a
24 zero dollar retainer subject to his agreeance. And if
25 he doesn't, we will look elsewhere for a proposal.

1 MR. KERRICK: Do we have a second to
2 that motion?

3 MS. PICKARD: I'll second.

4 MR. KERRICK: All in favor signify
5 by saying aye?

6 BOARD MEMBERS: Aye.

7 MR. KERRICK: Opposed?

8 Ayes have it. Motion carried.

9 Approve L & V Engineering proposal
10 for traffic engineering service on an as-needed basis
11 for the year 2011?

12 MR. KEENER: I make a motion we
13 approve L & V pursuant to their November 30, 2010
14 proposal for traffic engineering services for the rate
15 of \$85 per hour.

16 MR. ARMSTRONG: The only thing I
17 would add is, the agreement -- if they sent like a
18 general term agreement with the proposal, I just need to
19 get them to strike a couple things from that agreement.
20 It's a form agreement that they send out for typical
21 contracts that they had; this is an as-needed type
22 basis.

23 MR. KEENER: Subject to review and
24 approval of our solicitor.

25 MS. PICKARD: There's also a \$50 per

1 hour staff member and the mileage rate. You're asking
2 in concurrence with that motion?

3 MR. KEENER: Yes.

4 MS. PICKARD: I'll second that
5 motion.

6 MR. KERRICK: Motion and second.

7 All in favor?

8 BOARD MEMBERS: Aye.

9 MR. KERRICK: Opposed?

10 Ayes have it. Motion carried.

11 We need an alternate sewage
12 enforcement officer for the year 2011.

13 MS. PICKARD: I make motion we
14 approve Jeryldene (phonetic) Rinehart as alternate
15 sewage enforcement officer at a rate of \$35 per hour
16 plus reimbursed of all expenses.

17 MR. KERRICK: Do we have a second?

18 MR. KEENER: Second.

19 MR. KERRICK: All in favor signify
20 by saying aye?

21 BOARD MEMBERS: Aye.

22 MR. KERRICK: Opposed?

23 Ayes have it. Motion carried.

24 Consider for enactment Resolution
25 No. 2011 dash 001; setting the dates, times and places

1 for township meetings to be held?

2 MS. PICKARD: I make a motion we
3 approve Resolution 2011 dash 001.

4 MR. KERRICK: Second?

5 MR. MOYER: Second.

6 MR. KERRICK: All in favor signify
7 by saying aye?

8 BOARD MEMBERS: Aye.

9 MR. KERRICK: Opposed?

10 Ayes have it. Motion carried.

11 Consider for enactment Resolution
12 No. 2011 dash 002; designating certain financial
13 institution as depositories for township monies.

14 MS. PICKARD: So moved.

15 MR. KERRICK: Do we have a second?

16 MR. MOYER: Second.

17 MR. KEENER: Just one comment,
18 Community Bank and Trust is shown on that list, they are
19 now First National Bank. I'm assuming they're
20 continuing --

21 MS. PICKARD: It should be on their
22 sign.

23 MR. KEENER: Yeah, they're
24 continuing to operate until such time until everything
25 is transferred, but I thought that did occur the first

1 of the year.

2 MR. KERRICK: That's okay with your
3 motion?

4 MS. PICKARD: Yes.

5 MR. KERRICK: Is that okay with your
6 second, Donnie?

7 MR. MOYER: Yeah.

8 MR. KERRICK: All in favor signify
9 by saying aye?

10 BOARD MEMBERS: Aye.

11 MR. KERRICK: Opposed?

12 Ayes have it. Motion carried.

13 Consider for enactment Resolutions
14 No. 2011 dash 003; appointing a firm as the public
15 accounting firm for the Township of Tobyhanna replacing
16 the elected appointed township auditors.

17 MS. PICKARD: I make a motion that
18 we approve Gneiding, DeSanctis, Blizzard & Company as our
19 public accounting firm at a rate of \$8500.

20 MR. KEENER: Second.

21 MR. KERRICK: Did you second it,
22 Jamie?

23 MR. KEENER: Yes.

24 MR. KERRICK: Motion and second.

25 All in favor signify by saying aye?

1 BOARD MEMBERS: Aye.

2 MR. KERRICK: Opposed?

3 Ayes have it. Motion carried.

4 Consider for enactment Resolution
5 No. 2011 dash 004; establishing tax rates for the
6 calendar year 2011?

7 MS. PICKARD: Make a motion we
8 approve Resolution No. 2011 dash 004.

9 MR. MOYER: Aye again.

10 MR. KERRICK: Motion and second.

11 All in favor signify by saying aye?

12 BOARD MEMBERS: Aye.

13 MR. KERRICK: Opposed?

14 Ayes have it. Motion carried.

15 Consider for enactment Resolution
16 No. 2011 dash 005; appointing to serve as special
17 counsel to the board on any legal matter that becomes a
18 conflict with the township solicitor and set the rate.

19 MS. PICKARD: I make a motion we
20 approve McNamara, Bolla, Williams and Panzer at a rate
21 of \$185 and a flat fee of \$100 for travel.

22 MR. MOYER: Second.

23 MR. KERRICK: Motion and second.

24 All in favor signify by saying aye?

25 BOARD MEMBERS: Aye.

1 MR. KERRICK: Opposed?

2 Ayes have it. Motion carried.

3 Consider for enactment Resolution
4 No. 2011 dash 006; setting a fee schedule for
5 subdivision and land development, planned residential
6 development, zoning hearing board, board of supervisors
7 and other miscellaneous fees.

8 MS. PICKARD: I make a motion we
9 approve Resolution 2011 dash 006.

10 MR. KERRICK: Do we have a second?

11 MR. MOYER: Second.

12 MR. KERRICK: All in favor signify
13 by saying aye?

14 BOARD MEMBERS: Aye.

15 MR. KERRICK: Opposed?

16 Ayes have it. Motion carried.

17 Consider for enactment Resolution
18 No. 2011 dash 007; amending the emergency notification
19 list to the township's emergency operation plan?

20 MS. PICKARD: I make a motion we
21 approve Resolution 2011 dash 007.

22 MR. MOYER: Second.

23 MR. KERRICK: All in favor signify
24 by saying aye?

25 BOARD MEMBERS: Aye.

1 MR. KERRICK: Opposed?
2 Ayes have it. Motion carried.
3 Appoint a township resident to serve
4 as township auditor.
5 MR. KEENER: I nominate Bert
6 Rinehimer.
7 MR. MOYER: Second.
8 MR. KERRICK: Motion and second.
9 All in favor signify by saying aye?
10 BOARD MEMBERS: Aye.
11 MR. KERRICK: Opposed?
12 Ayes have it. Motion carried.
13 And that concludes our
14 reorganization meeting.

15 (Meeting concluded at 3:50 p.m.)

16 ---

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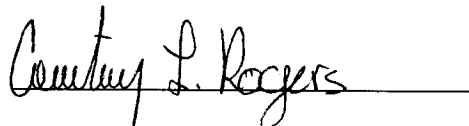
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I hereby certify that the
proceedings and evidence are contained fully and
accurately in the notes taken by me at the meeting in
the above matter; and that the foregoing is a true and
correct transcript of the same.

ORIGINAL


COURTNEY L. ROGERS

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

A G E N D A
Board of Supervisors
Regular Business Meeting
February 14, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: January 3, 2011 Reorganization Meeting
January 3, 2011 work session/Regular Business Meeting
5. Consider the Treasurer's Report: \$586,842.97
6. Solicitor Report: Ordinance 491 Romec, Inc. rezoning
Ordinance 492 Blue Ridge Cable Franchise Agreement
7. New Business:
 - A. Consider Lot Joinder - Christian Charity Foundation Lots 4 & 5 Kickapoo Drive, Arrowhead Lake
 - B. Consider Lot Joinder -DE & S Properties, Inc. Lots 2, 3, 4 & 5 Dawn Court, Dawn Oakley Development
 - C. Consider Windy Corners Realty, LLC request to release letter of credit
 - D. Consider Resolution 2011-008 Wagner Forest Park, Section H Sewage Facilities Planning Module
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
State Avenue
Pocono Pines, Pennsylvania 18350
Monday, February 14, 2011 beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JAMIE B. KEENER, Board Member
DONALD J. MOYER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE, Solicitor

ORIGINAL

PANKO REPORTING
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to welcome
2 everyone here this evening for the regular business
3 meeting of the board of supervisors, Tobyhanna Township.

4 Call the meeting to order with the
5 pledge of allegiance, please.

6 (Pledge of allegiance was recited.)

7 MR. KERRICK: First item on our
8 agenda, announcements.

9 MS. PICKARD: I don't have any
10 announcements at this time.

11 MR. KERRICK: Next item, consider
12 the minutes of January 3, 2011, reorganizational
13 meeting; January 3, 2011, work session slash regular
14 business meeting.

15 What's the board's pleasure?

16 MR. PICKARD: I make a motion we
17 approve the January 3, 2011 reorganization meeting and
18 the January 3, 2011, work session/regular business
19 meeting minutes.

20 MR. KEENER: Second.

21 MR. KERRICK: Regular -- moved and
22 second.

23 Questions or comments from the
24 board?

25 Questions or comments from the

1 public on the motion?

2 Call the vote. Jamie?

3 MR. KEENER: I vote in favor.

4 MR. KERRICK: Anne?

5 MS. LAMBERTON: I vote in favor.

6 MR. KERRICK: Donny?

7 MR. MOYER: I vote in favor.

8 MR. KERRICK: Heidi?

9 MR. PICKARD: I vote in favor.

10 MR. KERRICK: I vote in favor.

11 Next item on our agenda, bill pack
12 dated February 14, 2011, total amount for board
13 approval, \$586,842.97.

14 MS. PICKARD: I make a motion that
15 we approve the February 14, 2011 bill pack in the amount
16 of \$586,842.92.

17 MR. KERRICK: Do we have a second?

18 MR. KEENER: Second.

19 MR. KERRICK: Motion and second.

20 Questions or comments from the
21 board?

22 Yes, sir?

23 MR. TOM KEYS: How does a citizen
24 get all the details of this half -- half a million
25 dollar treasurer's report?

1 MR. KERRICK: The -- any bill you
2 want to take a look at, it's in the box in the front.

3 MR. TOM KEYS: Including the
4 treasurer's report?

5 MR. KERRICK: Everything's right
6 there, if you want to take a look at it.

7 MR. TOM KEYS: Okay. Thank you.

8 MR. KERRICK: You're welcome.

9 THE REPORTER: Can you spell your
10 name, please?

11 MR. TOM KEYS: Pardon me?

12 THE REPORTER: Can you spell your
13 name, please?

14 MR. TOM KEYS: My name is Tom Keys,
15 K-E-Y-S. I live in Tobyhanna Township in Pocono Pines.

16 MR. KERRICK: Any other questions or
17 comments?

18 Call the vote. Jamie?

19 MR. KEENER: I vote in favor.

20 MR. KERRICK: Anne?

21 MS. LAMBERTON: I'll abstain.

22 MR. KERRICK: Donny?

23 MR. MOYER: I vote in favor.

24 MR. KERRICK: Heidi?

25 MS. PICKARD: I vote in favor.

1 MR. KERRICK: Motion carried.

2 Next item on the agenda, solicitor's
3 report.

4 MR. ARMSTRONG: On the agenda
5 there's two public hearings this evening for ordinances
6 for your review and consideration for approval this
7 evening.

8 We'll start with the first one,
9 which is the Romec, Incorporated, petition to rezone
10 property Parcel No. -- or Monroe County Tax Map Parcel
11 No. 19 slash 117967. The request from the property
12 owner was to rezone the property from C, commercial, to
13 R1, residential.

14 As you're aware this petition came
15 before this board several months ago in the middle of
16 2010. It took the applicant, Romec, Incorporated,
17 awhile to prepare a plan that accurately showed the
18 property and the rezoning being proposed. We did
19 recently receive the plan, which is an exhibit to the
20 ordinance.

21 This ordinance has been reviewed by
22 the Tobyhanna Township Planning Commission, and the
23 Tobyhanna Township Planning Commission has recommended
24 that the rezoning take place. The Bucks -- or the
25 Monroe County Planning Commission has also reviewed this

1 proposed rezoning ordinance and they have also
2 recommended that the rezoning take place.

3 This proposed rezoning ordinance has
4 been advertised in the newspaper in two successive
5 weeks. One being February 7, 2011, and the week
6 immediately prior. It has been posted on the property
7 to be rezoned, as well as available at the township
8 municipal offices and the Monroe County Law Library.

9 This proposed rezoning ordinance has
10 been advertised for public hearing this evening and at
11 this point in time, unless there's any comments from the
12 board at this time with respect to the rezoning of
13 Monroe County Tax Map Parcel No. 19 slash 117967 from C,
14 commercial, to R1, residential, it would be appropriate
15 for the board to discuss them now.

16 Seeing none and this is a public
17 hearing, I'll open up the public hearing to any comments
18 from the public at this time.

19 Yes, sir. Please identify yourself

20 --

21 MR. BRUCE HORNING: I live on **Robyn**
22 Lane where the property's at.

23 MR. ARMSTRONG: Please identify
24 yourself for the record, please?

25 MR. BRUCE HORNING: Bruce Horning,

1 Tobyhanna Township.

2 THE REPORTER: Can you spell it,
3 please?

4 MR. BRUCE HORNING: Pardon me?

5 THE REPORTER: Spell it, please?

6 MR. BRUCE HORNING: H-O-R-N-I-N-G.

7 What's the size of that parcel of
8 land?

9 MR. KEENER: 2.03 acres.

10 MR. BRUCE HORNING: Okay. 'Cause at
11 one time it used to be Pocono Park and I'm just
12 concerned about the minimal.

13 MR. ARMSTRONG: Okay. No, it is --
14 the zoning officer for the township has been involved.
15 She actually posted the property. If there was any
16 concern with respect to the minimal acreage of the
17 property being -- it's not creating a lot, the lot
18 already exists.

19 MR. BRUCE HORNING: Oh, I understand
20 it but I just didn't want to make -- I just wanted to
21 make sure it didn't go below the minimal what we're
22 supposed to have.

23 MR. ARMSTRONG: Okay. Yeah, the
24 size of the property isn't changing. It's just going
25 from C, commercial, to R1, residential.

1 MR. BRUCE HORNING: Yeah, I didn't
2 know what the size was.

3 MR. ARMSTRONG: Okay. Are there any
4 other comments from the public at this time?

5 Any other comments or discussion
6 from the board?

7 MR. KEENER: I make a motion we
8 close the hearing.

9 MS. PICKARD: I'll second the
10 motion.

11 MR. KERRICK: Motion and second to
12 close the hearing.

13 Questions or comments?

14 Questions or comments from the
15 public?

16 Call the vote. Jamie?

17 MR. KEENER: I vote in favor.

18 MR. KERRICK: Anne?

19 MS. LAMBERTON: I vote in favor.

20 MR. KERRICK: Donny?

21 MR. MOYER: I vote in favor.

22 MR. KERRICK: Heidi?

23 MS. PICKARD: I vote in favor.

24 MR. KERRICK: I'll vote in favor.

25 Hearing's closed.

1 MR. KEENER: I make a motion we
2 approve Ordinance No. 491, the Romec, Incorporated,
3 rezoning.

4 MR. KERRICK: Motion on the floor to
5 approve. Do we have a second?

6 MR. MOYER: Second.

7 MR. KERRICK: Motion and second.

8 Questions or comments from the
9 public on the motion?

10 Questions or comments from the
11 public?

12 Call the vote. Jamie?

13 MR. KEENER: I vote in favor.

14 MR. KERRICK: Anne?

15 MS. LAMBERTON: I vote in favor.

16 MR. KERRICK: Donny?

17 MR. MOYER: I vote in favor.

18 MR. KERRICK: Heidi?

19 MS. PICKARD: I vote in favor.

20 MR. KERRICK: I vote in favor.

21 Motion carried.

22 Next item, Pat?

23 MR. ARMSTRONG: The next public
24 hearing this evening will be on the proposed ordinance
25 authorizing the execution of the renewal franchise

1 agreement with Blue Ridge Cable Technologies,
2 Incorporated. The existing cable franchise with Blue
3 Ridge expires this month. It was a ten year term and
4 prior to that it was also a ten year term prior to that.

5 The ordinance in essence authorizes
6 you to execute the proposed agreement with Blue Ridge
7 Cable Technologies. The agreement is a franchise fee
8 agreement with Blue Ridge Cable Technologies to operate
9 within your -- Tobyhanna Township's right of way. Some
10 of the major changes with respect to the current
11 proposed agreement with Blue Ridge will be increasing
12 the franchise fee charge to Blue Ridge from two percent
13 to five percent as permitted by law.

14 Again, this is a franchise fee to
15 Blue Ridge Cable Technologies pursuant to the FCC and
16 the regulations they're under.

17 This ordinance authorizing the
18 execution of the agreement has been advertised in the
19 newspaper within the township. It's been advertised for
20 a public hearing this evening. The ordinance and the
21 proposed agreement has been available at the township
22 offices, as well as with the Monroe County Law Library.

23 With that, I think I'll open the
24 public hearing up first with respect to any discussion
25 from the board, if there are any. If not, we can open

1 it up to the public at this time.

2 And the agreement not only -- I
3 think the big issue is the franchise fee charged to Blue
4 Ridge but there are additional changes made with respect
5 to, as technology has progressed throughout the last 10,
6 15 years, changes were necessary with respect to the
7 franchise agreement and those changes are shown within
8 the agreement being, you know, authorized for execution
9 this evening.

10 So with that, I think we can open
11 this public hearing up to any public comment at this
12 time. And, again, please identify yourself for the
13 record.

14 MR. TOM KEYS: Oh, I thought you
15 pointed to somebody over there. I'm sorry.

16 MR. ARMSTRONG: Anyone in the
17 public here that has comments.

18 MR. TOM KEYS: Tom Keys, Pocono
19 Pines. I have a bunch of questions about this.

20 When I first got my cable bill, I
21 wasn't aware of it and I guess I just don't get the
22 paper often enough to see it advertised, I saw franchise
23 tax and I know just from being around for 68 years that
24 a franchise tax is a business tax and it said right on
25 the bill that they were passing it -- actually I talked

1 to Senator Yudichak's office, they were very helpful.

2 They put me in touch with the
3 director of the governor's office on community
4 development and economic whatever. He told me that it
5 is, in fact, a business tax, but there's a right -- when
6 the legislature passed that law, they passed -- they
7 allowed them to pass it directly through to the users,
8 which means we users here are paying a corporation
9 business tax.

10 So in my view, and excuse me if I
11 seem to have a chip on my shoulder, that legislature
12 sold us out. They took the side of big business against
13 the little man, surprise, surprise, surprise.

14 I just don't under -- first of all,
15 I understand it's been in effect -- the law itself has
16 been in effect for 20 years, they told me, and now --
17 we're doing it now, we're hitting them with a five
18 percent, which you're entitled to do. It's just --

19 MR. KEENER: Sir.

20 MR. TOM KEYS: I'm sorry?

21 MR. KEENER: I don't want to
22 interrupt you but we're not hitting them with five
23 percent. We had two percent in place for the last
24 20 years. We're going to five percent, which is a three
25 percent increase. So this -- I know your bill says five

1 percent, but that's not correct. It's a three percent
2 increase. We've charged, for the last 20 years, we've
3 charged a franchise fee to Blue Ridge Cable of two
4 percent. Just so we get that off our --

5 MR. ARMSTRONG: Just before you go
6 on, this is a franchise fee. It's a franchise fee
7 charged to Blue Ridge Cable, not to you. How Blue
8 Ridge, you know, moves on with charging their customers
9 is no business of the township. The charge is a
10 franchise fee to Blue Ridge Cable for the use of their
11 system within the township's right of way.

12 Now, Blue Ridge does, like you said,
13 sir, under the statute they have the ability to pass
14 that franchise fee on to the customer and Blue Ridge has
15 chosen to do that. They don't need to do that, they've
16 chosen to do that.

17 Go on, I'm sorry.

18 MR. TOM KEYS: So now, here we are,
19 Tobyhanna Township is -- okay, they're increasing it
20 from two to five and now we're getting hit with a five
21 percent percentage on top of our normal bill. They're
22 making you guys out to be the bad guys. That's a -- and
23 --

24 MR. KERRICK: Surprise, surprise.

25 MR. TOM KEYS: And not only that

1 it's, and I don't know whose idea it was, coincidentally
2 exactly in line with Blue Ridge's normal increase in
3 rates.

4 I talked to my neighbor, I said,
5 "Sal, did you see that franchise fee on your bill?"

6 He said, "No, I knew my bill went
7 up, but I just thought it was the regular increase
8 that's coming through January 1."

9 So I don't know if somebody's
10 attempting to hide this, and if they are, who it is.
11 It's just that for individuals to have to pay a business
12 tax just doesn't seem right to me. I'm surprised it
13 hasn't been challenged in 20 years.

14 We don't have a very active populus
15 up here. I've owned property up here for 13 years.
16 I've been a full time resident for almost four years and
17 a meeting with only this few people here, either nobody
18 reads the paper or like my neighbors, they don't even
19 realize they're getting hit with another fee.

20 I can't believe it hasn't been
21 challenged somewhere along the line. It's totally
22 legal, I'm sure it's totally legal, but we used to have
23 laws in this country that says white men can own black
24 men, totally legal in a lot of states. There were laws
25 that say women can't vote anywhere. It was legal. Was

1 it right? No, it wasn't right.

2 You guys are looking like the bad
3 guys. Unless there's something really bad, I wish you
4 wouldn't do it.

5 I'm done. Should I say amen after
6 that?

7 MR. ARMSTRONG: Again, remember,
8 this is not a charge -- the township is not charging
9 this to you as a resident of Tobyhanna Township.

10 MR. TOM KEYS: Oh, I understand
11 that.

12 MR. ARMSTRONG: Okay.

13 MR. TOM KEYS: This director of the
14 -- I forget what it was called, the governor's develop
15 -- he was very, very -- he's out in Harrisburg -- very,
16 very helpful. I was surprised that -- it's quite clear,
17 you have a right to charge them a fee and they have a
18 right to charge it back to us. It doesn't seem right,
19 it doesn't seem fair and of course being the taxpayer
20 and the fee payer, I don't like it.

21 MR. KERRICK: Did you understand
22 though that there is only a three percent and on the
23 bill --

24 MR. TOM KEYS: A three percent
25 increase.

1 MR. KERRICK: I have Blue Ridge
2 Cable as well and on the bill it clearly states a five
3 percent. So I guess we're getting an extra two.

4 MR. TOM KEYS: And it's calculated
5 at five percent.

6 MR. KERRICK: Correct. But that's
7 not what the increase is that we're going to vote on
8 tonight.

9 MR. KEENER: And that's one of the
10 things, we're not sure -- the bill prior didn't show a
11 separate line item for Tobyhanna Township franchise fee.
12 So we're not sure if they included that in their rates
13 prior to the two percent, whether it was included in
14 their rates or if they decided now we didn't catch the
15 two percent or didn't charge the two percent before, but
16 we're gonna hit you with the five percent now. Okay?

17 That's not up to us, that's up to
18 Blue Ridge and they decided to put five percent on your
19 bill when it really should have been a notice saying
20 you're going from two percent to five percent, which is
21 a three percent increase.

22 Mr. Keys, could I ask you what
23 portion -- what's the cost of your cable service on your
24 cable bill?

25 MR. TOM KEYS: I have an

1 introductory rate, I'm only paying a little over 40
2 bucks a month.

3 MR. KEENER: Okay. At \$40 --

4 MR. TOM KEYS: That's gonna end very
5 soon and I have to decide whether to take --

6 MR. KEENER: I calculated based on
7 \$75 a month. If your cable portion was \$75 a month and
8 you got a three percent increase, you would be paying
9 \$2.25 more per month, or \$27 a year, that's your
10 increase.

11 MR. TOM KEYS: But my increase is
12 five percent. It's right on the bill.

13 MR. KEENER: Not from us -- not from
14 us it's not.

15 MR. TOM KEYS: I don't know where
16 it's going, all I know that's what I'm paying.

17 MR. KEENER: Well, based on the
18 three percent increase, it's \$2.25 and it's \$27 a year.

19 MS. PICKARD: I just wanted to make
20 one point also that this is only on the cable television
21 so I have Blue Ridge Cable, I also have my phone and my
22 internet, that is not taxed. It's only the television
23 cable portion of the bill that's subject to the tax.

24 MR. ARMSTRONG: The fee.

25 MS. PICKARD: The fee.

1 MR. KEENER: All right. And the
2 other thing to bring up, certainly we had a difficult
3 budget year, and based on that three percent we were
4 getting, what? A hundred thousand dollars? About a
5 hundred thousand dollars of additional revenue to the
6 township. Okay? Otherwise we would have had to
7 increase taxes based on the current services that we're
8 providing. We would have had to raise property taxes,
9 which is what we didn't want to do. So, I mean, for
10 those people who had vacant property, they would have
11 been taxed. But as it is, this is a \$2.25 percent
12 franchise fee to Blue Ridge who decided to pass it
13 through to you.

14 But if we did taxes, you wouldn't
15 have had the option.

16 MR. TOM KEYS: Well, if it -- if it
17 were at -- if it increased the taxes, it would be a
18 legal deduction for federal tax purposes. This, I don't
19 know if it is.

20 MR. ARMSTRONG: Yeah, let's stay on
21 topic. No one's increased any taxes. Let's stay on
22 point. This is a public hearing.

23 MR. TOM KEYS: Well, he's using
24 this as a benefit we're getting, by having it from -- in
25 that way. You're right, we're getting off the track --

1 MR. KEENER: \$27 a year. Let me
2 bring you back to the reality of it, it's \$27 a year
3 based on the three percent increase.

4 MR. ARMSTRONG: And again, that was
5 a choice -- that's a choice by Blue Ridge, to charge and
6 pass it on to you, not the township.

7 MR. TOM KEYS: I understand that.

8 MR. ARMSTRONG: Okay. This is a
9 public hearing, is there any other public comment at
10 this time with respect to the proposed ordinance?

11 Any other comment from the board at
12 this time?

13 Seeing none, we can close the
14 hearing.

15 MR. KEENER: I'll make a motion we
16 close the hearing for Ordinance No. 492.

17 MR. KERRICK: We have a motion, do
18 we have a second?

19 MS. PICKARD: I second the motion.

20 MR. KERRICK: Motion and second.

21 Questions or comments?

22 Questions or comments from the
23 public on the motion?

24 Call the vote. Jamie?

25 MR. KEENER: I vote in favor.

1 MR. KERRICK: Anne?

2 MS. LAMBERTON: I vote in favor.

3 MR. KERRICK: Donny?

4 MR. MOYER: I'm opposed.

5 MR. KERRICK: No, we're closing the
6 hearing.

7 MR. MOYER: Oh, I'm in favor.

8 MR. KERRICK: Heidi?

9 MS. PICKARD: I vote in favor.

10 MR. KERRICK: I'll vote in favor.

11 Motion is -- hearing's closed.

12 MR. KEENER: I make a motion we
13 approve Ordinance No. 492 for the -- to approve the
14 cable franchise agreement between Tobyhanna Township and
15 Blue Ridge Cable Technologies, Incorporated.

16 MS. PICKARD: I'll second the
17 motion.

18 MR. KERRICK: Motion and second.
19 Questions or comments from the
20 board?

21 Questions or comments from the
22 public on the motion?

23 Call the vote. Jamie?

24 MR. KEENER: I vote in favor.

25 MR. KERRICK: Anne?

1 MS. LAMBERTON: I'll vote in favor.

2 MR. KERRICK: Donny?

3 MR. MOYER: Opposed.

4 MR. KERRICK: Heidi?

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I'll be opposed.

7 Motion carried.

8 MR. ARMSTRONG: That was the
9 ordinance authorizing the execution of the agreement.
10 Now I need -- if the board wants to entertain a motion
11 actually approving the agreement with Blue Ridge Cable.

12 MR. KEENER: I make a motion we
13 approve the --

14 Do we have a date on it?

15 -- Cable Franchise agreement between
16 Tobyhanna Township and Blue Ridge Cable Technologies,
17 Incorporated.

18 MS. PICKARD: I second the motion.

19 MR. KERRICK: Motion and second to
20 approve the agreement.

21 Questions or comments?

22 Questions or comments from the
23 public?

24 Call the vote. Jamie?

25 MR. KEENER: I vote in favor.

1 MR. KERRICK: Anne?

2 MS. LAMBERTON: I vote in favor.

3 MR. KERRICK: Donny?

4 MR. MOYER: Opposed.

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I vote in favor.

7 MR. ARMSTRONG: I do have one
8 additional thing under my report. Lake Naomi came in
9 with a conditional use application and with respect to
10 that application, they just came in this past week, you
11 need to schedule that for a public hearing within
12 60 days.

13 It's my understanding that you may
14 want to consider the March date given their -- Lake
15 Naomi was before you last week at your work session and
16 they indicated that there was a push to try and get this
17 done, so I don't know if you wanted to entertain
18 providing them the public hearing in the March -- in one
19 of your March meetings?

20 MS. PICKARD: I think we should do
21 the March 14.

22 MR. KERRICK: I thought we
23 authorized him to --

24 MR. ARMSTRONG: We got the
25 application in after the work session.

1 MR. KERRICK: So you need a motion
2 for that?

3 MR. ARMSTRONG: Well, actually no
4 real motion, just an agreement as to the date you want
5 to do it.

6 MS. PICKARD: March 14.

7 MR. KERRICK: March 14.

8 MR. ARMSTRONG: Along those same
9 lines, Lake Naomi was before you for their sketch plan
10 of the proposed parking lot last Monday. And during
11 that time they did request that the technical
12 requirement for presubmission to the conditional use
13 application be considered and approved by the board.

14 It was my understanding at the work
15 session that you were amenable to that; and since
16 they've already provided the sketch plan and submitted a
17 conditional use application, it would be appropriate if
18 -- the board, still in that mind-set, to approve a
19 waiver of the conditional use presubmission requirement
20 under the ordinance.

21 MS. PICKARD: So moved.

22 MR. KEENER: Second.

23 MR. KERRICK: Motion and second.

24 Questions or comments from the
25 public on the motion?

1 Call the vote. Jamie?

2 MR. KEENER: I vote in favor.

3 MR. KERRICK: Anne?

4 MS. LAMBERTON: I vote in favor.

5 MR. KERRICK: Donny?

6 MR. MOYER: I vote in favor.

7 MR. KERRICK: Heidi?

8 MS. PICKARD: I vote in favor.

9 MR. KERRICK: I vote in favor.

10 Motion carried.

11 Anything else, Pat?

12 MR. ARMSTRONG: The only other last
13 thing is, you discussed last week about the road name
14 change, speed limit and parking restriction ordinance.
15 I have in front of me, I guess, some information that I
16 can put those ordinances together.

17 Is it my understanding that you want
18 these advertised for a public hearing in March or do you
19 want to hold off for another month?

20 MS. PICKARD: I think we need to
21 make that in March as we're expecting the addresses to
22 be released in March, around the 18th.

23 MR. ARMSTRONG: Then all I would
24 need is a motion authorizing me to, I guess, work with
25 the road master and the zoning officer to put the

1 ordinances together and schedule it for a public hearing
2 in March.

3 MS. PICKARD: So moved.

4 MR. KERRICK: Motion on the floor.

5 Do we have a second?

6 MR. KEENER: Second.

7 MR. KERRICK: Motion and second.

8 Questions or comments?

9 Questions or comments from the
10 public on the motion?

11 Call the vote. Jamie?

12 MR. KEENER: I vote in favor.

13 MR. KERRICK: Anne?

14 MS. LAMBERTON: I vote in favor.

15 MR. KERRICK: Donny?

16 MR. MOYER: I vote in favor.

17 MR. KERRICK: Heidi?

18 MS. PICKARD: I vote in favor.

19 MR. KERRICK: I vote in favor.

20 Motion carried.

21 MR. ARMSTRONG: That's all I have
22 for my report.

23 Thank you.

24 MR. KERRICK: Thank you.

25 Next item on the agenda, new

1 business, consider lot joinder, Christian Charity
2 Foundation Lot 4 and 5, Kickapoo Drive, Arrowhead Lakes.

3 Anyone here represent them?

4 You want to explain it, Heidi?

5 Kickapoo.

6 MS. PICKARD: Just a simple lot
7 joinder at Arrowhead Lakes. We have all the
8 information. We have the fees, we have tax
9 certifications and the survey.

10 So with that I'll make a motion that
11 we approve the lot joinder, Christian Charity
12 Foundation.

13 MR. KERRICK: Motion on the floor.

14 Do we have a second?

15 MR. MOYER: Second.

16 MR. KERRICK: Questions or comments?
17 Questions or comments from the
18 public?

19 Call the vote. Jamie?

20 MR. KEENER: I vote in favor.

21 MR. KERRICK: Anne?

22 MS. LAMBERTON: I'll vote in favor.

23 MR. KERRICK: Donny?

24 MR. MOYER: I vote in favor.

25 MR. KERRICK: Heidi?

1 MS. PICKARD: I vote in favor.

2 MR. KERRICK: I'll vote in favor.

3 Motion carried.

4 Next item on our agenda. Consider
5 lot joinder, DE&S Properties, Inc., Lots 2, 3, 4 and 5,
6 Dawn Court, Dawn Oakley Development. I believe that's
7 on --

8 MS. PICKARD: Sullivan --

9 MR. KERRICK: -- Sullivan Trail.
10 Anyone here represent them?

11 MS. PICKARD: That was a previous
12 Dawn Oakley subdivision. We've discussed that over the
13 past year or so and the owner decided that it would be
14 easier to just rejoin the lots together.

15 With that I'll make a motion we
16 approve the Dave Wengerd, Classic Quality Homes, Dawn
17 Oakley subdivision lot joinder.

18 MR. KERRICK: Motion. Do we have a
19 second?

20 MR. MOYER: Second.

21 MR. KERRICK: Questions or comments
22 from the board?

23 Questions or comments from the
24 public on the motion?

25 Call the vote. Jamie?

1 MR. KEENER: I vote in favor.

2 MR. KERRICK: Anne?

3 MS. LAMBERTON: I vote in favor.

4 MR. KERRICK: Donny?

5 MR. MOYER: I vote in favor.

6 MR. KERRICK: Heidi?

7 MS. PICKARD: I vote in favor.

8 MR. KERRICK: And I'll vote in
9 favor. Motion carried.

10 Next item, consider Windy Corners
11 Realty, LLC, request to release letter of credit.

12 MR. ARMSTRONG: Yeah, this is --
13 Windy Corners, I'm sure you're aware, is that land
14 development plan up off of 940. They -- I think it's
15 over a year and a half it's been done, maybe close to
16 two years. They requested the release of the letter of
17 credit for the financial securities.

18 Both Bob McHale, the township
19 engineer, and Phyllis Haase, the zoning officer, sent
20 out an e-mail a few weeks ago indicating that everything
21 has been done and that there are no issues with respect
22 to releasing this letter of credit.

23 MR. KERRICK: Entertain a motion?

24 MR. KEENER: So moved.

25 MR. MOYER: Second.

1 MR. KERRICK: Motion and second.
2 Questions or comments from the
3 board?

4 Questions or comments from the
5 public?

6 Call the vote. Jamie?

7 MR. KEENER: I vote in favor.

8 MR. KERRICK: Anne?

9 MS. LAMBERTON: I vote in favor.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: I vote in favor.

15 Motion carried.

16 I want to recuse myself from the
17 next one.

18 MS. PICKARD: For D, I have consider
19 Resolution 2011 dash 008, which is the Wagner Forest
20 Park, Section H, sewage facilities planning module. We
21 have received everything from the DelVal soil scientist
22 and the planning commission -- township planning
23 commission and the Monroe County Planning Commission has
24 signed off on that. Everything's in order from the
25 advice of the enforcement officer.

1 MR. KEENER: I make a motion we
2 approve Resolution 2011 dash 008 and authorize our
3 secretary to sign the planning module.

4 MS. LAMBERTON: I'll second.

5 MS. PICKARD: Do we have any issue
6 with the O and M agreement that's on here, that was
7 approved at the last --

8 MR. ARMSTRONG: Yeah, the only thing
9 I would suggest is just to make a provision to that,
10 that there are certain spray irrigation systems. I
11 think there's one or two within there -- that area and
12 DEP requires an O and M agreement. There's a draft out
13 there that DelVal put together, before any buildings
14 permits for those particular lots, that that O and M
15 agreement be executed.

16 MS. PICKARD: I had forwarded that
17 to the sewage enforcement officer.

18 Do we you need to amend the motion
19 is that what you said or just that should clarify?

20 MR. ARMSTRONG: Yeah, that's just to
21 clarify.

22 MS. PICKARD: We have a motion and a
23 second.

24 Call the vote. Jamie?

25 MR. KEENER: I vote in favor.

1 MS. PICKARD: Anne?

2 MS. LAMBERTON: I vote in favor.

3 MR. MOYER: I vote in favor.

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: Abstain.

6 Does the board have anything else
7 they wish to discuss?

8 MR. KEENER: You want to give them
9 an update on the Blakeslee Visioning scheduling?

10 MS. PICKARD: We've received a
11 tentative schedule from Mark Evans to the members of the
12 steering committee. They were also -- I think we had a
13 tentative date of February 2 for the steering committee
14 to meet and then February 24 we would have listening
15 session scheduled. We needed to meet with the steering
16 committee to make sure that they have the questions
17 ready for that.

18 I have not really heard back from
19 anybody except Mr. Hanyon had come back with a list of
20 people who has suggested being on the listening
21 committee. I had forwarded information and we have a
22 list compiled of all the people that responded to our
23 initial letters and so they're all on the list as well.

24 MR. KEENER: For those in the
25 audience that haven't been to our meetings and aren't

1 familiar with the visioning project that's going on, the
2 Village of Blakeslee, we're currently working on
3 revising our zoning ordinance and our subdivision land
4 development ordinance and we've identified the Village
5 of Blakeslee as an opportunity to create a -- more of a
6 downtown or village center, try to redevelop the village
7 and create the -- Natural Lands Trust is working on
8 model ordinances for Monroe County Planning Commission
9 that will be a basis for our revisions to our zoning and
10 our SALDO in the Village of Blakeslee.

11 What we intend to do is create those
12 regulations that we can apply across the township in
13 Pocono Pines and Pocono Summit and ultimately, you know,
14 maybe the Locust Lake area.

15 Again, providing some regulation so
16 we can do things a little differently and have more
17 walkable communities and a little different appeal than
18 what we have over the past 30 years with our 1970
19 shopping centers that you have to drive to and not be
20 able to walk around, and that process is ongoing.

21 I would say within, what, three
22 months that will be completed and we'll have a plan that
23 we can identify future development in the Blakeslee
24 Village.

25 MS. PICKARD: We're thinking about a

1 month after that, around the 19th, we will have a couple
2 of sessions that will be open to the public for further
3 comments as well.

4 MR. KEENER: We're hoping to promote
5 in papers, we'll advertise those and help to get the
6 word out to those in the township that are unaware.

7 MR. KERRICK: Anything else from the
8 board?

9 MS. PICKARD: I had one thing just
10 to -- we had briefly discussed, and since we have a few
11 people here, that we were going to try and hold our
12 community day again, which would be the second Saturday,
13 July 9, here in the township park. So it looks like Joe
14 Irizarry from Long Time Coming is willing to do that
15 again for free, so I just wanted to make sure that
16 everybody's aware (inaudible) and make this happen at no
17 real cost to the township, that we will move forward
18 with that and I think we will offer spots to the
19 businesses and send out some flyers this year.

20 MR. MOYER: That will be good.

21 MS. PICKARD: So we had really,
22 really nice events last year and we hope that everyone
23 will come out again this year.

24 MR. KERRICK: July 9?

25 MS. PICKARD: July 9.

1 MR. KERRICK: Anything else?

2 Open it up to the public. Anything
3 they wish to discuss? Come on.

4 MR. HOMER ARGOT: I'm Homer Argot.

5 MR. KERRICK: There we go.

6 MR. HOMER ARGOT: I commend you on
7 the ways you operate your meetings. I've been on the
8 church board for years and we sit there for hours and I
9 get tired. Everything's going smooth, I appreciate it.

10 The reason I'm here, I got a letter
11 from the -- said yous were gonna have a zoning meeting
12 and I didn't know what it was about. I have property on
13 940 and I was just wondering what that is zoned and if
14 it could be changed to commercial if it's not, I don't
15 know what it is.

16 MR. KEENER: Property adjacent to --

17 MR. KERRICK: He's adjacent to the
18 Romec property on Robin Lane. We changed it from
19 commercial, it's adjacent to the church.

20 Is that the Faith Lutheran?

21 MR. HOMER ARGOT: I'm talking about

22 --

23 MS. PICKARD: Kind of behind the
24 Faith Lutheran Church.

25 MR. HOMER ARGOT: I'm talking about

1 the property next to Edelweiss.

2 MR. KERRICK: You're talking about
3 the property next to the Edelweiss?

4 MR. HOMER ARGOT: Yes.

5 MR. KERRICK: That is commercial.

6 MR. HOMER ARGOT: It is commercial.

7 MR. HOMER ARGOT: Is it commercial?

8 MR. KERRICK: Yeah. We can show you
9 a map after the meeting if you'd like to look --

10 MR. HOMER ARGOT: I didn't under --
11 I looked at it, I didn't understand, I thought it was --

12 MR. KERRICK: Well, there's another
13 one inside. I can show you that one as well. After the
14 meeting we'll show you.

15 MR. HOMER ARGOT: Okay.

16 MR. KERRICK: Anything else? Anyone
17 else? Come on one more.

18 MR. HOMER ARGOT: Do you know
19 anything about the power line that they sent us a letter
20 about, Pennsylvania power line?

21 MR. KERRICK: Only what -- the same
22 letter you have, that's all I know.

23 Does anyone else know?

24 MS. LAMBERTON: They're going to
25 have work sessions on that.

1 MR. KERRICK: Do you know anything
2 about it, Jamie?

3 MR. KEENER: No, I -- only the -- I
4 know they're looking at bringing the main line coming
5 across from Berwick, but I think this is just a service
6 upgrade to provide some redundancy to help with power
7 outages.

8 Again, I think we'll get more
9 information when they have their public hearings. It
10 showed mostly in the --

11 MR. KERRICK: Bear Creek?

12 MR. KEENER: Yeah, out towards --
13 north of Blakeslee. Even their delineation didn't even
14 come down to the 940/115 --

15 MR. KERRICK: It came down almost to
16 Snyder'sville. It was mostly in that area.

17 MR. KEENER: Right.

18 MR. KERRICK: North from there.

19 Anyone else?

20 Thank you for attending. See you
21 next month.

22 (Meeting concluded at 7:35 p.m.)

23 ---

24

25

I hereby certify that the
proceedings and evidence are contained fully and
accurately in the notes taken by me, to the best of my
anility, at the meeting in the above matter; and that
the foregoing is a true and correct transcript of the
same.

ORIGINAL

Courtney L. Rogers
COURTNEY L. ROGERS

Respectfully submitted:

Hedi A. Pickard
HEDI A. PICKARD, TOWNSHIP SECRETARY

A G E N D A
Board of Supervisors
Regular Business Meeting
March 14, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of:
5. Consider the Treasurer's Report: \$262,610.32
6. Solicitor Report: Lake Naomi Club Conditional Use Public Hearing
Ordinance 493 Road Names
Ordinance 494 prohibit parking/restrict speed limit on
Township Roads
7. New Business:
 - A. Consider Lot Joinder- Frank & Judith Wierzbicki, Lot 33 Lakeview Drive & Lots 42, 43, 44, 45 Millers Drive
 - B. Consider Resolution 2011-009 Price Adjustment of bituminous materials for small quantities
 - C. Consider Materials Bids
 - D. Consider Resolution 2011-010 reduction, exemption and write-off of certain inactive sewer accounts
 - E. Consider Lake Naomi Club proposed parking area Land Development/ Minor Subdivision Plan
 - F. Consider Resolution 2011-011 adopting records retention procedures
 - G. Consider Resolution 2011-012 disposition of specific records
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
State Avenue
Pocono Pines, Pennsylvania 18350
March 14, 2011, beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
DONALD J. MOYER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE, Solicitor

APPEARANCE: YOUNG AND HAROS, LLC
By ALAN P. YOUNG, ESQUIRE
802 Main Street
Stroudsburg, PA 18360
For the Applicant

ORIGINAL

PANKO REPORTING
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

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*Exhibits not provided to the reporter.

1 (Appearance was marked for
2 identification as Applicant's Exhibit No. 1.)

3 (Conditional Use Plan was marked for
4 identification as Applicant's Exhibit No. 2.)

5 (Declaration of Covenants was marked
6 for identification as Applicant's Exhibit No. 3.)

7 MR. KERRICK: I'd like to welcome
8 everyone here this evening for the regular business
9 meeting, Tobyhanna Township Board of Supervisors. Can
10 we open the meeting with pledge of allegiance, please.

11 (Pledge of allegiance was recited.)

12 MR. KERRICK: First item on our
13 agenda, announcements.

14 You have any, Heidi?

15 MS. PICKARD: Not at this time.

16 MR. KERRICK: Minutes? Do we have
17 the minutes?

18 MS. PICKARD: No, we just got them.

19 MR. KERRICK: First item of
20 business, consider the treasurer's report, total amount
21 for board approval, \$262,610.32.

22 MS. PICKARD: I make a motion that
23 we approve the bill pack dated March 14, 2011 in the
24 amount of \$262,610.32.

25 MR. KERRICK: Do we have a second?

1 MR. MOYER: Second.

2 MR. KERRICK: Questions or comments
3 from the board?

4 Questions or comments from the
5 public on the motion?

6 Call the vote. Anne?

7 MS. LAMBERTON: I'll abstain.

8 MR. KERRICK: Donny?

9 MR. MOYER: I vote in favor.

10 MR. KERRICK: Heidi?

11 MS. PICKARD: I vote in favor.

12 MR. KERRICK: I vote in favor.

13 Motion carried.

14 Next item is solicitor's report.

15 MR. ARMSTRONG: The first item under
16 my report is a conditional use public hearing. The
17 conditional using public hearing is for a proposed
18 parking area on lands identified to be conveyed to Lake
19 Naomi Club. It's been advertised for a public hearing
20 this evening. What I'm going to be doing is I'll open
21 up the public hearing and we'll start with the
22 conditional use at that time.

23 At this time we're going to open the
24 public hearing. This is a public hearing on the
25 conditional use application of Lake Naomi Club for a

1 parking facility located at Property Tax Map No. 19
2 slash 6 slash 1 slash 7. It's been advertised for a
3 public hearing this evening in the Pocono Record on
4 February 28, 2011 and March 7, 2011. The property has
5 been posted pursuant to the Municipalities' Planning
6 Code and the Tobhanna Township Code of Ordinances.

7 This is a conditional use hearing
8 that's going to be held by this board just. For
9 purposes of a quick refresher course on conditional use
10 hearings, this board will sit as a quasijudicial
11 authority. You'll hear testimony from the applicant
12 with respect to the proposed use. The proposed use
13 being a parking lot facility on the property identified
14 in the application.

15 At the end of that testimony, if you
16 have any questions or if any members of the public has
17 questions with respect to the testimony of the witnesses
18 being presented by the applicant, you can do so at that
19 time.

20 If any members of the public want to
21 present any testimony or want to take any position with
22 respect to this conditional use application, you can do
23 so at that time.

24 And with that being said, what I
25 would like to do is mark some board exhibits for

1 housekeeping purposes.

2 Being marked as Exhibit B-1 is the
3 application, the conditional use application of the Lake
4 Naomi Club for the proposed parking area dated February
5 9, 2011.

6 What will be marked as Exhibit B-2
7 is the legal notice providing legal advertisement for
8 tonight's meeting, March 14, 2011, at seven o'clock, at
9 the Tobyhanna Township Government Center Building.

10 Exhibit B-3 shall be the proof of
11 publication from the public record indicating that the
12 legal notice was advertised twice; once on February 28
13 and again on March 7, 2011.

14 Exhibit B-4 is a correspondence from
15 my office to Ms. Freeman at the Lake Naomi Club
16 notifying them of the public hearing this evening, as
17 well as providing them a copy of the legal notice in the
18 advertisement.

19 Exhibit B-5 is a letter from my
20 office to Thomas Sodano and Leslie Sodano, owners of the
21 property, indicating and giving them notice of tonight's
22 hearing as well.

23 Exhibit B-6 is a letter from Phyllis
24 Haase, the zoning officer, to myself affirming and
25 signing an affidavit that the subject property was

1 properly posted pursuant to the MPC.

2 And that concludes the board's
3 exhibits with respect to this conditional use
4 application and hearing. And again, just briefly to
5 summarize the application, it's an application of Lake
6 Naomi Club for a parking facility on Tax Map Parcel No.
7 19 slash 6 slash 1 slash 7 pursuant to the Tobyhanna
8 Township Code of Ordinances, Chapter 155, Section 155
9 dash 14E and Section 15512E2 and Section 1551 dash 101,
10 and those particular sections allows the parking
11 facility as a development amenity on the proposed
12 property for the applicant, Lake Naomi Club.

13 With that, I see the applicant and
14 the representatives are present tonight. If you would
15 like to proceed.

16 Do you have any objections to the
17 exhibits marked?

18 MR. YOUNG: For the record I'm Alan
19 Young representing Lake Naomi Club. The application, I
20 have no objection. I ask if there has been a
21 recommendation from the planning commission that's been
22 published.

23 MR. ARMSTRONG: The planning
24 commission did make a recommendation that the board
25 approve this conditional use application. It was in a

1 correspondence from my office. We can mark that as
2 Exhibit --

3 MR. YOUNG: B-7.

4 MR. ARMSTRONG: -- B-7.

5 MR. YOUNG: And for thoroughness,
6 would you approve adding the copy of the zoning
7 ordinance as an exhibit so it's on record if we need it
8 later?

9 MR. ARMSTRONG: We can if you'd
10 like. I mean, the zoning ordinance is --

11 MR. YOUNG: Just for thoroughness.

12 MR. ARMSTRONG: -- a written
13 document. We can mark the Tobyhanna Township Zoning
14 Ordinance as Exhibit B-8.

15 MR. YOUNG: Thank you very much.
16 That's the only two additions I have for yours.

17 For the record as well, I've marked
18 three exhibits and we'll go through the housekeeping
19 first and give them to the stenographer. First is my
20 appearance on behalf of Lake Naomi Club, A dash 1; A
21 dash 2 is the single sheet conditional use plan that has
22 been submitted with the application, the latest version.

23 MR. ARMSTRONG: What's the date on
24 that plan?

25 MR. YOUNG: It's 2/08/11. Revision

1 date is 3/02/11, corrected pin number added Note 19.
2 That's A-2. A-3 will be identified later by Terry
3 Martin as the declaration of covenants for the Sodano
4 property as filed of public record, documents dated
5 February 24, 1993. It is a declaration that imposes the
6 Lake Naomi scheme of covenants on the lot in question
7 from which this property would be subdivided.

8 That's the end of my housekeeping.
9 We have three proposed witnesses. I'd ask they'd be
10 sworn. Terry Martin, that's the land surveyor; Brick
11 Linder, who's a professional engineer; and Jeffrey Evans
12 is the project manager, lame duck executive for Lake
13 Naomi Club.

14 (Terry Martin, Rick Linder and
15 Jeffrey Evans were duly sworn.)

16 MR. YOUNG: We'll start with Terry
17 Martin and with the chairman's permission and the
18 solicitor's permission, if I may, I'd like to do this in
19 a narrative fashion to get through the materials as
20 quickly as possible rather than question and answer,
21 question and answer.

22 Mr. Martin had given the same
23 presentation last week for the planning commission and
24 I'd ask him to give you an overview of the project and
25 compare the project requirements with the standards

1 required in the zoning ordinance in Section 155 dash
2 101.

3 Terry Martin.

4 MR. ARMSTRONG: That's fine. And
5 just --

6 MR. YOUNG: I'm having trouble with
7 your stop sign.

8 MR. ARMSTRONG: That's fine. I have
9 no objection to the narrative style. I would be remiss
10 if I do not -- does anyone here request party status in
11 this hearing? Seeing no response.

12 MR. YOUNG: Thank you.

13 Terry?

14 ---

15 TERRY MARTIN, a witness called on
16 behalf of the Applicant, having been previously duly
17 sworn, was examined and testified as follows:

18 DIRECT EXAMINATION

19 THE WITNESS: Good evening,
20 everyone. I'll hand out a copy of one of the exhibits
21 that Alan has submitted as evidence. This is a
22 conditional use plan. It's very similar to the sketch
23 plan that we submitted at your last month's meeting and
24 has already been stated, this being a development
25 amenity, it is subject to a conditional use or comes

1 under the conditional use requirements under the zoning
2 ordinance. As part of the conditional use application,
3 one of your requirements is that we submit a site
4 development plan.

5 In the section of the ordinance,
6 there are a number of conditions that the applicant must
7 meet under development amenities, 155 dash 101 of your
8 zoning ordinance and I'd like to just briefly go down
9 through those.

10 The first being A, the amenity,
11 activity structure or use shall be principally for the
12 benefit and convenience of the families, guests and
13 tenants and lot owners. As we explained at the -- at
14 your last month's meeting, this proposed parking area is
15 for the clubhouse, which is on the opposite side of
16 Millers Drive and the beach area.

17 Just as reference again, this is an
18 R-2 zone, located on Millers Drive directly opposite the
19 existing clubhouse facility and beach area. The purpose
20 is to add additional parking for the clubhouse and beach
21 area. So we think that we have illustrated that we meet
22 that Section A, Subsection A of 155-101, that it's for
23 the benefit and convenience of the families, guests and
24 tenants.

25 B states that the activity, amenity

1 structure or use shall be located wholly within the
2 confines of the exterior perimeter of a subdivision of
3 record or planned community or contiguous thereto.

4 The other submittal that Alan placed
5 as evidence was the restrictions and covenants that the
6 Sodano property carries with it.

7 MR. YOUNG: May I interrupt? I'll
8 just show it to the solicitor so they can take a look
9 while you're talking.

10 THE WITNESS: That's submitted as
11 evidence that it is part of the Lake Naomi Timber Trails
12 community's development.

13 Section C states that no advertising
14 sign relating to the activity, amenity, structure or use
15 shall be permitted which is visible from any legislative
16 route. There are no proposed signs with the parking
17 area.

18 Subsection D states only one sign
19 not exceeding 32 square feet in area, not exceeding ten
20 feet in height above the average ground line to the
21 highest point shall be permitted for each such activity,
22 amenity, structure or use. Again, there are no planned
23 signs with this proposed parking area.

24 Subsection E states the sum of the
25 areas including the area required for any parking

1 devoted to uses, activities or structures normally
2 permitted in the commercial district shall not exceed
3 one percent of the total gross area within the confines
4 of the exterior perimeter of the subdivision record.
5 There's a note on the plan stating that it's just three
6 hundreds of one percent for land area use, so we
7 complied with being less than one percent.

8 Subsection F states any building or
9 structure must conform to the setback requirements of
10 the district in which the amenity is located. We're not
11 proposing any structure or building on this parcel.

12 Subsection C says parking facilities
13 shall be provided in conformance with 155 dash 55,
14 that's a section in your zoning ordinance that sets
15 forth the dimensions of the parking spaces and the
16 minimum width requirements for the aisles serving those
17 parking spaces. Your township engineer reviewed this
18 plan and confirmed that it does meet with that section.

19 Subsection H subsurface disposal
20 area constructed to serve this amenity shall not
21 encroach on any required parking area or upon the buffer
22 strip. They're no proposed subsurface sewage disposal
23 areas.

24 Subsection I states a buffer strip
25 not less than 20 feet in width shall be provided between

1 any such use and any plotted lot of the subdivision.
2 You'll notice on the plan that on the sidelines we show
3 a 20 foot wide buffer restricting any parking from the
4 property line so that it does not encroach on that 20
5 foot buffer strip. We'll get into the site development
6 plan, some of the other things on there shortly.

7 And the last one is Subsection J, no
8 commercial or for-profit activity shall be conducted
9 within any administrative office building, that's not
10 planned for here either.

11 With respect to the site development
12 plan, as I stated, it's very similar to the sketch plan
13 that we had presented last month for you. The only
14 change, and this came about from the recommendation from
15 the planning commission is, we've added a little bit
16 more landscaping. Originally we had just illustrated
17 one type of evergreen tree. The planning commission
18 asked us that we mix in some varied species so that --
19 to break it up so it's not just one species in case
20 there would ever be any kind of disease that would
21 strike one type of species. So we're showing now two
22 types of evergreen plantings, white pine and a Colorado
23 Spruce.

24 And the other thing that we've added
25 to the original plan was a note here, just below the

1 spacing of the trees along those buffer strips, this was
2 a recommendation from the planning commission based on a
3 comment that the engineer made. And if -- those of you
4 that are familiar with the terrain, the existing
5 topography, it comes -- slopes up from Millers Drive.
6 So what we're going to do, as we come off of Millers
7 Drive, we're going to be cutting the existing terrain
8 down and that will result in a cut of anywhere from
9 three to five feet, so that giving us -- that will give
10 us a natural buffer.

11 As those cars come and turn and park
12 and face that sideline and opposing properties or
13 adjoining properties, the headlights would go into the
14 bank. But in the event that we're less than three feet,
15 the engineer suggested that we put a note on the
16 landscaping plan there that the vegetation that we
17 plant, those evergreen trees, be planted so that it
18 provides a continuous screen or buffer so that
19 headlights cannot penetrate or go beyond the property
20 line or that landscaping that we provide.

21 So we've added that note there, that
22 any place where the parking area is less than three feet
23 lower than the adjoining grade of the property line that
24 those trees be planted at an interval to provide a
25 continuous screen so that headlights cannot leave the

1 property.

2 On related issues, we have submitted
3 a subdivision plan and land development plans for the
4 development of this property, and those I believe are on
5 your agenda for later this evening for consideration.
6 As Alan stated, I believe the planning commission has
7 recommended approval of the conditional use.

8 BY MR. YOUNG:

9 Q. Did they have a condition that you've since met?

10 A. No. The only thing they asked was just that that
11 note be placed on the plan there.

12 Q. Have you conducted any testings since that
13 meeting?

14 A. Yes. There was -- which was actually part of the
15 land development and we'll have some testimony from Brick
16 Linder, professional engineer. What we're looking at, as
17 far as storm water on this site, is all subsurface
18 infiltration and storage and part of that -- part of that
19 design involves some on-site testing there for
20 infiltration of water into the ground and we were
21 prevented from doing that with the winter season,
22 temperatures and snow cover.

23 We did get out last week and perform two
24 infiltration tests there. We didn't get the results that
25 we were hoping to. We actually didn't have any

1 infiltration of water into the ground but the soils
2 looked very encouraging for infiltration under normal
3 conditions. The day that we did it was three or
4 four days after we had a rain event of three plus inches
5 and the temperature was still around freezing, so it
6 wasn't the best conditions to conduct those type of tests
7 under; but we wanted to try and do those or get those
8 accomplished before your meeting, before you considered
9 the land development plans this evening.

10 Q. Terry, we should put your credentials on the
11 record.

12 What's your role in this project?

13 A. I'm a professional land surveyor with Martin and
14 Robbins and we've prepared the conditional use plan.

15 Q. Licensed?

16 A. Yes, I am licensed by the Commonwealth of
17 Pennsylvania.

18 Q. This was done under your supervision?

19 A. Yes, it was.

20 Q. Anything else significant for the board?

21 A. I think that's all I have.

22 MR. YOUNG: Does the board have any
23 questions? I have some wrap-up questions because other
24 parts of your ordinance require them.

25 BY MR. YOUNG:

1 Q. Do you believe that this project is in any way
2 detrimental to the health, safety and public welfare of
3 Lake Naomi Timber Trails or the township?

4 A. No.

5 Q. Do you believe that project is necessary for the
6 convenience of Lake Naomi Timber Trails and the township?

7 A. Yes.

8 MR. YOUNG: I have nothing further
9 from Mr. Martin.

10 MR. ARMSTRONG: Just the latest
11 revised version of the plan is March 2, 2011, correct?

12 THE WITNESS: Yes.

13 MR. ARMSTRONG: Does it show all the
14 landscaping and plantings on there?

15 THE WITNESS: Yes.

16 MR. ARMSTRONG: Okay. The white
17 pine and spruce --

18 THE WITNESS: Colorado Spruce, yes.

19 MR. YOUNG: If the board wishes,
20 that could be a reasonable condition for the approval,
21 if there were an approval, to ensure that those
22 additional performance standards were met. That is,
23 that the headlights can't leave the premises, the light
24 from the headlights, the headlights will leave when the
25 cars leave.

1 MR. ARMSTRONG: Are you proposing
2 the plantings in locations other than where the three
3 foot is less than?

4 THE WITNESS: We're proposing along
5 the entire perimeter.

6 MR. ARMSTRONG: You're just going to
7 supplement them more condense like --

8 THE WITNESS: That's correct, where
9 it's less than three feet.

10 DIRECT EXAMINATION CONTINUED

11 BY MR. YOUNG:

12 Q. Terry, have you looked at title to this property?

13 A. Yes.

14 Q. It is titled in Mr. and Mrs. Sodano's name?

15 A. That's correct.

16 Q. Do you have an understanding as to the
17 relationship with Lake Naomi Club and the Sodanos in this
18 matter?

19 A. My understanding is that there's an agreement to
20 purchase it by the Lake Naomi Club, the parcel that was
21 shown.

22 MR. YOUNG: We'll have testimony to
23 confirm it.

24 MR. ARMSTRONG: Do you have a --
25 will there be a copy of the agreement of sale submitted

1 as a --

2 MR. YOUNG: The good news is we are
3 advised that the agreement of sale is signed; the bad
4 news is it's en route from Singapore but we have consent
5 of the Sodanos to appear. We have had the consent of
6 the Sodanos for a number of months to appear in this
7 proceeding.

8 MR. ARMSTRONG: Are you planning on
9 presenting that? Not tonight obviously.

10 MR. YOUNG: With your permission,
11 we'd like to supplement the record with a copy.

12 MR. ARMSTRONG: That's fine. Are
13 there any questions from the public for this witness?

14 Any questions from the board?

15 MR. KERRICK: I have none.

16 MR. YOUNG: Thank you, Terry.

17 Call Brick Linder.

18 ---

19 BRICK LINDER, P.E., a witness called
20 on behalf of the Applicant, having been previously duly
21 sworn, was examined and testified as follows:

22 DIRECT EXAMINATION

23 BY MR. YOUNG:

24 Q. We'll do this the right way and ask you to
25 introduce yourself to the board with your credentials,

1 please, Brick?

2 A. My name is Brick Linder. I am a registered
3 professional engineer practicing in Pennsylvania for
4 probably 27, 28 years now and I've appeared before this
5 board multiple times in the past, however, not within the
6 last several months or perhaps a year.

7 My involvement in the project is the site
8 engineering, storm water management and erosion and
9 sediment pollution control. I'm the person who's
10 responsible for the site grading, the storm water design,
11 storm water calculations and the erosion control design
12 and plans.

13 And with that tonight, I'm prepared to explain to
14 you the storm water management system unless you have any
15 other initial housekeeping items to go through.

16 Q. I'm good to go.

17 A. Okay. As Terry explained, the parking lot slopes
18 up the hill. It's low at the Miller Drive location and
19 it's high on the southerly side at the far end. The
20 parking lot exist -- let me rephrase, the existing grade
21 in the parking area is in the eight to ten to
22 twelve percent range and I know that's hard to visualize.

23 I'm an engineer and it's -- I'm kind of a geek
24 when it comes to that, but in terms of parking, it's not
25 a desirable situation to park cars on a side slope at a

1 slope of greater than five percent. As I stated, it
2 varies. It's eight, ten, twelve percent so it's steeper
3 than five percent.

4 What we had to do to make the parking work so that
5 car doors don't swing too difficult upward or downward
6 when you open them is flatten it out and as Terry said
7 the parking area is in a cut, in a substantial cut in
8 certain areas and I'm gonna try to explain that on your
9 Applicant Exhibit A-1.

10 Q. Is a cut a removal of material to lower the
11 elevation?

12 A. Yes. A cut is an excavated area where the earth
13 is removed.

14 Q. Is -- five percent means five percent change in
15 elevation every 100 feet?

16 A. It means five feet vertically for every 100 feet
17 or miles. If you go a hundred feet horizontally, five
18 feet vertically, it's five percent.

19 Ten feet vertically in the same hundred feet is
20 ten percent, which is presently about what the property
21 slopes at. It slopes more steeply near Millers Drive,
22 more flatly in the back on the southern side. So what we
23 did was we came off of Millers Drive at five percent and
24 that put us in the cut. We were able to catch up with
25 the existing grade by the time we got to the southerly

1 property line.

2 That actually added an additional benefit to the
3 project as Terry explained. It gave us an automatic
4 buffer and screening with regard to headlights because
5 the parking area in most cases will be approximately
6 three to five feet below what the surrounding grade is on
7 both the east and west side, so the headlights will hit
8 the embankment rather than shine over top of a fill or
9 along a constant grade. That helps with the screening.

10 Consequently everything slopes from south to north
11 and towards Miller Drive. Storm water management for the
12 project is rather new technology. It consists of porous
13 pavement and a series of infiltration beds that are
14 stepped down the parking area.

15 If I can explain for the record and correct me or
16 interrupt me if I'm out of line.

17 Q. You have a package of plans? How many sheets?

18 A. I have two sheets for the storm water management.

19 Q. Why don't we just mark it for identification as
20 Applicant's 4, Mr. Linder's sheets -- two sheets, and
21 what's the date on the plan?

22 A. They are dated February 8, revised February 22,
23 2011.

24 Q. Did you prepare these?

25 A. Yes.

1 MR. ARMSTRONG: Again, these are the
2 porous pavement, storm water management?

3 BY MR. YOUNG:

4 Q. What's the name of the plan?

5 A. PCSM and grading plan. It's for post construction
6 storm water management; and PCSM, profiles and details.
7 Drawing 2A of 5 and Drawing 2B of 5.

8 Q. Thank you.

9 A. Thank you. This will be a help.

10 MR. YOUNG: This information will
11 also be useful later in the evening when you consider
12 the land development application but it's appropriate to
13 get on the record now.

14 A. If you take a look at the profile in the upper
15 left corner of the sheet labeled drive and parking center
16 line profile AA, the heavier dash line represents the
17 existing grade of the land. As we speak today, Millers
18 Drive is on the left side of the profile, the heavy solid
19 line represents the final grade of the parking lot. That
20 is the five percent grade to which I referred to earlier
21 and this is the 10 to 12 percent grade and lesser grade
22 up here on the southern side. This on the left side is
23 the northern side of the parcel; on the right side of the
24 profile is the southern side of the profile.

25 So you can see how the five percent grade gets

1 into a rather significant cut from approximately Station
2 0 plus 80 to approximately Station 2 plus 80, and that is
3 where the material will be removed to construct the
4 parking lot.

5 The storm water management system consists of
6 eight subsurface beds which are approximately two feet
7 deep and in order to get them to store the water in a
8 horizontal fashion, we couldn't do one contiguous bed
9 because the water would obviously flow down the hill, we
10 wouldn't be able to develop the storage volume; so
11 they've been segregated by eight different beds separated
12 by earth berms in between the beds, which will contain
13 the water within the stone, void space to hold the water
14 and allow it to infiltrate back into the ground.

15 The water will get to the beds via the porous
16 pavement surface. Porous pavement is a permeable paving
17 material, newer technology, and that is designed to
18 actually allow the water to penetrate the pavement and
19 get into the subbase below. The pavement composition
20 will include a couple inches of crushed stone beneath it
21 which will allow the water to permeate through that and
22 into the beds below.

23 Consequently I have an engineer's report, a whole
24 series of calculations, that models the amount of water
25 that's generated from the impervious area of the

1 pavement. Kind of a loose term with impervious pavement
2 but nonetheless the modeled impervious area and the
3 volume generated by the subsurface beds, that's all been
4 designed to meet your storm water management ordinance
5 and the Act 167 release requirements.

6 BY MR. YOUNG:

7 Q. Has that been reviewed by the township's engineer?

8 A. Yes. Yes.

9 Q. Are you two in agreement, you and the township
10 engineer?

11 A. Yes. Yes. The township engineer was very
12 helpful. We went back and forth on a couple different
13 ideas and a couple different thoughts and we feel that
14 this is probably one of the best designs we can have.

15 It will do a couple things. It will allow the
16 runoff rate to be reduced to the predevelopment rates, it
17 will allow infiltration for recharge and it will also
18 prevent the construction of large storm water detention
19 basins and ponds as you've seen conventionally in the
20 past. So aesthetically helps as well.

21 And that's generally the summary of the storm
22 water management system. If there's anything else I can
23 add or any questions you have, I'd be happy to answer.

24 Q. Was testing done on the soil permeability?

25 A. Yes. As Terry stated the permeability testing was

1 run last week. The results did not come out as we had
2 hoped; however, I should say March is probably the
3 toughest month in the Poconos to run infiltration
4 testing. You're dealing with freezing temperatures,
5 you're dealing with snow melt, you're dealing with heavy
6 rains and I think we received three to four inches of
7 rain on Sunday, Monday and the tests were run on
8 Wednesday.

9 So optimistically I viewed it as rather successful
10 because we didn't have standing water in a six or eight
11 foot deep soil test pit. It didn't run as fast as we had
12 hoped, but with those kinds of conditions, you would
13 expect to have water in a ditch not too far below the
14 surface.

15 Q. Is it fair to characterize them as worst-case
16 conditions?

17 A. I would say, yes. I would say, yes. It probably
18 could only have been worse if they were done Saturday.

19 Q. Does your design accommodate worst-case
20 conditions?

21 A. The design and the computer program includes a
22 factor which allows me to model infiltration and it's all
23 set up for that and then there's a coefficient in there I
24 can add to -- add factors of safety like multiply by half
25 if I want to take into account a factor of safety for

1 something.

2 The calculations were modeled with the multiplier
3 set at zero, which is no infiltration, because I didn't
4 know what the results were when we did the calculations,
5 so we did it conservatively. Had we gotten good results,
6 I would go in there and remodel, increase that factor to
7 whatever the testing results gave us, that would put more
8 water back in the ground, less water that comes out of
9 the pipes; consequently it might even allow me to reduce
10 the bed size somewhat.

11 But in answer to Alan's question, the original
12 modeling was done without relying on any infiltration.

13 MR. ARMSTRONG: So the plan
14 identified as A-4 would be successful at this property?
15 It assumes zero percent infiltration.

16 THE WITNESS: Yes, yes. Now, you
17 may ask well, how does the water get out of the beds?
18 Well, there is a small tile drain that is shown on sheet
19 2A and -- excuse me, this is A-4 -- A-3 and A-4 --

20 Is that how --

21 MR. YOUNG: No, they're both A-4,
22 two sheets.

23 THE WITNESS: Okay. It would be on
24 Sheet 2A of A-4. On the westerly side of the parking
25 area is a tile drain system. When I say tile drain,

1 it's a small piece of perforated plastic pipe surrounded
2 by stone. It runs along the -- tunnally (phonetic)
3 along the parking lot. The detail looks like -- looks
4 like this guy here, what's shown in Profile CC.

5 It shows the pipe running down along
6 the beds with small leaders that go into the beds and
7 then it goes to an inlet that's at the lower end of the
8 parking area. And all of that will drain to the
9 location of where the water presently drains and that's
10 to the ditch along the drive. And the detail of the
11 dewatering, the tile drain is shown in detail in the
12 upper right corner of 2B of Exhibit A-1 -- A-4.

13 BY MR. YOUNG:

14 Q. Does the storm water design comply with the
15 ordinances of the township?

16 A. Yes.

17 Q. And with good engineering practices?

18 A. Yes, I believe so.

19 MR. YOUNG: Board have any questions
20 on storm water?

21 MR. KERRICK: I have none.

22 MR. ARMSTRONG: Just very briefly,
23 because it's porous, there are some additional
24 maintenance requirements that will be needed for the
25 system, correct?

1 THE WITNESS: Correct. They're --

2 MR. ARMSTRONG: The applicant's
3 going to be agreeable to those maintenance requirements?

4 THE WITNESS: Yes. They are on the
5 drawings in terms of covenants and notes, maintenance
6 requirements. I should add, and that's a good point and
7 a good question, I should add that the facility's
8 intended to be used during the summer season rather than
9 the winter season. Porous pavement is more prone to
10 maintenance and clogging due to antiskid material,
11 debris coming off of snow melt and ice chunks that
12 collect on the bottoms of vehicles in the winter months.
13 And since it will not be used, or very infrequently used
14 during the winter months, it should add to the integrity
15 of the system.

16 MR. YOUNG: We have received a
17 draft of the maintenance agreement and we'll commit to
18 finish whatever's needed to get that executed within
19 reason.

20 DIRECT EXAMINATION CONTINUED

21 BY MR. YOUNG:

22 Q. Do you want to move to the E&S plan or what's
23 next?

24 A. The E&S plan, we were waiting for the results of
25 the infiltration test to finalize the design.

1 Q. What does that stand for?

2 A. E&S stands for erosion and sediment pollution
3 control. That is the design of the controls so that the
4 site is protected from pollution during earth moving
5 activities.

6 Common things that you see around construction
7 sites are filter fence, the black stuff, construction
8 entrances, like rock entrances, they're used as tire
9 cleaners to clean the tires to dump trucks as they leave
10 the site under muddy conditions.

11 That plan and application will be submitted to the
12 Monroe County Conservation District. They're the folks
13 that, as you know, are in charge of erosion, sediment
14 pollution and control review and approval.

15 Q. The third item that you were covering was site
16 engineering?

17 A. Site engineering, site grading, I touched on that
18 with regard to the grades and the parking slope. And
19 other than that, it's a relatively straightforward site.
20 It's a rectangular parking area. The grades will be
21 uniformed -- uniform, and which you're going to see is a
22 five percent straight slope going up the hill when it's
23 done.

24 Q. Do you believe there is any reason that this is
25 detrimental to the health, safety and public welfare of

1 Lake Naomi Timber Trails or the township?

2 A. No, not that I know of.

3 Q. Is the project necessary for the convenience of
4 Lake Naomi Timber Trails and the township?

5 A. My understanding is it is.

6 MR. YOUNG: That's all I have for
7 Mr. Linder.

8 MR. ARMSTRONG: Are there any
9 questions from the board for the witness?

10 Any questions from the public?

11 Seeing none.

12 Do you have a third witness?

13 MR. YOUNG: Mr. Evans has been
14 sworn.

15 ---

16 JEFFREY EVANS, a witness called on
17 behalf of the Applicant, having been previously duly
18 sworn, was examined and testified as follows:

19 DIRECT EXAMINATION

20 BY MR. YOUNG:

21 Q. Please introduce yourself to the board.

22 A. Good evening. I'm Jeff Evans. I'm the executive
23 vice president for the Lake Naomi Club. As you all know,
24 I served as the executive vice president and general
25 manager for the past 30 years. Now I'm working with the

1 club in a consulting capacity on special projects, such
2 as this project, to add additional parking for the Lake
3 Naomi Clubhouse and the club/beach amenity area.

4 Q. Is this part of a general strategic plan and
5 master plan for the community?

6 A. Yes, it is. Currently the club is working on
7 updating its strategic plan and on a long-range
8 facilities plan and additional parking at the Lake Naomi
9 Clubhouse, club/beach area is a top priority in both of
10 those plans.

11 Q. Is it likely we'll be back to do this again?

12 A. It's likely that in the future if additional land
13 would become available. We've been searching for land in
14 that area for quite sometime and the Sodanos approached
15 the club late summer last year about possibly selling
16 some of their land to the club and we've been working on
17 negotiating that. Through the end of the year, we
18 finally came to terms to be able to purchase this subject
19 to approval from the township.

20 And once this approval process is completed, which
21 drives a lot of the cost, we then have to go to our
22 members for an ultimate vote to get approval of the
23 projects. That's the only two contingencies in the
24 purchase of the property, is township approval and
25 approval of the club membership.

1 Q. Has the agreement with the Sodanos been reduced to
2 writing?

3 A. Yes, it has. I spoke with Mrs. Sodano. The
4 Sodanos do live most of the year in Singapore. Mr.
5 Sodano works in that area. They went to the United
6 States Embassy in Singapore on Thursday, March 3 and
7 signed the agreement and had it notarized. Mrs. Sodano
8 is actually coming to the United States this week on some
9 other business and will be delivering the signed copy to
10 our office on Friday.

11 But as previously been indicated we've had
12 approval since the beginning of January from the Sodanos
13 to come to the township with this project and we now know
14 that we have a signed agreement. It's actually an option
15 to purchase the property. As I previously indicated,
16 there's only two contingencies in it, that we receive
17 township approval and then that we receive the approval
18 of the Lake Naomi Club membership.

19 Q. Give me one second. My antihistamines are working
20 well tonight.

21 In your understanding is this project in any way
22 detrimental to the health, safety and public welfare of
23 Lake Naomi Timber Trails area or the township?

24 A. We would never propose something that we thought
25 was detrimental to the community at large or to Lake

1 Naomi Timber Trails.

2 Q. Is it necessary for the convenience of Lake Naomi
3 Timber Trails and the township?

4 A. It's a safety issue because of the usage of the
5 Lake Naomi Clubhouse and the club/beach area has expanded
6 greatly over the past ten years, and there's inadequate
7 parking in that area. This would add 57 much needed
8 parking spots.

9 As Mr. Linder indicated the principal use would be
10 in the spring, summer and fall. We do not anticipate
11 using this parking lot during the winter and would not
12 anticipate even plowing it because we don't need it and
13 it's best for the maintenance of the porous pavement not
14 to plow it.

15 Q. Do you intend to provide me with a copy of the
16 signed agreement of sale -- I'm sorry, the signed option
17 agreement when it's delivered to you by the sellers?

18 A. That's correct.

19 MR. YOUNG: And I in turn will
20 provide a sanitized version. I may didact the price and
21 other terms that are significant to remain private, but
22 I'll deliver a copy to the solicitor when received.

23 My part with Mr. Evans was to be
24 sure we have standing for this, showing an interest in
25 the property, which we have, and I have no further

1 questions beyond that.

2 MR. ARMSTRONG: I just have a few,
3 Jeff. Irregardless of the declaration is that you're
4 representing to the board that Lake Naomi Club -- that
5 the property is within the confines of Lake Naomi Club?

6 THE WITNESS: Absolutely. I was
7 responsible in 1993 for having the deed covenants added
8 to that property, incorporating it into the community.
9 It preexisted the developer. It's always been part of
10 the community but wasn't officially part of the
11 community in 1993. We took that action as we've taken
12 with many of the parcels that were within the confines
13 of Lake Naomi but did not have the actual deed
14 restrictions on the property.

15 MR. ARMSTRONG: There's no signs
16 being proposed?

17 THE WITNESS: No signs.

18 MR. ARMSTRONG: Okay. I failed to
19 mark as an exhibit the March 3, 2011, township engineer
20 review letter. We can mark that as Exhibit B --

21 MR. YOUNG: 9?

22 MR. ARMSTRONG: B-9. Are you
23 familiar with that letter, Jeff?

24 THE WITNESS: Yes, I am.

25 MR. ARMSTRONG: Lake Naomi is

1 agreeable to all the comments and requirements in that
2 letter?

3 THE WITNESS: That's correct.

4 MR. ARMSTRONG: And Lake Naomi is
5 agreeable to get any outside agency approvals that are
6 required for this particular plan that may be needed?

7 THE WITNESS: That's also correct.

8 MR. ARMSTRONG: The Monroe County
9 Conservation District being one of them.

10 THE WITNESS: Right.

11 MR. ARMSTRONG: There is also a land
12 development subdivision application before the board.
13 Lake Naomi's -- there's going to be, if the board
14 approves, the subdivision plan, there will be a revised
15 deed for the property, correct?

16 THE WITNESS: Correct.

17 MR. ARMSTRONG: Lake Naomi's going
18 to be agreeable to follow through with the revised deed
19 as needed?

20 THE WITNESS: Yes.

21 MR. ARMSTRONG: No structures other
22 than the parking lot?

23 THE WITNESS: Just the parking
24 facility, the 57 parking spots and the buffer areas that
25 will be constructed as part of it, which will be

1 maintained on a regular basis as we do in all of the
2 areas.

3 MR. ARMSTRONG: Any discussions with
4 the neighboring properties that Lake Naomi may have had?

5 THE WITNESS: We've had discussions
6 -- obviously the Sodanos are one of the neighboring
7 properties. We've had discussions with one of the
8 adjacent property owners. Two of them I attempted to
9 contact by mail and the mail was returned. They're not
10 members of the Lake Naomi Club, but I do have updated
11 addresses and will be contacting them to let them know
12 -- the letter I have a copy of, that I sent to them that
13 was returned, explained to them what we were doing and
14 asked them to contact us so that we could ask -- answer
15 any questions that they might have about the project but
16 we'll continue to follow through on that.

17 MR. ARMSTRONG: But no problems that
18 you're aware of at this time?

19 THE WITNESS: Not that we're aware
20 of and as been testified by Terry Martin and Brick
21 Linder, there's both a buffer based on the cut of the
22 property and also the substantial landscaping that's
23 required by the township; and if we run into any other
24 concerns, as we've always done in the past, we would
25 take whatever action is necessary within reason to

1 buffer that, so that it does not have a negative impact
2 on the adjacent property owners. It's very similar to
3 what you saw with the Lake Naomi Community Center where
4 we planted over 300 trees on the property to buffer it
5 from the surrounding properties.

6 MR. ARMSTRONG: The only proposed
7 use is parking on it?

8 THE WITNESS: The only proposed use
9 is parking.

10 MR. ARMSTRONG: No flea markets?

11 THE WITNESS: Believe me there won't
12 be any flea markets.

13 MR. ARMSTRONG: Anything from the
14 board?

15 MR. KERRICK: Nothing.

16 MR. ARMSTRONG: Anything from the
17 public?

18 MS. CAROLINE GRAHAM: I haven't
19 heard about the lighting in the parking lot?

20 MR. YOUNG: We'll ask Terry Martin
21 to speak to that issue.

22 MR. TERRY MARTIN: As part of the
23 land development plans one of the requirements is that
24 we submit a lighting plan. We did have one prepared and
25 I guess that will have to be --

1 MR. YOUNG: With the board's
2 permission we'll mark that Applicant's 5.

3 Which sheet are we talking about,
4 Terry?

5 MR. TERRY MARIN: It's Sheet 5 of
6 5.

7 MR. YOUNG: What's the title?

8 MR. TERRY MARTIN: Lighting plan.

9 There are four proposed -- there are
10 four proposed structures that will be on the edge of the
11 parking area to the southwest side where the 18 feet in
12 height and 2 feet out of the ground for a total of
13 20 feet, and these are just the illumination foot
14 candles. You can see that this plotting shows that
15 there will be no illumination past the property line,
16 zero, and we do meet the township zoning requirements as
17 far as the average illumination and the maximum
18 illumination.

19 MR. YOUNG: How is that constraint
20 accomplished? How do you keep it from spilling over?

21 MR. TERRY MARTIN: By the height and
22 by the numbers and the arrangement of the lights.

23 MR. YOUNG: What about the
24 arrangement or the design?

25 MR. TERRY MARTIN: Again, there's

1 just four that are along this side on poles.

2 MR. YOUNG: How about the fixture?

3 MR. TERRY MARTIN: We have a detail
4 for the fixture. At the top of the post hangs out about
5 a foot and a half out over the parking area, the edge of
6 the parking area.

7 MR. YOUNG: Does the bulb extend out
8 or is it recessed in?

9 MR. TERRY MARTIN: It's in a hood.

10 MR. JEFFREY EVANS: Just to
11 supplement that this will be on a timer so that it will
12 only be on the days that the parking lot is in operation
13 and only during the hours that it would potentially be
14 utilized. It won't be on all night.

15 MS. CAROLINE GRAHAM: So what hours
16 do you anticipate it will be utilized?

17 MR. JEFFREY EVANS: We would
18 anticipate from dark to midnight would be the latest
19 time that it would be on.

20 MR. ARMSTRONG: Can you identify
21 yourself for the record?

22 MS. CAROLINE GRAHAM: My name is
23 Caroline Graham and currently I own one of the
24 properties adjoining there. It's in the process of
25 being sold. G-R-A-H-A-M.

1 MR. ARMSTRONG: Which property do
2 you own?

3 MS. CAROLINE GRAHAM: Lot No. 3 and
4 4.

5 MR. KERRICK: Right here.

6 MR. ARMSTRONG: Okay.

7 MR. BILL CAHILL: The lights are
8 actually facing the Sodano house?

9 MR. JEFFREY EVANS: That's correct.

10 MR. BILL CAHILL: So facing the
11 property that's behind it?

12 MR. ARMSTRONG: Sir --

13 MR. BILL CAHILL: Bill Cahill.

14 MR. ARMSTRONG: Where do you reside?

15 MR. BILL CAHILL: 22 Crestview Lane.

16 I hope it's still Crestview Lane.

17 MS. CAROLINE GRAHAM: Patrick, I
18 currently should say I'm a full time resident at 44
19 Millers Drive.

20 MR. YOUNG: Any other questions, Ms.
21 Graham?

22 MS. CAROLINE GRAHAM: I had heard --
23 understanding my husband had the opportunity to meet
24 with some folks -- that there'll be a gate at the end of
25 the driveway, is that correct?

1 MR. JEFFREY EVANS: Yes. That will
2 allow us to control it in the winter so you don't have
3 people driving in there in the winter and getting stuck
4 since we don't plan to plow it.

5 MS. CAROLINE GRAHAM: And also at
6 midnight?

7 MR. JEFFREY EVANS: The -- our
8 rangers will lock it up.

9 MS. CAROLINE GRAHAM: So the timer
10 will go off at midnight then?

11 MR. JEFFREY EVANS: Yes.

12 MS. CAROLINE GRAHAM: Okay. Will
13 those lights be utilized in the winter season?

14 MR. JEFFREY EVANS: We don't
15 anticipate any reason to do that. As you're aware, the
16 usage during the summer months, because the beach
17 facility, which is adjacent to the clubhouse, is also
18 open and because 85 percent of our members do not reside
19 in Pocono Pines on a year-round basis, the winter usage
20 is much less than the summer usage.

21 We already have an overflow parking
22 lot towards 940 on the other side and that one would
23 continue to be the overflow parking lot in the winter.
24 This usage would really be Memorial Day to Labor Day is
25 what we're anticipating.

1 MS. CAROLINE GRAHAM: I just asked
2 that because that overflow on the other side of the
3 lighting is sometimes an issue in the off-season also.

4 MR. JEFFREY EVANS: Right.

5 MR. CAROLINE GRAHAM: Okay.

6 MR. ARMSTRONG: Are there any other
7 questions of Mr. Evans or Mr. Martin from the public?

8 From the board? Okay.

9 Do you have any other witnesses?

10 MR. YOUNG: I do not. I just offer
11 our exhibits for the record and --

12 MR. ARMSTRONG: Seeing no objection,
13 they're admitted.

14 MR. YOUNG: I made notes of four
15 matters post hearing. One is that I supplement the
16 record with the option agreement from the Sodanos to the
17 Lake Naomi Club, that we complete the maintenance
18 agreement requirements, that we receive agency approvals
19 and that we provide a copy of the property when deeded
20 from the Sodanos to the Lake Naomi Club.

21 MR. ARMSTRONG: Yeah. The board
22 will issue any reasonable conditions they see fit, but
23 those four will most likely be in the decision.

24 MS. YOUNG: Thank you very much.

25 MR. ARMSTRONG: Are there any

1 comments from the public on this conditional use
2 hearing? Seeing none.

3 Any comments from the board?

4 Okay. With that, we'll close the
5 public hearing with the condition that the applicant may
6 supplement the record with the agreement of sale and the
7 other -- the maintenance agreement for the storm water
8 and agency approvals as needed, as well as the revised
9 deed -- or deed for the subdivision.

10 MR. JEFFREY EVANS: Just to clarify,
11 Patrick, what we'll be providing to you is the option to
12 purchase the property. We can't enter into an
13 agreement, actual agreement of sale until we have the --
14 both the township approval and the approval of our
15 membership to make the purchase.

16 MR. ARMSTRONG: That's fine. What I
17 would anticipate is the condition from the township
18 would be, one, that you provide us the option agreement;
19 and, two, that the actual -- I'm assuming you'll get the
20 approval from your association prior to construction.

21 MR. JEFFREY EVANS: Absolutely.

22 MR. ARMSTRONG: So the condition
23 will most likely be prior to construction to receive a
24 copy of the actual agreement of sale of the property
25 owner if that's acceptable?

1 MR. YOUNG: Yes, it is.

2 MR. ARMSTRONG: So with that this
3 public hearing is closed subject to the supplemental of
4 the record as indicated.

5 At this time the board -- just so
6 the applicant's aware, this board can deliberate and
7 make an oral decision tonight if they so choose, which
8 would be followed with a written decision or they can
9 hold off and deliberate at some other time. I'm not
10 sure which -- if you want to discuss it now or if you
11 want to move forward with the agenda?

12 MS. LAMBERTON: I have no questions.

13 MR. KERRICK: I'm all right.

14 MR. ARMSTRONG: Well, then what we
15 can do is --

16 (Discussion off the record.)

17 MR. ARMSTRONG: It's my
18 understanding that the board wants to move forward with
19 an oral decision this evening so long as the applicant
20 is -- understands that the written decision will follow
21 outlining specific -- the testimony that took place
22 tonight, as well as the specific conditions. We'll do
23 our best to identify what we believe to be all of the
24 conditions in the oral decision but the actual written
25 decision will be the governing body -- or the governing

1 decision from this body.

2 MR. YOUNG: The applicant
3 understands.

4 MR. ARMSTRONG: Okay. With that,
5 would -- if the board were to consider approving the
6 applicant's conditional use application subsequent to
7 the public hearing this evening, it would be conditional
8 upon the applicant complying with the March 3, 2011
9 township engineer review letter comments and
10 requirements; together with the applicant providing the
11 option of to purchase agreement and the agreement of
12 sale prior to construction of the parking facility;
13 together with the applicant agreeing to and executing a
14 maintenance of the storm water facilities agreement in a
15 manner satisfactory to the township together with
16 receiving -- or applying for and receiving all the
17 requisite outside agency approvals, included but not
18 limited to, the Monroe County Conservation District
19 together with providing the township with a revised deed
20 pursuant to the subdivision of the property and
21 complying with all applicable township zoning ordinances
22 and any other township ordinances applicable to the
23 proposed conditional use application; together with
24 complying with the plan identified as A-2 provided by
25 the applicant this evening dated February 8, 2011, with

1 a revision date of March 2, 2011; together with the
2 representations of the witnesses before this board this
3 evening.

4 Is there such a motion?

5 MS. PICKARD: So moved.

6 MR. MOYER: Second.

7 MR. ARMSTRONG: Motion made and
8 seconded.

9 MR. MOYER: Second.

10 MR. ARMSTRONG: All those in favor?

11 BOARD MEMBERS: Aye.

12 MR. ARMSTRONG: Motion carried.

13 MR. YOUNG: Thank you very much.

14 MR. ARMSTRONG: The written decision
15 will be following in the next few days.

16 MR. JEFF EVANS: Thank you.

17 MR. ARMSTRONG: The next item under
18 my report is a proposed ordinance relating to the road
19 names of township roads within Tobyhanna Township.

20 The ordinance as proposed was
21 advertised for a public hearing this evening in the
22 Pocono Record. It was advertised on March 7, 2011. The
23 ordinance has been available at the township offices for
24 public availability. The ordinance has been forwarded
25 to the Monroe County Law Library and with that, I will

1 open the public hearing and briefly discuss the
2 ordinance.

3 What the ordinance does, is, it sets
4 forth on the record the Tobyhanna Township road names as
5 recommended by the Monroe County Planning Commission and
6 in relation to the Monroe County 911 addressing project
7 and pursuant to the recommendation of the Monroe County
8 Planning Commission. It sets forth all the township
9 roads within Tobyhanna Township and it refers to the
10 Tobyhanna Township road map, which is on file at the
11 Monroe County Planning Commission, as well as Tobyhanna
12 Township. And it also provides for a provision to
13 petition the township to change a private road name with
14 certain requirements that petitioners need to follow
15 with respect to such a name change.

16 This has been advertised for a
17 public hearing this evening. With that, are there any
18 comments or questions from the board with respect to
19 this particular ordinance?

20 Are there any questions or comments
21 from the public on this ordinance? Seeing none, we can
22 close the hearing.

23 Does the board want to entertain a
24 motion with respect to this ordinance?

25 MS. PICKARD: I make a motion that

1 we approve Ordinance 493.

2 MR. MOYER: Second.

3 MR. KERRICK: Motion and second.

4 Any questions or comments from the
5 board?

6 Questions or comments from the
7 public?

8 Call the vote. Anne?

9 MS. LAMBERTON: I vote in favor.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: I vote in favor.

15 Motion carried.

16 MR. ARMSTRONG: The next item under
17 my report is a proposed ordinance prohibiting and
18 restricting parking within the township, as well as
19 restricting the speed limit on township roads. This
20 ordinance has been advertised in the Pocono Record on
21 March 7, 2011 for a public hearing this evening.

22 With that I will open the public
23 hearing. And this ordinance, as I indicated, sets forth
24 certain parking restrictions and requirements on
25 township roads within Tobyhanna Township, as well as

1 sets certain speed limits on the township roads
2 identified in the ordinance and actually identified on
3 the prior previously adopted Ordinance 493 previously
4 adopted this evening.

5 This ordinance has been advertised
6 for a public hearing this evening. It's been available
7 at the township offices for public availability. It's
8 been forwarded to the Monroe County Law Library and it's
9 been duly advertised in the Pocono Record.

10 With that, are there any questions
11 or comments from the board on this particular ordinance?

12 Are there any questions or comments
13 from the public?

14 Yes. Please identify yourself for
15 the record, please.

16 MS. SUSAN SNELL: Susan Snell. What
17 is the speed limit? Do they vary or they --

18 MR. ARMSTRONG: I will tell you they
19 don't really vary that much. The majority of the
20 township roads are 25 miles per hour. There are one or
21 two exceptions. One being Cross Street, which is
22 15 miles per hour, and another one being Slutter Road,
23 which is 35 miles per hour and the other one being
24 Stoney Hollow Road being 40 miles per hour.

25 MS. SUSAN SNELL: Will any of these

1 require different posting of signs for the speed limits?

2 MR. ARMSTRONG: It's my
3 understanding that the postings shall remain the same.
4 This is just an ordinance identifying the speed limits
5 on the record as to what they are within the township.

6 MS. SUSAN SNELL: Thank you.

7 MR. ARMSTRONG: Are there any other
8 questions or comments from the public? Seeing none, we
9 can close the public hearing.

10 With that, is there a motion from
11 the board with respect to ordinance -- which I believe
12 would be Ordinance No. 494?

13 MS. PICKARD: I make a motion that
14 we approve Ordinance 494.

15 MR. KERRICK: Motion. Do we have a
16 second?

17 MR. MOYER: Second.

18 MR. KERRICK: Motion and second.
19 Questions or comments from the board
20 on the motion?

21 Questions or comments from the
22 public on the motion?

23 Call the vote. Anne?

24 MS. LAMBERTON: I vote in favor.

25 MR. KERRICK: Donny?

1 MR. MOYER: I vote in favor.

2 MR. KERRICK: Heidi?

3 MS. PICKARD: I vote in favor.

4 MR. KERRICK: I'll vote in favor.

5 Motion carried.

6 MR. ARMSTRONG: And that's all I
7 have under my report. Sorry for the time.

8 MR. KERRICK: That was good. Does
9 the board have a problem if I move Lake Naomi up?

10 MS. LAMBERTON: Yeah.

11 MR. KERRICK: Get that out of the
12 way.

13 MS. LAMBERTON: That's fine.

14 MR. KERRICK: You have the floor.
15 It's still fresh in our minds.

16 MR. YOUNG: Can you turn up the
17 heat?

18 MR. JEFFREY EVANS: They did that
19 intentionally.

20 MR. MOYER: Interrogation technique.
21 It's working.

22 MR. TERRY MARTIN: This is a
23 proposed minor subdivision plan for lands of Sodanos,
24 which is the same property that we just had the
25 conditional use application hearing on.

1 Again, the property is in an R-2
2 Zone. The proposal is to subdivide three quarters of an
3 acre off of the existing lands of Sodano to be conveyed
4 to Lake Naomi Club. The remaining lands, which is shown
5 as Lot No. 1, as an existing dwelling, garage on-site
6 sewage and water facilities. It does meet all the
7 setbacks as far as required yards and the lot area
8 requirements. And that contains 2.06 acres.

9 Since there is no proposed sewage
10 disposal on the newly created lot, there is a PA DEP
11 request for planning waiver, a nonbuilding declaration,
12 which was included on the plan that was submitted to the
13 sewage enforcement officer. He has signed off on it.
14 The planning commission did also sign off on that waiver
15 request. The plan has been submitted to the county
16 planning commission and your own planning commission and
17 your planning commission recommended approval of the
18 plan.

19 There are four modification requests
20 on the left side of the plan. Those are the normal ones
21 that are requested, which your ordinance asked that we
22 show dwellings, streets, utilities, pipelines and other
23 features within 500 feet of the property. We're asking
24 for a modification from those requirements.

25 MR. ARMSTRONG: For the record those

1 requirements are SALDO Section 135 dash 12.D(2), SALDO
2 Section 135 dash 15.A(15) and SALDO Section 135-17 L&M,
3 correct?

4 MR. TERRY MARTIN: Yes.

5 MR. ARMSTRONG: The applicant's
6 received the March 3, 2011 review letter from the
7 township engineer?

8 MR. TERRY MARTIN: Yes, we have.

9 MR. ARMSTRONG: The applicant will
10 comply with all those comments in the plans?

11 MR. TERRY MARTIN: We feel we have.

12 MR. ARMSTRONG: The applicant's
13 going to be agreeable, as indicated before, with the
14 storm water maintenance agreement and the development
15 agreement in a manner satisfactory to the township?

16 MR. TERRY MARTIN: Those I think
17 would be part of the land development plans, this is
18 just the minor subdivision.

19 MR. ARMSTRONG: Okay.

20 MR. TERRY MARTIN: This is just
21 basically to create a lot and the subsequent land
22 development plans, which is next on the agenda, would be
23 for the proposed improvements, to cover the proposed
24 improvements.

25 MR. ARMSTRONG: Are there any

1 questions from the board?

2 Any questions from the public?

3 If the board so chooses, there is a
4 land development plan as well with respect to this
5 property. You can make a motion and pass a motion with
6 respect to the subdivision plan now if you choose; you
7 can wait, hear the land development plan, do it
8 together; or you can do them separate. It's up to you.

9 MR. KERRICK: He suggested we do
10 them separate.

11 MR. TERRY MARTIN: I think that's
12 how the planning commission --

13 MR. KERRICK: Entertain a motion?

14 MR. MOYER: So moved.

15 MR. ARMSTRONG: It would be
16 conditional upon the March 3, 2011 township engineer
17 review letter comments and requirements.

18 MS. PICKARD: The SALDO waiver?

19 MR. ARMSTRONG: You can do that as a
20 separate motion. That will be a separate motion.

21 MR. KERRICK: We have a motion. Do
22 we have a second?

23 MS. PICKARD: I'll second the
24 motion.

25 MR. KERRICK: Questions or comments

1 from the board on the motion?

2 Questions or comments from the
3 public on the motion?

4 Call the vote. Anne?

5 MS. LAMBERTON: I vote in favor.

6 MR. KERRICK: Donny?

7 MR. MOYER: I vote in favor.

8 MR. KERRICK: Heidi?

9 MS. PICKARD: I vote in favor.

10 MR. KERRICK: I'll vote in favor.

11 Motion carried.

12 MR. TERRY MARTIN: You should also
13 include the DEP planning waiver, approval of that.

14 MR. ARMSTRONG: Well, let's do the
15 waivers first then and then we'll get to the DEP.

16 The applicant has also requested
17 waivers from the previously indicated SALDO requirement,
18 Sections 135-12.D(2), 135-15.A(15), 135-17L&M.

19 Does the board have a motion
20 approving the requested waivers from land development,
21 or waivers from the SALDO?

22 MS. PICKARD: So moved.

23 MR. MOYER: Second.

24 MR. KERRICK: Motion and second.

25 Questions or comments from the

1 board?

2 Questions or comments from the
3 public on the motion?

4 Call the vote. Anne?

5 MS. LAMBERTON: I vote in favor.

6 MR. KERRICK: Donny?

7 MR. MOYER: I vote in favor.

8 MR. KERRICK: Heidi?

9 MR. PICKARD: I vote in favor.

10 MR. KERRICK: I'll vote in favor.

11 Motion carried.

12 MR. ARMSTRONG: The applicant has
13 also submitted the planning commission, the planning
14 commission made a recommendation that the request for
15 planning waiver and nonbuilding declaration be concurred
16 with by the board of supervisors. This is a DEP form
17 with respect to the property. It's my understanding
18 that's a form basically indicating that the applicant is
19 verifying and certifying to the township that they're
20 not going to be constructing a structure on the
21 property, as well as not going to need any kind of
22 sanitary sewage facilities on the property, correct?

23 MR. TERRY MARTIN: That's right.

24 And if they do propose anything that generates sewage in
25 the future, they would be required to come back to the

1 municipality and fill out the appropriate plan,
2 planning modules and submit that to DEP.

3 MR. ARMSTRONG: Is there a motion
4 for the board of supervisors to concur?

5 MS. PICKARD: So moved.

6 MR. MOYER: Second.

7 MR. KERRICK: Motion and second.

8 Questions or comments?

9 Comments from the public?

10 Questions?

11 Call the vote?

12 MS. LAMBERTON: I vote in favor.

13 MR. KERRICK: Donny?

14 MR. MOYER: I vote in favor.

15 MR. KERRICK: Heidi?

16 MS. PICKARD: I vote in favor.

17 MR. KERRICK: I'll vote in favor.

18 What's next?

19 MR. TERRY MARTIN: Thank you. That
20 takes care of the minor subdivision.

21 This is the proposed land
22 development plans for the site. There are actually five
23 sheets. What you have there just comprise three sheets.
24 As Brick had submitted during the conditional use, he
25 has two sheets that go along with this set.

1 Sheet No. 1 is preliminary and final
2 land development plan and that illustrates the layout of
3 the proposed improvements of the parking arrangement.
4 All those requirements set forth in your SALDO to
5 illustrate that it complies with the requirements as far
6 as setbacks, buffers and arrangement of the proposed
7 improvements.

8 On Sheet 3 -- excuse me, Sheet 4 is
9 the landscaping plan. Again, that's very similar to
10 what you saw in the conditional use plan. It shows the
11 proposed plantings, the proposed trees that are going to
12 be planted. There's a planning detail on there. And
13 that note is also on that sheet that was on the
14 conditional use plan to cover the screening in the event
15 that -- or wherever the parking is less than three feet
16 below the adjoining property at the property lines.

17 The final sheet is Sheet 5, that's
18 the lighting plan that we put up before to illustrate
19 that the lighting does meet all of your requirements set
20 forth in your zoning ordinance. The other two sheets
21 that are part of this package are the ones that Brick
22 had submitted as exhibits during the conditional use,
23 which addressed the grading and the storm water
24 management and erosion and sedimentation control.

25 This has been submitted to the

1 county planning commission and your planning commission.
2 Your planning commission recommended approval and I
3 believe it was with the condition that we do the
4 infiltration test and that we finalize the erosion and
5 sedimentation control plan and receive approval from the
6 Monroe County Conservation District on that plan.

7 When we submitted to the planning
8 commission, we were looking at just a preliminary land
9 development plan; however, at the meeting with
10 discussion -- or from discussion that took place, we've
11 changed that now to be both a preliminary and final land
12 development plan, and I believe Alan and Patrick will be
13 working on documents as far as securities that will need
14 to be provided for and agreements regarding storm water
15 maintenance for proposed facilities that will be
16 installed.

17 MR. ARMSTRONG: Again, you've
18 received the March 3, 2011 township engineer review
19 letter?

20 MR. TERRY MARTIN: We have.

21 MR. ARMSTRONG: You're going to
22 comply with all those comments and requirements?

23 MR. TERRY MARTIN: Most of those we
24 have. We just need to finish up some storm water things
25 and we will comply with those items that are still

1 remaining to be satisfied.

2 MR. ARMSTRONG: You're agreeable to
3 development agreement and storm water maintenance
4 agreement in a manner satisfactory to the township?

5 MR. TERRY MARTIN: We are.

6 MR. ARMSTRONG: Financial
7 securities, did I understand you're going to be --

8 MR. YOUNG: We may construct the
9 improvements seeking a occupancy permit or use permit.
10 I think the MPC allows you to post the security or --

11 MR. ARMSTRONG: Right. Right. So
12 you'll be completing them?

13 MR. YOUNG: We'll confirm in
14 writing.

15 MR. ARMSTRONG: Okay. Any HOP
16 needed for this?

17 MR. TERRY MARTIN: There's a note
18 on the plan saying that we have to get a permit from the
19 township, which is a township road.

20 MR. KERRICK: I'm not familiar
21 exactly what's here right now. Is there any pipe here
22 now that you're going to tie into?

23 MR. TERRY MARTIN: No.

24 MR. KERRICK: It's just swale
25 through there?

1 MR. TERRY MARTIN: Yes.

2 MR. KERRICK: Brick's pipe will come
3 out here somewhere, just tie into that swale?

4 MR. TERRY MARTIN: Yes. Do you have
5 your plans, Brick? It might be helpful to look at those
6 again.

7 MR. BRICK LINDER: Sure. The ditch
8 line along Miller Drive flows from east to west. It's
9 hard to see, but it comes down here and makes a little
10 turn, this shorter dash line is the edge of a paved
11 parking area for the club and then it continues west.
12 It goes underneath Clubhouse Drive through a 12 inch
13 pipe, then it continues down -- further down the sheet.
14 Disregard this view, but further down the sheet, there's
15 a 30 inch pipe that crosses across Miller Drive.

16 MR. KERRICK: Okay.

17 MR. BRICK LINDER: The storm water
18 and the drain pipe that I've described will go to an
19 inlet here and then it will discharge out this pipe to a
20 riprap apron that's directed right towards the exit.

21 MR. KERRICK: Okay. Thank you.
22 Everybody's satisfied?

23 MS. LAMBERTON: I am.

24 MR. KERRICK: Entertain a motion?

25 MS. LAMBERTON: To approve?

1 MR. KERRICK: If you so desire.

2 MS. LAMBERTON: I'll entertain a
3 motion that we approve the plans proposed as preliminary
4 and final.

5 MR. ARMSTRONG: Conditional on the
6 March 3, 2011 township engineer review letter.

7 MR. TERRY MARTIN: Yes.

8 MS. PICKARD: I'll second the
9 motion.

10 MR. KERRICK: Motion and second.
11 Questions or comments from the
12 board?

13 Questions or comments from the
14 public on the motion?

15 Call the vote. Anne?

16 MS. LAMBERTON: I vote in favor.

17 MR. KERRICK: Donny?

18 MR. MOYER: I vote in favor.

19 MR. KERRICK: Heidi?

20 MS. PICKARD: I vote in favor.

21 MR. KERRICK: I'll vote in favor.

22 Motion carried.

23 Thank you.

24 MR. TERRY MARTIN: Thank you. There
25 are modification requests on that, the same four that

1 appeared on the minor subdivision plan, so that should
2 be so noted and voted on by --

3 MR. ARMSTRONG: I'm sorry?

4 MR. TERRY MARTIN: We have those
5 same four modification requests that were part of the --
6 yes, because it's the SALDO we're dealing with yet so
7 we're asking for those modifications again for the land
8 development plans.

9 MS. LAMBERTON: As well as
10 conditional use.

11 MR. ARMSTRONG: The plan is
12 identified as dated February 8, 2011, last revised
13 March 2, 2011?

14 MR. TERRY MARTIN: March 2, yes.

15 MR. ARMSTRONG: Is there a motion
16 from the board to approve the requested waivers as
17 indicated by the applicant? Same waivers that was
18 approved by the board for the subdivision plan.

19 MS. LAMBERTON: So moved.

20 MR. KERRICK: Motion and second.

21 Questions or comments?

22 Questions or comments from the
23 public?

24 Call the vote. Anne?

25 MS. LAMBERTON: I vote in favor.

1 MR. KERRICK: Donny?

2 MR. MOYER: I vote.

3 MR. KERRICK: Heidi?

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: I'll vote in favor.

6 Motion carried.

7 MR. BRICK LINDER: Thank you very
8 much.

9 MR. YOUNG: Thank you very much.

10 MR. KERRICK: Thank you.

11 MR. JEFF EVANS: We're going to
12 leave our designated representative.

13 MR. YOUNG: Let us know if she's
14 disruptive.

15 MR. ARMSTRONG: Alan, you'll get a
16 written letter from me indicating the action that took
17 place tonight.

18 MR. YOUNG: Appreciate it. Thank
19 you very much.

20 MR. ARMSTRONG: Yep. Thank you.
21 Nice meeting you.

22 (Discussion off the record.)

23 MR. KERRICK: Next item on our
24 agenda, consider lot joinder, Frank and Judith
25 Wierzbicki.

1 Is that right?

2 MS. PICKARD: Yes.

3 MR. KERRICK: Lot 33, Lakeview
4 Drive, Lots 42, 43, 44, 45 on Millers Drive as well.
5 Oh, that's -- I got it now. That goes behind --

6 MS. PICKARD: That goes behind
7 Judge's Pond.

8 MR. KERRICK: Okay. Lake Naomi has
9 no problem?

10 MS. WENDI FREEMAN: We don't.

11 MR. TERRY MARTIN: In case you had
12 any questions I was gonna address tonight. It's pretty
13 straightforward.

14 MR. KERRICK: It is straightforward.
15 Do we have a motion?

16 MS. PICKARD: I make a motion that
17 we approve lot joinder application, Frank and Judith
18 Wierzbicki, Lots 31 -- 33-1-5 Lakeview Drive and Lots
19 42, 43, 44 and 45, Unit 1, Section 10 Millers Drive.

20 MR. KERRICK: Motion. Do we have a
21 second?

22 MS. LAMBERTON: Second.

23 MR. KERRICK: Questions or comments?
24 Questions or comments from the
25 public?

1 Call the vote. Anne?

2 MS. LAMBERTON: I vote in favor.

3 MR. KERRICK: Donny?

4 MR. MOYER: I vote in favor.

5 MR. KERRICK: Heidi?

6 MS. PICKARD: I vote in favor.

7 MR. KERRICK: I'll vote in favor.

8 Motion carried.

9 Thank you.

10 MR. TERRY MARTIN: Good night.

11 MR. MOYER: Good night.

12 MR. KERRICK: Next item, consider

13 Resolution 2011 dash 009, price adjustment of bituminous
14 materials for small quantities.

15 (Discussion off the record.)

16 MR. KERRICK: Do we have a motion?

17 MR. PICKARD: I make a motion we
18 approve Resolution 2011 dash 009.

19 MR. KERRICK: Motion. Do we have a
20 second?

21 MR. MOYER: Second.

22 MR. KERRICK: Questions or comments?
23 Questions or comments from the
24 public?

25 Call the vote. Anne?

1 MS. LAMBERTON: I vote in favor.

2 MR. KERRICK: Donny?

3 MR. MOYER: I vote in favor.

4 MR. KERRICK: Heidi?

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I'll vote in favor.

7 Next item on our agenda, consider
8 materials bids. Anyone here? You're from Locust Ridge.

9 MS. TRACY LIGNORE: Yes.

10 MR. KERRICK: Can we ask you a
11 question?

12 MS. TRACY LIGNORE: Sure.

13 MR. KERRICK: On the materials bid,
14 antiskid, is that a wash material from Locust Ridge?

15 MS. TRACY LIGNORE: When you say
16 washed, like a two percent? It's not a wash material,
17 no.

18 MR. KERRICK: Okay. Thank you.

19 MS. TRACY LIGNORE: Clean.

20 THE REPORTER: Can you state your
21 name, please?

22 MS. TRACY LIGNORE: Tracy Lignore.

23 MR. KERRICK: You can see Bob's
24 break-out. We had three bidders: Linde Construction
25 out of Honesdale, Locust Ridge Quarry and Tarheel

1 Quarry, and we also had another price delivered to the
2 job. Under Item 7, you'll have your subtotals. Linde
3 32,950; Locust Ridge was 36,417; and Tarheel was 36,230.
4 Linde is FOB Honesdale, which pretty much takes that out
5 of the equation as far as trucking.

6 MS. LAMBERTON: That's a lot of
7 miles.

8 MR. KERRICK: Your subtotal there,
9 Tarheel Quarry would be low bidder by 200 and some
10 dollars. And then on 8 through 12, we only had one
11 bidder on asphalt. The three items -- pardon me?

12 MS. PICKARD: 8 through 11.

13 MR. KERRICK: 8 through 11. I'm
14 sorry. 8 through 11. The superpave wearing, superpave
15 binder, which I don't believe we can use anymore. I
16 think PennDOT will not allow us to use 19 millimeter and
17 the 25 millimeter. And also No. 11 would be cold patch,
18 that was a bid by Locust Ridge.

19 MS. PICKARD: So we're bidding No.
20 10 or we're not bidding?

21 MR. KERRICK: That would be No. 9.
22 I have to check on that. I don't think we're allowed to
23 use that with --

24 MS. PICKARD: Well, 9 is the 19
25 millimeter?

1 MR. KERRICK: 19 millimeter.

2 MS. PICKARD: I thought it was the
3 25 that we couldn't use?

4 MR. KERRICK: I could be mistaken.
5 I'm pretty sure it's 19, but I might be wrong.

6 MS. PICKARD: I'm not going to
7 argue. I'm just asking you which one.

8 MR. KERRICK: No, I understand. You
9 can accept the bid, but it doesn't mean whether we'll be
10 able to use it or not. And then obviously No. 12 is the
11 PennDOT antiskid material Type 2. Locust Ridge, 945
12 versus Tarheel, 1350. Linde, ER Linde was \$9 a ton,
13 again, it's located in Honesdale.

14 What's the board's pleasure? This
15 also has a piggyback for Tunkhannock Township to
16 piggyback off these prices.

17 MS. PICKARD: Can I break up my
18 motion or should I make two separate motions then?

19 MR. ARMSTRONG: You can make two
20 separate motions.

21 MS. PICKARD: I make a motion that
22 we approve Items 1, 2, 3, 4, 5, 6 and 7. It would be
23 the Aashto No. 1, Aashto No. 3, Aashto No. 57, Aashto
24 No. 8, Aashto No. 10 and PA 2A subbase and R-5 riprap,
25 Tarheel Quarry, LLC in the amount of \$36,230.

1 MR. KERRICK: We have a motion. Do
2 we have a second?

3 MS. LAMBERTON: I'll second it.

4 MR. KERRICK: Questions or comments
5 from the board?

6 Questions or comments from the
7 public?

8 Call the vote. Anne?

9 MS. LAMBERTON: I vote in favor.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: I'll vote in favor.

15 Second part of your motion?

16 MS. PICKARD: I make a motion that
17 we approve Items No. 8, 9, 10 and 11, that will be
18 superpave wearing course, 9.5 millimeters; superpave
19 binder course, 19 millimeters; superpave binder course,
20 25 millimeter; and PennDOT approved cold patch to Locust
21 Ridge Quarry. 94,373.60.

22 MR. KERRICK: 94,37 --

23 MS. PICKARD: 7360.

24 Locust Ridge Quarry, H&K.

25 MR. KERRICK: Motion. Do we have a

1 second?

2 MS. LAMBERTON: I'll second it.

3 MR. KERRICK: Questions or comments?

4 Questions or comments from the
5 public on the motion?

6 Call the vote. Anne?

7 MS. LAMBERTON: I vote in favor.

8 MR. KERRICK: Donny?

9 MR. MOYER: I vote.

10 MR. KERRICK: Heidi?

11 MS. PICKARD: I vote in favor.

12 MR. KERRICK: I vote in favor.

13 Motion carried.

14 MS. PICKARD: I don't know what we
15 want to do about the -- for now or --

16 MR. KERRICK: We did. Well, I think
17 we have to table. We can take action on that next
18 month.

19 MR. ARMSTRONG: Yeah, you have time.

20 MR. KERRICK. Okay. Thank you for
21 your bid.

22 MS. TRACY LIGNORE: Thank you.

23 MR. KERRICK: Next item on our
24 agenda, consider Resolution 2011 dash 010, reduction,
25 exemption and write-offs of certain inactive sewer

1 accounts.

2 MS. PICKARD: And we had a list of
3 sewer accounts that were inactive for excess of three
4 years that were generally on average less than \$200 or a
5 couple dollars slightly above that. They're either
6 incorrect amounts or accounts that closed with balances
7 basically and with that I would make a motion that we
8 approve Resolution 2011 dash 010.

9 MR. MOYER: Second.

10 MR. KERRICK: Motion and second.
11 Questions or comments from the board
12 on the motion?

13 From the public on the motion?

14 Call the vote. Anne?

15 MS. LAMBERTON: I vote in favor.

16 MR. KERRICK: Donny?

17 MR. MOYER: I vote in favor.

18 MR. KERRICK: Heidi?

19 MS. PICKARD: I vote in favor.

20 MR. KERRICK: I'll vote in favor.

21 You almost missed all the

22 festivities. I only got like one more to go.

23 MALE VOICE: Oh, man.

24 MR. KERRICK: I'll slow down.

25 Where are we? Consider Resolution

1 2011 dash 011, adopting record retention procedures.

2 MS. PICKARD: I make a motion we
3 approve Resolution 2011 dash 011, adopting records
4 retention procedures.

5 MS. LAMBERTON: Second.

6 MR. KERRICK: Second. We have a
7 motion and second.

8 Questions or comments from the
9 board?

10 Questions or comments --

11 Yes.

12 MS. SUSAN SNELL: What is it?

13 MS. PICKARD: It's the state records
14 manual retention schedule so that we can start merging
15 --

16 MS. SUSAN SNELL: Every four years
17 --

18 MS. PICKARD: We're not really
19 getting rid of anything ready less than seven years but
20 you'll see in the next resolution we're actually gonna
21 (inaudible).

22 MR. KERRICK: Does that answer your
23 question, Sue?

24 MS. SUSAN SNELL: Yeah, that's it.

25 MR. KERRICK: Anything else? Any

1 other questions?

2 Call the vote. Anne?

3 MS. LAMBERTON: I vote in favor.

4 MR. KERRICK: Donny?

5 MR. MOYER: I vote in favor.

6 MR. KERRICK: Heidi?

7 MS. PICKARD: I vote in favor.

8 MR. KERRICK: I vote in favor.

9 We have anything else?

10 MS. PICKARD: Yeah, the next one.

11 MR. KERRICK: Oh. Consider

12 Resolution 2011 dash 012.

13 MS. PICKARD: I make a motion we
14 approve Resolution 2011 dash 012, disposition of
15 specific records. In these we have records that are
16 from 19 -- basically 1993 to 2003. Some tax collector
17 records and vouchers payable. Mostly binders of posting
18 journals from our financial office as listed.

19 MR. KERRICK: Do we have a second?

20 MS. LAMBERTON: I'll second it.

21 MR. KERRICK: Questions or comments?

22 Questions or comments from the

23 public?

24 Call the vote. Anne?

25 MS. LAMBERTON: I vote in favor.

1 MR. KERRICK: Donny?

2 MR. MOYER: I vote in favor.

3 MR. KERRICK: Heidi?

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: I'll vote in favor.

6 Anything else from the board?

7 Pat, do you have anything else?

8 MS. PICKARD: I do have an
9 announcement about the readdressing, so the letters go
10 out -- will be on this Friday, is what we're told. So
11 you should be receiving your new addresses in the mail.
12 We'll get a letter from the county and then also the
13 postal service.

14 Our zoning officer, Phyllis Haase,
15 is having a public meeting on Wednesday, at 10:00 and
16 6 p.m. for the public, if you're interested, to get some
17 more information so you know what the requirements are
18 and you can see we have the maps listed around the room,
19 you might want to take a look at.

20 MR. KERRICK: Finally. It's been a
21 long time.

22 MS. SUSAN SNELL: How long do you
23 keep minutes from the meetings?

24 MS. PICKARD: Indefinitely.

25 MR. ARMSTRONG: Those are permanent.

1 MS. PICKARD: We did get some new
2 tax records from the county from 1836 forward. We kept
3 those.

4 MS. SUSAN SNELL: I think those are
5 pretty much historic value?

6 MR. KERRICK: Well, that's what
7 we're gonna -- we're gonna work with our -- the HATT
8 organization.

9 MS. SUSAN SNELL: How much were
10 they?

11 MR. KERRICK: They were assessed on
12 --

13 MS. PICKARD: Cows.

14 MR. KERRICK: -- cattle. It's not
15 assessed on -- you have to read it. It's very
16 interesting.

17 MS. PICKARD: You have to stop in --

18 MR. KERRICK: Anyone from the public
19 wish to address the board? Questions? Comments?
20 What's that mean?

21 Go ahead.

22 MS. PICKARD: I have one more thing.
23 Our Blakeslee Village Visioning Workshop Listening
24 Session for stakeholders will be March 30. We are
25 currently nailing down some dates, probably between the

1 12th and the 16th of April we'll have our two public
2 sessions. One will be a weekday evening and a Saturday
3 morning, and we will get back to you as soon as we have
4 those final.

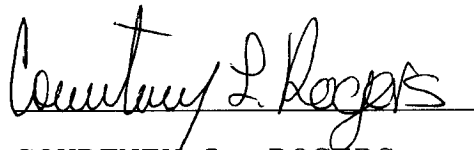
5 MR. KERRICK: Anything else?
6 Anyone? We're adjourned. Thank you.

7 (Meeting concluded at 8:40 p.m.)

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I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

ORIGINAL



COURTNEY L. ROGERS

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

**AGENDA
BOARD OF SUPERVISORS
Work Session
April 4, 2011**

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Secretary Report: Spring Clean Up
May 9, 2011 Meeting 9:30 AM @ TEC
4. Solicitor Report:
5. DPW Report and Sewer Report:
6. Engineering Report:
7. Sewer Enforcement Officer Report:
8. Zoning Officer Report:
9. Committee Reports: PMREMS/PMRPC/Open Space/
CMTPTT Regional Comprehensive Plan
10. New Business:
 - A. Blakeslee Visioning Update
 - B. Recycling Container Placement (MCMWA)
 - C. Ragnar Relay Request
 - D. Thomas and Collette Pagliaro well isolation distance exemption
 - E. Pocono Lake Supply Building repair/request for land development waiver
 - F. Mount Pocono proposed sidewalk ordinance
 - G. Future Land Use Map

**TOBYHANNA TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION
April 4, 2011**

PRESENT: JOHN E. KERRICK-CHAIR
HEIDI A. PICKARD-VICE CHAIR
JAMIE B. KEENER-MEMBER
DONALD J. MOYER-MEMBER
ANNE LAMBERTON-MEMBER
PATRICK M. ARMSTRONG, ESQUIRE-SOLICITOR

CALL TO ORDER

The Work Session was held at the Tobyhanna Township Government Center Building, State Avenue, Pocono Pines, PA. The meeting commenced with the Pledge of Allegiance at 3:30 pm.

MOTION

Motion was made by Mr. Keener and seconded by Anne Lamberton to approve the Thomas and Collette Pagliaro request to waive the 100' well isolation distance from the proposed septic system in order to avoid having to drill a new well, subject to the following conditions: remove the existing well closest to the septic system, use the additional existing well that is located farthest from the replacement septic system and provide the Sewage Enforcement Officer with a copy of a certified water test of potability by a qualified laboratory at least twice per calendar year.

The Board voted unanimously to grant the request to waive the 100' well isolation distance from the proposed septic system.

MOTION

Motion was made by Mr. Keener and seconded by Anne Lamberton to approve the Ronald and Fern Blose, Pocono Lake Supply Company request for a waiver of land development for the reconstruction of the building warehouse, so long as the reconstruction of the building is contained entirely within the footprint of the preexisting structure that was destroyed, complying with all applicable Township, County, State, and Federal statutes, ordinances, rules and regulations, receiving any and all required approvals and/or permits from the Township. If the reconstruction of the building and/or development extends beyond the preexisting footprint of the structure that was destroyed, then they will need to apply for land development approval and comply with the Township's current SALDO.

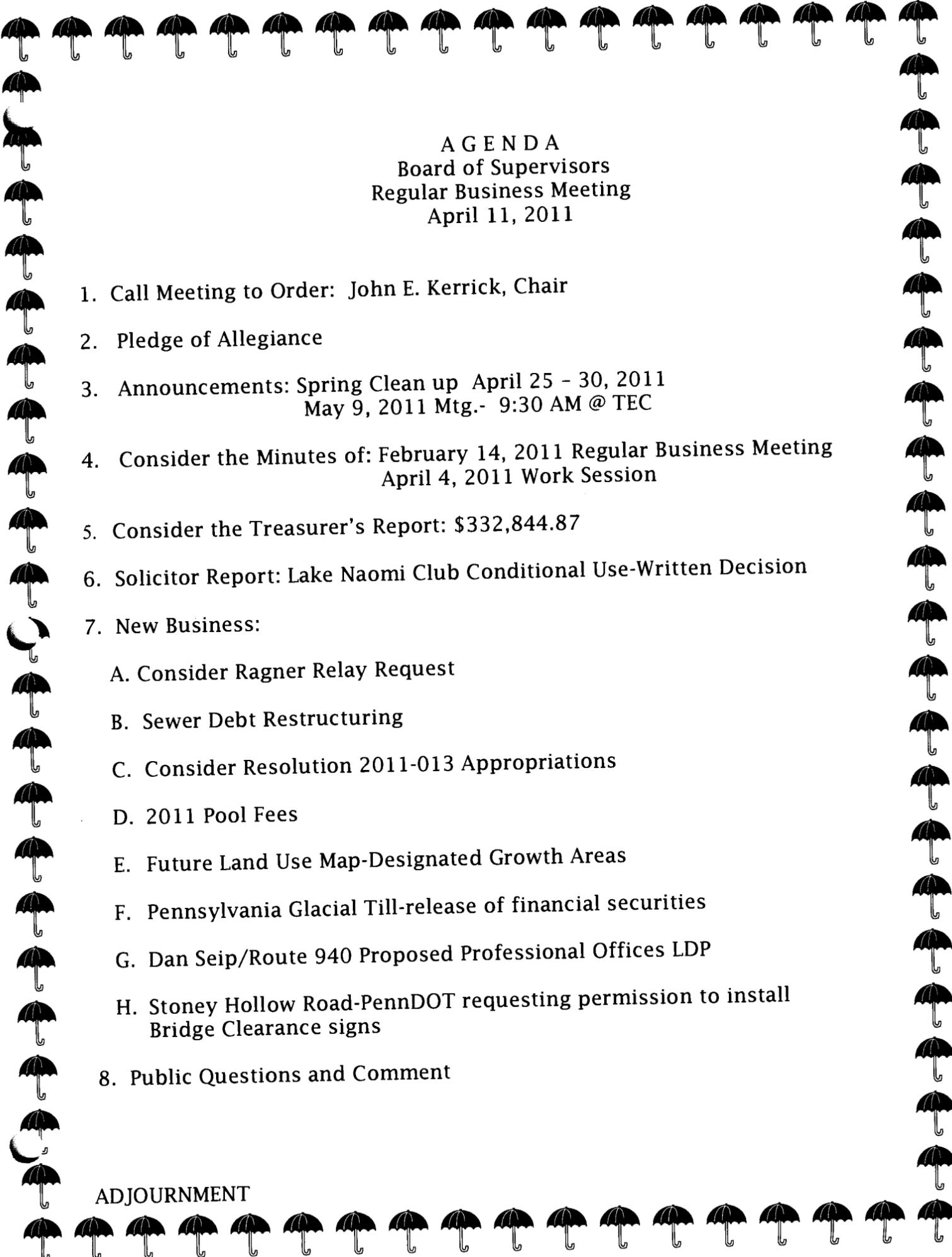
The Board voted unanimously to grant a waiver of land development for the reconstruction of the building warehouse.

ADJOURNMENT

The Work Session adjourned at approximately 4:30 pm.

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

A decorative border of black umbrellas surrounds the text. The umbrellas are arranged in a rectangular frame, with some umbrellas on the top and bottom edges and others along the sides. The umbrellas are of various sizes and are all facing the same direction, with the handles pointing downwards.

A G E N D A
Board of Supervisors
Regular Business Meeting
April 11, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements: Spring Clean up April 25 - 30, 2011
May 9, 2011 Mtg.- 9:30 AM @ TEC
4. Consider the Minutes of: February 14, 2011 Regular Business Meeting
April 4, 2011 Work Session
5. Consider the Treasurer's Report: \$332,844.87
6. Solicitor Report: Lake Naomi Club Conditional Use-Written Decision
7. New Business:
 - A. Consider Ragner Relay Request
 - B. Sewer Debt Restructuring
 - C. Consider Resolution 2011-013 Appropriations
 - D. 2011 Pool Fees
 - E. Future Land Use Map-Designated Growth Areas
 - F. Pennsylvania Glacial Till-release of financial securities
 - G. Dan Seip/Route 940 Proposed Professional Offices LDP
 - H. Stoney Hollow Road-PennDOT requesting permission to install Bridge Clearance signs
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
State Avenue
Pocono Pines, Pennsylvania 18350
Monday, April 11, 2011, beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JAMIE B. KEENER, Board Member
DONALD J. MOYER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE, Solicitor

--- ORIGINAL

PANKO REPORTING
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to welcome
2 everyone here this evening for the regular business
3 meeting of the board of supervisors, Tobyhanna Township.

4 Can we open the meeting with the
5 pledge of allegiance, please?

6 (Pledge of allegiance was recited.)

7 MR. KERRICK: First item on our
8 agenda, announcements.

9 Heidi?

10 MS. PICKARD: I want to announce
11 that spring cleanup is scheduled for Monday, April 25
12 through Saturday, April 30 up at our transfer station on
13 Sullivan Trail. It's Monday through Friday, eight to
14 four; Saturday, eight to three and we have a list of
15 prices, same as last year.

16 And I wanted to announce that we
17 have our public work session, our planning work shops
18 for the Blakeslee Visioning, Wednesday, April 13, from
19 seven to nine p.m. or Saturday morning, April 16, from
20 nine to noon. And we hope that we get everybody's
21 input.

22 Do we have any comments?

23 MR. KERRICK: Do you want to
24 announce that our next meeting --

25 MS. PICKARD: Our next meeting, the

1 second Monday, will be May 9. That will be 9:30 a.m. at
2 TEC; and if you're planning on coming, you need to give
3 the office a call. We need to give a list to the
4 elementary center. So they know who's coming.

5 MR. KERRICK: Is that all?

6 MS. PICKARD: Yeah.

7 MR. KERRICK: Thank you. Next item,
8 consider the minutes of February 14, 2011, regular
9 business meeting and April 4, 2011, work session.

10 What's the board's pleasure?

11 MS. PICKARD: I have a correction on
12 the February 14 regular business meeting, on Page 6, on
13 Line 21 should be Robyn Lane, rather than Robert Lane,
14 R-O-B-Y-N.

15 And with that I'll make a motion
16 that we approve the February 14, 2011 regular business
17 meeting minutes as amended and the April 4, 2011 work
18 session.

19 MR. MOYER: Second.

20 MR. KERRICK: Motion and second.

21 Questions or comments from the
22 board?

23 MR. KEENER: Heidi, did you get the
24 correction that I gave you regarding the water test?

25 MS. PICKARD: Did you get my e-mail

1 back on that?

2 MR. KEENER: Yeah, but I still don't
3 agree with the minutes.

4 MS. PICKARD: Okay.

5 MR. KERRICK: What's the correction?

6 MR. ARMSTRONG: What was the --

7 MS. PICKARD: Well, on the letter we
8 said that we needed a clean water test on the well and
9 Jamie said that it was --

10 MR. KEENER: It should be a
11 certified water test, whether it's clean or not, we
12 should get a copy of the test results. I don't want
13 them just if they're clean. We want --

14 MR. ARMSTRONG: I think it was
15 probably something to the extent like a clean water test
16 to be, you know, in a manner, in form, acceptable to the
17 township. If the township's not --

18 MR. KEENER: We shouldn't even use
19 the word clean. It just should say water test. When
20 they do a water test, there's test results that are
21 provided. We just want a copy of the results.

22 MR. ARMSTRONG: Okay.

23 MS. PICKARD: I can change the
24 minutes but the letter did go out.

25 MR. ARMSTRONG: Well, we can clarify

1 the letter. You want it to be certified --

2 MR. KEENER: It should be a
3 certified water test.

4 MS. PICKARD: Was that certified by
5 Qualified Laboratory or --

6 MR. KEENER: That's correct.

7 MR. KERRICK: Correct. You amend
8 your motion?

9 MS. PICKARD: I'll amend mine.

10 MR. KERRICK: You amend your second,
11 Donny?

12 MR. MOYER: Yes.

13 Any questions or comments from the
14 public on the motion?

15 Call the vote. Jamie?

16 MR. KEENER: I vote in favor.

17 MR. KERRICK: Anne?

18 MS. LAMBERTON: I vote in favor.

19 MR. KERRICK: Donny?

20 MR. MOYER: I vote.

21 MR. KERRICK: Heidi?

22 MS. PICKARD: I vote in favor.

23 MR. KERRICK: I'll vote in favor.

24 Motion carried.

25 Next item, consider the treasury

1 report bill pack dated April 11, 2011, total amount for
2 board approval \$332,844.87.

3 MS. PICKARD: I make a motion that
4 we approve the bill pack dated April 11, 2011 in the
5 amount of \$332,844.87.

6 MR. KERRICK: Do we have a second?

7 MR. KEENER: Second.

8 MR. KERRICK: Motion and second.

9 Questions or comments from the

10 board?

11 Questions or comments from the
12 public on the motion? Bills are up front if anybody
13 wants to look at them.

14 Call the vote. Jamie?

15 MR. KEENER: I vote in favor.

16 MR. KERRICK: Anne?

17 MS. LAMBERTON: I'll abstain.

18 MR. KERRICK: Donny?

19 MR. MOYER: I vote in favor.

20 MR. KERRICK: Heidi?

21 MS. PICKARD: I vote in favor.

22 MR. KERRICK: I vote in favor.

23 Motion carried.

24 Next item, Lake Naomi Club

25 conditional use, written decision.

1 Would that be you, Pat?

2 MR. ARMSTRONG: Yeah. As you may
3 recall, you had a conditional use hearing for the Lake
4 Naomi Club proposed parking facility last month. The
5 public hearing took place on March 14, 2011. You issued
6 an oral decision after the hearing that evening pursuant
7 to the MPC. This is the written decision of the board.
8 It's been circulated to the board.

9 The only -- you know, it's a written
10 decision with -- setting forth the exhibits, the
11 findings of fact, conclusions of law, as well as the
12 conditions instituted by the board.

13 Have you all had a chance to look
14 over this written decision?

15 MS. PICKARD: I did.

16 MR. ARMSTRONG: The only point I
17 would make is Lake Naomi Club testified that it would
18 not open or use the parking facility during the winter
19 months. It was never specified in testimony as to what
20 months that would be. It didn't seem like the board had
21 an opinion either way, whether or not you wanted to tie
22 that down or just let the Lake Naomi Club operate it as
23 it saw fit and close it whenever it felt necessary
24 during winter months.

25 If that's the case, this proposed

1 written decision is fine. If you wanted to specify the
2 months as to when you think it should be closed, we
3 would just need a minor revision to the written
4 decision. That's the only note I would make. It didn't
5 seem like anyone had --

6 MS. LAMBERTON: I don't have a
7 preference.

8 MR. KEENER: I wasn't at the hearing
9 but I would -- I don't think it really matters.

10 MR. KERRICK: I don't think they had
11 any activities or any large activities after Labor Day
12 really.

13 MS. LAMBERTON: They specified
14 Memorial Day to Labor Day as being the time it being
15 used, so, I mean --

16 MR. ARMSTRONG: Yeah, and that's why
17 I left the written decision as it was. I didn't think
18 any one of the board members at the hearing had a
19 specific opinion. So it is before you. It's a written
20 decision pursuant to the MPC. It would be appropriate,
21 unless there's any revisions or changes that the board
22 saw fit, at this time to make a motion.

23 MS. PICKARD: I'll make a motion we
24 approve the Lake Naomi Club conditional use written
25 decision.

1 MR. KERRICK: Motion. Do we have a
2 second?

3 MR. MOYER: Second.

4 MR. KERRICK: Motion and second.
5 Questions or comments from the board
6 on the motion?

7 Questions or comments from the
8 public on the motion?

9 Call the vote. Jamie?

10 MR. KEENER: I'll abstain as I was
11 absent.

12 MR. KERRICK: Anne?

13 MS. LAMBERTON: I'll vote in favor.

14 MR. KERRICK: Donny?

15 MR. MOYER: I vote.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: I vote in favor.

19 Motion carries.

20 New business.

21 MS. PICKARD: I have one more thing.

22 MR. KERRICK: Oh, I'm sorry.

23 MR. ARMSTRONG: Pat, did you want to
24 mention about the Aqua plan, the conditions were met,
25 the plans were signed?

1 MR. ARMSTRONG: As the board may
2 recollect, Pine Crest, one of the Pine Crest phases,
3 Aqua PA came before you with a land development plan
4 probably sometime in the middle of 2010. They recently
5 completed all the required conditions of your
6 preliminary and final approval of that land development
7 plan and it would just be appropriate to let the minutes
8 reflect that the board and the planning commission
9 executed those plans and they will be recorded by the
10 applicant.

11 MR. KERRICK: We don't need a motion
12 for that, do we?

13 MR. ARMSTRONG: No, you've already
14 conditionally approved the plan, they just finally
15 completed all the conditions and the plans have been
16 signed.

17 MR. KERRICK: Anything else, Pat?

18 MR. ARMSTRONG: No, that's all I
19 have.

20 MR. KERRICK: First item on our
21 agenda, consider Ragner relay request.

22 Chris, I'm sorry, do you want to --
23 before we get into the new business, I understand you
24 have obligations, do you want to go first?

25 MR. CHRISTOPHER McDERMOTT: Yeah, I

1 can go first. I don't want to hold other people up. I
2 do have time. I can wait until public comment if you
3 would --

4 MR. KERRICK: You got the floor. Go
5 ahead. It's not that we're trying to push you out the
6 door or anything. Don't take it --

7 MR. CHRISTOPHER McDERMOTT: That's
8 all right. I'm sure I can -- I just wanted to comment
9 and update the board as to the most recent goings-on
10 with the Arcadia Project. We're all familiar with the
11 project on Lot 110 at New Ventures. It was a
12 1.3 million square foot warehouse distribution building
13 which, as we've been going through the process,
14 everybody knows we weren't -- we didn't have a end --
15 specific end-user identified at the time.

16 And in the last couple of weeks
17 Arcadia has been notified that they've been short listed
18 on an RMP for a specific end-user, which is -- which is
19 very exciting. It's an international company, probably
20 50 billion dollars worth of sales through the years, so
21 it's a Class A company, with an opportunity for 300
22 jobs. And really these opportunities don't come along
23 very often.

24 It's still competitive. It's
25 between a couple sites in Pennsylvania, actually more

1 than a couple; but we really feel that there's only two
2 viable ones, which we would be in competition for. So
3 it's a great opportunity. Of course great opportunities
4 comes with some challenges and this specific end-user
5 has some specific requests.

6 One, that the building be
7 1.24 million square feet, which is actually smaller than
8 the building we have, that's great. I love it. But
9 they want it -- to be able to expand it to 1.55, which
10 is our big challenge. We've gone through the whole
11 permitting process where we're almost at the end of the
12 line with the **NPDES** and in order to accommodate a larger
13 building, we have to change the site plan.

14 Still the same type of building,
15 same -- actually that's the current. We have to make
16 the building a little narrower and longer and rotate it
17 on the site. So if you looked at the previous site, the
18 building ran roughly right in this area, so what we'd
19 have to do is rotate it down. What you have in yellow
20 highlighted is the 1.24 million square foot footprint,
21 which is what they would require right off the bat, but
22 we've looked at providing the expansion for the 1.55.

23 They also requested additional
24 trailer parking spots, which we can put on the other
25 side of the gas line. Another challenge, small

1 challenge they have is, they would like to be able to
2 sign a lease August 1 and have all the permits and
3 approvals in place. And there lies one of our bigger
4 challenges.

5 One, we have a conditional plan
6 approval with the township. We have to revise our plan
7 and I think we probably should go back to the planning
8 commission, show them the changes and Bob would have to
9 go through the review. The largest change with this
10 plan will be storm water related because we have to
11 revise how we're handling storm water. Still the same
12 basic concept. We're gonna do infiltration and some
13 surface controls.

14 In fact, on this plan I can show you
15 that what we'll be proposing is subsurface infiltration
16 along the truck loading and parking area to the south of
17 the building and we've introduced some areas over here
18 for storm water control which was not on the previously
19 approved plan. There's about a five acre area located
20 to the west of the entrance road which was sort of
21 reserved. They always felt like that could be an
22 opportunity for some other development, whether it be
23 office space or whatnot; but in order to accommodate the
24 storm water controls, we'd have to utilize that area for
25 detention and infiltration and we would do infiltration

1 on either side of the existing pond and a berm to the
2 rear.

3 We have had a meeting with DEP and
4 the conservation district last week to discuss this
5 because obviously this is -- it's not totally starting
6 over with the NPDES process, but it's a significant
7 revision to the plan and we all know that the NPDES
8 process can be long and large as, Jane, I think you'll
9 agree. So we went to DEP specifically to ask them can
10 they somehow assist us through the review process in
11 order to meet this goal. If they can't, then we can't
12 pursue it.

13 It was a very positive meeting and
14 we had good feedback and we talked about initial sketch.
15 We would similarly have to go through the township and
16 work with Bob and I'm here. I want to introduce these
17 changes to you and really field any questions you may
18 have, but really to ask you and the township for all
19 assistance that you can possibly extend to us in getting
20 through the revision process.

21 And I see the township -- I mean,
22 it's not a new project, there's -- it's not gonna result
23 in greater traffic, it's similar traffic than before.
24 Same sewage, same type of water, same type of building.
25 It's really just rotating and elongating the building

1 and adding some additional but the technical review will
2 be the most difficult aspect.

3 MR. KERRICK: We won't be the weak
4 link.

5 MR. KEENER: I think it's a terrific
6 opportunity, I think it's something that, you know,
7 we've -- again, we've done a conditional approval on the
8 prior plan under speculation but now to know that, you
9 know, there's somebody that's actually looking at it and
10 you can design to it, I think it's a great opportunity.

11 From our visioning discussions the
12 other week, several individuals said we don't have
13 enough critical mass in order for us to attract
14 commercial development to the Village of Blakeslee.
15 Right here is the opportunity to create that critical
16 mass. We bring 300 jobs a mile down the road from the
17 square of Blakeslee, the Village of Blakeslee, that's
18 the opportunity that we need to really kick that off.

19 Again, I would ask that we commit
20 all our resources to support this effort and I would say
21 that we'll get it back in whatever channels that we need
22 to, whether it's DEP or conservation district, I would
23 say be -- I would be supportive anyway.

24 MR. ARMSTRONG: You have preliminary
25 conditional approval, I suspect you're going to be

1 submitting a final plan approval with the changes being
2 proposed?

3 MR. CHRISTOPHER McDERMOTT: Yes, I
4 believe that's what we should change, change right to
5 the final so they would have -- obviously these are some
6 decisions I can't make, my client has to make them and
7 we're ironing out some issues. Of course we had Lot
8 110, some of the storm water may affect that so they
9 have to make a decision on how they're gonna handle 110,
10 also. I think at the township level we can table. At
11 the NPDES level specific questions have to be answered
12 in that regard.

13 MR. KEENER: I would say the
14 developer's agreement, as soon as they can start putting
15 stuff into place from your standpoint, I think we need
16 to get that rolling as quickly as possible. I assume
17 that you'll be putting together a cost estimate and
18 everything.

19 What's the status of the HOP at this
20 point?

21 MR. CHRISTOPHER McDERMOTT: We had
22 another meeting with PennDOT last week to discuss the
23 permitting process there. The status is all the
24 improvements have been identified along 115. The
25 detailed HOP plan has to be submitted. We've met with

1 PennDOT to discuss issues in that regard so that they'd
2 be identified right up front and they've assured us they
3 would work with us in an expedited fashion. In fact,
4 they brought the reviewer, the outside reviewer that
5 PennDOT uses right to the meeting and they're gonna
6 allow us to have direct contact with them, which is a
7 big step because it's always difficult.

8 MR. ARMSTRONG: Yeah, counsel for
9 the applicant already has a form development agreement.
10 They requested it back during the preliminary approval
11 stages and I was agreeable to letting them look at it
12 because a lot of the form provision will stay the same.
13 I haven't heard any negative feedback with respect to
14 those provisions to date. They're aware of what the
15 general format is.

16 And what Lot -- is it 100 or Lot
17 110? I missed that.

18 MR. CHRISTOPHER McDERMOTT: It's
19 100.

20 MR. ARMSTRONG: 100

21 MR. KERRICK: Chris, on the HOP
22 there was consideration when we had the meeting with
23 PennDOT on-site that they were gonna take some
24 improvements up to 115 and 940; that's off the table?
25 All the improvements are going to be at that location

1 now?

2 MR. CHRISTOPHER McDERMOT: These
3 improvements, I think we're talking about, is fair share
4 contribution to the 940 --

5 MR. KERRICK: But it was whether
6 they reconfigured the ramps and I didn't know how that
7 --

8 MR. CHRISTOPHER McDERMOTT: Oh, the
9 ramp reconfiguration has been worked out. As part of
10 the repaving and work that PennDOT is doing right now,
11 they're going to be relocating the westbound on-ramp.
12 There are certain modifications to the westbound on-ramp
13 that have to be made to line that up. We have already
14 done all the work and gotten HOP for that ramp work; so
15 the ramp issues have been resolved. And that's
16 primarily related to the limited access road being
17 directly across from our entrance where we want to
18 introduce a traffic signal and in fact that being the
19 start of the on-ramp itself.

20 That ramp didn't meet PennDOT
21 current standards or the Federal Highway Administration
22 current standards so this was a good opportunity to
23 correct those and it was very helpful that the state
24 took on this portion of it themselves; so that was very
25 encouraging.

1 MR. KEENER: It looks like that's
2 gonna be a turn instead of a ramp?

3 MR. KERRICK: Yeah, I think you're
4 correct.

5 THE WITNESS: Yeah. It will be a
6 turn in --

7 MR. KEENER: Right turn onto the
8 ramp here instead of the the ramp starting all the way
9 back here.

10 THE WITNESS: Yeah. I think this
11 curvature did not meet the current standards.

12 MR. KEENER: Didn't meet the radius.

13 MR. KERRICK: If you ever drove it,
14 you'd understand why.

15 MS. LAMBERTON: It is vicious.

16 MR. KERRICK: It is vicious.

17 MS. LAMBERTON: Excellent. Good
18 luck.

19 MS. PICKARD: Who would you be
20 bringing something to Bob to start working on it?

21 MR. CHRISTOPHER McDERMOTT: Well,
22 what I'd like to do is, and I've talked with the
23 conservation district about this road, we really have to
24 introduce some more interactive review process; so I
25 would like to come in and start reviewing things with

1 Bob very early on.

2 I have a meeting scheduled with the
3 conservation district on Tuesday morning where we're
4 gonna be providing them with a lot of the initial data
5 as far as the changes to the drainage areas, the sizing
6 and conceptual layout of all the infiltration and
7 control systems. I think that having a similar meeting
8 with Bob to get him, on him, to feed him the information
9 early rather than him just get a big package later on.

10 MS. LAMBERTON: Why don't you just
11 have him meet with the conservation district with you?
12 Do it all at once.

13 MS. PICKARD: Like PennDOT is with
14 it.

15 MS. LAMBERTON: Can you do that?
16 Absolutely.

17 MR. KERRICK: We'll make him
18 available if that will help you. Whatever you want.

19 MR. KEENER: Yeah, I think that will
20 be good.

21 MS. PICKARD: Then he'll be there
22 when --

23 MR. CHRISTOPHER McDERMOTT: This
24 will be challenging. It will be challenging for Bob so
25 I wanted to give him a lot of information up front even

1 though it may not be in its final form, everything will
2 come in its final form ultimately.

3 MS. LAMBERTON: That way he'll
4 understand.

5 MR. MOYER: Instead of getting it
6 from you then.

7 MR. CHRISTOPHER McDERMOTT: Thank
8 you for your time. I appreciate it.

9 MS. LAMBERTON: Absolutely.

10 MR. KERRICK: You want to do the
11 relay request thing?

12 MS. PICKARD: We had received a
13 request from this Ragner Relay, which is a long-term
14 long distance relay. We had discussed it at the work
15 sessions. There will just be a few people. There's no
16 roads shutting down, just a few joggers (inaudible)
17 200 miles. We had -- Pat had some revisions, he said he
18 wanted to make to the agreement and he -- or the letter
19 that we authorized back.

20 MR. ARMSTRONG: Yeah, I supplemented
21 the letter and revised it accordingly to cover the
22 insurance and indemnity issues that the township should
23 be concerned about.

24 MS. PICKARD: With that I make a
25 motion that we approve their request based on the

1 (inaudible).

2 MR. KEENER: Second, and I won't be
3 running in this.

4 MR. KERRICK: How come? Motion and
5 second.

6 Questions or comments from the board
7 on the motion?

8 Questions or comments from the
9 public on the motion?

10 Call the vote. Jamie?

11 MR. KEENER: I vote in favor.

12 MR. KERRICK: Anne?

13 MS. LAMBERTON: I vote in favor.

14 MR. KERRICK: Donny?

15 MR. MOYER: I vote.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: I vote in favor.

19 Motion carried.

20 Next is the sewer debt
21 restructuring, that we just got our information. We
22 really don't need to discuss it.

23 MS. PICKARD: Well, we do have -- I
24 wanted to go over some of the information that we have.
25 We did hear from **Pennvest** and they were **not willing** to work

1 with us. We're -- right now we have the three proposals
2 that we've been carrying from Penn Security, East
3 Stroudsburg Savings and Loan, and the current Emmaus
4 interest only bond pool would refinance the debt as
5 well.

6 Pat had a couple comments, looking
7 over what we needed to get a maximum rate, according to
8 the Local Government Debt Act.

9 MR. ARMSTRONG: Yeah, you need --
10 according to the unit debt -- debt act you need to get a
11 couple more things added into those proposals, but at
12 the end of the day it's just a matter of communicating
13 them to the institutions, making sure they're all on
14 board and understand where you're coming from as the
15 township.

16 MS. LAMBERTON: I think we should
17 have them make a presentation at our next work session,
18 you know? Like have them come in.

19 MS. PICKARD: Okay.

20 MS. LAMBERTON: Just my thought.
21 Just to have a better understanding.

22 MS. PICKARD: And Pat's office will
23 bond counsel. Steve Moyer had taken a look and they
24 made some estimates and the bond pool would be about
25 70,000 with the bond insurance and with their cost and

1 our costs, got a final from PFM. They used their
2 estimate (inaudible). And then did we say Steve's --

3 MR. ARMSTRONG: Steve -- Emmaus bond
4 pool or -- who is it?

5 MS. PICKARD: I have the estimates
6 --

7 MR. ARMSTRONG: Public Financial
8 Management, who does the Emmaus bond pool, Estimated --

9 MS. PICKARD: 5,000.

10 MR. ARMSTRONG: -- twenty grand and
11 it would only be five grand from our office at the most.

12 MS. PICKARD: That's a variable rate
13 so we can get the rest of those. I left messages with
14 Denise Cebular about having a maximum rate. Lisa
15 Hutchins, about 5 o'clock I called her and she said she
16 would provide us with that.

17 MR. KEENER: I would want to see
18 that and can bond counsel, can he give us a
19 recommendation on --

20 MR. ARMSTRONG: Bond counsel is
21 going to give an opinion letter. It depends who does
22 it. Steve Moyer from my office, he occasionally does
23 these. He's not red book listed. Bond counsel is a
24 very specialized practice of law. There's such thing as
25 a red book, but, yeah, I mean, the opinion letter will

1 be pretty extensive.

2 MR. KEENER: Okay. I'd like to see
3 that --

4 MS. PICKARD: Well, I can set them
5 up at a work session or --

6 MS. LAMBERTON: Yeah, that would be
7 a perfect time.

8 MR. KEENER: Yeah, I'd say a work
9 session.

10 MR. KERRICK: It shouldn't be a
11 meeting. It should be a separate day, I think.

12 MS. LAMBERTON: You want to do a
13 special meeting for it? I'm fine with that.

14 MR. KERRICK: Special work session
15 because you don't want to hurry it and you got a million
16 other things that we usually do, that's only my opinion.

17 MR. KEENER: I agree.

18 MS. LAMBERTON: I'm fine with that.

19 MS. PICKARD: I'm going to need
20 time. You want me try to set that up or do you want to
21 get back to you after I talk to the bank?

22 MS. LAMBERTON: See when they're
23 available.

24 MR. KERRICK: See when they're
25 available.

1 MS. PICKARD: Okay. I just want to
2 comment that Penn Security did give us a structure.
3 There is, I believe, request there regarding the work
4 table. It's Macintosh to be interest only. ESSA
5 wouldn't offer that and of course the bond pool wouldn't
6 offer that. But that was also another note. Also
7 Denise said at this point in time if we wanted a fixed
8 rate it would be somewhere around 5.49.

9 MR. KERRICK: Next item on our
10 agenda, Consider Resolution 2011 dash 013,
11 appropriations.

12 MS. PICKARD: I make a motion that
13 we approve resolution 2011 dash 013, appropriations.
14 And my comment is we had that expense we discussed at
15 the work session for the major repair on the **wheel** loader
16 and some overage on our snow rental equipment from the
17 storms and a little bit overbudget on those items. We
18 are reappropriating that from our money that we had
19 proposed to transfer to a (inaudible). So we
20 appropriated that to those three line items. That was
21 my motion so --

22 MR. KERRICK: Motion. Do we have a
23 second?

24 MR. KEENER: Second.

25 MR. KERRICK: Questions or comments

1 from the board?

2 MR. KEENER: Just to point out of the
3 31,393.17 needs to be transferred 26,643.17 was for the
4 vehicle repair. Not a whole lot we can do about that.

5 MR. KERRICK: Questions or comments
6 from the public on the motion?

7 Call the vote. Jamie?

8 MR. KEENER: I vote in favor.

9 MR. KERRICK: Anne?

10 MS. LAMBERTON: I'll abstain.

11 MR. KERRICK: Donny?

12 MR. MOYER: I vote.

13 MR. KERRICK: Heidi?

14 MS. PICKARD: I vote in favor.

15 MR. KERRICK: Motion carried.

16 Next item, pool fees.

17 You recommend they stay the same,

18 Heidi?

19 MS. PICKARD: I recommend they stay
20 the same. I did check on the propane and that has not
21 gone up at all from last year. They raised (inaudible).

22 MR. KERRICK: Entertain a motion --

23 MS. PICKARD: I make a motion we
24 approve the 2011 season pool rates the same as last year
25 I can run through them. It would be for Tobyhanna

1 Township residents: Family membership would be 100;
2 seasonal individual, 60; seasonal individual under 12,
3 40; seasonal seniors 45; daily rates \$3 for 12 and
4 under; 13 to 17, \$4; adults 18 and over, \$5; seniors, 65
5 and older, \$3. There is a \$5 charge for a photo ID.

6 And Tunkhannok Township residents
7 rates would be: Seasonal family, \$200; seasonal
8 individual, 13 to 65, \$85; seasonal individual under 12,
9 \$50; seasonal seniors, 65 and older, \$60. Daily rates
10 for Tunkhannok would be: 12 and under, 4; 13 to 17, 5;
11 adults, 18 and over, 6; and seniors, 65 and older, 4.
12 And there's a \$5 charge for each photo ID for the daily
13 rate.

14 MR. KEENER: Second.

15 MR. KERRICK: Motion and second.

16 Questions or comments from the
17 board?

18 Questions or comments from the
19 public on the motion?

20 Call the vote. Jamie?

21 MR. KEENER: I vote in favor.

22 MR. KERRICK: Anne?

23 MS. LAMBERTON: I vote in favor.

24 MR. KERRICK: Donny?

25 MR. MOYER: I vote.

1 MR. KERRICK: Heidi?

2 MS. PICKARD: I vote in favor.

3 MR. KERRICK: I vote in favor.

4 Motion carried.

5 Next item on our agenda, future land
6 use map designated growth areas.

7 MR. KEENER: Do you have in your
8 binder, I guess, blow-ups of the couple of the areas?
9 In talking with George of the county and having him
10 further clarify the definition of designated growth
11 area, I think we made some minor changes. I'll just
12 delineate it for you on the big map. I think he had
13 stopped here, which is -- of course I don't have my
14 glasses on, but it's sort of at the end of our
15 commercial area. We've talked about sewerage the Pocono
16 Lake area out to Locust Lake Road. I need my reading
17 glasses.

18 So we've added that in as part of
19 the designated growth boundary. It doesn't necessarily
20 mean that we're gonna sewer it all, but we wanted to
21 identify that as the potential growth area just in case
22 when we go through the 537 Plan we decide that might be
23 an area served by sewer.

24 MR. KERRICK: Jamie, can I -- you
25 want to wait until the end or can I ask you a question

1 now?

2 MR. KEENER: Go ahead.

3 MR. KERRICK: The Blakeslee area
4 where you started, that stayed the same where we had the
5 original designated growth area when we marked the map?

6 MR. KEENER: Yeah, it catches all of
7 our nonresidential areas plus, you know, some of the
8 residential. Again, most of that's already sewered.

9 MR. KERRICK: So basically it
10 followed out where the original 537 Plan was marked out
11 for the sewer area, for designated growth area.

12 MR. KEENER: Yes.

13 MR. KERRICK: Okay. It's pretty
14 much the same line.

15 MS. PICKARD: I think the Blue Ridge
16 parcel is picked up. He cut out the open space park and
17 --

18 MR. KEENER: Yes.

19 MS. PICKARD: -- it goes around.

20 MR. KEENER: Yeah, it goes around
21 the open space piece, picks up; and if you notice, this
22 extends into Tunkhannok Township also.

23 MR. KERRICK: Correct.

24 MR. KEENER: It makes that whole --

25 MS. PICKARD: That north purple area

1 on 115, I don't know if that was in the previous. The
2 map's on the tripod.

3 MR. KERRICK: Is that neighborhood?

4 MR. KEENER: That was under business
5 development?

6 MS. PICKARD: Business development?

7 MR. KERRICK: Business development.

8 MR. KEENER: Yeah. Yeah, that's
9 when we had done the future land use, we had changed
10 that.

11 MR. KERRICK: I remember that.

12 MS. PICKARD: So that is
13 incorporated in the designated growth area as well.

14 MR. KEENER: So that picks up this
15 area again, the area that we have designated for sewer
16 plus the future area that we've been talking about on
17 Locust Lake. Pocono Pines, basically we're going -- the
18 commercial area around Stony Hollow to the north of 940
19 over to Third Street, out to 423 down 940 picking up
20 over at the Jubilee and the shopping center there across
21 from Jubilee, coming back, picking up some of the
22 residential here, Sullivan Road. Here's the township
23 building.

24 MS. PICKARD: It includes Mountain
25 Top Lodge to the east of Millers Drive there a little

1 bit. The print shop --

2 MR. KEENER: That's right here,
3 yeah.

4 MS. PICKARD: -- and Mountain Top
5 Lodge is in there.

6 MR. KEENER: It turns and comes back
7 and it picks up some of the residential in there too.

8 MS. PICKARD: Pocono Summit --

9 MR. KEENER: You can't see as it is,
10 now you're going to -- now, Pocono Summit again, it's
11 picking up the commercial area, the industrial area, a
12 little piece we talked about here off of Sullivan and
13 Long Pond and down --

14 MS. PICKARD: We picked up the
15 rezoned commercial.

16 MR. KEENER: Yeah, the rezoned
17 commercial off the Manor -- front part of the Manor.
18 All right. So it's pretty much the same --

19 MR. KERRICK: At this point, if we
20 approve it, then we send it to our neighboring townships
21 and borough --

22 MS. PICKARD: For authorizing
23 advertising?

24 MR. KERRICK: To authorize
25 advertising?

1 MR. KEENER: Yeah, we need to
2 authorize to advertise it, then we'll have the hearing
3 and then Pat can tell you the process.

4 MR. ARMSTRONG: First, it sounds
5 like, Jamie, you're in contact with the county? Make
6 sure that they revise the map accordingly.

7 MS. PICKARD: It is. That came in
8 today.

9 MR. KEENER: It is.

10 MR. ARMSTRONG: Okay. If the map's
11 ready to go, we need to advertise it for a public
12 hearing and all the member municipalities, if they're
13 all on board with it, it needs to also be the same.

14 MS. PICKARD: The only thing we need
15 is we were looking for an 11 by 17, George felt that was
16 gonna be hard with the parcels on it. He wanted to
17 e-mail it to the other municipalities. He was gonna try
18 and shrink the file to --

19 MR. ARMSTRONG: What I would --
20 does anyone -- do we know if the member municipalities,
21 the other member municipalities want to change anything
22 with respect to their future land development?

23 MR. KEENER: I don't think so.

24 MS. PICKARD: We have --

25 MR. ARMSTRONG: If that's the case,

1 then there's nothing stopping you from moving forward.
2 I would just confirm that before -- because you don't
3 want to adopt it and then the other members of the
4 municipalities want to make changes to their maps and
5 then you have to readopt --

6 MS. PICKARD: The county has asked
7 and told us no.

8 MR. ARMSTRONG: Good. Good.

9 MR. KERRICK: I would still check
10 with the neighbors just to make sure.

11 MR. KEENER: We're the last ones.
12 We can tell them but I would say this -- I'll make a
13 motion to authorize advertisement of our future land use
14 plan with the designated growth areas.

15 MR. KERRICK: Yeah, we can do it at
16 our next meeting is what Pat just said. He thinks he
17 has to confirm.

18 MR. ARMSTRONG: I'll confirm but if
19 all the steps, the map and all the member municipalities
20 are in place, there shouldn't be an issue. If there's
21 an issue, I'll let everyone know tomorrow.

22 MS. PICKARD: You can just talk with
23 George to make sure that (inaudible) other members of
24 the municipalities.

25 MR. KERRICK: We have a motion on

1 the floor, do we have a second?

2 MR. MOYER: Second.

3 MR. KERRICK: Questions or comments
4 from the board?

5 Questions or comments from the
6 public on the motion?

7 Call the vote. Jamie?

8 MR. KEENER: I vote in favor.

9 MR. KERRICK: Anne?

10 MS. LAMBERTON: I vote in favor.

11 MR. KERRICK: Donny?

12 MR. MOYER: I vote in favor.

13 MR. KERRICK: Heidi?

14 MS. PICKARD: I vote in favor.

15 MR. KERRICK: I vote in favor.

16 Motion carried.

17 Next item, Pennsylvania Glacial
18 Till, release of financial securities. Pretty much
19 self-explanatory.

20 Pat, do you need to add anything?

21 MR. ARMSTRONG: No. I would just
22 -- I'm assuming someone from the township has gone out,
23 checked all the improvements, made sure everything's
24 completed pursuant to the plan approval; and if that's
25 the case, I have no comments on it.

1 MR. KEENER: I'll make a motion we
2 release financial securities for Pennsylvania Glacial
3 Till subject to confirmation by our township engineer.

4 MR. KERRICK: Motion. Do we have a
5 second?

6 MR. MOYER: Second.

7 MR. KERRICK: Questions or comments
8 from the board on the motion?

9 Questions or comments from the
10 public on the motion?

11 Call the vote. Jamie?

12 MR. KEENER: I vote in favor.

13 MR. KERRICK: Anne?

14 MS. LAMBERTON: I vote in favor.

15 MR. KERRICK: Donny?

16 MR. MOYER: I vote in favor.

17 MR. KERRICK: Heidi?

18 MS. PICKARD: I vote in favor.

19 MR. KERRICK: I vote in favor.

20 Motion carried.

21 Next item on our agenda, Dan Seip,
22 Route 940 proposed professional offices.

23 Anyone here?

24 MS. AMY HOUSEKNECHT: Amy
25 Houseknecht. Would you like to hear my spiel or I

1 didn't know if you wanted my --

2 MR. KERRICK: Sure.

3 MS. AMY HOUSEKNECHT: Okay. I'm Amy
4 Houseknecht of All County and Associates, the engineer
5 responsible for the plan. Yeah, we were here on
6 Thursday for the planning commission meeting, but I
7 guess we were able to sneak on your agenda. Thank you
8 very much by the way. I don't one have mounted here. I
9 do apologize. Bear with me.

10 Dan Seip is proposing an office
11 building on 940. It's, I would say, I'm not hundred
12 percent sure, roughly a mile west of the intersection of
13 115, it's on the south side of 940. There's an existing
14 cabin there. He is proposing a zoned commercial. He is
15 proposing a 15 by 30 office building, very small due to
16 the small nature of the property. We are fitting in the
17 building setbacks, so it's a two story building.

18 We have gone through three reviews
19 with your engineer and the last letter dated April 6 is,
20 for all intents and purposes, pretty clean with respect
21 to just needing a signature here and whatnot.

22 We have E&S adequacy, the
23 conservation district for the PennDOT permit; sewer was
24 existing. We're actually gonna be using less sewer now
25 than previously (inaudible) it would have been approved

1 for, connecting to water for the existing community.
2 Storm water management is being handled on-site
3 underneath the couple parking spaces we have proposed
4 and we are seeking a few waivers from the ordinance.
5 They have to do with plan requirements due to the small
6 nature of the project and you should have a waiver
7 request there.

8 MR. ARMSTRONG: Yeah, the waivers
9 are from SALDO Sections 135 dash 12.D(2) and SALDO
10 Sections 135-17.L&M.

11 MR. KEENER: Did you get any new
12 HOP?

13 MS. AMY HOUSEKNECHT: The HOP is
14 being transferred into the name of Dig In Developers.

15 MR. KEENER: Which you're proposing
16 a new location.

17 MS. AMY HOUSEKNECHT: Let me see
18 what the letter here says. It was issued actually on
19 July 13 of 2010. That is the new location.

20 MR. KEENER: Oh, okay.

21 MS. AMY HOUSEKNECHT: There was --
22 there was -- I guess it was in somebody else's name,
23 individual versus company or versus individuals who
24 needed to be transferred appropriately, that's being
25 taken care of.

1 MS. PICKARD: You get anything back
2 from the county, from the county planning commission?

3 MS. AMY HOUSEKNECHT: I did
4 originally. I didn't see anything additional after the
5 first -- we did address any and all comments. Yes, we
6 received a letter back in November from the Monroe
7 County Planning Commission.

8 MR. ARMSTRONG: And all the comments
9 and requirements in the April 6, 2011 review letter, I
10 -- will comply by the applicant?

11 THE WITNESS: Absolutely. Yeah.

12 MR. ARMSTRONG: You're also aware
13 the planning commission -- one of the conditions of
14 their approval was that the applicant would satisfy the
15 sewer fees related to transferring it from the
16 residential to the commercial or changing it from
17 residential to commercial?

18 MS. AMY HOUSEKNECHT: That is true.
19 The land use is changing. I didn't --

20 MR. ARMSTRONG: Yeah, I believe
21 there is a fee for doing that.

22 MS. AMY HOUSEKNECHT: Okay. I'll
23 have Dan come in and take care of that. Is that
24 something -- who would he -- would he contact the
25 township to get that information, and the minutes from

1 the meeting, was it stated in that?

2 MR. ARMSTRONG: Yeah, it was in the
3 recommendation at the PC meeting last week.

4 MS. AMY HOUSEKNECHT: Okay. I
5 apologize I wasn't there.

6 MR. ARMSTRONG: You can get that --
7 I'm assuming Phyllis or John Brogan should have that
8 number for you.

9 MS. AMY HOUSEKNECHT: Okay.

10 MR. ARMSTRONG: Phyllis Haase or
11 John Brogan.

12 MS. AMY HOUSEKNECHT: Okay.

13 MR. KEENER: We don't know what the
14 proposed use is other than professional office.

15 MS. AMY HOUSEKNECHT: It is for
16 Dan's Dig In Development Company.

17 MR. KEENER: Okay.

18 MR. ARMSTRONG: You'll be forwarding
19 a cost estimate for the improvements, the proposed
20 public improvements?

21 MS. AMY HOUSEKNECHT: I certainly
22 can. You're looking for erosion and sedimentation
23 control, storm water management?

24 MR. ARMSTRONG: Yeah, public
25 improvements and --

1 MS. AMY HOUSEKNECHT: You want the
2 site improvements also, his building?

3 MR. ARMSTRONG: No. No, not for the
4 structure itself, no. For the parking, storm water --
5 yeah.

6 MS. AMY HOUSEKNECHT: Yes. Okay.

7 MR. ARMSTRONG: That will be used in
8 the development agreement.

9 MS. AMY HOUSEKNECHT: I can contact
10 your township engineer for specifics if I have any
11 questions.

12 MR. ARMSTRONG: Yep. Bob McHale.

13 MS. AMY HOUSEKNECHT: So this
14 evening we are asking for waiver approval on those three
15 sections and also a preliminary final plan approval.
16 This is a minor land development plan so we can go
17 through at one shot. We feel we have dotted our I's and
18 crossed out T's. The letter has suggested approval this
19 evening. And so I'm told, planning commission was
20 pretty smooth on Thursday night, which is why we're here
21 tonight.

22 MS. LAMBERTON: Yes, they were.

23 MR. KERRICK: What's the board's
24 pleasure?

25 MR. KEENER: The April 6 letter that

1 Bob's -- we have waiver requests --

2 MR. ARMSTRONG: Yeah, you can do the
3 waiver requests first. If the board were to --

4 MR. KEENER: I make a motion to
5 approve the Land -- the Dig In -- Lands of Dig In
6 Developers Company land development plan subject to
7 compliance with the township engineer's review -- review
8 letter of April 6, 2011, including waivers of SALDO
9 Section 135 dash 12 point D(2) and SALDO Section 135
10 dash 17 point L&M and subject to execution of the
11 developer's agreement as approved by our township
12 solicitor.

13 MS. PICKARD: I'll second the
14 motion.

15 MR. KERRICK: Motion and second.
16 Questions or comments from the board on the motion?

17 Questions or comments from the
18 public on the motion?

19 Call the vote. Jamie?

20 MR. KEENER: I vote in favor.

21 MR. KERRICK: Anne?

22 MS. LAMBERTON: I vote in favor.

23 MR. KERRICK: Donny?

24 MR. MOYER: I vote in favor.

25 MR. KERRICK: Heidi?

1 MS. PICKARD: I vote in favor.

2 MR. KERRICK: I'll vote in favor.

3 Motion carried.

4 Thank you for your time.

5 MS. AMY HOUSEKNECHT: Thank you.

6 MR. KEENER: Ask him to have the
7 architecture character look similar to what is on our
8 current visioning website.

9 MS. AMY HOUSEKNECHT: The visioning
10 website?

11 MR. KEENER: We have a visioning
12 website.

13 MS. AMY HOUSEKNECHT: I will direct
14 him there. I believe he is. May I take it?

15 MS. LAMBERTON: Yeah. Have him come
16 to one of our sessions.

17 MR. KEENER: One of the things we're
18 looking at is architectural character within the Village
19 of Blakeslee.

20 MS. AMY HOUSEKNECHT: Thank you
21 very much.

22 MR. KERRICK: Thank you.

23 Next item on our agenda, Stoney
24 Hollow Road, PennDOT request permission to install
25 bridge clearance signs for the bridge over 80.

1 Basically just need a motion authorizing me to sign a
2 letter.

3 MR. KEENER: So moved.

4 MS. PICKARD: Second.

5 MR. KERRICK: That was quick.

6 Motion and second.

7 Questions or comments from the
8 board?

9 Questions or comments from the
10 public?

11 Call the vote. Jamie.

12 MR. KEENER: I vote in favor.

13 MR. KERRICK: Anne?

14 MS. LAMBERTON: I vote in favor.

15 MR. KERRICK: Donny?

16 MR. MOYER: I vote.

17 MR. KERRICK: Heidi?

18 MS. PICKARD: I vote in favor.

19 MR. KERRICK: I vote in favor.

20 Motion carries.

21 Does the board have anything else?

22 MR. KEENER: Yeah, just for next
23 meeting I'd like to have a -- or the work session have a
24 report on 537 planning progress to see where we're at.

25 MR. KERRICK: Were you at the last

1 work session?

2 MR. KEENER: I was but I rather have
3 the detail --

4 MR. KERRICK: It wasn't detailed but
5 it was --

6 MR. KEENER: Discussion about it.
7 Yeah, I just want to try to get an idea of the schedule.
8 Did we submit -- we submitted the TAR to DEP, correct,
9 the revised TAR?

10 MS. PICKARD: I believe so but I'll
11 --

12 MS. LAMBERTON: I think.

13 MR. KERRICK: I just wrote down
14 detailed report.

15 MR. KEENER: Yeah, I've spoken with
16 the property owner yesterday and it is in the area that
17 we've talked about extending sewage to and he's wanting
18 to do some development but he's definitely going to hold
19 off. He's been before us before but he's going to hold
20 off until the sewage becomes available if it's going to
21 be in the next 5 to 10 years. All right?

22 MR. KERRICK: Yes. Anything else?

23 MS. PICKARD: I have one thing. I
24 just wanted to mention that we did receive -- Tunkhannok
25 received the approval for the revised budget on the

1 pavilion and the amenity. I just wanted to make mention
2 of that. I think the project date for arrival of the
3 pavilion is May 16.

4 MR. KERRICK: I think it's sooner.
5 We have to expedite this whole thing, this whole
6 process. I was working with George this morning.

7 MS. PICKARD: Okay.

8 MR. KEENER: I'd like to get
9 together with you at some point to look at that plan,
10 have some ideas on the -- like the area inside the stone
11 foundation and maybe put some topsoil in there, grade
12 that off nicely, put some grass area and put a couple of
13 picnic tables in.

14 MR. KERRICK: We -- that's in --
15 that's in the grant.

16 MS. PICKARD: Yeah, we included
17 that.

18 MR. KERRICK: That's included in the
19 grant. You had mentioned the grass before --

20 I'm sorry.

21 MS. PICKARD: -- picnic tables.

22 MR. KERRICK: And we have to move
23 some trees for the pavilion so we're gonna put those for
24 separation between parking lot in that area. Actually
25 we're going to find those trees this week.

1 MS. PICKARD: Who digs the holes for
2 the piers? Is that the contractor?

3 MR. KERRICK: Yeah, the company that
4 installs the pavilion.

5 MR. KEENER: I came by tonight at
6 about quarter to five and there were two people sitting
7 there at the picnic table taking advantage of the nice
8 weather.

9 MR. KERRICK: Anyone else from the
10 board?

11 MR. ARMSTRONG: While I have you
12 here, I was sitting here thinking about the future land
13 use maps. I've got to double-check, but there's
14 probably a notice requirement for not only the member
15 municipalities but also the school district and the
16 county. I don't know if it's 30 days or 45 days. If
17 it's 45 days, we might be looking at June.

18 MR. KERRICK: That's fine.

19 MS. PICKARD: I think we need to
20 notify Kidder Township and Carbon County.

21 MR. ARMSTRONG: Right. Sitting
22 here thinking about it, there are a number of additional
23 entities that we have to let know. I just want to --

24 MR. KEENER: Three of us are going
25 to PSATS next week, correct?

1 MS. PICKARD: Yes.

2 MR. KERRICK: Do you have anything
3 else?

4 MR. ARMSTRONG: I'm done.

5 MR. KERRICK: Public have anything
6 they wish to address the board?

7 Yes, sir. That's you.

8 THE REPORTER: Can you state your
9 name, please?

10 MR. LOU VEGA: Lou Vega,
11 representing Camelot Forest. Just one question really.
12 This proposed one and a half million square foot
13 building, I heard Route 115 mentioned and I heard a mile
14 out of Blakeslee Corners. Are we talking north or
15 south?

16 MR. KERRICK: The building that was
17 here earlier?

18 MR. LOU VEGA: Yeah.

19 MR. KERRICK: South. It's in New
20 Ventures Park. Are you familiar with that?

21 MR. LOU VEGA: No, just curious.
22 I'm not really familiar.

23 MR. KERRICK: Where the Best Western
24 is along 80?

25 MR. LOU VEGA: Oh, yeah.

1 MR. KERRICK: It's behind that.

2 MR. LOU VEGA: I figured in that
3 general area there, on south. Okay. Thank you.

4 MR. KEENER: On and off of 80. We
5 don't want the truck traffic coming through town.

6 MR. LOU VEGA: Don't let them move
7 then.

8 MR. KERRICK: Anything else? Wendi?

9 MS. WENDI FREEMAN: I'm good.
10 Thanks.

11 MR. KERRICK: Okay. We're
12 adjourned. Thank you.

13 (Meeting concluded at 7:53 p.m.)

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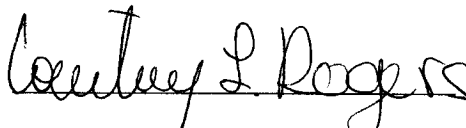
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I hereby certify that the
proceedings and evidence are contained fully and
accurately, to the best of my ability, in the notes taken
by me at the meeting in the above matter; and that the
foregoing is a true and correct transcript of the same.

ORIGINAL


COURTNEY L. ROGERS

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

A G E N D A
Board of Supervisors
Regular Business Meeting
May 9, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: March 14, 2011 Regular Business Meeting
5. Consider the Treasurer's Report: \$359,204.80
6. Solicitor Report: Lake Naomi Development Agreement
Arrowhead Lake Community Act 537 Sewage Facilities Plan
7. New Business:
 - A. Consider Zoning Hearing Board reappointment-William VanGilder
 - B. Consider Tobyhanna/Tunkhannock Pool MOU - renewal
 - C. Consider Lot Joinder-Anthony & Lisa Coniglione Lots B & C Miller Drive
Joseph N. Miller and Temi B. Miller Subdivision
 - D. Consider Lot Joinder-J. Arthur Johnsen, et al Lots 109 & 110 Sec B
Route 940 Stillwater Lake Estates
 - E. Consider waiver of well isolation distance-Michael and Annette Grimaldi,
Lots 8, 9 & 10 Canoe Brook Road Lake Naomi
 - F. Bank refinancing proposals
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Elementary Center
Old Route 940
Pocono Pines, Pennsylvania 18350
Monday, May 9, 2011, beginning at 9:36 a.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
JAMIE B. KEENER, Board Member
ANNE LAMBERTON, Board Member

PATRICK M. ARMSTRONG, ESQUIRE, Solicitor

ALSO PRESENT: Phyllis Haase, Zoning Officer
Robert McHale, Township Engineer

PANKO REPORTING
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

ORIGINAL

1 MS. PATRICIA DEWITSKY: Good
2 morning. We've come here today to watch and listen
3 to a township meeting of the Tobyhanna Township.
4 The people that you see up on the stage are
5 supervisors. They are your local government, okay?
6 And they're going to be conducting normal township
7 business like they do every month, only this month
8 they came to the school so that you guys could
9 watch and listen and learn what goes on in your
10 local government, okay?

11 So what we need you to do is to be
12 very respectful. We need you to sit and listen.
13 If you have questions, you can jot them down on the
14 back of your agenda. Everybody's got an agenda.
15 It tells us what's going to happen at the meeting,
16 what they're going to discuss, okay, about all the
17 important things going on in your township where
18 you live, okay? So if you have any questions,
19 please jot them down and listen. Okay?

20 MR. KERRICK: I'd like to welcome
21 everyone here today. First item of business,
22 please join me in the pledge of allegiance, please.

23 (Pledge of allegiance was recited.)

24 MR. KERRICK: Announcements?

25 MS. PICKARD: Under announcements,

1 I'd like to announce that the pool opening is
2 tentatively scheduled for Friday, June 17. And we
3 will be forwarding some more information and
4 posting on our Web site the registration. The
5 rates this year are going to be the same as last
6 year.

7 Also, I wanted to announce that the
8 waste authority has placed a new recycling bin at
9 A&C Carpets located at 2 Commercial Boulevard in
10 Blakeslee. That's right by the Best Western in New
11 Ventures Park. And I wanted to just announce that
12 the Pocono Mountain Regional Police Department will
13 be having a national night out Tuesday, August 2,
14 from 7 to 9 at our township park, Blanche Price
15 Park, right behind our local government building.

16 That's it.

17 MR. KERRICK: Thank you.

18 Next item on our agenda, approve the
19 minutes of March 14, 2011 regular business meeting.

20 What's the board's pleasure?

21 MS. PICKARD: I make a motion that
22 we approve the March 14, 2011 regular business
23 meeting minutes.

24 MR. KEENER: Second.

25 MR. KERRICK: Motion and second.

1 Questions or comments?

2 Questions or comments from the
3 public?

4 Call the vote.

5 Jamie?

6 MR. KEENER: I vote in favor.

7 MR. KERRICK: Anne?

8 MS. LAMBERTON: I vote in favor.

9 MR. KERRICK: Heidi?

10 MS. PICKARD: Vote in favor.

11 MR. KERRICK: And I'll vote in
12 favor.

13 Motion carried.

14 Next item on our agenda, consider
15 the treasurer's report bill pack dated May 9, 2011.
16 Total amount for board approval, \$359,204.80.

17 MS. PICKARD: I make a motion that
18 we approve the May 9, 2011 bill pack in the amount
19 of the \$359,204.80.

20 MR. KEENER: Second.

21 MR. KERRICK: Motion and second.

22 Any questions or comments from the
23 board?

24 Questions or comments from the
25 public on the motion?

1 Call the vote.

2 Jamie?

3 MR. KEENER: I vote in favor.

4 MR. KERRICK: Anne?

5 MS. LAMBERTON: I'll abstain.

6 MR. KERRICK: Heidi?

7 MS. PICKARD: I'll vote in favor.

8 MR. KERRICK: And I'll vote in
9 favor. Motion carried.

10 Next item on our agenda, solicitor's
11 report.

12 MR. ARMSTRONG: Thank you,
13 Mr. Chairman. The first item under my report is
14 the Lake Naomi development agreement. As you may
15 recall, Lake Naomi appeared before you with a land
16 development plan a few months ago for a parking
17 facility. They have executed the development
18 agreement, as well as the stormwater monitoring
19 agreement.

20 And as you are also aware, the
21 development agreement waives the financial
22 securities due to the scope and the nature of the
23 improvements on the property. It will be
24 appropriate for you this morning, if you wanted to
25 entertain a motion, to authorize the execution of

1 an approval of those documents.

2 MR. KEENER: So moved.

3 MR. KERRICK: Motion on the floor.

4 Do we have a second?

5 MS. LAMBERTON: I'll second.

6 MR. KERRICK: Motion and second.

7 Questions or comments from the

8 board?

9 Questions or comments from the

10 public?

11 Call the vote.

12 Jamie?

13 MR. KEENER: I vote in favor.

14 MR. KERRICK: Anne?

15 MS. LAMBERTON: I vote in favor.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: And I'll vote in

19 favor. Motion carried.

20 MR. ARMSTRONG: Thank you. The next

21 item, Arrowhead Lake Community Act 537 Sewage

22 Facilities Plan. I believe this is just an update

23 for the board. Bob McHale may be better to address

24 this, but Arrowhead Lake Community Association did

25 get the DEP approval for their special study 537

1 Plan; however, the approval letter with DEP, we
2 noted that they still needed, prior to any
3 construction, a Phase 2 water permit.

4 MR. McHALE: Yes.

5 MR. ARMSTRONG: I don't think
6 there's anything else for the board to do at this
7 time. It's just an update as to how that project
8 is going.

9 And then the one other thing I have
10 for my report that's not under the solicitor's
11 report is the public hearing, as you may recall,
12 for the future land use map is going to be
13 scheduled for your June 13, 2011 public meeting.

14 And that's all I have for my report.

15 MR. KERRICK: Thank you.

16 Next item, new business. Consider
17 zoning hearing board reappointment, William
18 VanGilder. What's the board's pleasure?

19 MS. PICKARD: I'll make a motion
20 that we reappoint William VanGilder to the zoning
21 hearing board.

22 MS. LAMBERTON: I'll second.

23 MR. KERRICK: Motion and second.

24 Questions or comments?

25 Questions or comments from the

1 public?

2 Call the vote.

3 Jamie?

4 MR. KEENER: I vote in favor.

5 MR. KERRICK: Anne?

6 MS. LAMBERTON: I vote in favor.

7 MR. KERRICK: Heidi?

8 MS. PICKARD: I vote in favor.

9 MR. KERRICK: And I'll vote in
10 favor. Motion carried.

11 Next item, consider Tobyhanna
12 Tunkhannock pool MOU renewal.

13 MS. PICKARD: I'll make a motion
14 that we approve the memorandum of understanding
15 between Tobyhanna Township and Tunkhannock Township
16 with regard to the use of the Blanche Price pool.

17 MS. LAMBERTON: I'll second.

18 MR. KERRICK: Motion and second on
19 the floor for the renewal of the memorandum of
20 understanding.

21 Questions or comments? Jamie?

22 MR. KEENER: Do you want to explain
23 what this is for the kids?

24 MS. PICKARD: This is just the
25 agreement between Tobyhanna Township and

1 Tunkhannock Township which just sets forth the use
2 and regulations on the use of our pool by
3 Tunkhannock Township residents.

4 MR. KEENER: How many of the
5 students use the pool at the township building?

6 (Show of hands.)

7 Thank you.

8 MR. KERRICK: Questions or comments
9 from the public?

10 Call the vote.

11 Jamie?

12 MR. KEENER: I vote in favor.

13 MR. KERRICK: Anne?

14 MS. LAMBERTON: I vote in favor.

15 MR. KERRICK: Anne?

16 MS. PICKARD: I vote in favor.

17 MR. KERRICK: And I'll vote in
18 favor. Motion carried.

19 Next item we have on our agenda,
20 consider lot joinder Anthony and Lisa Coniglione
21 Lot B and C Miller Drive; Joseph N. Miller and
22 Terri (sic) B. Miller, subdivision.

23 Do you want to explain that, Heidi?

24 MS. PICKARD: We received an
25 application where the parties mentioned wanting to

1 join their two lots to make them one parcel and
2 they have provided us with all the necessary
3 information.

4 And with that, I'll make a motion
5 that we approve the Coniglione lot joinder, Tax Map
6 No. 19/112804 and Tax Map No. 19/112805.

7 MR. KEENER: Second.

8 MR. KERRICK: Motion and second.
9 Could you explain what that is?

10 MR. KEENER: It's right next to the
11 Lake Naomi parking lot that's being proposed on
12 Miller Drive. Yes. The last sheet on your
13 Section C.

14 MS. LAMBERTON: That's a lakefront?

15 MR. KEENER: Yes, that's a
16 lakefront.

17 MS. LAMBERTON: That's past the
18 existing parking lot.

19 MR. KEENER: Okay.

20 MR. KERRICK: We have a motion on
21 the floor. Do we have a second for lot joinder?

22 MS. LAMBERTON: He did second.

23 MR. KERRICK: Jamie seconded, I'm
24 sorry.

25 Questions or comments?

1 Questions or comments from the
2 public on the motion?

3 TEACHER: We can't hear you and
4 they're trying hard, I know they are, but it's so
5 hard to hear you.

6 MR. KERRICK: Do you want to come a
7 little closer?

8 TEACHER: Maybe if you can speak
9 closer to the mike. I can hear you and I can hear
10 him, but --

11 MR. KERRICK: Are you trying to say
12 we have big mouths?

13 TEACHER: The area's not that big.
14 If you can just speak a little more into the mike.

15 MR. KERRICK: Okay, we'll try
16 harder.

17 There's a motion and second on the
18 floor for a lot joinder. Any questions or comments
19 from the public?

20 Call the vote.

21 Jamie?

22 MR. KEENER: I vote in favor.

23 MR. KERRICK: Anne?

24 MS. LAMBERTON: I vote in favor.

25 MR. KERRICK: Heidi?

1 MS. PICKARD: I vote in favor.

2 MR. KERRICK: And I'll vote in
3 favor. Motion carried.

4 Next item on our agenda, consider
5 lot joinder, Austin (sic) Johnsen, Lots 109 and
6 110, Section B, Route 940, Stillwater Lake Estates.
7 Everything in order?

8 MS. PICKARD: Yes.

9 MR. KERRICK: That was real quick.

10 MS. LAMBERTON: It's commercial? It
11 appears to be commercial. Do you know how that --

12 MR. KEENER: Which building is that?
13 Is that the insurance building?

14 MS. HAASE: I'd have to have it in
15 front of me. I believe it's where the current
16 Papa's Pizza and the eye doctor is located.

17 MR. KEENER: It looks like they're
18 already using the other lot that's part of the
19 business anyway, their parking lot.

20 MS. LAMBERTON: The driveway is in
21 the center line of the two lots.

22 MS. PICKARD: It's my understanding
23 that Mr. Courtright was going to attend the meeting
24 today, but I don't see him here. With that I'll
25 make a motion that we approve the lot joinder, J.

1 Arthur Johnsen, et al., Lots 109 and 110, Section
2 B, Route 940, Stillwater Lake Estates.

3 MR. KEENER: Second.

4 MR. KERRICK: We have a motion and
5 second. Questions or comments?

6 I have a question, I guess it would
7 be for Phyllis. Does that have anything to do with
8 Stillwater Lake Estates where you're joining these
9 two lots?

10 MS. HAASE: No, sir. They still
11 would be required to follow whatever covenants that
12 they have in Stillwater. They may have their own
13 regulation to go through with the lot paperwork.

14 MR. KERRICK: These lots are in the
15 Stillwater subdivision then?

16 MS. HAASE: That's correct.

17 MR. KERRICK: Thank you.

18 Any other questions?

19 MR. KEENER: Yes. I don't know if
20 they're part of the association because they're
21 commercial lots so they were subdivided with the
22 original subdivision, but I don't know that they're
23 part of the actual association itself.

24 MR. KERRICK: Questions or comments
25 from the public?

1 Call the vote.

2 Jamie?

3 MR. KEENER: I vote in favor.

4 MR. KERRICK: Anne?

5 MS. LAMBERTON: I vote in favor.

6 MR. KERRICK: Heidi?

7 MS. PICKARD: I vote in favor.

8 MR. KERRICK: And I'll vote in
9 favor. Motion carried.

10 Next item on our agenda, consider
11 waiver of well isolation distance, Grimaldi, Lots
12 8, 9, and 10, Canoe Brook Road, Lake Naomi.
13 Section E in your packet.

14 MS. LAMBERTON: I guess my only
15 question, is this satisfactory with John Brogan,
16 with our SEO?

17 MS. PICKARD: I spoke with
18 Mr. Brogan and he had requested that they put in
19 the waiver to the board and he's fine with it.
20 They are expanding the current existing septic
21 system and rebuilding a larger home on the property
22 so they need to expand the septic system. It was
23 built back in the '60s when there was not the
24 current requirement. It was currently a
25 requirement that your well has to be a hundred feet

1 from your septic and in this case the board is just
2 waiving that if they choose.

3 And I'll make that motion that we
4 approve the waiver for Michael and Annette
5 Grimaldi, Lots 8, 9, and 10, Canoe Brook Road, Lake
6 Naomi.

7 MS. LAMBERTON: I'll second.

8 MR. KERRICK: Motion and second on
9 the floor.

10 Any question or comments from the
11 board?

12 Questions or comments from the
13 public?

14 Call the vote.

15 Jamie?

16 MR. KEENER: I vote in favor.

17 MR. KERRICK: Anne?

18 MS. LAMBERTON: I vote in favor.

19 MR. KERRICK: Heidi?

20 MS. PICKARD: I vote in favor.

21 MR. KERRICK: And I'll vote in
22 favor. Motion carried.

23 Next item on our agenda, bank
24 refinancing proposals.

25 MS. PICKARD: We had discussed at

1 our work session last week the option for bank
2 refinancing proposals, and with that I will make
3 the motion that we would approve the proposal from
4 East Stroudsburg Savings and Loan Association at
5 the rate of 3.75 for 20 years to refinance the
6 current existing debt of our sewage treatment
7 plant.

8 MR. KEENER: In an amount not to
9 exceed --

10 MS. PICKARD: In an amount not to
11 exceed 5.25 million.

12 MS. LAMBERTON: I have one question.
13 Did anybody comment on -- we do monthly payments,
14 correct?

15 MS. PICKARD: The proposal's for
16 monthly payments.

17 MS. LAMBERTON: Did anybody approach
18 and ask if they could be quarterly because of the
19 way our revenue comes in, to make it easier for the
20 township? I have spoken to a couple of different
21 financial institutions and they suggest
22 municipalities ask that because if it's offered, it
23 would make it easier for you as a township
24 secretary to be able to see the money. Because
25 ours is sporadic with our taxes being in the spring

1 and we don't have a monthly income. I think that's
2 something I'd like to address prior to approving.

3 MS. PICKARD: Currently our sewage
4 bills are quarterly as well.

5 MS. LAMBERTON: Exactly.

6 MS. PICKARD: The other thing was,
7 we can ask the bank that and it will raise the
8 interest accumulations slightly by doing that.

9 MS. LAMBERTON: We'll ask them to do
10 it without any increase. Why not?

11 MS. PICKARD: The rate is based on
12 the principal, so if it's paid monthly, it's a
13 lower cost.

14 MS. LAMBERTON: There's actually a
15 way of doing that. It's something to consider.

16 MR. KERRICK: Pat has a comment.

17 MR. ARMSTRONG: I would just make
18 clear to the board that the motion is going to be
19 to move forward with finalizing and proceeding with
20 that proposed ESSA of refinancing the loan. As the
21 board is aware, there will need to be a public
22 hearing, as well as an ordinance that will be
23 submitted to DCED for formal approval of this loan.

24 There are some additional items that
25 will need to be completed pursuant to the Local

1 Government Unit Debt Act that the board would
2 comply with. And this motion this morning is just
3 to authorize and approve moving forward with those
4 procedures.

5 MS. LAMBERTON: So we're not locked
6 in with ESSA's terms as of this motion?

7 MR. ARMSTRONG: As of this motion
8 now, no, you will have a public hearing that will
9 be advertised with an ordinance setting forth the
10 loan pursuant to the debt act. Heidi and I will
11 also be corresponding throughout the next two days
12 and weeks, to make sure that all the procedures
13 with the debt act will be complied with.

14 There are a few tests that you need
15 to jump through. DCED will also be seeking
16 approval not only the ordinance but a number of
17 other items in order for them to review and approve
18 this particular loan. And I believe under ESSA's
19 proposal you have until June 15 to commit and
20 July 29 to close.

21 MS. PICKARD: And DCED stands for
22 the Department of Community and Economic
23 Development. It's a state agency that controls and
24 monitors Local Government Unit Debt Act.

25 MR. KERRICK: We have a motion. Do

1 we have a second?

2 MS. LAMBERTON: I'll second it.

3 MR. KERRICK: Questions or comments
4 from the board on the motion?

5 Questions or comments from the
6 public on the motion?

7 Call the vote.

8 Jamie?

9 MR. KEENER: I vote in favor.

10 MR. KERRICK: Anne?

11 MS. LAMBERTON: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: And I'll vote in
15 favor. Motion carried.

16 MS. PICKARD: Do we need to
17 authorize you to prepare the ordinances?

18 MR. KERRICK: That's what the motion
19 was.

20 MR. ARMSTRONG: Yeah.

21 MR. KERRICK: Does anyone from the
22 board have any other business to discuss?

23 MR. KEENER: I'd just like to say hi
24 to my son Spencer. Hi, Spencer.

25 MR. KERRICK: Last -- at our work

1 session Bob was not able to attend so I asked him
2 to come to this meeting and he wants to go over the
3 537 briefly.

4 MS. LAMBERTON: Excellent.

5 MR. McHALE: Good morning. Can I
6 address the class as well? I mean, I'll talk to
7 the board of supervisors, but you're hear to learn
8 a few things as well. I'm going to actually be
9 holding -- can you all hear me okay? I'm going to
10 be holding up a poster or two so I can show you a
11 couple of things.

12 Act 537 is a law that requires our
13 township to make sure that we can -- be careful
14 with that, the legs on it will shake. The Act 537
15 requires our township to make sure that all the
16 sewage disposal in the township is taken care of
17 properly. Now, many years ago, way before I was
18 even born, people used to take their sewage from
19 their home or from their businesses and they would
20 actually discharge them into the streams and the
21 lakes and the rivers.

22 And how many think that was a good
23 idea? No, not a good idea, was it? We used to get
24 diseases and across our country people would come
25 down with many different types of diseases because

1 of that practice. Throughout the years we've
2 developed processes in treating the waste water
3 that we discharge, and instead of discharging
4 untreated waste water it's now treated.

5 In the Blakeslee area the board was
6 just talking about and they were just voting to
7 refinance \$5.25 million of what's remaining to pay
8 for this waste water treatment facility. That
9 treatment facility is located in Blakeslee, south
10 on 115. This map shows us Route 940.

11 And how many of you all are familiar
12 with Blakeslee? Very good, very good. You know
13 when you get to the intersection of Blakeslee at
14 940 where the traffic light is? If you go south on
15 115 and you're going towards Interstate 80, on the
16 left-hand side there's a waste water treatment
17 facility, okay? That treats the waste water that
18 comes from all the businesses and the residences
19 that are upstream and into the Blakeslee area.

20 What the board of supervisors are
21 required to do is make sure that we update proper
22 planning for that waste water treatment. And
23 that's what I'm going to present to the board now
24 are these numbers.

25 This is State Route 940 intersection

1 with 115. The plant's down in this area, okay? So
2 everything drains in here. Now what happened with
3 the first phase is they planned for and developed
4 all these little parcels. That's what all these
5 little blocks are. Those are land areas, little
6 blocks or lots that people build on.

7 The second phase is out the corridor
8 of 940 and the board is also looking to expand it
9 further east where the Twin Lakes or where Pocono
10 Lake is. You all know where that is? Okay, so we
11 want to take and we want to bring pipes or conduits
12 or low pressure systems to be able to get the waste
13 from there to the Blakeslee treatment plant at some
14 point in time.

15 This is a breakdown of -- by phase
16 or by zone of the needs for our township in this
17 area. And what we did was, we took the original
18 area and we had to calculate, well, how much flow,
19 how much do we have to treat down at the plant? So
20 we took this first area where all these lots are
21 and all these businesses, like restaurants --

22 And how many have shopped at the
23 Wawa before? Okay, you go into the restroom,
24 right, and you flush the toilet and the waste has
25 to go somewhere, right? Well, it goes down here to

1 the waste water treatment plant. And that's what
2 happens. Every business you shop at, whether it's
3 a restaurant or a bicycle shop, whatever, so we
4 calculated, how much do we have to treat before it
5 goes into the stream.

6 The new law says we can't just up
7 that capacity and treat more and discharge to the
8 stream. We actually have to take that effluent and
9 try to spray irrigate after it's cleaned up and
10 there's no more bad bacteria within that water, you
11 can now spray or drip irrigate it into the ground
12 surface, that treated water. So now what we're
13 looking at is expanding that over into the 940
14 corridor.

15 So the Zone 1 is the initial planned
16 area and that's that first stapled together
17 section. And at the very end in the summary
18 portion of it -- now, this includes the Keswick
19 Pointe development, it includes some projections
20 for the 50 acres that the board recently rezoned
21 and some other projections for this area. And you
22 all will see that there's also some numbers here
23 like 120 and 23 and such? Well, the board said
24 this is what we want to plan for in the future. So
25 this comes out to about 396,000 gallons a day for

1 that Zone 1.

2 Zone 2 is the corridor of 940 which
3 takes us out closer to the Twin Lakes but was
4 already in the planned area that we originally
5 looked at 12, 14 years ago. And that portion gives
6 us an additional 92, 93,000 gallons a day. Then
7 the board said, okay, well, that's good that we
8 planned for that 12 years ago, but we think we're
9 going to have more development coming into our
10 township, we need to plan ahead a little bit
11 further.

12 So the board said, let's look at
13 some other properties, and Mr. Keener and
14 Ms. Lamberton and others are involved in what's
15 called a visioning for Blakeslee, and they're
16 looking at how to make this more like a village
17 center and to attract more businesses into that
18 area. Well, what happens when we attract more
19 businesses? What happens to our waste water? Do
20 we need more or less? Well, if we're going to
21 bring more business in, we're going to need more.
22 Exactly. So that's what we're trying to do now.

23 So for that corridor, for that
24 additional it's about 53,000. If we go out further
25 to the Twin Lakes and we pick up Wagner Forest and

1 the other lots that go out to the Twin Lakes, that
2 will be about another 50,000. So in total we're
3 looking at about 600,000 gallons of waste water
4 that has to be treated in a day. And that does not
5 count the visioning for the Blakeslee area. So if
6 we factor on -- Mr. Keener, I'm not sure if you
7 want to guesstimate 50, 75, maybe 100,000 gallons
8 additional because of the concentration of
9 development that would put us up another hundred
10 thousand gallons.

11 Now, the treatment plant that we
12 have right now in Blakeslee will treat
13 300,000 gallons of waste water. We're running at
14 about -- somewhere about 100 to 130,000 gallons a
15 day, so we have some capacity to still work with.
16 In the future we're going to have to accommodate
17 another 400,000, so we're gonna basically have to
18 expand that plant by double its size. So what
19 we're gonna do is look at different ways that we
20 can get rid of that water without putting it back
21 into the stream.

22 What do you all suggest that we do
23 with the water after it's treated? What do you
24 think are some ideas that we can do with the water?
25 Now, I'm talking about the waste water once it's

1 treated and it's cleaned up enough water to put
2 back into the stream. What are some ideas on how
3 we can use that water? Anybody have any ideas?

4 STUDENT: We could use it for
5 drinking water.

6 MR. McHALE: Almost. We can put it
7 back in the ground and then the ground will filter
8 that water some more and it will eventually get
9 into the ground water table and we could use it for
10 drinking. That's good.

11 Yes?

12 STUDENT: We could use it for fire
13 trucks.

14 MS. McHALE: Fire trucks, yes, we
15 could do that. We could recharge -- have our ponds
16 sometimes or a lake even after it's treated through
17 the ground water and we pump it from the wells, put
18 it into a water storage tank and fire trucks.

19 Yes, ma'am?

20 STUDENT: We could take a bath in
21 it.

22 MR. McHALE: You could eventually
23 take a bath in it. 'Cause that's the whole point.
24 Many, many years ago they didn't treat it well
25 enough and sometimes they didn't even treat it at

1 all. And our job is to make sure it's clean enough
2 to where you could almost take a bath in it. Okay,
3 very good.

4 Now, we have Zones 1, 2, and 3. So
5 we have about an additional 400,000 gallons right
6 now that we're kind of contemplating. And the
7 other thing we did is, we looked at the soil types
8 and where we could actually drip or spray irrigate
9 this land. This is a soils map.

10 And how many of you get on the
11 Internet? I figured that. And you all are looking
12 for other places to study while you're on the
13 Internet, right? Well, I have a good Web site for
14 you. The National Resource and Conservation
15 Service has a Web site on there that you can get on
16 and learn all about the soils that are in the
17 township. I know that sounds exciting, I could see
18 the expressions; you just can't wait to study
19 soils. But as an engineer I have to be able to
20 prepare this thing to present to our board so that
21 it can make decisions based upon what we're looking
22 at. This map shows the different soil types
23 throughout the township.

24 And in summary, basically it's Type
25 C soils, and that means that we can probably go

1 ahead and drip irrigate throughout our township, if
2 we find a proper size tract. We're gonna need
3 about a hundred acres, maybe a hundred twenty acres
4 to drip irrigate, to take care of that additional
5 treatment. They use these practices of drip and
6 spray irrigation in places like Maine and Wisconsin
7 and other places, and our township recently
8 approved a residential use where one -- a person
9 that owns a home is actually using a drip
10 irrigation, they're treating the water through
11 their septic tank and other means and it goes into
12 this drip irrigation system and it actually can --
13 it goes back into the ground water. And that's
14 about -- one gallon that is treated takes about 12
15 to 17 square feet of land area for every gallon
16 that's treated.

17 If you all have any questions?
18 We're just in the beginning part of the process.
19 We're just putting together the numbers and needs.
20 Not only will we look at the Blakeslee area, we'll
21 look at the Pine Crest, Pocono Pines area. A lot
22 of our township is more rural, so people actually
23 take care of treatment on their own site.

24 How many know what a sand mound is?
25 Have you ever seen properties that have a -- they

1 have a little bump in the ground? What is a sand
2 mound? Does anybody know what it is? Do you know
3 what it is? Okay.

4 We see it out there in the yard and
5 it kind of goes up like this, doesn't it? It
6 flattens out and has grass all over it. There's
7 that little plastic white pipes sticking up
8 sometimes. Yeah. You all know what that is?
9 Okay, the waste water comes from your house, it
10 goes into a septic tank and it's treated, it goes
11 into a dosing tank and it's pumped up in and when
12 it filters down through all that sand, the water is
13 treated well enough to where it can go into the
14 ground water. Okay.

15 Now, any other questions from the
16 board as far as the numbers or -- we're moving
17 ahead. We still have to evaluate potential sites
18 that we could possibly use for that and then we'd
19 have to approach landowners. One thing we did is
20 we pulled the files for the park area, just to see
21 if that might be a possibility. And, you know, I
22 don't know yet, we haven't gotten far enough to
23 where we've read through the documents for the
24 purchase.

25 MR. KEENER: Bob, on the Zone 3

1 there's several parcels identified as nature
2 conservancy and Tobyhanna Township, the Township of
3 Tobyhanna, are those parcels that are unlikely to
4 be developed and we would remove those from the
5 count?

6 MR. McHALE: Yes, sir. The way that
7 the spreadsheet was set up -- I think that
8 Mr. Brogan had provided to us, there may be zeros
9 next to those. He kind of blocked them out so they
10 may show up on the spreadsheet. Do they show up as
11 using as an EDU?

12 MR. KEENER: Yes.

13 MR. McHALE: Okay. Then we'll have
14 to -- we can deduct those.

15 MR. KEENER: You can sort it by
16 owner, then you can --

17 MR. McHALE: Okay, yeah, we do have
18 all EDUs assigned to that. Okay. You're right,
19 sir, we can do that.

20 Any other questions? Any questions
21 from this intelligent young group of fourth
22 graders?

23 Any questions from the board? Okay,
24 I thank you very much.

25 MS. LAMBERTON: Thank you, Bob.

1 MS. HAASE: Good morning, everyone.
2 My name is Phyllis Haase and I'm the zoning officer
3 for the township. And I have many responsibilities
4 for the township but my main goal is to enforce the
5 ordinances or the laws that this governing body
6 adopted from their predecessors, the individuals
7 that sat in their seats prior to them. So my job
8 is to make certain that any lands in our township
9 meets the requirements that the board has put in
10 place. So that's my main duty.

11 How many of you in here have to
12 follow the rules? Very good. Actually, I see a
13 few hands that aren't raised. And actually
14 everyone in this building, including myself, our
15 solicitor and also our governing body, we all have
16 to follow rules. So we start when we're young and
17 we have to follow them throughout our whole life.
18 It's very important that you're organized
19 throughout your entire life and you know the
20 difference of what's right and what's wrong.

21 All right, folks. Any questions?
22 That was easy. Have a good day.

23 MR. KERRICK: Thank you.

24 Does the board have anything else?
25 Do you want to open it up to questions?

1 MS. PATRICIA DEWITSKY: Well, what I
2 thought would be a good idea is, if you could just
3 introduce yourselves and just tell just a little
4 bit about what your job is and explain to them what
5 you do.

6 (Discussion off the record.)

7 MR. ARMSTRONG: We can't adjourn
8 yet. I just have a few things to say on the
9 record. One, is the loan, the ESSA loan, we
10 will -- it looks like you're going to need bond
11 counsel. The way they have it in their proposal
12 it's a separate opinion from my office, as well as
13 a no counsel, which is a bond counsel. So what I
14 would probably suggest is that we should start
15 looking, but if you want to have it -- get a bond
16 counsel, a no counsel opinion from -- you don't
17 have to designate them today but maybe set a do not
18 exceed rate bond, if you want to set a ceiling.

19 MS. PICKARD: Five wasn't adequate?

20 MR. ARMSTRONG: Five was a -- we
21 were lucky about a year ago to have someone out of
22 Harrisburg that did it for five grand, but bond
23 counsel can be -- if you want to set five and find
24 someone to do it for five.

25 MS. LAMBERTON: Why don't we say ten

1 and be in the middle of the road?

2 MR. KERRICK: We don't want to have
3 to come back for a meeting.

4 MR. ARMSTRONG: Right.

5 MS. PICKARD: I'll make a motion
6 that we approve the final approval for bond counsel
7 not to exceed 10,000.

8 MS. LAMBERTON: Second.

9 MR. KEENER: Aye.

10 MS. LAMBERTON: I vote in favor.

11 MS. PICKARD: Favor.

12 MR. KERRICK: Favor.

13 MR. ARMSTRONG: The only other thing
14 that I mentioned before with the loan, Heidi and I
15 are going to be corresponding, there's a few things
16 we're going to comply with. We already made sure,
17 I talked to you on Friday, about one of the
18 provisions. There's still one other item that I
19 need to confer with DCED. I want to make sure
20 we'll be communicating with DCED, as well as ESSA
21 with respect to the proposal.

22 MS. LAMBERTON: I'm fine with it.

23 MR. ARMSTRONG: Okay. And the only
24 other thing was, we have a brief executive session
25 on real estate, and if you want to adjourn.

1 MR. KERRICK: We're adjourned.

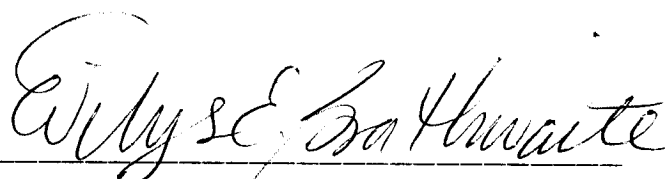
2 MS. LAMBERTON: Second.

3 MR. KEENER: I'll make that motion.

4 (Meeting concluded at 10:22 a.m.)

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7 I hereby certify that the
8 proceedings and evidence are contained fully and
9 accurately, to the best of my ability, in the notes
10 taken by me at the meeting in the above matter; and
11 that the foregoing is a true and correct transcript
12 of the same.

13
14 
15
16 EVILYS E. BRATHWAITE, RPR

17
18 ORIGINAL

19
20 Respectfully submitted:

21 
22 HEIDI A. PICKARD, TOWNSHIP SECRETARY
23
24
25

A G E N D A
Board of Supervisors
Regular Business Meeting
June 13, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements: Austin T. Blakeslee Natural Area Pavilion
Pool
Community Day, July 9, 2011
4. Consider the Minutes of: April 11, 2011 Regular Business Meeting
5. Consider the Treasurer's Report: \$372,276.85
6. Solicitor Report: Future Land Use Map Public Hearing
Consider Resolution 2011-014 Future Land Use Map
Refinancing Ordinance No 495 Public Hearing
7. New Business:
 - A. Resolution 2011-015 recognizing Emily Carter for serving as a HATT Charter Member
 - B. Resolution 2011-016 recognizing Theodore Suttmeier for serving as a HATT Charter Member
 - C. Resolution 2011-017 recognizing Eugene Kerrick for serving as a HATT Charter Member
 - D. Lot Joinder-Gregory & Shirley Chanitz, Lots 19, 20 & 21 Towanda Trail Arrowhead Lake
 - E. Arcadia Lots 100 & 110
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, June 13, 2011, beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
JAMIE B. KEENER, Board Member
DONALD J. MOYER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE, Solicitor

ORIGINAL

PANKO REPORTING
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to welcome
2 everyone here this evening for the regular business
3 meeting board of supervisors. Call the meeting to order
4 with the pledge of allegiance, please.

5 (Pledge of allegiance was recited.)

6 MR. KERRICK: First item on our
7 agenda, announcements.

8 Heidi?

9 MS. PICKARD: I just wanted to
10 announce that the pavilion is up at the Austin T.
11 Blakeslee Natural Area. If you haven't been by there,
12 you want to definitely stop by.

13 The pool will be opening, I believe,
14 on Friday?

15 MR. KERRICK: Um-hum.

16 MS. PICKARD: And hopefully we'll be
17 open through Labor Day. Sign-ups begin this Wednesday.
18 There's a sign-up schedule on the door. The rates are
19 the same as last year.

20 And Community Day will be held at the
21 park from two to seven on July 9. And that's it.

22 MR. KERRICK: Thank you.

23 Next item on our agenda, consider the
24 minutes of April 11, 2011 regular business meeting.

25 What's the board's pleasure?

1 MS. PICKARD: I had a couple
2 corrections. I'll make a motion to approve the April 11,
3 2011 regular business meeting minutes with the following
4 corrections: On Page 12 -- on Page 12, Line 12 that
5 should be NPDES; on Page 22, Line 25 that should be
6 PennVest and they -- and not willing to work with us; and
7 on Page 26, Line 15 should be wheel loader, W-H-E-E-L,
8 loader.

9 MR. MOYER: Second.

10 MR. KERRICK: Motion and second.

11 Questions or comments from the board?

12 Questions or comments from the public
13 on the motion?

14 Call the vote. Jamie?

15 MR. KEENER: I vote in favor.

16 MR. KERRICK: Donny?

17 MR. MOYER: I vote in favor.

18 MR. KERRICK: Heidi?

19 MS. PICKARD: I vote in favor.

20 MR. KERRICK: I vote in favor.

21 Motion carried.

22 Next testimony on our agenda, bill
23 pack dated June 13, 2011, total amount for board
24 approval, \$372,276.85.

25 MS. PICKARD: I make a motion that we

1 approve the June 13, 2011 bill pack in the amount of
2 \$372,276.85.

3 MR. KERRICK: Do we have a second?

4 MR. KEENER: Second.

5 MR. KERRICK: Who seconded that?

6 MS. PICKARD: Jamie.

7 MR. KERRICK: Motion and second.

8 Questions or comments from the board?

9 Questions or comments from the
10 public? If you care to look at the bills, they're in the
11 box in the front.

12 Call the vote. Jamie?

13 MR. KEENER: I vote in favor.

14 MR. KERRICK: Donny?

15 MR. MOYER: I vote in favor.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KEENER: I vote in favor.

19 Motion carried.

20 At this time we're going to jump out
21 of order to recognize some people from HATT.

22 Heidi, do you want to take it from
23 here?

24 MS. PICKARD: Sure. We're going to
25 skip over Resolution 2011-014 and move to Resolution

1 2011-015, which is recognizing Emily Carter for her
2 service as a HATT charter member. It was my
3 understanding that Emily couldn't make it tonight, but
4 we'll read that into the minutes.

5 We have a resolution of the Township
6 of Tobyhanna Board of Supervisors, Monroe County,
7 Pennsylvania recognizing Emily Carter for serving as
8 charter member of the Historical Association, Tobyhanna
9 Township.

10 Whereas the purpose of the Historical
11 Association of Tobyhanna Township, HATT, is to research,
12 identify and preserve the history of Tobyhanna Township
13 and establish and maintain a museum.

14 And whereas Emily Carter served as
15 treasurer for eight years and is a charter member of the
16 Historical Association of Tobyhanna Township, Monroe
17 County, Pennsylvania.

18 And whereas Emily Carter being an
19 excellent resource for interested historians, sharing
20 collected information about the township, particularly
21 Locust Ridge and Blakeslee, as well as her own family.

22 And whereas Emily Carter shares her
23 knowledge of the families and farms, the businesses and
24 activities of days gone by with residents. HATT meetings
25 are enhanced by her stories and artifacts.

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Now, therefore, be it resolved that the Tobyhanna Town -- the Township of Tobyhanna Board of Supervisors present this resolution to Emily Carter in recognition of her time, dedication and knowledge and service to the Township of Tobyhanna community.

Resolved and enacted this 13th day of June 2011.

MR. KERRICK: Do we have a motion to approve?

(Audience applauds.)

MS. PICKARD: So moved.

MR. MOYER: Second.

MR. KERRICK: Motion. Do we have a second?

MR. MOYER: Second.

MR. KERRICK: Questions or comments?
Call the vote.

MALE VOICE: When was HATT formed?

MS. PICKARD: Excuse me?

MALE VOICE: You said from the beginning, when was the beginning?

MS. PICKARD: That I don't know.
Ms. Kaltenthaler?

MS. FREDERICA KALTENTHALER: I'm gonna defer to Gene Kerrick because I can't remember

1 definite dates.

2 MR. EUGENE KERRICK: 15 years ago.

3 MS. FREDERKA KALTENTHALER: 1990.

4 MALE VOICE: 1985.

5 MR. KERRICK: '85?

6 MS. PICKARD: '85. And we will make
7 sure that this gets to Mrs. Carter.

8 Did you want to take this, Mrs.
9 Kaltenthaler?

10 MS. FREDERICA KALTENTHALER: I'd be
11 delighted to. Thank you. Thank you.

12 MR. KERRICK: Call the vote. Jamie?

13 MR. KEENER: I vote in favor.

14 MR. KERRICK: Donny?

15 MR. MOYER: I vote in favor.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: I'll vote in favor.

19 Motion carried.

20 Next one.

21 MS. PICKARD: Okay. The second
22 resolution is Resolution 2011-016 recognizing Theodore
23 Suttmeier for serving as a HATT charter member and we
24 will read that.

25 Resolution 2011-017 (sic), resolution

1 of the Township of Tobyhanna Board of Supervisors, Monroe
2 County, Pennsylvania recognizing Theodore Suttmeier
3 serving as charter member for the Historical Association
4 of Tobyhanna Township.

5 Whereas the purpose of the Historical
6 Association of Tobyhanna Township, HATT, is to research,
7 identify and preserve history of Tobyhanna Township and
8 establish and maintain a museum.

9 And whereas Theodore Suttmeier served
10 as board member and officer for many years and is a
11 charter member of the Historical Association of Tobyhanna
12 Township, Monroe County, Pennsylvania.

13 And whereas Theodore Suttmeier
14 researched and assembled information about Lutherland and
15 Pinecrest Resorts and Camp.

16 And whereas Theodore Suttmeier
17 planned many HATT programs, shared his knowledge about
18 the history of one of our -- of the largest developments
19 in the township, and shown tremendous commitment to
20 Pocono Pines Improvement Association, PPIA, as well.

21 Now, therefore, be it resolved that
22 the Township Board of Supervisors present this resolution
23 to Theodore Suttmeier in recognition of his time,
24 dedication, knowledge and service to the Township of
25 Tobyhanna community.

1 Resolved and enacted the 13th day of
2 June 2011.

3 (Audience applauds.)

4 MR. KERRICK: For the record Emily
5 Carter, that was Resolution 2011 dash 015; this will be
6 Resolution 2011 dash 016.

7 Heidi gave a motion; do we have a
8 second?

9 MR. KEENER: Second.

10 MR. KERRICK: Questions or comments?
11 All in favor?

12 BOARD MEMBERS: Aye.

13 MR. KERRICK: Ayes have it. Motion
14 carried.

15 MS. PICKARD: I make a motion that
16 we approve Resolution 2011 dash 017 recognizing Eugene
17 Kerrick for serving as HATT charter member. We'll read
18 that.

19 Resolution 2011 dash 017, a
20 resolution of the Township of Tobyhanna Board of
21 Supervisors, Monroe County, Pennsylvania recognizing
22 Eugene Kerrick for serving as charter member of the
23 Historical Association of Tobyhanna Township.

24 Whereas the purpose of the Historical
25 Association Tobyhanna Township, HATT, is to research,

1 identify and preserve the history of Tobyhanna Township
2 and establish and maintain a museum.

3 And whereas Eugene Kerrick served as
4 president and is a charter member of the board -- and
5 board member of the Historical Association of Tobyhanna
6 Township, Monroe County, Pennsylvania.

7 And whereas Eugene Kerrick is well
8 versed on the township folklore and has provided many
9 family biographies.

10 And whereas Eugene Kerrick researched
11 families and their past contributions to the well-being
12 of the township, proving that families are a part of
13 making the township an interesting place to live.

14 Now, therefore, be it resolved that
15 the Township of Tobyhanna Board of Supervisors present
16 this resolution to Eugene Kerrick in recognition of his
17 time, dedication, knowledge and service to the Township
18 of Tobyhanna community.

19 Resolved and enacted this 13th day of
20 June 2011.

21 MR. KEENER: Second.

22 MR. KERRICK: Motion and second.

23 All in favor signify by saying aye?

24 BOARD MEMBERS: Aye.

25 MR. KERRICK: Ayes have it. Motion

1 carried.

2 (Audience applauds.)

3 MR. KERRICK: We'd like you to stay
4 and you're more than welcome, but we're going to get into
5 some public hearings, it's going to drag on a little bit.
6 Now is your opportunity.

7 MALE VOICE: We hear you.

8 MR. KEENER: If I could before you
9 go, I just want to thank all of you to your contributions
10 to Tobyhanna Township. Certainly we are looking to do
11 some things in the township, in the Village of Blakeslee,
12 and we're hoping that that gets brought across to Pocono
13 Pines and throughout the township where we can
14 reestablish our village centers and create a place where
15 people want to come and stay and spend a little time and
16 enjoy themselves.

17 So again, anything -- any
18 contributions that you have going forward -- we're
19 working through the planning process, but any
20 contributions that you have going forward would be very
21 much welcome. Thank you.

22 (Brief recess was taken.)

23 MR. KERRICK: At this time we ask
24 for our solicitor's report.

25 MR. ARMSTRONG: I have a few items

1 under my report. Two of them are public hearings. The
2 first one is the public hearing for the future land use
3 map in relation to the regional comprehensive land use
4 plan.

5 If the board recalls, back when you
6 adopted the regional comprehensive plan, you purposely
7 did not adopt a future land use map because you weren't
8 happy with it at the time. Throughout the years you've
9 revised it, amended it and I believe what's on that
10 diagram right now is the one that's attached to the
11 proposed resolution.

12 Being that it is of resolution that
13 will be amending the regional comprehensive plan, you
14 need to have a public hearing. This public hearing this
15 evening was advertised twice pursuant to the MPC and
16 we'll be opening up for public comment when we open the
17 hearing. But the plan is depicted on the podium before
18 you and the resolution will be adopting it pursuant to
19 the MPC.

20 The Tobyhanna Township Planning
21 Commission has recommended the board adopt the proposed
22 resolution and plan, as has the Montgomery -- or, I'm
23 sorry, the Monroe County Planning Commission. And just
24 to remind the board after -- if you do adopt the
25 resolution this evening, the additional member

1 municipalities in the regional comprehensive plan also
2 need to adopt the same plan.

3 So with that being said and the brief
4 explanation of the resolution and plan, I'll open the
5 public hearing up at this time.

6 Are there any comments from the
7 board?

8 Any comments from the public? Seeing
9 none.

10 MR. KEENER: I make a motion we close
11 the hearing.

12 MR. MOYER: Second.

13 MR. KERRICK: Motion and second to
14 close the hearing.

15 Call the vote. Jamie?

16 MR. KEENER: I vote in favor.

17 MR. KERRICK: Donny?

18 MR. MOYER: I vote in favor.

19 MR. KERRICK: Heidi?

20 MS. PICKARD: I vote in favor.

21 MR. KERRICK: And I'll vote in favor.

22 MR. ARMSTRONG: So the hearing is
23 closed now. If the board has a motion to adopt
24 Resolution 2011 dash 14?

25 MS. PICKARD: Yes.

1 MR. KERRICK: Yes.

2 MS. PICKARD: I make a motion that we
3 adopt Resolution 2011 dash 014, future land use map.

4 MR. KERRICK: Do we have a second?

5 MR. MOYER: Second.

6 MR. KERRICK: Questions or comments
7 from the board?

8 Questions or comments from the
9 public?

10 Call the vote. Jamie?

11 MR. KEENER: I vote in favor.

12 MR. KERRICK: Donny?

13 MR. MOYER: I vote in favor.

14 MR. KERRICK: Heidi?

15 MS. PICKARD: I vote in favor.

16 MR. KERRICK: I vote in favor.

17 Motion carried.

18 Pat?

19 MR. ARMSTRONG: The next item under
20 my report is the refinancing ordinance, which will be
21 Ordinance No. 495. If the board recalls for the last
22 several months, the board has reviewed and considered
23 refinancing or refunding under the Unit Debt Act current
24 notes, general obligation notes, that the township has
25 dating back to 1997 related to the public sewer system

1 when it was constructed.

2 It's my understanding that the
3 purpose of the refinancing would be to decrease the
4 annual debt service of the township. Meaning that the
5 annual monthly payments per year would go down, although
6 this proposed ordinance and the proposed general
7 obligation note will actually extend the term pursuant to
8 the Unit Debt Act.

9 Under the Unit Debt Act the board has
10 to adopt an ordinance and attached to that ordinance
11 needs to be the proposed note and in this case it was the
12 note -- general obligation note of Series 2011 with ESSA
13 Bank. It also needed to provide and adopt -- or attach
14 the amortization schedule together with the debt service
15 schedule and the proposal from ESSA Bank.

16 All of those documents are attached
17 to the proposed ordinance and the amount of the existing
18 1997 notes amounts to -- the existing Emmaus note as of
19 June 1, 2011 is \$2,335,000; and the existing PennVest
20 note as of June 1, 2011 had an existing outstanding
21 principal balance of \$2,759,281.

22 The proposed refunding program is for
23 a series 2011 general obligation note from ESSA in the
24 aggregate principal amount not to exceed 5.25 million
25 dollars, which would cover the two existing 1997 notes

1 from Emmaus and PennVest.

2 This is an ordinance. It has been
3 advertised according to the Unit Debt Act for a public
4 hearing this evening. And at this time I will open the
5 public hearing.

6 Are there any comments from the board
7 at this time? Seeing none.

8 Are there any comments from the
9 public?

10 MR. GREG HAMILL: What was the actual
11 savings on a yearly basis? I mean, I know you're trying
12 to lower your debt operating cost.

13 THE REPORTER: Can you state your
14 name, please?

15 MR. GREG HAMILL: Greg Hamill.

16 MS. PICKARD: It's in excess of a
17 hundred thousand dollars. Right now our interest only
18 Emmaus note is a variable rate so that's been kind of low
19 right now but that can go up to 12 percent.

20 MR. GREG HAMILL: Sure. So this
21 would lock it into a fixed rate?

22 MS. PICKARD: This would lock us into
23 a fixed rate for 3.75 for 20 years.

24 MR. GREG HAMILL: It will save you a
25 hundred thousand dollars a year.

1 MS. PICKARD: At least a hundred --
2 closer to hundred twenty or more.

3 MR. ARMSTRONG: Yeah, I did fail to
4 mention that, I apologize. It is 3.75 for 20 years,
5 fixed rate.

6 Any other comments from the public at
7 this time? Seeing none.

8 MR. KEENER: I make a motion we close
9 the hearing.

10 MR. MOYER: Second.

11 MR. KERRICK: Motion to close the
12 hearing. Motion and second.

13 Call the vote. Jamie?

14 MR. KEENER: I vote in favor.

15 MR. KERRICK: Donny?

16 MR. MOYER: I vote in favor.

17 MR. KERRICK: Heidi?

18 MS. PICKARD: I vote in favor.

19 MR. KERRICK: And I'll vote in favor.
20 Motion to close the hearing.

21 MR. ARMSTRONG: Now, if the board
22 would entertain a motion approving Ordinance No. 495,
23 which is the ordinance authorizing the incurrence by the
24 township of nonelectoral debt by the issuance of a
25 general obligation note, Series 2011, in the aggregate

1 principal amount not to exceed 5.25 million dollars for
2 the purpose of providing funds to currently refund the
3 township's outstanding general obligations notes; series
4 1997, and to pay the cost of issuing the note;
5 authorizing preparation of a debt statement and other
6 documentation; covenanting to create a sinking fund and
7 to budget, appropriate and pay debt service on the note;
8 pledging the full faith, credit and taxing power of the
9 township for the prompt and full payment of the note;
10 setting forth the substantial form of the note; setting
11 forth the stated principal maturity and interest payment
12 dates, place of payment, sinking fund provisions and
13 other details of the note; appointing a paying agent and
14 sinking fund depository; and authorizing other necessary
15 action in order to finalizing close on the note.

16 MR. KEENER: So moved.

17 MS. PICKARD: Second.

18 MR. KERRICK: Motion and second on
19 the refinancing.

20 Questions or comments from the board?

21 Any other questions from the public
22 on the motion?

23 Call the vote. Jamie?

24 MR. KEENER: I vote in favor.

25 MR. KERRICK: Donny?

1 MR. MOYER: I vote in favor.

2 MR. KERRICK: Heidi?

3 MS. PICKARD: I vote in favor.

4 MR. KERRICK: I vote in favor.

5 Motion carried.

6 MR. ARMSTRONG: Okay. Now, what that
7 ordinance does is it authorizes certain actions to be
8 taken in order to finalize the note. I do need an
9 additional motion from the board at this time to issue
10 the required prepayment letter to Emmaus for the existing
11 1997 note.

12 MS. PICKARD: So moved.

13 MR. KEENER: Second.

14 MR. KERRICK: Motion and second.

15 Any questions or comments on the
16 motion from the public?

17 Call the vote. Jamie?

18 MR. KEENER: I vote in favor.

19 MR. KERRICK: Donny?

20 MR. MOYER: I vote in favor.

21 MR. KERRICK: Heidi?

22 MS. PICKARD: I vote in favor.

23 MR. KERRICK: I vote in favor.

24 Anything else?

25 MR. ARMSTRONG: One additional item,

1 we do have the proposal letter from ESSA. We -- actually
2 it's a proposal dated April 28, as well as an addendum
3 thereto correcting the proposal letter. I need you -- if
4 the board would entertain a motion authorizing the
5 signing of that proposal so we can set up the closing
6 date from the note.

7 MR. KEENER: So moved.

8 MS. PICKARD: Second.

9 MR. KERRICK: Motion and second.

10 Questions or comments?

11 Questions or comments from the
12 public?

13 Call the vote. Jamie?

14 MR. KEENER: I vote in favor.

15 MR. KERRICK: Donny?

16 MR. MOYER: I vote in favor.

17 MR. KERRICK: Heidi?

18 MS. PICKARD: I vote in favor.

19 MR. KERRICK: I vote in favor.

20 Motion carried.

21 Anything else?

22 MR. ARMSTRONG: One other thing in
23 the same -- this is actually a little different. This is
24 -- if you recall at your work session last week there's
25 such a thing as a weighted average maturity calculation

1 that needs to be calculated in relation to the 1997 notes
2 and the proposed 2011 series note. Usually the bank does
3 that, ESSA was not comfortable -- or they haven't done
4 that in the past so they did not want to do it for the
5 proposed 2011 note.

6 We were looking and we found someone
7 to do it. Actually it's someone that has dealt with the
8 township before. The catch is the cost is a thousand
9 dollars; so if the board is okay with that cost, I just
10 need a motion to authorize us to authorize them to
11 prepare those calculations.

12 MR. KEENER: Who's them?

13 MR. ARMSTRONG: It's Jamie Doyle
14 through PFM.

15 MR. KEENER: Okay.

16 MS. PICKARD: We dealt with her on
17 the Emmaus bond pool.

18 MR. ARMSTRONG: Yeah, she's out in
19 Harrisburg.

20 MR. KEENER: I'll make that motion.

21 MS. PICKARD: I'll second the motion.

22 MR. KERRICK: Motion and second to
23 authorize Pat.

24 Questions or comments on the motion
25 from the public?

1 Call the vote. Jamie?

2 MR. KEENER: I vote in favor.

3 MR. KERRICK: Donny?

4 MR. MOYER: I vote in favor.

5 MR. KERRICK: Heidi?

6 MS. PICKARD: I vote in favor.

7 MR. KERRICK: I vote in favor.

8 Motion carried.

9 What else do you have for us?

10 MR. ARMSTRONG: I'm going to try and
11 keep it brief, guys. Lake Naomi, the pedestrian path,
12 it's my understanding that there's a final outstanding
13 payment waiting to be paid. You're all familiar with the
14 pedestrian path that Lake Naomi put in and the township
15 engineer received the contractor's general release, which
16 was from DePue. He also received the surety statement
17 releasing all, you know, liability from the township and
18 he also received an indemnification statement from DePue.

19 The township engineer's question is
20 to make sure that the board is okay in releasing that
21 final payment -- I think it's a little over \$4,000 --
22 given the fact that we don't have each individual
23 subcontractor release. You don't need to, under the
24 contract that we had with the contractor DePue. You are
25 able to require each subcontractor to sign a release that

1 they've been paid and provided as needed, but you don't
2 need to.

3 So if the board's okay releasing that
4 final payment, you need to let me know so I can let the
5 township engineer know.

6 MR. KERRICK: Any liability on the
7 township?

8 MR. ARMSTRONG: Not -- I haven't
9 really been involved in the project. I think everyone
10 has been paid. DePue has signed his contractor's release
11 basically releasing the township from any claims that the
12 subcontractor may have and indemnifying the township if
13 there was a claim against the township. And the surety
14 company has also certified that DePue has paid all the
15 subcontractors appropriately.

16 Am I going to tell you there's not
17 going to be? I can't tell you that, but I haven't heard
18 any -- I don't think the township's received any
19 complaints from any of the subcontractors on the job. I
20 don't think there were many. The bridge company and
21 maybe one or two others.

22 MR. KERRICK: You need that in a
23 motion?

24 MR. ARMSTRONG: Yeah. I can give you
25 the amount. It's request -- it looks like Request No. 9

1 in the amount of \$4,453.47, which would be the
2 contractor's final payment.

3 MR. KERRICK: What's the board's
4 pleasure? Do we have a motion?

5 MR. KEENER: So moved.

6 MR. KERRICK: Motion. Second?

7 MR. MOYER: Second.

8 MR. KERRICK: Questions or comments
9 from the board?

10 MR. KEENER: Heidi, has there been
11 any further movement on the request -- there was a
12 request regarding that project?

13 MS. PICKARD: No, we filed a 30 day
14 extension.

15 MR. KEENER: Okay.

16 MR. KERRICK: Questions or comments
17 from the public on the motion?

18 Call the vote. Jamie?

19 MR. KEENER: I vote in favor.

20 MR. KERRICK: Donny?

21 MR. MOYER: I vote in favor.

22 MR. KERRICK: Heidi?

23 MS. PICKARD: I vote in favor.

24 MR. KERRICK: I vote in favor.

25 MR. ARMSTRONG: Benecon, the

1 insurance -- the health insurance changeover that the
2 board talked about at the work session? If the board is
3 and the township is still interested in switching
4 companies and entering the Benecon, I guess it's a
5 municipal pool, so to speak, you need to advertise an
6 ordinance to authorize the township to enter into that
7 intergovernmental agreement. So I would need a motion
8 from the board authorizing the preparation of the
9 ordinance and advertising of the same.

10 MS. PICKARD: So moved.

11 MR. KEENER: Second.

12 MR. KERRICK: Motion and second.

13 Questions or comments from the board?

14 Questions or comments from the public
15 on the motion?

16 Call the vote. Jamie?

17 MR. KEENER: I vote in favor.

18 MR. KERRICK: Donny?

19 MR. MOYER: I vote in favor.

20 MR. KERRICK: Heidi?

21 MS. PICKARD: I vote in favor.

22 MR. KERRICK: I vote in favor.

23 Anything else?

24 MR. ARMSTRONG: The planning
25 commission from Tobyhanna Township, as you're aware,

1 they're reviewing the proposed zoning ordinance amendment
2 currently. They met on Thursday of last week and again
3 they wanted to schedule two additional special meetings
4 to discuss and further go through that proposed zoning
5 ordinance amendment.

6 They set two dates. One, June 30, at
7 6 o'clock and the other July 5, at 5 o'clock, which is
8 immediately after your work session. They need approval
9 from the township to advertise for those two additional
10 special meetings and they also requested that I attend
11 those meetings as well, so I would need authorization
12 from the board to attend.

13 MS. PICKARD: Are they having their
14 regular meeting on Thursday, the 7th?

15 MR. ARMSTRONG: I have not heard
16 anything otherwise so --

17 MR. KERRICK: What's the board's
18 pleasure? Do we have a motion?

19 MS. PICKARD: So moved.

20 MR. KEENER: Second.

21 MR. KERRICK: Motion and second for
22 the advertising of the planning commission.

23 Any questions or comments from the
24 public?

25 Call the vote. Jamie?

1 MR. KEENER: I vote in favor.

2 MR. KERRICK: Donny?

3 MR. MOYER: I vote in favor.

4 MR. KERRICK: Heidi?

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I vote in favor.

7 Motion carried.

8 MR. ARMSTRONG: One additional item
9 and then I do have a brief litigation executive session
10 discussion. But the one other item for the public
11 meeting would be, the Pocono Summit Fire Department again
12 contacted the township, I guess, PennDOT's looking for a
13 letter from the township. I had indicated to the
14 township before that you probably don't want to indemnify
15 anyone with respect for the parade, but Heidi and I did
16 come up with a letter -- I don't think the township --
17 the township's already approved or doesn't have a problem
18 with the parade as long as they get all the permits or
19 whatever approvals they need.

20 So we came up with a letter that if
21 the board's okay sending to Pocono Summit who will then
22 in turn forward it on to PennDOT. No real motion is
23 needed, I just need to make sure everyone's okay.

24 MR. MOYER: Okay.

25 MR. KERRICK: I don't know why it's

1 needed but --

2 MR. ARMSTRONG: I think PennDOT was
3 pushing --

4 MS. PICKARD: I did call PennDOT and
5 the gentleman I talked to said if it's not affecting any
6 traffic in Tobyhanna Township, or that, but the gentleman
7 who was handling that was away until tomorrow so we just
8 wanted to make sure we had it done today.

9 MR. ARMSTRONG: Okay. And that's all
10 I have for my report. Thank you for your time.

11 MR. KERRICK: Thank you.

12 Next item under new business, lot
13 joinder Jeffrey (sic) and Shirley Chanitz, Lots 19, 20
14 and 21, Towanda Trail, Arrowhead Lake.

15 Anyone here? What's the board's
16 pleasure?

17 MR. KEENER: I make a motion we
18 approve the lot joinder application of Lots 19, 20 and 21
19 of Towanda Trail, Arrowhead Lake.

20 MS. PICKARD: I'll second the motion.

21 MR. KERRICK: Motion and second.

22 Questions or comments from the board on the motion?

23 Questions or comments from the public
24 on the motion?

25 Call the vote. Jamie?

1 MR. KEENER: I vote in favor.

2 MR. KERRICK: Donny?

3 MR. MOYER: I vote in favor.

4 MR. KERRICK: Heidi?

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I vote in favor.

7 Motion carried.

8 Next item, Arcadia Lots 100 and 110.
9 Chris?

10 MR. CHRISTOPHER McDERMOTT: Hi,
11 Chris McDermott of Reilly Associates. I'm here on behalf
12 of Arcadia Properties. I just wanted to comment tonight
13 and just give the board status of where we are in the
14 approval process. I believe you're all familiar with the
15 project.

16 As you know, we need to get an NPDES
17 permit. It was a significant revision to the permit
18 which was already underway. We've met with the
19 conservation district and DEP four times. Bob McHale has
20 been at the meeting. We're progressing very nicely.
21 We're on schedule for a mid-July recommendation from the
22 Monroe County Conservation District, I hope, cross my
23 fingers, which would put us on target for the August
24 permit.

25 We've submitted everything that they

1 would need to see for that permit in one form or in draft
2 form so that they could see it beforehand. We've gotten
3 the preliminary comments and we were able to bundle
4 everything and give it to them as an entire package last
5 week.

6 Bob McHale has gotten the storm water
7 management plan not only for the post construction that
8 the county and the state have to approve but the storm
9 water management plan associated with the land
10 development for the storm -- for the township storm
11 water, so, Bob is looking at those. We will need a
12 letter from Bob for the Act 167 consistency letter and I
13 want to thank the township for allowing Bob to come to
14 the meetings, I think it's very helpful to get his input
15 right there with the conservation district; so thank you
16 very much. Things seem to be progressing nicely there.

17 We have submitted the detailed
18 highway occupancy permit plan to PennDOT. We've received
19 a minor -- some minor comments. They're a little bit
20 voluminous, but none of them are what I would consider
21 major comments. There are some that I think we have to
22 discuss with PennDOT. I don't know if they read their
23 own strike-off letters sometimes but --

24 MR. KEENER: Did they walk down the
25 hall and get plans?

1 MR. CHRISTOPHER McDERMOTT: Comment
2 No. 1 is we have to provide them with their own plans, so
3 -- but I've got those. I actually got them from the
4 contractor because that was the quickest way to get them
5 rather than through the department, but I got them and
6 we're going to be able to submit them their own plans.

7 There weren't many significant
8 comments as far as design changes. There are some on the
9 traffic impact statement, which I didn't expect them,
10 which at least are very easily explainable in my mind.
11 We'll meet with them and discuss it.

12 There are things that we knew would
13 be identified that we'll need township input on.
14 Particularly improvements to Klock Road as we make
15 adjustments to 115 cross section. We're gonna be raising
16 it slightly in the area of Klock Road so we'll have to do
17 an adjustment on the pavement at Klock to blend in.
18 We're gonna ask the township to be the applicant -- well,
19 they need to be the applicant for Klock Road and we need
20 to meet with you and to review those. So that may be
21 best to schedule, I guess, Heidi, to meet directly with
22 Bob and maybe John and review those in details so you're
23 seeing those now because we'll be back hot and heavy
24 asking for the township to be the applicant.

25 Other things with the signal permit,

1 for the signal at Commerce Boulevard. Let's see, traffic
2 -- township traffic comments, I'd like to also discuss
3 those with Bob. There were traffic comments, I think
4 that were forwarded sometime ago. We probably just need
5 to pick those up and make sure that they're all resolved
6 to the township's satisfaction.

7 Our primary focus has been on the
8 NPDES post construction storm water management plan and
9 PennDOT plan and our real deadline as far as the -- the
10 potential user for this project is to have those in place
11 by August; so our primary function has been there.

12 We are working on the land
13 development plan. I would have liked to have that
14 submission in by now, but we're continuing -- Arcadia
15 asked us to mainly focus on those two permits to make
16 sure they're in place by August but we are continuing on
17 that.

18 MS. PICKARD: You don't have a date
19 when you would be submitting that? Because Bob's going
20 to need to review it before the PC --

21 MR. CHRISTOPHER McDERMOTT: Right.
22 And I think it would be -- one thing that they're trying
23 to get some input from the potential user, the identified
24 user, because not that it would change significantly
25 around the plan, but I would imagine that they'll have

1 input regarding some of the detail right around the
2 building. And if we prepare the detail plan and submit
3 it to you right now, we'd likely get revised, so I'd like
4 to try to get that information to you.

5 So the answer to that question is I
6 need more information from them. But the largest portion
7 of that plan is really the storm water and the envelope
8 around the building, so we're talking about the detail
9 around the building. Of course I need to finish off
10 conversation with Phyllis regarding the -- the screen
11 that we spoke of at last month's meeting.

12 That's about where we are in the
13 process. Heidi, is the best thing for me to do is just
14 call you and schedule time to meet with Bob and John,
15 discuss those things in details and if there's any
16 questions I can answer?

17 MR. ARMSTRONG: The attorney gave me
18 -- the applicant's attorney gave me a call and they have
19 copies of the proposed form development -- land
20 development agreements. I'm just waiting to hear back
21 from them.

22 MR. CHRISTOPHER McDERMOTT: Good. I
23 don't have to worry about that. Thank you for adding
24 that.

25 MR. KERRICK: Any questions? The

1 board have any questions?

2 MR. CHRISTOPHER McDERMOTT: Okay.

3 Thank you for your time.

4 MR. KERRICK: Thank you, Chris.

5 MR. CHRISTOPHER McDERMOTT: Thank you
6 for your cooperation.

7 MS. PICKARD: So, Chris, is this
8 still really on target or are we still down to the final?
9 Are they making a --

10 MR. CHRISTOPHER McDERMOTT: As far as
11 I know everything is on target. They have not been short
12 listed any further than I know of, but I don't know if
13 anybody has. There were several other potential sites
14 and I don't know if they have narrowed it down further.
15 I know we're still in the run so -- and therefore I've
16 been directed to run hard.

17 MR. KERRICK: Thank you. At this
18 time we'll entertain public comments or questions? None?

19 Anybody from the board?

20 MR. KEENER: Yeah. Just I had
21 mentioned at the work session, but as you have noticed in
22 the Pocono Record, I am in the process of transitioning
23 out of my position as township supervisor. There's no
24 date certain yet, but I will be transferring to our
25 Harrisburg office whenever my house sells in Tobyhanna

1 Township.

2 Again, I will let you know as soon as
3 I know when the ultimate date will be but the Record had
4 identified the end of the year. I'm not going to say
5 it's the end of the year because I don't know at this
6 point when it will be; but I know I will be
7 transitioning. I will be working in the Harrisburg
8 office several days a week, but I'll still be residing
9 here in the township.

10 MR. KERRICK: Thank you. Anyone
11 else?

12 Pat, do you have any?

13 MR. ARMSTRONG: Just brief litigation
14 executive session.

15 MR. KERRICK: I'd like to thank you
16 for coming this evening. We're adjourned.

17 (Meeting concluded at 7:45 p.m.)

18 ---

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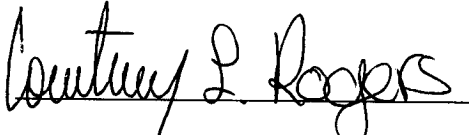
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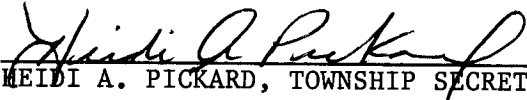
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I hereby certify that the proceedings
and evidence are contained fully and accurately, to the
best of my ability, in the notes taken by me at the
meeting in the above matter; and that the foregoing is a
true and correct transcript of the same.

ORIGINAL


COURTNEY L. ROGERS

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

A G E N D A
Board of Supervisors
Regular Business Meeting
July 11, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: May 9, 2011 Regular Business Meeting
5. Consider the Treasurer's Report: \$264,720.67
6. Solicitor Report: PMHIC Ordinance No 496 Public Hearing
7. New Business:
 - A. Locust Lake Village fireworks -September 4, 2011
 - B. Lot Joinder-David & Marilyn Corbett, Lots 11, 12 & 13 Cranberry Drive
Greenwood Acres
 - C. Consider Resolution No. 2011-018 Berkheimer Confidentiality Contact
 - D. Consider Resolution No. 2011-019 Berkheimer delinquent tax fee schedule
 - E. Consider time extension request for the construction of Arrowhead Lake
Community Association Lodge Temporary Sewage Holding Tank
 - F. Arrowhead Lake Community Association Lodge revised Grading and
Utility Plan
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, July 11, 2011, beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member
JAMIE KEENER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE,
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to
2 welcome everyone here this evening. Could we call
3 the meeting to order with the pledge of allegiance,
4 please?

5 (Pledge of allegiance was
6 recited.)

7 MR. KERRICK: First order of
8 business, do we have any announcements?

9 MS. PICKARD: I just wanted to
10 thank everybody for their help and participation in
11 Community Day. We had a really nice day out at the
12 park on Saturday and hopefully we'll be able to do
13 that again next year.

14 And I wanted to make an
15 announcement, and I don't have the time, but the
16 Pocono Mountain Regional Police Department will be
17 having a take back the night program for the kids
18 in the park on Tuesday, August 2, in the evening
19 and we'll get that information posted as soon as we
20 have it available.

21 MR. KERRICK: Anything else?

22 MS. PICKARD: No.

23 MR. KERRICK: Perfect. Next
24 item of business, consider the minutes of May 9,
25 2011, regular business meeting.

1 MS. PICKARD: I make a motion
2 that we approve the May 9, 2011 regular business
3 meeting minutes.

4 MR. KERRICK: Do we have a
5 second?

6 MR. KEENER: Second.

7 MR. KERRICK: Motion and second.
8 Questions or comments from the board on the motion?

9 Questions or comments from the
10 public on the motion?

11 Call the vote. Jamie?

12 MR. KEENER: I vote in favor.

13 MR. KERRICK: Anne?

14 MS. LAMBERTON: I vote in
15 favor.

16 MR. KERRICK: Donny?

17 MR. MOYER: I vote in favor.

18 MR. KERRICK: Heidi?

19 MS. PICKARD: I vote in favor.

20 MR. KERRICK: I vote in favor.

21 Motion carried.

22 Next item, consider the bill
23 pack dated July 11, 2011, \$264,720.67.

24 MS. PICKARD: I make a motion
25 that we approve the July 11, 2011 bill pack in the

1 amount of \$264,720.67.

2 MR. KEENER: Second.

3 MR. KERRICK: Motion and second
4 from Jamie.

5 Questions or comments on the
6 motion?

7 Questions or comments from the
8 public? Box is in the front if anybody wants to
9 review the bills.

10 Call the vote. Jamie?

11 MR. KEENER: I vote in favor.

12 MR. KERRICK: Anne?

13 MS. LAMBERTON: I vote in favor.

14 MR. KERRICK: Donny?

15 MR. MOYER: I vote in favor.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: I vote in favor.

19 Motion carried.

20 Solicitor's report?

21 MR. ARMSTRONG: Under my report
22 there's an ordinance, it would be Ordinance No.
23 496, for the Pennsylvania Municipal Health
24 Insurance Cooperative. What this is, it's an
25 ordinance that would authorize the township to

1 enter into the Pennsylvania Health Insurance
2 Cooperative, which is an organization -- it's a
3 cooperation of municipalities throughout the state
4 to provide health benefits to their employees.

5 It was brought to my attention
6 and the board, to my understanding, wanted to
7 advertise it for adoption this evening. It has
8 been advertised in the Pocono Record. It was
9 advertised in July 1, 2011 for a public hearing
10 this evening. The reason you have to do it by
11 ordinance is, it's an intergovernmental agreement;
12 and pursuant to the statute, you need to adopt it
13 and approve it by ordinance.

14 With that being said, the
15 ordinance authorizing the agreement, the agreement
16 itself and the things you should be aware of is,
17 one, you're going to be tied into this agreement
18 for three years; and if you want to leave early,
19 there will be a penalty with respect to leaving.
20 The cooperative actually has to approve you as a
21 member.

22 I think Heidi's been involved in
23 discussions with the company. I don't know if
24 you've gotten approval yet, but typically you adopt
25 the ordinance, authorize it, enter into the

1 agreement, and then I think they'll let you know
2 soon thereafter if you're going to be approved.
3 You will have to appoint someone to be a voting
4 member of the cooperative as a representative from
5 the township and that's pretty much it.

6 So this is an ordinance. It was
7 advertised for a public hearing this evening. With
8 that being said, we can open up the public hearing.

9 Are there any comments or
10 discussion from the board at this time? Seeing
11 none.

12 Are there any comments or
13 discussion from the public at this time? Seeing
14 none.

15 Again, this is Ordinance 496.
16 It's been advertised for a public hearing. We can
17 close the public hearing.

18 MR. KEENER: I make a motion we
19 close the public hearing.

20 MS. PICKARD: Second.

21 MR. ARMSTRONG: Now, would the
22 board want to entertain a motion to approve the
23 ordinance, Ordinance 496?

24 MR. KERRICK: You want to vote
25 on that to close? Do we have to vote on it?

1 MR. ARMSTRONG: Oh, yeah.

2 MR. KERRICK: Motion and second.

3 Any questions or comments?

4 Questions or comments from the

5 public?

6 Call the vote to close. Jamie?

7 MR. KEENER: I vote in favor.

8 MR. KERRICK: Anne?

9 MS. LAMBERTON: I vote in favor.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: I vote in favor.

15 MR. KEENER: I make a motion we

16 adopt Ordinance No. 496 relative to the

17 Pennsylvania Municipal Health Insurance Cooperative

18 Intermunicipal Agreement.

19 MS. PICKARD: I second the

20 motion.

21 MR. KERRICK: Motion and second.

22 Questions or comments from the board on the motion?

23 Questions or comments from the

24 public on the motion?

25 Call the vote. Jamie?

1 MR. KEENER: I vote in favor.

2 MR. KERRICK: Anne?

3 MS. LAMBERTON: I vote in favor.

4 MR. KERRICK: Donny?

5 MR. MOYER: I vote in favor.

6 MR. KERRICK: Heidi?

7 MS. PICKARD: I vote in favor.

8 MR. KERRICK: And I'll vote in
9 favor. Motion carried.

10 Anything else, Pat?

11 MR. ARMSTRONG: With respect to
12 that ordinance, you adopted the ordinance
13 authorizing you to enter into the agreement, now
14 you would just need to entertain a motion
15 authorizing the agreement and executing it.

16 MS. PICKARD: I make a motion
17 that we execute the agreement.

18 MR. MOYER: Second.

19 MR. KERRICK: Motion and second.
20 I have a question, in that same motion have the
21 voting delegate for the --

22 MR. ARMSTRONG: Yeah,
23 absolutely. If you want to appoint the delegate
24 tonight, that will be fine.

25 MR. KERRICK: Do we just want to

1 have Heidi?

2 MR. KEENER: Yep.

3 MR. KERRICK: Do you want to
4 make your motion or do you want somebody else to
5 make it because -- make the motion.

6 MS. PICKARD: I'll make the
7 motion and amend it as stated.

8 MR. MOYER: I amend my second.

9 MR. KERRICK: Amend your second?
10 Questions or comments on the
11 motion?

12 Questions or comments from the
13 public on the motion?

14 Call the vote. Jamie?

15 MR. KEENER: I vote in favor.

16 MR. KERRICK: Anne?

17 MS. LAMBERTON: I vote in favor.

18 MR. KERRICK: Donny?

19 MR. MOYER: I vote in favor.

20 MR. KERRICK: Heidi?

21 MS. PICKARD: I vote in favor.

22 MR. KERRICK: And I'll vote in
23 favor. Motion carried.

24 Pat, anything else?

25 MR. ARMSTRONG: The only other

1 thing is with respect to the proposed ESSA loan, as
2 you're aware, DCD is in the process of reviewing
3 your submittal and the approval of that submittal.

4 One thing that has come up is
5 the disbursement date is going to be July 29 and
6 the actual first payment was going to be August 1,
7 which only gave you a three day period, which means
8 that the first payment would have been pretty much
9 all principal and it was suggested or recommended
10 or they just actually wanted to poll you to see if
11 you wanted to keep that August 1 date or if the
12 bank was agreeable, if you wanted to push it out,
13 the first payment to be September 1 so you actually
14 have a full month after the disbursement date.

15 The difference in the monthly
16 payments would be -- if you kept the -- if you kept
17 the August 1, 2011 first payment date, the monthly
18 payments would be \$31,126.32; and if you have the
19 September 1, 2011 first payment date, the payment
20 would be \$31,136.33, so it's a difference of \$10.01
21 per month.

22 MR. KEENER: What's the monthly
23 payment?

24 MR. ARMSTRONG: For which?

25 MR. KEENER: What did you say,

1 31?

2 MR. ARMSTRONG: \$31,136.33 if
3 you use the September 1 date.

4 MR. KEENER: There's your road
5 repair money. Push it back to September.

6 MS. PICKARD: That's for the
7 sewer.

8 MR. ARMSTRONG: Yeah, it's for
9 the sewer.

10 MS. PICKARD: It won't matter
11 too much one way or another because we'll be paying
12 less interest if we -- we pay it on the principal,
13 but it's three days after.

14 MR. KEENER: Can you get it
15 done?

16 MR. ARMSTRONG: I think they can
17 get it done, it's just --

18 MR. KEENER: Can you get the
19 payment made in three days?

20 MR. ARMSTRONG: I think it was
21 more an issue of ESSA getting a bill out to you.

22 MR. KEENER: Or at closing why
23 don't they just --

24 MS. PICKARD: It's a \$2400
25 difference.

1 MR. KERRICK: Over 20 years.

2 MS. PICKARD: Over 20 years.

3 MR. KEENER: It doesn't matter
4 to me. I mean, if he can do it, we might as well
5 do it.

6 MR. ARMSTRONG: It's up to the
7 board --

8 MS. PICKARD: Typically it would
9 probably just be easier not to be pressured to have
10 the information to transmit that within three days
11 and I'm not sure how --

12 MR. ARMSTRONG: I think that's
13 why they brought it up, yeah.

14 MR. KERRICK: Do we need a
15 motion to change --

16 MR. ARMSTRONG: Yeah.

17 MS. PICKARD: The 30th and the
18 31st are on the weekend, so it will be due the
19 Monday after we close so --

20 MR. KERRICK: Come on, you can
21 handle it. It's three days.

22 MR. KEENER: If you know what
23 the payments are going to be, why can't we just be
24 ready to make -- make that payment at closing?

25 MR. ARMSTRONG: It's up to the

1 board. The bank is fine either way, I'm okay
2 either way.

3 MS. PICKARD: John's got a lot
4 of good things. He'll probably be tending to the
5 sewer plant (inaudible).

6 MR. KEENER: Can you use 31,000
7 in the sewer plant for a month?

8 MR. KERRICK: Hopefully we don't
9 have to spend it on anything, but there's always
10 something that breaks.

11 MR. KEENER: Make a decision,
12 just go with it either way.

13 MS. PICKARD: Let's just start
14 with the September 1.

15 MR. ARMSTRONG: September 1?
16 Okay.

17 MR. KERRICK: Does that have to
18 be in a motion?

19 MR. ARMSTRONG: Is there a
20 motion?

21 MR. KEENER: So moved.

22 MS. PICKARD: I make a motion
23 that we postpone the first payment on the ESSA loan
24 to September 1.

25 MR. KERRICK: Questions or

1 comments?

2 Questions or comments from the
3 public?

4 Call the vote. Jamie?

5 MR. KEENER: I vote in favor.

6 MR. KERRICK: Anne?

7 MS. LAMBERTON: I vote in favor.

8 MR. KERRICK: Donny?

9 MR. MOYER: I vote in favor.

10 MR. KERRICK: Heidi?

11 MS. PICKARD: I vote in favor.

12 MR. KERRICK: Motion carried.

13 MR. ARMSTRONG: That's all I
14 have. Thank you.

15 MR. KERRICK: New business,
16 Locust Lake fireworks, September 4, 2011.

17 Anyone here represent Locust
18 Lake?

19 MS. PICKARD: We received the
20 application for a fireworks display September 4,
21 Locust Lake Village. All the information is in the
22 packet. They paid the application fee, provided us
23 with certificate of liability from International
24 Fireworks reviewed by our zoning officer.

25 If our solicitor is fine with

1 that, I'll make a motion to approve.

2 MR. KERRICK: Do we have a
3 diagram of where it's going to be?

4 MS. PICKARD: There's a map over
5 East Lake.

6 MR. KERRICK: East Lake? Okay.

7 MR. ARMSTRONG: Yeah, the
8 township's named as an additional insured.

9 MR. MOYER: Yeah, I see it. 10
10 to 12 minutes.

11 MS. PICKARD: Yeah, 10 to 12
12 minutes.

13 MR. MOYER: I'll second.

14 MR. KERRICK: Motion and second.
15 Do I need a motion, Heidi?

16 MS. PICKARD: I made the motion.

17 MR. KERRICK: You made a motion?
18 And Donny seconded.

19 Questions or comments from the
20 board on the motion?

21 Questions or comments from the
22 public on the motion?

23 Call the vote. Jamie?

24 MR. KEENER: I vote in favor.

25 MR. KERRICK: Anne?

1 MS. LAMBERTON: I vote in favor.

2 MR. KERRICK: Donny?

3 MR. MOYER: I vote in favor.

4 MR. KERRICK: Heidi?

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I'll vote in

7 favor. Motion carried.

8 Next item, lot joinder, David
9 and Marilyn Corbett, Lots 11, 12 and 13, Cranberry
10 Drive, Greenwood Acres.

11 Anyone here represent the
12 Corbetts? No.

13 Any information on that, Heidi,
14 or is it self-explanatory?

15 MS. PICKARD: It's pretty
16 self-explanatory. They are in a sewer area and
17 the assessment liens have been paid and satisfied
18 and they would only be requiring one (inaudible)
19 hookup then.

20 MR. KERRICK: Good. Is that a
21 motion?

22 MS. PICKARD: I'll make a motion
23 we approve the David and Marilyn Corbett lot
24 joinder, Lots 11, 12 and 13 Cranberry Drive,
25 Greenwood Acres.

1 MR. KEENER: Second.

2 MR. KERRICK: Motion and second.

3 Questions or comments from the board?

4 Questions or comments from the
5 public on the motion?

6 Call the vote. Jamie?

7 MR. KEENER: I vote in favor.

8 MR. KERRICK: Anne?

9 MS. LAMBERTON: I vote in favor.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: I vote in favor.

15 Next item, consider Resolution

16 No. 2011 dash 018, Berkheimer confidentiality
17 contract.

18 Does this have to do with earned
19 income?

20 MS. PICKARD: Yes. This is for,
21 our new countywide earned income tax collector will
22 be Berkheimer and this is just two resolutions on C
23 and D. The first one is confidentiality contract,
24 which lists myself as a contact if there's any
25 question on somebody's taxes and spells out the

1 confidentiality requirement.

2 MR. KEENER: I make a motion we
3 approve Resolution 2011 dash 018 for Berkheimer
4 confidentiality contract appointing Heidi Pickard
5 as the point of contact for Tobyhanna Township.

6 MR. KERRICK: Do we have a
7 second?

8 MR. MOYER: Second.

9 MR. KERRICK: I don't know if
10 this is the proper time, I'd just like to express
11 my displeasure of the countywide -- forced the
12 decision on something we had no choice.

13 MS. LAMBERTON: That is correct.

14 MR. KERRICK: Any questions from
15 the board?

16 Questions or comments from the
17 public?

18 Call the vote. Jamie?

19 MR. KEENER: I vote in favor.

20 MR. KERRICK: Anne?

21 MS. LAMBERTON: I'll vote in
22 favor.

23 MR. KERRICK: Donny?

24 MR. MOYER: I vote in favor.

25 MR. KERRICK: Heidi?

1 MS. PICKARD: I vote in favor.

2 MR. KERRICK: I vote in favor.

3 Motion carried.

4 Next item, consider Resolution
5 No. 2011 dash 019, Berkheimer delinquent tax fee
6 schedule.

7 MS. PICKARD: And that's just a
8 list of the fees that Berkheimer will charge for
9 delinquent tax collection.

10 MR. KERRICK: Do we have a
11 motion?

12 MS. PICKARD: I'll make a motion
13 we approve Resolution 2011 dash 019, Berkheimer
14 delinquent tax fee schedule.

15 MR. KERRICK: Second?

16 MR. KEENER: Second.

17 MR. KERRICK: Questions or
18 comments from the board on the motion?

19 Questions or comments from the
20 public on the motion?

21 Call the vote. Jamie?

22 MR. KEENER: I vote in favor.

23 MR. KERRICK: Anne?

24 MS. LAMBERTON: I vote in favor.

25 MR. KERRICK: Donny?

1 MR. MOYER: I vote in favor.

2 MR. KERRICK: Heidi?

3 MS. PICKARD: I vote in favor.

4 MR. KERRICK: I vote in favor.

5 Next item, consider time

6 extension request for the construction of Arrowhead
7 Lake Community Association Lodge temporary sewage
8 holding tank.

9 Anyone here from Arrowhead Lake?

10 MR. KEENER: Do they have a time
11 request?

12 MS. PICKARD: We had a short
13 letter that Ted wrote out to Phyllis, which is in
14 your packet.

15 MR. KEENER: Very short.

16 MR. KERRICK: I was thinking the
17 same thing.

18 MS. PICKARD: We had like a two
19 or three page letter and he was advised by his
20 friends at Arrowhead to shorten it up.

21 MR. KERRICK: He did. One line.

22 MS. PICKARD: So this is just
23 basically the sewage holding tank hasn't even been
24 put in, may not be put in, but it was tied to the
25 developer's agreement so it expired June 30.

1 MR. ARMSTRONG: In the
2 development agreement, I had a provision in there
3 that indicated that, one, they needed to get their
4 -- all their other permits in place for the sewer
5 within a year of the development agreement, but
6 they were also permitted to use a temporary holding
7 tank until that time frame. But if it went beyond
8 one year, they had to come back and make sure the
9 board was still on board with the temporary holding
10 tank, beyond the one year period.

11 MR. KEENER: I'll make a motion
12 we approve the extension of the holding tank for an
13 additional one year period.

14 MR. KERRICK: Motion. Do we
15 have a second?

16 MS. LAMBERTON: I'll second.

17 MR. KERRICK: Questions or
18 comments on the motion from the board?

19 MS. PICKARD: Just to comment
20 that we received an email from Bob McHale that they
21 got copied on their resubmittal to DEP for -- to
22 get the lines permitted, so they are still working
23 towards that aim and they may not use the holding
24 tank.

25 MR. KERRICK: That would be

1 great if they didn't have to.

2 MS. LAMBERTON: I know.

3 MR. KERRICK: It makes no sense.

4 Questions or comments from the
5 public on the motion?

6 Call the vote. Jamie?

7 MR. KEENER: I vote in favor.

8 MR. KERRICK: Anne?

9 MS. LAMBERTON: I vote in favor.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: And I'll vote in
15 favor.

16 Next item, Arrowhead Lake
17 Community Association Lodge revised grading and
18 utility plan.

19 MS. PICKARD: The plan is up on
20 the tripod outside and this was just where
21 Arrowhead agreed to do what we had initially
22 accepted, to place the holding tank for the sewage
23 -- temporary sewage holding tank in the grassy
24 area, but inside the buffer, in case they need to
25 put them in. They did have them on the plans

1 underneath the pavement and they were afraid that
2 it would hold up their paving if they needed to put
3 the holding tank in. I don't know whether Bob had
4 any conditions.

5 MR. KERRICK: I don't recall any
6 conditions.

7 MS. LAMBERTON: I thought that
8 he was okay with that if it's outside of it.

9 MS. PICKARD: Yeah. They had to
10 move it outside, which they did. Plan depicts on
11 the outside of the required 20 foot buffer.

12 MR. KERRICK: Do we have a
13 motion?

14 MR. KEENER: I make a motion we
15 approve the revised grading and utility plan for
16 Arrowhead Lake Community Association Lodge.

17 MR. KERRICK: Motion. Do we
18 have a second?

19 MS. LAMBERTON: I'll second.

20 MR. KERRICK: Motion and second.
21 Questions or comments?

22 Questions or comments from the
23 public?

24 Call the vote. Jamie?

25 MR. KEENER: I vote in favor.

1 MR. KERRICK: Anne?

2 MS. LAMBERTON: I vote in favor.

3 MR. KERRICK: Donny?

4 MR. MOYER: I vote in favor.

5 MR. KERRICK: Heidi?

6 MS. PICKARD: I vote in favor.

7 MR. KERRICK: I vote in favor.

8 Motion carried.

9 Do we have anything to -- we
10 want to discuss?

11 MS. PICKARD: I just want to
12 mention that we're getting a revised graph on the
13 Blakeslee visioning master plan. They'll have that
14 submitted by the end of the week, I'm hoping; so
15 we're sort of on deck that Mark will be able to do
16 that presentation at our August meeting, on the
17 8th.

18 MR. KEENER: Okay. That's fine.
19 Mr. Chairman?

20 MR. KERRICK: Yes, sir.

21 MR. KEENER: Just again, just to
22 bring up the dedication of the dugouts at some
23 point, just like to have some discussion about it
24 and have a decision at some point. Hopefully by
25 the next meeting if we could.

1 MS. PICKARD: You want me to put
2 that on the work session agenda?

3 MR. KEENER: Yeah, if you could.

4 MR. KERRICK: That's fine.

5 Anything else that the board
6 has?

7 MR. KEENER: I'd like to
8 personally thank those who were involved in putting
9 together the community days, I know Heidi had
10 mentioned it before, but I was here on Saturday and
11 it's nice to see all the different participants
12 from the fire departments and the police and local
13 business people and again just to bring people
14 together to understand, you know, what we have here
15 and again to use the park as another opportunity to
16 show off some of the community assets that we have.

17 So thank you to the staff as
18 well.

19 MR. KERRICK: I think there was
20 -- as far as business people, there was quite of
21 few. Where last year we opened it up and the word
22 seemed to get out this year.

23 MS. PICKARD: We opened it up
24 and had a couple people. We charge \$25 for a
25 township resident business to be a part and that

1 worked out really nicely and we had some people
2 that came out and helped us out. Pocono
3 Motorsports let us use a golf cart and had his son
4 running around and shuttling people around.

5 But it was a big hit and it gave
6 us more diversity in our offerings and we had a
7 variety of groups doing things and then
8 Entertainment Place had a Snow White dressed up and
9 the YMCA and some of the other groups had some
10 other things for the kids. So it was really nice.

11 MR. KERRICK: Good.

12 MS. PICKARD: And I wanted to
13 thank Grim, Biehn & Thatcher and Mike Carroll, Mike
14 Carroll who also donated so that we can get the
15 bouncy house and the clown.

16 MR. MOYER: And Joe.

17 MS. PICKARD: And Joe Irizarry
18 as always, and we'll be putting a little note in
19 the Journal to thank everybody and -- everybody
20 that participated.

21 MR. KERRICK: Anyone from the
22 public wish to address the board? No. Almost a
23 record tonight.

24 MR. KEENER: I make a motion we
25 adjourn.

1 MR. KERRICK: We're adjourned.
2 Thank you for attending.

3 (Meeting concluded at 7:22 p.m.)

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I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

ORIGINAL

Courtney L. Rogers
COURTNEY L. ROGERS

Respectfully submitted:

Heidi A. Pickard
HEIDI A. PICKARD, TOWNSHIP SECRETARY

A G E N D A
Board of Supervisors
Regular Business Meeting
August 8 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: June 13, 2011 Regular Business Meeting
5. Consider the Treasurer's Report: \$157,623.90
6. Solicitor Report:
7. New Business:
 - A. Blakeslee Visioning Presentation
 - B. Financial Assistance Program of Monroe County II
 - C. Consider Resolution 2011-020 Appropriations
 - D. Arcadia update-Reilly Associates
 - E. Arcadia
 1. Authorize Township Secretary to sign application for permit to install and operate traffic signals-Route 115 and Commercial Blvd.
 2. Authorize John Kerrick to sign PennDOT HOP (Drainage Improvements) application
 - F. Consider Resolution 2011-021 Erect traffic signals - Route 115 and Commercial Blvd.
 - G. Consider Resolution 2011-022 modify existing traffic signals - Route 115 and Route 940
 - H. Designation of EMS-Thornhurst Bridge Status
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, August 8, 2011, beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member
JAMIE KEENER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE,
Solicitor

--- ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to call
2 the meeting to order, the Board of Supervisors,
3 Tobyhanna Township. We'll open the meeting with
4 the pledge of allegiance, please.

5 (Pledge of allegiance was
6 recited.)

7 MR. KERRICK: It certainly is
8 nice to see the room full this evening.

9 First item of business,
10 announcements.

11 Do you have any, Heidi?

12 MS. PICKARD: I don't have any
13 announcements.

14 MR. KERRICK: Consider the
15 minutes of June 13, 2011 regular business meeting.

16 MS. PICKARD: I have a
17 correction to the June 13 minutes on Page 31 on
18 Lines 14, 16, 17 and 18, Klock Road should be Klock
19 with a K, K-L-O-C-K, Road. And with that, I'll
20 make a motion that we approve the June 13, 2011 --

21 MR. KERRICK: I can't write that
22 fast.

23 MS. PICKARD: -- regular
24 business meeting minutes.

25 MR. KEENER: Second.

1 MR. KERRICK: Motion and second.
2 Questions or comments from the
3 board?

4 Questions or comments from the
5 public on the motion?

6 Call the vote. Jamie?

7 MR. KEENER: I vote in favor.

8 MR. KERRICK: Anne?

9 MS. LAMBERTON: I'll abstain.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: I vote in favor.

15 Motion carried.

16 Next item on our agenda,
17 consider the treasurer's report. Total amount for
18 board approval, \$157,623.90.

19 MS. PICKARD: I make a motion
20 that we approve the August 8, 2011 bill pack in the
21 amount of \$157,623.90.

22 MR. MOYER: Second.

23 MR. KERRICK: Motion and second.
24 Questions or comments?

25 Questions or comments from the

1 public? Bills are up front in the box if anybody
2 cares to take a look at them.

3 Call the vote. Jamie?

4 MR. KEENER: I vote in favor.

5 MR. KERRICK: Anne?

6 MS. LAMBERTON: I'll abstain.

7 MR. KERRICK: Donny?

8 MR. MOYER: I vote in favor.

9 MR. KERRICK: Heidi?

10 MS. PICKARD: I vote in favor.

11 MR. KERRICK: I'll vote in
12 favor. Motion carried.

13 Next item, solicitor's report.

14 MR. ARMSTRONG: I don't have
15 anything under my report this evening. I do have a
16 brief litigation matter to discuss in executive
17 session.

18 MR. KERRICK: Okay. Next item,
19 new business. Blakeslee Visioning.

20 It's yours.

21 MR. MARK EVANS: Good evening,
22 everyone. My name is Mark Evans. I am the town
23 planner that's been working with your community for
24 the last six, seven months focusing on the Village
25 of Blakeslee, and I'm very excited to get started

1 here. I'll just turn on the magic screen here.

2 MR. KERRICK: Mark, do you want
3 the lights down a little?

4 MR. EVANS: Yeah, there are two
5 lights --

6 MR. KERRICK: In the back.

7 MR. EVANS: Two lights.

8 MR. KEENER: How's that?

9 MR. MARK EVANS: Great. Thank
10 you.

11 This six, seven month process
12 has been very exciting for our firm to be able to
13 work with your community. It has been a -- very
14 unique. All across the Commonwealth, it's very
15 rare to see a municipality and business owners,
16 property owners, come together in a form of a
17 public private partnership. Working together to
18 figure out what should the future of a treasured
19 community be.

20 What should the future of the
21 Village of Blakeslee be and how can we lay out a
22 sensible plan for its future, for its possibilities
23 that make sense for today and makes sense for a
24 master plan for the next 20 years because this
25 requires everyone to pull together around a shared

1 vision.

2 This is 1936. This is back when
3 the Blakeslee crossroads had an airstrip where
4 there's now a shopping center, where, as a
5 crossroad, the old Model T truck there had four
6 buildings. One on each corner. Each of them were
7 three and a half to four story -- three and a half
8 -- two and a half to three and a half stories in
9 height and every corner had an important civic
10 building that pumped gas, was a place to stay, it
11 was a crossroads corner. And we believe it should
12 continue to be that type of crossroads corner and
13 we spent, you know, quite a few months listening to
14 a series of workshops to figure out what the
15 visioning should be for Blakeslee.

16 This is one of a number of
17 images that we discovered over the last few months
18 that we thought might be representative of the type
19 of character of what a walkable Blakeslee could be.
20 This is not Blakeslee, but it is what Blakeslee
21 could be with a collaborative effort to lay a
22 master plan and put it into place and so this is
23 what --

24 And part what of what you see
25 here are a variety of materials: Porches,

1 on-street parking, a community green at the center,
2 at the crossroads, and bringing together a place
3 where it feels safe, a place where it feels
4 walkable, a place where it feels like you've come
5 home to your village.

6 But to get there, we're gonna
7 have to do some work, because, as you are well
8 aware, for the last five, six, seven decades, the
9 era of the car has been alive and well. And it's
10 in fact parking lots, you know, Pennsylvania
11 Department of Transportation, road widening and all
12 the things that have affected not just Blakeslee,
13 but have affected America, have been at work on
14 this village and have degraded it from its once
15 very proud and historic roots, to a place that has
16 lost touch and I think it's a little -- you know,
17 looking for a focus; so that is what we're hoping
18 to focus on is really rediscovering the roots of
19 Blakeslee and build upon those roots.

20 So the first step in the process
21 -- and what I'm referring to here as I go through
22 this directly matches a booklet that will be made
23 available on the web within a week and this is a
24 master plan report. This is a -- this is a, let's
25 say, maybe a 20 page document and it steps through

1 eight steps in the process that we went through to
2 create the vision.

3 In the first step in this
4 process -- let's get back to here. The first step
5 is to focus on where we are. The study area that
6 we were asked to look at really focuses on the
7 future commercial areas, the future land use map
8 for -- that the township put together to say areas
9 that are presently at the crossroads of 940 and
10 115. The area in red and the area in rose, that is
11 the area we're looking at.

12 The plan is not addressing and
13 it has no plans for the existing residential
14 neighborhoods of Blakeslee. They're fine and they
15 will be -- our goal is to really link and tie
16 together this village plan with the neighborhoods
17 so that it becomes one place where walkable
18 commercial districts and walkable residential
19 neighborhoods can blend together, and so we'll talk
20 a little bit more about where we want to go with
21 that.

22 So I'm gonna step over this way
23 so I'm not staring over my shoulder here. We went
24 through a series of four listening sessions. Two
25 hour sessions where we had maybe 50, 60 people come

1 together and we did a lot of listening. A variety
2 of property owners and business owners and various
3 folks from the township to really say what's been
4 happening. And so we went through that process,
5 then we went through a community preference survey.
6 This both had on-line survey where people had been
7 able to vote over the last handful of months, as
8 well as people filled out those score sheets you
9 see right there and made some votes.

10 So what you see in this bottom
11 right-hand corner here is a reflection of a variety
12 of images. This one example focusing on village
13 square where we identified that this image received
14 50 percent, six percent of the total compared to
15 these other images and it was a way for us to get a
16 barometer of understanding what is it that folks
17 from Tobyhanna Township want to see happen in
18 Blakeslee.

19 Here is a picture from one of
20 those meetings right here in this room where we
21 worked together to figure out what -- what are the
22 possibilities, where we want to go with this. So
23 this is one of those visioning meetings.

24 This was the next step in the
25 process, which was really a series of planning

1 workshops, visioning workshops, where we had --
2 this color map here filled the center of this room
3 and all these colored pieces represent residential
4 buildings, commercial buildings, civic buildings,
5 office, and the possibilities of how we could
6 delicately weave them in between the existing
7 buildings of the village to make a pattern that
8 would help lay this framework for the village in
9 the future.

10 And so at one table over in this
11 corner over here we focused on trails and on
12 bikeways and walkways and sidewalks and how to make
13 the village more walkable. So a lot of issues were
14 discussed at these workshops. These were maybe on
15 a Tuesday, on a Saturday in April.

16 But here's the big picture as we
17 went through this whole process. We realize that
18 Blakeslee is a crossroads not just within the
19 township, but it's a crossroads within the Pocono
20 Mountains region as a whole. And that the
21 opportunity for Blakeslee right here, at 115 and
22 940, not far off from I-80, has the opportunity to
23 capture the market, capture not just for those who
24 live here and want to be able to walk, but to be
25 able to be -- as people are traveling through,

1 wouldn't it be nice to be able to stop and have a
2 restaurant? Wouldn't it be nice to be able to have
3 different ways of creating that sort of crossroads
4 village that would connect for people who are
5 coming here to go skiing, people who are coming to
6 go to the raceway, people who are going to their
7 lakeside resorts? You have a remarkable beautiful
8 landscape here and the village is one way of
9 connecting that so that it becomes a place to stop
10 on your way to enjoy the Poconos.

11 But, you know, this has been --
12 this place has been remarkable for a long time. It
13 has clearly -- the community house here in
14 Blakeslee is a landmark that should be protected,
15 should be preserved and enhanced at the heart of
16 the Village of Blakeslee. And so what you see here
17 is probably a 1920 black and white photo with
18 landscaping and obviously this beautiful, beautiful
19 porch and trees, and we believe that this should be
20 where the beginnings of one of the great public
21 places of Blakeslee should start.

22 And so I'm gonna share with you
23 a handful of architectural historical photographs
24 of the village and some from the township to give
25 you an idea that we want to make sure that wherever

1 we go into the future, that we don't forget where
2 we come from. And so that is really important that
3 we build upon the legacy that has been developed
4 over the last 80 years.

5 Clearly the -- correct me, is it
6 the United Methodist Church?

7 AUDIENCE MEMBERS: Yes.

8 MR. MARK EVANS: -- is an
9 important landmark that has a remarkable character
10 that we should celebrate. This is the Tobyhanna
11 falls house. I believe this is now McGinley's.
12 And, so, here's a postcard that someone had sent
13 and I was really fortunate to be able to listen in
14 on a meeting of the Historical Association of
15 Tobyhanna Township and a number of folks shared
16 some really great images to me about the -- sort of
17 the history of the village and some of its roots.

18 Here's an image that was shared
19 with me that is the -- one of the pictures of the
20 old post office. Look at this. Think of --
21 imagine a post office, United States Post Office
22 with a two story gabled roof with double story
23 columns with windows on both sides. Clearly, you
24 know, this is -- this is back in probably 1860, but
25 this is a part of your heritage and we need to find

1 a way to make the post office and all the other
2 businesses that surround it be a place where -- a
3 vibrant place of commerce.

4 Right now it does that, but
5 right now the existing post office is surrounded by
6 churches and by noncommercial uses and so you don't
7 get that kind of walkable -- walkable connections
8 between the post office because right now, you
9 know, the existing post office sits in a bit of an
10 island in the sense that it doesn't have adjoining
11 commercial uses. Vibrant villages rely on having a
12 synergy of multiple neighboring uses helping each
13 other to be successful.

14 Here's an example of the -- of
15 what is now the corner and this is what become the
16 corner now, Blakeslee Village. And so we need to
17 find a way to return to a place where the village
18 is not just known for a sign or for a highway
19 crossroads but a place where you can walk and live.

20 So what we have found here --
21 and I'm gonna hold on these three images for a
22 little bit. This is the Luther Land Lodge in
23 Pocono Pines. This, I believe, is called -- what's
24 known as the Antlers, it is now still standing as
25 well in Pocono Pines. This is the Pocono Lake

1 Hotel in Pocono Pines. These to me, I thought,
2 captured the spirit of some really important
3 principles that we should look to as we move
4 forward in the planning for the village.

5 The first one is open porches.
6 Notice that every one of these features ground
7 floor open porches, in many cases, wrapping around
8 on two sides. What a welcoming. Look at the
9 gable. Gable roofs, gambler roofs with the second
10 pitch, as well as hip roofs. Those are thing we
11 should pay attention to as we look at roof shakes
12 in the future. Most of these buildings are one and
13 a half to two and a half stories. That half story
14 always sort of peeking out of the dormers, but in
15 some cases there were three and a half story
16 buildings as well.

17 Most all the materials are
18 either clapboard or shingles. Very little in the
19 way of brick and so that's one of the things that
20 we took note of. And we took the results of all of
21 what not only what we learn from the history of the
22 village but from listening to the 120 people who
23 participated in the survey in one way or another
24 and learned some ideas about what people were
25 looking for.

1 This shows store front -- ground
2 floor storefront retail and other uses above.
3 Maybe that's not an office above, maybe that's
4 residential above. And this is one of the
5 collection of slides from the booklet that really
6 talks about saying that there was a preference for
7 multiple smaller buildings rather than larger big
8 buildings. A preference for open air columns and
9 porches and street side cafes, a preference for
10 town homes that didn't have garage doors in the
11 front but maybe have the garages in the rear. A
12 preference for homes with -- you know, and homes
13 that might in fact work with the wooded landscape
14 of your township.

15 So these are the basic
16 principles that we heard and, you know, this is
17 really focusing on entrances facing the street. In
18 many cases the storefronts every 20 to 30 feet,
19 ground floor uses should be active uses such as
20 retail and restaurants and the upper floor uses
21 could be residential or office. It's that sort of
22 traditional pattern of the way many successful
23 villages have thrived over the years, and also we
24 talked about the roofs as well.

25 It's not just about buildings,

1 though, it's also about streetscaping. It's about
2 the landscape. Here's an example of an image that
3 rated very highly where people said hey, we like
4 the fact that there's a tree, there's a walkway,
5 maybe there's a fence or grass edge, maybe there's
6 a clock or a sidewalk in some areas as well. But
7 focus on the pedestrians and pull the garages and
8 driveways away from the street and pull those to
9 the rear.

10 We also focused on public
11 places. This image here focuses on a square, a
12 sort of open lawn of green. This one more of a
13 plaza, a place to sit and meet or -- meet a friend
14 and this one here more of a green where you could
15 have a civic place in the center of that. Maybe a
16 sitting area.

17 So all of these are a part of
18 the plan that we put together, but there are also a
19 number of specific things that you all shared and
20 your neighbors and friends shared at these
21 meetings. This is a picture from one of those
22 meetings. We asked a couple questions. We asked
23 two questions at these meetings and we said what
24 could the Township of Tobyhanna, local property
25 owners, business owners do to make a more welcoming

1 -- make Blakeslee a more welcoming place to live,
2 shop and visit.

3 We heard fill the empty shopping
4 centers, update the look of the shopping centers
5 and more small businesses. We also heard, remove
6 advertising trucks, clean up the streets, improve
7 signage standards, have upscale storefront signs,
8 quaint, antique charming styles. And we also heard
9 improve access to the Blakeslee natural area, and
10 so that became something that I'll get into a
11 little bit more.

12 The second question we asked
13 was, what's your vision for the Village of
14 Blakeslee. Think into the future about the
15 possibilities of what the village could be. What
16 we heard was -- a quote was a touristy place to
17 visit and shop with cafe style dining and outdoor
18 seating, boutiques, Panera Bread, Christmas shops,
19 antique stores and ice cream parlors. Quaint
20 location to be proud of.

21 I think you get the theme,
22 there's -- people want to make sure that
23 Blakeslee's not just a place to drive by, but a
24 place to arrive. So that can happen and we heard
25 that as a large theme. Here are some images and

1 some words focusing on that sort of walkable cafe
2 and green spaces.

3 So now we get to the village
4 master plan and this is not a set in stone plan,
5 this is not a it's gonna happen tomorrow plan, it's
6 a vision. It's a vision that -- but it has -- it
7 informs how the township can begin to look into the
8 future about basic things such as streets and
9 sidewalks, and so --

10 So as you look at this plan I
11 want you to focus not only on the fact that we, you
12 know, believe that 940 and Pennsylvania 115 are a
13 very important crossroads, that we need to build
14 around the framework of those, but we also think
15 there's opportunities for weaving together new
16 streets over time. Locating parking lots to the
17 rear of buildings rather than the front of
18 buildings.

19 And any time you see this sort
20 of orangish color here, that's an existing
21 building. With almost no exceptions you will be
22 able to see every existing structure in the entire
23 village protected and we've worked around it. I
24 think there may be one or two exceptions to that,
25 but I really want you to understand that this is

1 really about saying how can we work with the
2 buildings that are here.

3 Spruce them up, make them better
4 and then when, where it makes sense for a private
5 property owner to say hey, I want to invest and do
6 something new on the back of my property, the side
7 of my property. Maybe there's an opportunity. You
8 know, this is the Blakeslee Community Center.
9 Right now this is the post office.

10 So what if there were an
11 addition put onto the front of the existing post
12 office. What if there were a building placed
13 adjacent to the Blakeslee Community Center but a
14 building that would create an opportunity for a
15 cafe, a place that might be mutually supportive of
16 the community center. What if there were a
17 building placed here in front of the former church.
18 You know, what if there were, you know, other
19 buildings that would create a sense of street
20 experience on both sides of the street, 'cause
21 ultimately successful places where people feel
22 safe, they want to know that they can see the
23 storefront across the way. They can see and make
24 it feel like a very walkable street.

25 So this -- you know, this here

1 is the WaWA over here, this is the CVS and in many
2 cases we see opportunities to add to those and
3 infill around them and reconfigure the parking. So
4 that's the basic theme that you will see. This is
5 the overall master plan and so what you see here --
6 this is Route 115, Pennsylvania 115. This is
7 Pennsylvania 940 and this is the community center,
8 this is the Blakeslee Village Shopping Center, this
9 is the Ahart Supermarket here, the Blakeslee Inn.

10 And so what you can see, the
11 basic theme and framework here is a series -- and
12 I'm gonna sort of follow some lines here. Imagine
13 if you could place a new street or you could walk
14 along a sidewalk, both sides of the street, along
15 the front of what's now the Blakeslee Village
16 Shopping Center, the Plaza, and walk along it and
17 create a village green right here and then walk
18 across this way and then there's, you know, some
19 shops along here. If there's a village green here.

20 What if there were a street
21 connecting all the way out to Ahart's here so that
22 we can begin to create a whole walkable village
23 network. And it doesn't have to -- this is not a
24 city, this is a village. And so we want to make
25 sure that the scale of the buildings matches what

1 you know to be the history of this village. And it
2 would create opportunities. Will all these things
3 happen? No. Many of them -- maybe this one will
4 happen, maybe this one will happen, but as long as
5 you have an overall framework, an overall plan, you
6 can then implement it piece by piece.

7 Here's an example where we
8 envision a picture of one of the preferred images
9 for a plaza, a sitting area. We believe that could
10 occur right here at this square.

11 Here's an image right here with
12 some shops and a green space in front of it where
13 there could be some shops on the lower level and
14 there could be some residences up above. And, you
15 know, that building could be located right here
16 near the CVS.

17 A building like this could be
18 the location for a bank. You know, maybe there's a
19 bank on 115 right near that five location right
20 there. This could be the location for someone's
21 office above and could be a cafe down below. That
22 could be over near No. 4.

23 The -- this here could be a two
24 family home, a twin, where you have one residence
25 on either side. That could be over here, No. 3,

1 near Mackes Lane and this here could be a town home
2 that could be located near six where you have a
3 greenway opening out to the woods, so that you have
4 this transition from the very center of the village
5 where you might have mixed use buildings that might
6 have a little bit of office, a little bit of shops
7 and you work your way to the edge of the village
8 where you have the edge of the woods should meet a
9 place to live, a single family home, a town home,
10 any of those things.

11 So here are a series of before
12 and after views where we took some snapshots of
13 some existing places in the village and said what
14 might this look like and these are photographs from
15 other places, but, you know, what's the possibility
16 of what could happen here at CVS and if working
17 closely with the PNC Bank. Maybe there's a way
18 that they would -- I know they have a lot of a
19 green initiatives and a lot of sustainable design
20 initiatives and I think they would want to be a
21 sort of an important part of this.

22 What if they were to locate on
23 the ground floor of a building with some offices
24 above and some sidewalk and storefront below? What
25 if that were the Blakeslee corner as we would know

1 it in the future?

2 What if at this location here,
3 at Ahart's? This is facing the ESSA Bank, this is
4 from the parking lot of the Ahart Supermarket
5 looking over across 940.

6 What if there were a two and a
7 half story building here with ground floor coffee
8 shop or real estate office over here? What if
9 there were a small public place here and a street
10 that would then connect those together. It's about
11 understanding that what is right now a parking lot
12 or a grassy lawn could be infill of a mixed use
13 building like these.

14 This view right here with the
15 CVS Pharmacy, the PNC Bank, the, let's see -- the
16 post office and the Blakeslee Community Center,
17 could be this and this would be where you would
18 stand from the flea market and place a green space.
19 It's about bringing together great public spaces
20 where people want to be and opportunities for
21 private property owners to invest and improve their
22 own real estate and it's about that partnership
23 between the township as a leader, as incentives and
24 setting the right zoning and framework.

25 Here's the final one of these,

1 and that is staying on Mackes Lane here. What
2 would happen if we preserve many, many of those
3 trees but introduced homes behind that wooded area
4 in that vicinity of Mackes Lane?

5 So it's not just about buildings
6 as I mentioned earlier, it's about figuring out how
7 do we connect together this village and connect the
8 existing neighborhoods with sidewalks with bike
9 lanes, with different ways. We all -- we don't
10 only live in our car, we live -- you know, we walk.
11 We need these sort of opportunities and if we had a
12 multiuse trail to get down to the natural area, if
13 we had sidewalks, that could all work. We
14 basically laid out a framework where we would
15 follow the existing roads.

16 We also identified areas for
17 some off-road trails. For example, wouldn't it be
18 great to be able to go behind the existing Ahart's
19 Plaza here and have a new trail to connect to the
20 Austin T. Blakeslee Natural Area and connect on the
21 west side in addition to where it connects right
22 now on the southern half of 115.

23 Right now you're blessed with a
24 number of very wide shoulders. The Pennsylvania
25 Department of Transportation and their wide

1 shoulders, you know, at a limited cost and a lot of
2 paint and some paperwork, we could transform those
3 public rights of way into bike lanes and make sure
4 that it's good for recreational bikers and as a way
5 to be able to get the village connected together
6 very quickly. You don't have to wait for all these
7 roads and villages -- roads and streets to make it
8 happen.

9 This overall in the brown shows
10 the existing streets or existing right of ways and
11 the purple area show proposed or new streets that
12 could be a part of some master plan. It would need
13 to be flexible enough to adjust overtime, but I'm
14 sure the supervisors will, you know, make sure
15 there's enough flexibility overtime to make that
16 happen.

17 Here's an example of a
18 boulevard, an example of a village street with
19 parking, here's an example of that village street
20 and in some cases introducing a rear lane where
21 there's a garage at the rear of the property is a
22 way to make sure that what you see when you walk
23 down the street is a storefront or a porch or a
24 front door and the best way to do that is to locate
25 the garage at a rear lane.

1 So we -- eight is the final
2 number here, is design standards. We set -- we
3 sort of got started on identifying a few basic
4 principles for public spaces, streets and buildings
5 that's gonna require some more work to develop, you
6 know, what that will be in greater detail.

7 But here are some examples of
8 the kind of public places and plazas that we heard
9 you want. And these are the planned details that
10 are shown in the plan right now for where many of
11 these types of places can already be located. The
12 design standards will also address buildings. It's
13 really important to focus on the forms of the
14 building 'cause remember all those historic
15 photographs we looked at earlier? Think of how
16 many times they have changed use over the last 120
17 years.

18 So it isn't as important whether
19 they are, you know, a -- you know, if your zoning
20 code says oh, we only allow, you know, parlors, you
21 know, hair salons with -- for people with purple
22 hair, you know, we want to make sure that it's
23 flexible enough down the road that if somebody
24 wants to change that out to be a different use, we
25 want to make sure that the ordinance is flexible

1 enough to encourage transformation, reasonable
2 transformation over time.

3 So these are a series of
4 diagrams of the building typologies that are a part
5 of the basics of this plan and then implementation.
6 There's a section that we identified in the report
7 here, which is basically a toolbox. It lays out a
8 whole series of possibilities that the planning
9 commission and your supervisors can look at and say
10 which elements of this toolbox makes sense.

11 That toolbox addresses issues of
12 zoning and potential ordinance changes, conceptual
13 storm water management, expedited approval process,
14 streets, maps and facade improvement incentive, the
15 bike and hike program, a village marketing plan, a
16 phase development approval process and some
17 strategies for how to deal with infrastructure
18 because that's a very important issue to be
19 addressed. And some of the potential immediate
20 next steps might be to review the model village
21 ordinance.

22 The Monroe County Planning
23 Commission has laid out a model ordinance for
24 villages like Blakeslee and -- so they've already
25 done a lot of the work to get us started and we

1 would expect, and I assume the supervisors want to
2 move forward in saying, how do we build upon that
3 model ordinance to make it fit Blakeslee?

4 So there's some additional work
5 to do to define what would the design guidelines be
6 and refine this further. There's a possibility of
7 creating some form of a 3-D rendering that uniquely
8 reflects the character of the materials and desires
9 of this community as to what you want your village
10 to look like and then ultimately creating that
11 specific ordinance that would allow landowners to
12 move forward and put this into action.

13 So that is the overall plan.
14 I'm really thrilled to be here tonight and answer
15 any of your questions. And I'll turn it back to
16 the supervisors as to how you want to move forward.

17 MR. KERRICK: Are you willing to
18 address any questions from the public?

19 MR. MARK EVANS: I would be
20 happy to.

21 MR. KERRICK: Any questions for
22 Mark?

23 MR. MARK EVANS: Yes, sir.

24 MALE VOICE: Mark, have you seen
25 Peddler's Village in Lahaska?

1 MR. MARK EVANS: Yes, I live --
2 I live about two miles away from it and I know
3 about it.

4 MALE VOICE: I would suggest
5 that our supervisors take a look at that and get
6 some ideas from that.

7 MR. MARK EVANS: Yep. That's a
8 good -- a couple of photographs from here were from
9 Peddler's Village and they preserved a number of
10 the historic buildings in the village to fill out
11 that -- that village.

12 Question? Yes, in the back.

13 MS. JENNY LONG: First of all I
14 want to say I love your plans. I think they look
15 great. I think probably a lot of people in this
16 room are all like let's start tomorrow because it
17 looks so good.

18 MR. MARK EVANS: Thank you.

19 MS. JENNY LONG: I had a
20 question. Are you at the point now -- I know
21 you're just visioning but are you thinking of
22 soliciting any businesses or is that way down the
23 line?

24 MR. MARK EVANS: Well, this
25 process began with listening to existing property

1 owners, existing business owners during the
2 listening sessions. So throughout this entire
3 planning process, it has been about that
4 partnership, about listening to what does the
5 market say it wants in terms of opportunities, but
6 we have to balance that with what's the community
7 want. What do the supervisors and the planning
8 commission say is right for this village?

9 So it's about that balance and I
10 think part of what you saw in here was a village
11 marketing plan to figure out who should we be --
12 you know, what are the best examples of the cafes
13 that we should be welcoming or the small businesses
14 or the --

15 Many, many village planning
16 processes identify who might be a catalyst business
17 that might help jump start the excitement that
18 would happen of saying, you know, wow, Blakeslee
19 just got this new business, you know, and they're
20 going to be constructing, you know, in six months.
21 That's the kind of momentum, but I think to be able
22 to entice them to come here, we need to have a
23 zoning ordinance and a very clear regulatory path
24 for how they can move in as quickly as possible.

25 And I think part of what we've

1 had a lot of discussions about is to say, if a
2 particular property owner or business owner was
3 willing to invest and be consistent with this plan
4 wouldn't we want to move them to the head of the
5 line and make sure that they get a more expedited
6 process if they're going to follow exactly what was
7 laid out.

8 So that's a good question.

9 MR. KEENER: Just to follow up
10 on that. I don't know how long it's been, probably
11 a year, a year and a half ago we actually met with
12 Dr. Raysam, the owner of Blakeslee Village Shopping
13 Center and that was part of the incentive is to put
14 a plan in place. He's been looking for ways to
15 improve the shopping center.

16 He's been courting some grocery
17 stores and some other shops, and I thought what a
18 great opportunity to put something out there for
19 him to understand that if he comes in and complies
20 with this type of development that he will be well
21 received instead of him coming in with something
22 that we may not want as a community and then having
23 to fight to get that through the approval process.

24 We'd rather have something that
25 we want. And I think we did reach out to him

1 during this process. Unfortunately he didn't
2 participate, but I think once he sees the final
3 product, once he takes that to potential buyers,
4 potential investors, I think it will be an
5 incentive for them to come in and -- into Blakeslee
6 and to make some investment.

7 MR. MARK EVANS: Any questions?

8 Yes?

9 MR. ALAN YOUNG: Are there
10 examples we can benchmark against regionally or
11 would we have to travel significantly to see a
12 successful project?

13 MR. MARK EVANS: I think there
14 are -- there are certainly a number of success
15 stories of different types. I think every
16 community has a different market condition, a
17 different market opportunity. I think the -- I
18 think -- so I think I have a few ideas but some of
19 them are of a different scale. I would say there
20 are probably more examples in Pennsylvania of
21 borough scaled revitalization efforts where you
22 have a larger scale borough that's been investing
23 and I don't -- and I think those are success
24 stories that we can learn from.

25 My business partner has been a

1 part of the last 19 years of Doylestown's
2 revitalization and has learned a lot that may be
3 applicable here, but this is not a borough, this is
4 not --

5 So I would say there are
6 examples in Phoenixville where the old steel
7 foundries have now -- there's quite a renaissance
8 going on in Phoenixville of small businesses moving
9 in and creating a momentum that I think is very --
10 very encouraging.

11 So I think there are examples.
12 I don't think we have to go out of state, but I
13 think no one of them in my view is the perfect
14 example.

15 MR. ALAN YOUNG: Fair enough.

16 MR. KEENER: Jim Thorpe's a
17 little bit of a scale, but again, a quaint walkable
18 -- you know, it's been a resurgence over the past
19 few years and again, that type of quaintness, the
20 history, the architectural structure, and again,
21 everything that's there -- the scale is a little
22 bit bigger but again, I think that's the type of
23 feel, that's the type of atmosphere that we're
24 looking for. And again, something that's inviting.

25 I was just talking over the

1 weekend. You know, with all the race traffic that
2 was in town, if we can get every one of those
3 visitors that was in for the day to come back for a
4 weekend or for a week to visit because they came to
5 the Village of Blakeslee and had an experience
6 versus just going to the track.

7 That's what we're looking for.
8 We're looking to create interest, to create a
9 willingness to come back. Again, I think we can do
10 that.

11 MS. JENNY LONG: Not to mention
12 the cross traffic (inaudible) 115, 940 it's --
13 anybody came through there wants to stop and get
14 something at WaWa or wherever, saw a place to stop
15 and shop.

16 MR. KEENER: If you're in WaWa
17 on a Saturday or Sunday morning you can understand
18 the traffic.

19 MR. JOHN HOLAHAN: I agree with
20 you, Jamie. I think if the racetrack had to come
21 through Jim Thorpe to get to the racetrack and I
22 think over the course of the fall, Jim Thorpe would
23 see a huge resurgence of people coming back because
24 Jim Thorpe is definitely a destination.

25 MR. MARK EVANS: I think just to

1 sort of pick up on that, one thing I would ask you
2 all to think about is if -- you know, don't be
3 afraid to think big in terms of the potential to --
4 you have ski resorts here, you have some of the
5 most beautiful lakes that I've ever seen and you
6 have the assets. We just need to make sure that
7 it's done in a planned way that you protect what's
8 important to the community and then aim high.

9 I think -- I think it's that --
10 it's that courage to say, this is what we want to
11 be and then the private -- private investment and
12 development community, if they see a clear
13 willingness to say this is what Blakeslee wants to
14 be and this is what the township is willing to
15 support, then that could make things happen.

16 I think there's a lot of
17 communities out there that are not -- you know,
18 don't have a plan and I think that's what we need
19 to figure out, how to leverage this plan and figure
20 out what elements of this are worth launching
21 forward.

22 John, you had a question.

23 MR. JOHN HOLAHAN: Well, more of
24 a statement. I remember about ten years ago
25 sitting in on some county meetings on Monroe 2020

1 and we're halfway through that, and they took care
2 of a lot of open space issues and things like that,
3 but I recall when they first came out with a map,
4 they drew concentric circles around certain areas
5 and Blakeslee was one of those areas they thought
6 was best suited for probably -- I don't know if
7 they envisioned this type of development, but this
8 would be the area to do it and it's -- it's time to
9 start.

10 MR. KEENER: Mark, do me a favor
11 and get back to the slide you had of the spheres of
12 the residential areas around the village.

13 MR. MARK EVANS: Sure.

14 MR. KEENER: While you're
15 looking for that, I just -- again, I want to thank
16 Mark and thank everybody that participated in the
17 visioning. Again, it's really up to the community
18 to put forth the ideas and the interest and to
19 carry this thing through. It is a huge effort.
20 It's not something that's gonna happen today,
21 tomorrow, in the next five years, it is a 20 to 30
22 year plan.

23 It's something that we need to
24 invest in and to get behind and ultimately this
25 plan could be realized. As Mark said it may not be

1 the particular building, it may not be the
2 particular layout, but it will be a place that
3 people want to come to and come back to.

4 Again, I think it's a start. I
5 hope that we can keep the buzz going and again, a
6 lot of that is up to you. And also this really is
7 a test case for Tobyhanna Township and for Monroe
8 County.

9 Christine Dettore, she's
10 probably gonna yell at me for mentioning -- from
11 the county planning commission is here and they
12 really got a lot of this started because they're
13 looking to redevelop these areas. They're also
14 doing it down in Chestnuthill on the 209 corridor.

15 But to create these model
16 ordinances whereby we can go around to some of the
17 other villages in the county and create vibrant
18 places, the more we have, the more people are gonna
19 come. They're gonna visit, they're gonna tour
20 around Monroe County. That's what we need to do.
21 We need to create the buzz. We need to create the
22 tourist destination that the Poconos was and can be
23 again. The --

24 MR. MARK EVANS: Was this the
25 image you were referring to?

1 MR. KEENER: No, there were
2 green --

3 MS. PICKARD: No, the green dots
4 from the --

5 MR. KEENER: -- dots around the
6 --

7 MS. PICKARD: -- residential
8 areas.

9 MR. KEENER: It showed all the
10 residential for -- I mean, a lot of people say
11 there's really not enough -- not a critical mass in
12 the Village of Blakeslee to support a lot of
13 investment, but I think if you look at that one --
14 Right there.

15 MR. MARK EVANS: Yeah.

16 MR. KEENER: Now, you think
17 about all the different residential developments
18 that are around the Village of Blakeslee and then
19 even extend beyond the Arrowhead, Locust Lake, go
20 the other way to Jack Frost, Big Boulder , you know,
21 all of these places are within a five to ten minute
22 drive of the Village of Blakeslee. Where are they
23 going to shop now? Well, Locust Lake, Arrowhead
24 Lake people probably going to Mount Pocono or
25 Stroudsburg.

1 Again, if we create a place they
2 want to come to with art studios and, you know,
3 antique shops and that sort of thing, they're gonna
4 come to Blakeslee. They're not gonna go anywhere
5 else.

6 MR. MARK EVANS: A part of what
7 you see here is the importance of saying that each
8 of the neighborhood areas to the north, to the
9 east, to the south and to the natural area should
10 be a part of a connected network of trails where
11 you could -- you could -- you wouldn't have to
12 simply only go down 940 or 115, you could take many
13 of the other routes. You know, Hemlock can connect
14 over and there can be a variety of different ways
15 to connect the village together and make it feel
16 like one place not just -- not just your
17 neighborhood.

18 MR. KEENER: Show of hands. How
19 many people have seen more walkers and runners and
20 bikers on 940 lately? Yeah. And again, if we put
21 the bike lanes in, we'd see even more. We have
22 bicycle shops, we have trails. Again, it all
23 compliments each other.

24 MR. MARK EVANS: The one other
25 image that I thought -- I think if -- this township

1 and this overall marking effort can try and figure
2 out what are the connections between all of these
3 activities, between your skiing, your lakeside
4 resorts, what are all the connections? And if we
5 can begin to make those connections, suddenly
6 private property owner's gonna say, you know, this
7 might be a good place for, you know, me to invest
8 here.

9 And whether that means simply
10 investing and improving a facade to make sure that
11 it's a more attractive place to attract these
12 particular folks to be here or whether it's a place
13 that's more -- maybe there's a way that the
14 community center can be evolved and become even
15 more the center of activity and maybe there's some
16 other complimentary uses adjoining either side of
17 the community center that can help recreate that
18 civic destination. It's just -- maybe not just
19 about one -- one destination but about multiple
20 activities creating that vibrancy.

21 So every one of these public
22 places that I've talked about -- the plaza, the
23 squares, the greens -- it's about making sure that
24 all of the adjoining uses are complimentary in
25 helping to create even more multiple destination.

1 Yes?

2 MR. PATRICK SIMONITE: I just
3 had a question or a comment, I guess. Many years
4 ago -- I live a mile down from the corner of 115.
5 I'm sort of out of that circle that you're showing
6 but between the state and the township, I was
7 looking to open a homeowner's business on a vacant
8 front porch of mine and with the township; and the
9 state zoning from 115, I pretty much needed a
10 parking lot in the backyard for something I wanted
11 to do on the front porch.

12 My house was there before the
13 road was, so it's a nonconformant -- it's right on
14 the highway. I'm just throwing it out there as
15 stuff like that would need to be changed or
16 addressed in this to be able to do what you're
17 showing there because like I said, many years ago I
18 looked into that and it was -- it was undoable.

19 MR. KEENER: And I think that's
20 where this process is going to lead to modified
21 regulations relative to setbacks and parking lots
22 and number of parking spaces and again it's going
23 to create more of that village type feel. It's,
24 you know, the smaller -- small businesses are going
25 to be attracted to this area. Again, it needs to

1 be flexible.

2 If you think about the villages
3 that we used to have, and really vibrant villages,
4 there's flexibility in the zoning. Certainly there
5 has to be a certain amount of regulation, but we
6 still need the flexibility to be able to create
7 things and again, villages were created over time.
8 You didn't just rubber stamp this is gonna be a
9 village. There's no character in rubber stamping
10 buildings and roadways and markways.

11 And again, I think the township
12 has to be receptive to those types of things but
13 also understand that there has to be a certain
14 amount of regulation upheld as well.

15 MR. KERRICK: Any other
16 questions?

17 Okay. Thank you, Mark. We
18 really appreciate it.

19 MR. MARK EVANS: You're welcome.

20 MS. PICKARD: I just wanted to
21 make one comment that I want to thank the partners
22 that we have and a lot of businesses that have
23 contributed to help pay --

24 MR. MARK EVANS: Oh, my
25 goodness, yes.

1 MS. PICKARD: -- to help pay
2 Mark's consulting.

3 MR. MARK EVANS: Yes.

4 MS. PICKARD: So we did have
5 help from the business community and I wanted to
6 thank them all for all their help and
7 participation.

8 MR. MARK EVANS: Thank you very
9 much. I look forward to the next steps.

10 MR. KERRICK: Next item on our
11 agenda, Financial Assistance Program of Monroe
12 County II.

13 MR. KEENER: You might want to
14 stick around to hear this.

15 MS. CHRISTINE DETTORE: As Jamie
16 indicated, I am Christine from the Monroe County
17 Planning Commission, senior staff. I think several
18 weeks ago two of our other staff members were out
19 to present the township with new package of our
20 Financial Assistance Program II. The reason that
21 it's No. 2 is this is our second round of funding
22 for this program.

23 It was designed out of the
24 implementation of the county's comprehensive plan
25 and our open space plan. It provides financial

1 assistance to the municipalities. . I think Tobyhanna
2 Township's been involved in the first round for
3 several years now.

4 It helps the municipalities
5 work with our -- our staff and consultants to help
6 assist them in exactly similar to what you're doing
7 here instead of taking the next step to the
8 visioning process, but to looking at ordinances to
9 implement those types of plans.

10 The funding for this program
11 comes from a portion of the open space bond, the
12 original twenty-five million dollar bond that was
13 issued in 1998. We're still working off some
14 planning funds from that because we realized Jeff
15 Evans, our former open space advisor, the board of
16 chair, that was instrumental in helping us put this
17 program together.

18 With the open space program we
19 realize we couldn't just do it by acquisition.
20 Working with balancing both the economics and the
21 open space preservation that the ordinance
22 implementation was important as part of a tool and
23 as we said we saw Mark with the toolbox. So this
24 is basically just another tool.

25 It provides incentives for the

1 municipalities working together. Tobyhanna has
2 been a big partnership with their surrounding
3 municipalities with adopting a mutual
4 multimunicipal original comprehensive plan. One of
5 the first in the county. And they're working on
6 implementation numbers now and as we move forward
7 we wanted to be able to provide additional funding
8 for those multimunicipal efforts.

9 It does also give assistance to
10 individual municipalities that have been looking
11 more for the money if you work for another
12 municipality and we also opened it up a little bit
13 to some master plans for some of the greenways,
14 some of the park areas that are being opened up to
15 the public, so we just want to come out and make
16 sure the supervisors were aware of the financial
17 assistance program and be looking forward to taking
18 some next steps as Tobyhanna Township moves forward
19 with their implementation.

20 THE REPORTER: Can I have your
21 last name, please?

22 MS. CHRISTINE DETTORE: Dettore,
23 D-E-T-T-O-R-E.

24 MR. KERRICK: Thank you.

25 MR. KEENER: Before we move on,

1 there was a mention of Monroe 2020 and I will tell
2 you that there is --

3 What's the name of it, Mr.
4 Young?

5 MS. CHRISTINE DETTORE: Update
6 task force.

7 MR. ALAN YOUNG: The big
8 committee.

9 MR. KEENER: The big committee.
10 There is an update of Monroe 2020 and one of the
11 main focuses is on economic development and I think
12 we've all seen the success that the open space plan
13 has had in the county.

14 But again, I think the economic
15 development in order to create some of the tax
16 incentives, the dollars to be able to provide some
17 of the infrastructure to create some of the jobs
18 and some of the opportunities, that is currently
19 underway. There is 30 -- 30 to 40 people that are
20 meeting on that program to update the plan.

21 So look for some great things
22 coming out. Mr. Young, you're co-chair of that?
23 You want to --

24 MR. ALAN YOUNG: If I may?

25 MR. KERRICK: Sure.

1 MR. KEENER: -- mention
2 something briefly?

3 MR. ALAN YOUNG: The success of
4 the open space side of the lines we've drawn in the
5 county is now going to carry over to the
6 development signs. The county is issued an RFP for
7 an infrastructure adviser, facilitator, designer to
8 help us emphasize that part of the county comp plan
9 and to do it promptly.

10 The initial large committee is
11 doing an update of policies. That would be
12 followed by an update on the comprehensive plans.
13 It's required by statute every ten years, so we're
14 doing that as a checklist item off the
15 Municipalities' Planning Code.

16 But this is wonderful news. Our
17 Blakeslee Corner effort is going to put us way
18 ahead in our implementation of -- I'm sorry, in our
19 formulation of plans and implementation plans.
20 This is the kind of thing we want to spawn
21 countywide. So that we put density where -- back
22 into the roads and crossroads and not stretch any
23 long lines along road fronts.

24 So a great time to be doing this
25 for any place; Brodheadsville and Blakeslee are

1 going to lead the pack. We've had great success
2 working as regions in Monroe County in the past and
3 have been a great example throughout the state
4 because of that.

5 We're gonna have to do the
6 harder part now because infrastructure cost a lot
7 more money. Infrastructure is harder than --
8 requires capital we've never had to tap before, so
9 the challenge is evidence but the benefits will be
10 remarkable.

11 We're hitting this right at the
12 right time. The economy's soft. It's time to do
13 the planning. It's time to have great ideas that
14 exceed our expectations and implement them the best
15 we can. I'm excited for Blakeslee Corners because
16 it's going to show the way for the rest of the
17 county to do similar things.

18 Thanks.

19 MR. KERRICK: Thank you.

20 We have some housekeeping items.
21 First item, consider Resolution 2011 dash 020,
22 appropriations.

23 You want to take that one,
24 Heidi?

25 MR. KEENER: I make a motion we

1 adopt the Resolution No. 2011 dash 020.

2 MR. KERRICK: That was a motion,
3 Jamie?

4 MR. KEENER: Yes.

5 MR. KERRICK: Do we have a
6 second?

7 MR. MOYER: Second.

8 MR. KERRICK: Motion and second.
9 Questions or comments from the board?

10 Questions or comments from the
11 public on the motion?

12 Call the vote. Jamie?

13 MR. KEENER: I vote in favor.

14 MR. KERRICK: Anne?

15 MS. LAMBERTON: I'll vote in
16 favor.

17 MR. KERRICK: Donny?

18 MR. MOYER: I vote in favor.

19 MR. KERRICK: Heidi?

20 MS. PICKARD: I vote in favor.

21 MR. KERRICK: I'll vote in
22 favor. Motion carried.

23 Next item, Arcadia update.

24 It's all yours.

25 MR. CHRISTOPHER McDERMOTT: It's

1 Chris McDermott with Reilly Associates. Shawn
2 Langdon (phonetic) is here also. I just want to
3 bring the board a little bit up-to-date on what
4 we've been doing lately. As you know we've been
5 working on the NPDES and E&S approvals and great
6 news. We got them, which is really a big
7 accomplishment.

8 Everybody worked really hard.
9 We got a lot of cooperation from the local
10 conservation district and Bob McHale and DEP. So
11 every -- this is a great example of what can be
12 done if we work together.

13 And, you know, I think, Shawn,
14 you should --

15 MR. SHAWN LANGDON: Yeah, and
16 I'd like to personally thank the supervisors for
17 their assistance over the last several months, but
18 also especially Bob McHale who is turning around
19 plans and reviews simultaneously with the other
20 regulatory agencies, DEP and also the conservation
21 district. We were giving him some stuff on some
22 shorter time lines and he was actually sitting in
23 on meetings that we had with the other agencies and
24 he really turned stuff around very quickly. It was
25 an asset of getting this done in a timely manner,

1 so we want to thank him for that.

2 MR. CHRISTOPHER McDERMOTT: So
3 that is the huge hurdle in the overall approval
4 process and with that, we can get to the point
5 where we can actually move some soil very soon.

6 The next phase is the highway
7 occupancy permit for the signalization of
8 Commercial Boulevard, coupled into that is an
9 adjustment to Klock Road, the addition of some
10 storm water improvements along 115 and a slight
11 retiming of the traffic signal on 940 and 115.

12 We have been through two rounds
13 of review comments from PennDOT and your traffic
14 engineer has provided a set of comments. We
15 resubmitted to PennDOT recently with a set that
16 totally addresses their comments and as well as the
17 township's traffic engineer's comments and that's
18 back in, and we would expect D -- or PennDOT to
19 have a response to those sometime toward the mid to
20 late next week.

21 They've been very good about
22 responding very quickly, almost on a two week time
23 frame, which is again a pretty amazing feat. So
24 that's working, which brings us to some of the
25 other items that are on the agenda where we need

1 the township to be the applicant for the traffic
2 signal at 115 and Commerce (sic) Boulevard. The
3 application has been prepared and I think the
4 township has received a copy. I don't know
5 whether, Patrick, you had gotten it.

6 MR. ARMSTRONG: Yeah. The
7 township engineer forwarded last week the proposed
8 PennDOT application I believe for the permit and he
9 also provided draft resolutions relating to the new
10 traffic signal, as well as the proposal traffic
11 modification.

12 Do you know where those draft
13 resolutions came from? Did they come from PennDOT?

14 MR. CHRISTOPHER McDERMOTT: It's
15 a PennDOT form.

16 MR. ARMSTRONG: Okay.

17 MR. CHRISTOPHER McDERMOTT: I've
18 -- we've utilized that same format in many
19 townships and municipalities.

20 MR. ARMSTRONG: What I did this
21 morning is I tweaked it a little bit. The
22 resolutions, not -- the permit application is, you
23 know, a form application with PennDOT, you can't
24 really touch. But the resolutions themselves I
25 tweaked. I wanted to give a little bit of

1 background on the whereas clauses as to the
2 approvals where you were, the purpose of why the
3 township's permittee.

4 So I've made those revisions,
5 but the township engineer wasn't here today. But I
6 don't have a problem with the board when we get
7 time to go through the resolutions if you're
8 comfortable with approving the resolution subject
9 to Bob McHale's review in concurrence prior to
10 their being sent out to PennDOT.

11 And as for the -- I haven't seen
12 the PennDOT HOP drainage improvement application.

13 MR. CHRISTOPHER McDERMOTT:

14 Okay. And I have --

15 MR. ARMSTRONG: Bob may have
16 that, but I haven't seen it.

17 MR. CHRISTOPHER McDERMOTT:

18 Well, I have an original application that the
19 township would have to sign, and this is for the
20 storm water drainage improvements and we've also
21 included the Klock Road HOP because it's a township
22 road. There are modifications being made to it so
23 the township would have to be the HOP applicant for
24 that. So I have an original as well and some
25 copies here. And I can leave that. Again, Bob can

1 take a look at.

2 MR. ARMSTRONG: Yeah. Like I
3 said, I don't have a problem with the board
4 authorizing the execution of the permit
5 applications and adopting the resolutions subject
6 to review and approval by the township engineer.
7 And if I can take a quick -- I don't have to do it
8 right now, but a review of the --

9 MR. CHRISTOPHER McDERMOTT:
10 Yeah, I'll --

11 MR. ARMSTRONG: If it's a form
12 it's -- you know, technicality thing.

13 (Discussion of the record.)

14 MR. KERRICK: You want to make a
15 motion and then we'll --

16 MR. KEENER: For the signatures
17 or do the resolution separate?

18 MR. ARMSTRONG: Do the
19 resolution separate.

20 MR. KEENER: I'll make a motion
21 we authorize the township secretary to sign the
22 application for the permit to install and operate
23 the traffic signal on 115 and Commercial Boulevard
24 and for John Kerrick to sign the PennDOT HOP
25 application.

1 MR. MOYER: Second.

2 MR. KERRICK: Motion and second.

3 MS. PICKARD: Drainage

4 improvements and that's subject to the --

5 MR. ARMSTRONG: The drainage
6 improvement's subject to the review of Bob McHale.

7 MR. CHRISTOPHER McDERMOTT: Can
8 you just for the record, Klock Road just add onto
9 that because it's the same. The drainage
10 improvements on the Klock Road application are --

11 MR. KEENER: That's fine.

12 MR. CHRISTOPHER McDERMOTT: --
13 are coupled.

14 MR. KERRICK: Is that okay with
15 your second?

16 MR. MOYER: Yeah.

17 MR. KERRICK: Questions or
18 comments from the board?

19 Questions or comments from the
20 public on the motion?

21 Call the vote. Jamie?

22 MR. KEENER: I vote in favor.

23 MR. KERRICK: Anne?

24 MS. LAMBERTON: I vote in favor.

25 MR. KERRICK: Donny?

1 MR. MOYER: I vote in favor.

2 MS. PICKARD: Heidi?

3 MS. PICKARD: I vote in favor.

4 MR. KERRICK: I vote in favor.

5 Motion carried.

6 Pat?

7 MR. ARMSTRONG: And then the
8 next item under your report is consider Resolution
9 2011 dash 21, the erection of traffic signals for
10 Route 115 and Commercial Boulevard. If you wanted
11 to entertain a motion approving that resolution
12 subject to finalization of the language after the
13 review of the township engineer.

14 MR. KEENER: So moved.

15 MR. MOYER: Second.

16 MR. KERRICK: Motion and second.

17 Questions or comments from the
18 board?

19 Questions or comments from the
20 public on the motion?

21 Call the vote. Jamie?

22 MR. KEENER: I vote in favor.

23 MR. KERRICK: Anne?

24 MS. LAMBERTON: I vote in favor.

25 MR. KERRICK: Donny?

1 MR. MOYER: I vote in favor.

2 MR. KERRICK: Heidi?

3 MS. PICKARD: I vote in favor.

4 MR. KERRICK: I vote in favor.

5 Motion carried.

6 MR. ARMSTRONG: And similarly
7 the next item is consider Resolution 2011 dash 22,
8 modify existing traffic signals for Route 115 and
9 Route 940. If the board wanted to entertain a
10 motion of approving that resolution subject to the
11 review and approval of the township engineer.

12 MR. KEENER: So moved.

13 MR. MOYER: Second.

14 MR. KERRICK: Motion and second.
15 Questions or comments from the

16 board?

17 Questions or comments from the
18 public on the motion?

19 Call the vote? Jamie?

20 MR. KEENER: I vote in favor.

21 MR. KERRICK: Anne?

22 MS. LAMBERTON: I vote in favor.

23 MR. KERRICK: Donny?

24 MR. MOYER: I vote in favor.

25 MR. KERRICK: Heidi?

1 MS. PICKARD: I vote in favor.

2 MR. KERRIKC: I'll vote in
3 favor. Motion carried.

4 That concludes --

5 MR. KEENER: For the public's
6 edification on this -- what we just went through
7 here, Arcadia is very close to making a significant
8 investment in Tobyhanna Township. 300 --
9 approximately 300 jobs?

10 MR. SHAWN LANGDON: Yeah, plus.

11 MR. KEENER: Again, 300 jobs
12 will go a long way into creating more buzz in the
13 Village of Blakeslee and more visitors to go to
14 restaurants and when corporate clients come in to,
15 you know, stay in hotels or whatever. So again,
16 type of thing that will help us succeed in taking
17 this matter plan forward.

18 Thank you.

19 MR. SHAWN LANGDON: Thank you
20 very much.

21 MR. ARMSTRONG: Chris, you're
22 leaving the drainage application?

23 MR. CHRISTOPHER McDERMOTT: This
24 is the -- I'll give you the original.

25 MR. ARMSTRONG: Was this what

1 you want --

2 MR. CHRISTOPHER McDERMOTT: That
3 would have to be signed and executed. Here are
4 copies of it if you need --

5 MR. ARMSTRONG: Okay.

6 MR. CHRISTOPHER McDERMOTT:
7 Nobody has a typewriter to type on those anymore.

8 MR. ARMSTRONG: And it sounds
9 like you're moving forward with some of the outside
10 agency permits and approvals. Do you have a time
11 frame as to when you'll be submitting your final
12 plan application to the township? Because you do
13 have preliminary plan approval with the township.

14 MR. CHRISTOPHER McDERMOTT:
15 Correct.

16 MR. ARMSTRONG: You don't have
17 final plan approval from the township. I just
18 wanted to know what time frame.

19 MR. CHRISTOPHER McDERMOTT: All
20 right. As far as time frame for submitting a final
21 plan, all our emphasis has been on obtaining these
22 outside agency approvals. After we've obtained
23 those, then we can focus our efforts on the final
24 plan.

25 MR. SHAWN LANGDON: Yeah. We

1 basically tied up the resources, two of their
2 offices for the better part of the last three
3 months and that was the focus and that -- we'll
4 move forward with the rest of the municipal codes.

5 MR. KEENER: Just so
6 everybody's aware the project is in New Ventures
7 Park on 115, or just off of 115 at the intersection
8 of 80 and 115. So again, it's close proximity.
9 It's -- again, would be a huge investment.

10 MR. SHAWN LANGDON: Just to
11 touch on something that underscores a couple of
12 comments earlier, you know, the reason we
13 specifically looked at the site, one, it was proper
14 zoning; two, it's right adjacent to the highway
15 infrastructure. We're not putting truck trips out
16 into the far regions of the municipality; and
17 three, is the infrastructure improvements that are
18 already in place.

19 The, you know -- there's sewer
20 availability, we're gonna do on-site water, but
21 those are the things that we look for when we're
22 going out looking to create parks and create jobs.
23 We developed the park, if people are familiar,
24 Arcadia North Business Park is on Route 611 north
25 of -- actually in Coolbaugh Township just north of

1 the airport. J. and J. landed there. There's
2 another proposed 1.4 million square foot building
3 that's getting its final approvals, a company that
4 we sold that lot to.

5 We've done a lot of parks down
6 in the Lehigh Valley to create several thousand
7 jobs over the last 10 years and, you know, we're
8 happy to be here as a public private partnership
9 with the township in terms of working with them
10 and, you know, we're really looking forward to
11 completing this two -- two projects right adjacent
12 to the highway.

13 Thanks.

14 MR. CHRISTOPHER McDERMOTT:

15 Thank you.

16 MR. KERRICK: Next item on our
17 agenda we have designation of EMS for Arrowhead. I
18 don't think -- we haven't been notified whether
19 PennDOT has made a decision, whether they're going
20 to close the bridge, but if you want to make a
21 motion pending. If that would happen before -- I
22 don't think it's going to happen before September.

23 MS. PICKARD: Do you want to
24 just table this and let it go till September?

25 MR. KERRICK: That's fine with

1 me.

2 MR. MOYER: Yeah.

3 MR. KERRICK: If it's all right
4 with everyone else.

5 MR. MOYER: Yeah, why don't we
6 do that. Then we'll know better anyway.

7 MR. KEENER: Explanation of what
8 we're talking about? Everybody is aware? Usually
9 we don't have an audience to explain stuff to.

10 MR. KERRICK: That's true.

11 It's the bridge over the Lehigh on the Thornhurst
12 -- or Locust Ridge Road, originally they were going
13 to make it one lane while they reconstructed it and
14 they encountered some problems where they believe
15 they're going to have to close it and create a
16 detour. I know, John.

17 The good news is if they do
18 close it completely they'll say it will shorten the
19 construction four months.

20 MR. KEENER: The only issue we
21 have is ambulance and fire service and we're trying
22 to resolve that and that's what the discussion is
23 going to be about and ultimately we need to
24 designate who is going to be providing service to
25 the Coolbaugh Township portions of Arrowhead Lakes

1 -- is it just Arrowhead, not --

2 MR. KERRICK: No, Riverside as
3 well.

4 MR. KEENER: Riverside,
5 Riverside.

6 MR. KERRICK: Actually that's
7 Coolbaugh Township but it still would affect the
8 services from Tobyhanna Township.

9 MR. KEENER: Right.

10 MR. KERRICK: So we'll table
11 that and put that --

12 MR. MOYER: For September.

13 MR. KERRICK: -- for September.

14 Anyone from the board have
15 anything to address? Anything? We can come back.

16 MR. KEENER: No. We had talked
17 at the workshop about the dugouts and I just wanted
18 to see if we can get direction that the Little
19 League could do the recognition and the dedication.

20 MR. KERRICK: We got a copy -- a
21 letter today from the president of the Little
22 League requesting that. I thought at our work
23 session we were going to turn that over to the
24 Little League.

25 MR. KEENER: Yeah, they just

1 want an acknowledgement that it's okay that they
2 can proceed with the dedication of the dugouts.

3 MR. KERRICK: Is that your
4 motion?

5 MR. KEENER: Yes, please.

6 MR. KERRICK: Do we have a
7 second?

8 MR. MOYER: I'll second.

9 MR. KERRICK: Questions or
10 comments from the board on the motion?

11 Questions from the public on the
12 motion?

13 Call the vote. Jamie?

14 MR. KEENER: I vote in favor.

15 MR. KERRICK: Anne?

16 MS. LAMBERTON: I'll vote in
17 favor.

18 MR. KERRICK: Donny?

19 MR. MOYER: I vote in favor.

20 MR. KERRICK: Heidi?

21 MS. PICKARD: I vote in favor.

22 MR. KERRICK: And I'll vote in
23 favor. Motion carried.

24 Anyone else from the board?

25 MS. LAMBERTON: I think for the

1 future we should do some sort of paver walkways,
2 something that we could recognize a lot of people
3 that dedicate time and financial resources for
4 Little League, for girls softball and everything
5 about parks and recreation.

6 MR. KERRICK: That's a great
7 idea.

8 MS. LAMBERTON: That way nobody
9 is left out.

10 MR. KERRICK: Good idea. At
11 this time we'll open it up to the public? Any
12 questions or comments for the board?

13 Yes, sir?

14 THE REPORTER: Can you state
15 your name, please?

16 MR. GEORGE PODOLAK: George
17 Podolak, P-O-D-O-L-A-K, 4121 Norton Pryor Road,
18 Pocono Summit.

19 Mr. Chairman, did you have an
20 opportunity to discuss with the board the documents
21 I gave you?

22 MR. KERRICK: I presented it to
23 the board members, yes. Discuss it, no.

24 MR. GEORGE PODOLAK: When do you
25 think that will take place? I'm interested in Kate

1 Wessel 's letter in particular.

2 MR. KERRICK: You want to
3 address that?

4 MR. ARMSTRONG: What are you
5 interested in again?

6 MR. GEORGE PODOLAK: Kate
7 Wessel's letter.

8 MR. ARMSTRONG: Yeah, my
9 understanding of the letter didn't indicate
10 anything that this board needs to concern
11 themselves with at this time. I don't know exactly
12 what you're looking for from this board.

13 THE WITNESS: Well, just to say
14 that there's nothing (inaudible) like she said
15 nothing can be built on those nine acres.

16 MR. ARMSTRONG: I don't think
17 this board is at a position to make that statement,
18 sir.

19 MR. GEORGE PODOLAK: Can I ask
20 why?

21 MR. ARMSTRONG: The zoning
22 ordinance in any declaration of covenants related
23 to that property, you know, it is what it is. We
24 can't make an affirmative statement as to whether
25 or not something is or is not permitted on that

1 property other than what's permitted by this
2 township's zoning ordinance.

3 MR. GEORGE PODOLAK: Okay.

4 Well, when the tower was going up, this you can
5 check, Ed Carroll on the planning board suggested
6 that it be turned down because it violated six of
7 the local zoning laws and this is in the minutes of
8 the planning commission and it's my understanding
9 of Section 704, Paragraph 5 to 9, the
10 Telecommunication Act, states that local zoning
11 laws are supposed to be preserved.

12 As I mentioned to Mr. Kerrick,
13 we had looked into an attorney from Stroudsburg,
14 William H. Robinson, Junior, okay, he did not do
15 anything; but once Kate Wessel gave us the letter
16 saying nothing could be built on there we figured,
17 you know, leave it ride and I mentioned to Mr.
18 Kerrick, if you agree with that, then we just leave
19 it -- leave it go to be.

20 MR. ARMSTRONG: Is there
21 anything proposed on the property right now, sir,
22 that you know of, that we're aware of?

23 MR. GEORGE PODOLAK: I'm looking
24 for future --

25 MR. ARMSTRONG: It's not an

1 issue right now and this board -- I'm not going to
2 advise this board to make any kind of affirmative
3 statement like that without having a basis for it.

4 MR. GEORGE PODOLAK: I just
5 don't want to have where all of a sudden, you know,
6 they're gonna start building stuff there. Because
7 Irene Kramer, when she owned the property --

8 MR. ARMSTRONG: If an
9 application comes in for someone to build something
10 on the property, there will be an application, you
11 can come at that time and if you want to challenge
12 it, if this board is going to act upon it, you can
13 do it at that time. There is no pending
14 application, there is no pending land development
15 plan, there is no pending permit application that
16 this board's aware of; so there's not an issue.

17 MR. GEORGE PODOLAK: If I don't
18 get notified, I won't know. So then you'll say
19 well, like it was thrown up to me, why didn't I
20 mention it to them about the rezoning? So I'm just
21 questioning --

22 MR. ARMSTRONG: You can request
23 this township --

24 MR. KERRICK: Wait. Wait.
25 Excuse me. It's not rezoning, it was a future land

1 use map, that's what you don't understand. It's
2 not -- nothing was rezoned.

3 MR. GEORGE PODOLAK: All right.
4 I'll rephrase it then.

5 MR. KERRICK: Thank you.

6 MR. KEENER: And if anything got
7 rezoned, you as an affected property owner, would
8 be notified.

9 MR. GEORGE PODOLAK: And I still
10 don't understand the difference between zoning and
11 land use. Land use means what can that property be
12 used for. Zoning is the same thing.

13 MR. ARMSTRONG: The future land
14 use map is a part of the regional comprehensive
15 plan. The townships create regional comprehensive
16 plans or comprehensive plans --

17 MR. GEORGE PODOLAK: For land
18 use, correct?

19 MR. KEENER: Yes.

20 MR. ARMSTRONG: But what governs
21 the use of the land is the zoning ordinance.

22 MR. GEORGE PODOLAK: Okay.

23 MR. ARMSTRONG: The zoning
24 ordinance is the governing body. The zoning
25 ordinance is intended to be consistent with the

1 comprehensive plan, but the governing body is the
2 zoning ordinance.

3 MR. GEORGE PODOLAK: All right.
4 Let's get back to the 19 acres, that's my main
5 concern. So there's nothing that can be done right
6 now and you don't know what the future will bring,
7 is what you're telling me?

8 MR. ARMSTRONG: I'm not telling
9 you nothing can be done right now. I'm telling you
10 that there's nothing pending before this township
11 to act upon.

12 MR. GEORGE PODOLAK: Okay.

13 MR. ARMSTRONG: Okay.

14 MR. GEORGE PODOLAK: All right.

15 MR. ARMSTRONG: Thank you.

16 MR. KERRICK: Anyone else?

17 Thank you for coming. We're

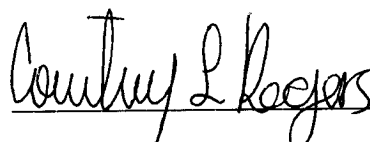
18 adjourned.

19 (Meeting concluded at 8:47 p.m.)

20 ---
21
22
23
24
25

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

ORIGINAL



COURTNEY L. ROGERS

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

A G E N D A
Board of Supervisors
Regular Business Meeting
September 12, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements: Fall Clean up October 8 through October 15, 2011
4. Consider the Minutes of: July 11, 2011 Regular Business Meeting
5. Consider the Treasurer's Report: \$512,554.91
6. Solicitor Report:
7. New Business:
 - A. Consider acknowledging the Fiscal Year 2012 Minimum Municipal Obligation to the Township of Tobyhanna Non-Uniformed Employees Pension Plan
 - B. Designation of EMS-Thornhurst Bridge Status
 - C. Consider Resolution No. 2011-023 Appropriations
 - D. PSVFC-New Fire Police Officers
 - E. Consider Resolution No. 2011-024 Berkheimer-EIT Collector
 - F. Consider Resolution No. 2011-025 Berkheimer-LST Collector
 - G. Consider Resolution No. 2011-026 building number signs compliance date
 - H. Consider Resolution No. 2011-027 support the proposed special tax amendment
 - I. Declaration of Disaster Emergency
 - J. Keith Knauer, Lots 4 & 5 Beech Spring Drive, Lake Naomi-well isolation distance waiver request
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, September 12, 2011, beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member

PATRICK M. ARMSTRONG, ESQUIRE,
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to
2 welcome everyone here this evening for the board of
3 supervisors meeting, September 12, 2011. Could we
4 call the meeting to order with the pledge of
5 allegiance, please.

6 (Pledge of allegiance was
7 recited.)

8 MR. KERRICK: First item of
9 business, announcements.

10 MS. PICKARD: We will have fall
11 cleanup scheduled October 8, Saturday, through
12 Saturday, October 15, that will be at the transfer
13 station on Sullivan Trail Road and that would be
14 Monday through Friday, eight to four; Saturday,
15 eight to three. The prices are the same as last
16 year.

17 And we received a fax from the
18 county late this afternoon that if there's any
19 residents that wanted to come to the township to
20 document and report flood related damages, they
21 should do so and we have a log that we're keeping
22 track of for the county.

23 That's it.

24 MR. KERRICK: Next item of
25 business, consider the minutes of July 11, 2011,

1 regular business meeting.

2 What's the board's pleasure?

3 MS. PICKARD: I'll make a motion
4 that we approve the July 11, 2011 regular business
5 meeting minutes.

6 MR. MOYER: Second.

7 MR. KERRICK: Motion and second.
8 Questions or comments from the
9 board?

10 Questions or comments from the
11 public on the motion?

12 Call the vote. Anne?

13 MS. LAMBERTON: I vote in favor.

14 MR. KERRICK: Donny?

15 MR. MOYER: I vote in favor.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: I'll vote in
19 favor. Motion carried.

20 Next item, bill pack dated
21 September 12, 2011, total amount for board approval
22 \$512,554.91.

23 What's the board's pleasure?

24 MS. PICKARD: I make a motion
25 we approve the September 12, 2011 bill back in the

1 amount of \$512,554.91.

2 MR. KERRICK: Do we have a
3 second?

4 MR. MOYER: Second.

5 MR. KERRICK: Motion and second.
6 Questions or comments from the
7 board?

8 Questions or comments from the
9 public on the motion? Bills are up front in case
10 anybody wants to take a look.

11 Call the vote. Anne?

12 MS. LAMBERTON: I'll abstain.

13 MR. KERRICK: Donny?

14 MR. MOYER: I vote in favor.

15 MR. KERRICK: Heidi?

16 MS. PICKARD: I vote in favor.

17 MR. KERRICK: I'll vote in
18 favor. Motion carried.

19 Solicitor's report.

20 MR. ARMSTRONG: There's nothing
21 under my report. The only thing I do have to
22 report is more of a status. After your meeting
23 last month I prepared a drainage maintenance
24 agreement for the New Ventures Park application. I
25 submitted it to their attorney shortly after the

1 meeting. I still haven't heard back or received
2 signed copies back. I'm going to probably give
3 them a call sometime this week to see what the
4 status of that is.

5 But other than that, there's
6 nothing to report. I thought I would have that for
7 you to execute tonight, but I do not.

8 MR. KERRICK: I have a question.
9 Was that New Ventures Park or was it the owner or
10 the --

11 MR. ARMSTRONG: It's with
12 Arcadia. Arcadia. I think their land development
13 plan applications are New Ventures Park.

14 MR. KERRICK: Okay. Anything
15 else?

16 MR. ARMSTRONG: That's all I
17 have to report.

18 MR. KERRICK: Okay. Next item
19 of business. Under new business, consider
20 acknowledging fiscal year 2012 minimum municipal
21 obligation to the Township of Tobyhanna
22 Nonuniformed Employees Pension Plan.

23 Heidi?

24 MS. PICKARD: The 2012 minimum
25 municipal obligation is \$44,358.14. We just need

1 to announce that --

2 MR. KERRICK: You don't need a
3 motion to approve it.

4 You need a motion for that, Pat?

5 MR. ARMSTRONG: It wouldn't hurt
6 to entertain a motion to approve it.

7 MR. KERRICK: Is that your
8 motion, Heidi?

9 MS. PICKARD: That will be my
10 motion.

11 MR. KERRICK: Do we have a
12 second?

13 MR. MOYER: Second.

14 MR. KERRICK: Motion and second.
15 Questions or comments from the
16 board on the motion?

17 Questions or comments from the
18 public on the motion?

19 Call the vote. Anne?

20 MS. LAMBERTON: I vote in favor.

21 MR. KERRICK: Donny?

22 MR. MOYER: I vote in favor.

23 MS. PICKARD: Heidi?

24 MS. PICKARD: I vote in favor.

25 MR. KERRICK: And I vote in

1 favor. Motion carried.

2 Next item on our agenda,
3 designation of EMS due to the Thornhurst Bridge.

4 Do we want to address that at
5 this meeting or we want to --

6 MS. PICKARD: We said at the
7 work session we wanted to.

8 MR. KERRICK: Okay. Did we
9 notify Coolbaugh Township?

10 MS. PICKARD: No. We were going
11 to notify them after.

12 MR. KERRICK: After this
13 meeting? Okay.

14 MS. PICKARD: So if you want to
15 make a motion, I will make a motion that we
16 designate Pocono Mountain Regional EMS as first due
17 for basic life support for the duration of the
18 bridge replacement, Thornhurst.

19 MR. KERRICK: That's only in the
20 Tobyhanna Township area?

21 MS. PICKARD: In the Tobyhanna
22 Township.

23 MR. KERRICK: What about fire?

24 MS. PICKARD: You had said we're
25 dually dispatched now, so I don't -- did you want

1 to --

2 MR. KERRICK: I think it should
3 be noted until the bridge is repaired.

4 MS. PICKARD: Did we want
5 Tunkhannock Township to be notified or would --

6 MR. KERRICK: At this time I
7 would just do -- I would personally just do Station
8 41 and then with the backup of Thornhurst. And if
9 that doesn't work, then we have to do Tunkhannock.

10 MS. PICKARD: Okay. So I'll
11 amend my motion to include that we will designate
12 Station 41, Tobyhanna Township Volunteer Fire
13 Department, as first due and Thornhurst as second
14 due for Tobyhanna Township in the Arrowhead Lakes
15 area for the duration of the bridge replacement.

16 MR. KERRICK: We have a motion.
17 Do we have a second?

18 MR. MOYER: Second.

19 MR. KERRICK: Questions or
20 comments?

21 Questions or comments from the
22 public?

23 Call the vote. Anne?

24 MS. LAMBERTON: I vote in favor.

25 MR. KERRICK: Donny?

1 MR. MOYER: I vote in favor.

2 MS. PICKARD: Heidi?

3 MS. PICKARD: I vote in favor.

4 MR. KERRICK: And I'll vote in
5 favor. Motion carried.

6 Next item on agenda, consider
7 Resolution No. 2011 dash 023, appropriations.

8 MS. PICKARD: I make a motion
9 that we approve Resolution 2011 dash 023, that's
10 reappropriation from one account to the other.
11 These are all from the sewer fund and are largely
12 as a result of the refinancing that we just did on
13 the sewer note.

14 MR. KERRICK: We have a motion
15 on the floor.

16 Do we have a second?

17 MR. MOYER: Second.

18 MR. KERRICK: Questions or
19 comments from the public on the motion?

20 Call the vote. Anne?

21 MS. LAMBERTON: I vote in favor.

22 MR. KERRICK: Donny?

23 MR. MOYER: I vote in favor.

24 MR. KERRICK: Heidi?

25 MS. PICKARD: I vote in favor.

1 MR. KERRICK: And I vote in
2 favor.

3 Next item on our agenda, Pocono
4 Summit Volunteer Fire Company new fire police
5 officers.

6 Do we just have to name those?

7 MS. PICKARD: I had received a
8 letter from Pocono Summit's chief, George
9 Tallmadge, he is looking to install himself, George
10 F. Tallmadge, III; Grace Durso; and Tyler Rispoli
11 as fire police officers for their fire company.
12 They have all completed the requisite
13 certifications. I make a motion.

14 MR. KERRICK: Do we have to make
15 a motion? I forget what the obligation is.
16 They're going to a magistrate to get sworn in,
17 correct?

18 MR. ARMSTRONG: Right. Right.
19 You just need to confirm that you're okay with the
20 --

21 MR. KERRICK: Okay. You want to
22 do that in motion form?

23 MS. PICKARD: That's fine.

24 MR. KERRICK: Do we have a
25 second for Heidi's motion?

1 MS. LAMBERTON: I'll second.

2 MR. KERRICK: Questions or
3 comments from the board?

4 Questions or comments from the
5 public?

6 Call the vote. Anne?

7 MS. LAMBERTON: I vote favor.

8 MR. KERRICK: Donny?

9 MR. MOYER: I vote in favor.

10 MR. KERRICK: Heidi?

11 MS. PICKARD: I vote favor.

12 MR. KERRICK: And I'll vote in
13 favor.

14 Next item on our agenda,
15 consider Resolution No. 2011 dash 024, Berkheimer
16 EIT tax collector.

17 MS. PICKARD: Did you want to
18 talk about this a little?

19 MR. ARMSTRONG: Sure. As you're
20 aware Monroe County contracted with Berkheimer
21 Associates or actually Berkheimer Tax
22 Administrators now for the collection of the EIT
23 tax, as well as -- it's my understanding, as well
24 as the LST tax.

25 MS. PICKARD: Correct.

1 MR. ARMSTRONG: And what these
2 resolutions in essence doing is they're appointing
3 Berkheimer as your EIT and LST collectors starting
4 January 1, 2012 and also terminating the agreement
5 that you currently have with Centax effective
6 December 31, 2011.

7 MR. KERRICK: Was there anything
8 with Centax -- we're allowed to do that --

9 MR. ARMSTRONG: Yeah. There was
10 a 90 day notification for termination required
11 under your contract with Centax. My understanding
12 is the letter went out --

13 MS. PICKARD: The contract
14 expired anyway with them because of the renewal.

15 MR. ARMSTRONG: It's my
16 understanding Centax is aware that this is
17 happening because about a year ago probably the
18 negotiations with the county took place.

19 MR. KERRICK: Do we need to do
20 those separate?

21 MR. ARMSTRONG: Yes.

22 MR. KERRICK: The LST and the
23 EIT?

24 MR. ARMSTRONG: They're two
25 separate resolutions, yes.

1 MR. KERRICK: Okay.

2 MS. PICKARD: I make a motion
3 that we approve Resolution 2011 dash 024 appointing
4 Berkheimer as our earned income tax collector.

5 MS. LAMBERTON: Second.

6 MR. KERRICK: Motion and second.
7 Questions or comments from the
8 public?

9 Call the vote. Anne?

10 MS. LAMBERTON: I vote in favor.

11 MR. KERRICK: Donny?

12 MR. MOYER: I vote in favor.

13 MR. KERRICK: Heidi?

14 MS. PICKARD: I vote in favor.

15 MR. KERRICK: I vote in favor.

16 Motion carried.

17 Next item, consider Resolution
18 No. 2011 dash 025, Berkheimer LST as the tax
19 collector.

20 MS. PICKARD: I make a motion we
21 approve Resolution 2011 dash 025 appointing
22 Berkheimer as our LST collector.

23 MR. KERRICK: Do we have a
24 second?

25 MS. LAMBERTON: Second.

1 MR. KERRICK: Questions or
2 comments from the public on the motion?

3 Call the vote. Anne?

4 MS. LAMBERTON: I vote in favor.

5 MR. KERRICK: Donny?

6 MR. MOYER: I vote in favor.

7 MR. KERRICK: Heidi?

8 MS. PICKARD: I vote in favor.

9 MR. KERRICK: I'll vote in
10 favor. Motion carried.

11 Next item, consider Resolution
12 No. 2011 dash 026, building number compliance date.

13 MR. ARMSTRONG: Now, what these
14 -- if you recall from the work session, we
15 discussed Ordinance 470 and the amending Ordinance
16 479 with respect to the building name signs or the
17 building number signs. The compliance date was not
18 set in those ordinances because we didn't know when
19 the county was going to finish their 911
20 addressing.

21 They have since completed their
22 -- the county has since completed their addressing
23 and the way it's termed in the ordinance is, it
24 would be one -- a compliance date would be 180 days
25 from the date determined by the township.

1 And the way this resolution is
2 worded is that it would be 180 days from today's
3 date, the date of the resolution being passed,
4 which would take them to a March 12, 2012
5 compliance date.

6 And again --

7 MR. KERRICK: Are you all right
8 with that?

9 You okay with it?

10 MS. LAMBERTON: Do you want it
11 longer?

12 MR. KERRICK: No. I'm okay with
13 that.

14 MS. LAMBERTON: Okay.

15 MR. KERRICK: Our concern was
16 that it was a lot of people that still don't have
17 the signs out.

18 MS. LAMBERTON: Right.

19 MR. KERRICK: Some of the people
20 are leaving for the summer or slash winter.

21 MS. LAMBERTON: Right. So
22 should we make it like June?

23 MR. KERRICK: Well, I thought we
24 said at our work session we'd give it a try and --

25 MS. LAMBERTON: And see what

1 happens. Okay.

2 MS. PICKARD: We could always
3 extend it --

4 MR. ARMSTRONG: You'd have to do
5 another resolution, but you could arguably extend
6 it, yep. It's going to be an enforcement thing
7 from the township.

8 MR. KERRICK: I hope they get
9 them up, that's what they're there for.

10 Do we have a motion?

11 MS. PICKARD: I'll make a motion
12 we approve Resolution 2011 dash 026.

13 MR. KERRICK: Do we have a
14 second?

15 MS. LAMBERTON: Second.

16 MR. KERRICK: Questions or
17 comments from the board?

18 Questions or comments from the
19 public?

20 Yes, Anne -- or, excuse me,
21 Wendy.

22 MS. WENDY FREEMAN: Is that the
23 both types of signs, the number signs on the house
24 and the number signs by the driveway?

25 MR. KERRICK: You mean the road

1 signs?

2 MS. WENDY FREEMAN: The number
3 signs --

4 MR. KERRICK: Or did you mean
5 street signs?

6 MR. ARMSTRONG: The identifying
7 number signs for the property, not the street
8 signs.

9 MS. WENDY FREEMAN: Okay.

10 MR. ARMSTRONG: The street signs
11 identifying the street, this compliance date does
12 not apply to that.

13 MS. WENDY FREEMAN: Thank you.

14 MR. KERRICK: Any other
15 questions?

16 Sorry, Wendy. I had to do it.
17 Call the vote. Anne?

18 MS. LAMBERTON: I vote in
19 favor.

20 MR. KERRICK: Donny?

21 MR. MOYER: I vote in favor.

22 MR. KERRICK: Heidi?

23 MS. PICKARD: I vote in favor.

24 MR. KERRICK: I'll vote in
25 favor. Motion carried.

1 Next item, consider Resolution
2 No. 2011 dash 027, support the proposed special tax
3 amendment.

4 Heidi, that's your --

5 MS. PICKARD: This was a
6 resolution we were putting forth to the county
7 association meeting next month to amend the Second
8 Class Township Code to allow special taxes to be
9 broken out for both police and for road projects.

10 And with that I'll make a motion
11 that we approve Resolution 2011 dash 027. We do
12 have them combined in the one resolution.

13 MR. KERRICK: Do we have a
14 second?

15 MS. LAMBERTON: I'll second it.

16 MR. KERRICK: Questions or
17 comments from the board?

18 Questions or comments from the
19 public?

20 Call the vote. Anne?

21 MS. LAMBERTON: I vote in favor.

22 MR. KERRICK: Donny?

23 MR. MOYER: I vote in favor.

24 MR. KERRICK: Heidi?

25 MS. PICKARD: I vote in favor.

1 MR. KERRICK: I'll vote in
2 favor.

3 Next item, declaration of
4 disaster emergency.

5 Do you have those dates?

6 MS. PICKARD: I put them in the
7 declaration.

8 MR. KERRICK: You put them in
9 the declaration?

10 MS. PICKARD: Yes.

11 MR. KERRICK: August 28?

12 MS. PICKARD: Yeah, that's what
13 she told me.

14 MR. KERRICK: On or about August
15 28, 2011 -- you want me to read the first sentence
16 there? -- has caused or threatened to cause
17 injury, damage and suffering to the persons or
18 property at Tobyhanna Township.

19 Do we have a motion?

20 MS. PICKARD: I make a motion
21 for the declaration of the disaster emergency on
22 August 28, 2011.

23 MR. KERRICK: Do we have a
24 second?

25 MS. LAMBERTON: What does this

1 do?

2 MS. PICKARD: I had a question,
3 though, if the emergency took us into the next
4 couple of days or the next week --

5 MS. LAMBERTON: That was just
6 the start of it.

7 MR. KERRICK: We're supposed to
8 have a second before you discuss it.

9 MS. LAMBERTON: Oh, sorry.

10 MR. KERRICK: Do we have a
11 second?

12 MS. LAMBERTON: I'll second it.

13 MR. KERRICK: Okay. Now we can
14 discuss it.

15 MS. LAMBERTON: Okay.

16 MR. KERRICK: I think --

17 MR. ARMSTRONG: No, I think the
18 the whereas clause --

19 Go ahead.

20 MR. KERRICK: No, no. Go ahead.

21 MR. ARMSTRONG: The whereas
22 clause just identifies the date of the event. The
23 emergency declaration, if you look at the last
24 paragraph, the last meaty paragraph, we authorize
25 the officials of Tobyhanna Township to act as

1 necessary to meet the current exigencies of this
2 emergency, namely -- and then it goes on to specify
3 what the township's able to do in the event of an
4 emergency like this.

5 MR. KERRICK: Do you have any
6 other questions on the declaration?

7 Anyone from the public?

8 Call the vote. Anne?

9 MS. LAMBERTON: I vote in favor.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: I vote in favor.

15 Next item, Keith Knauer, Lot 4
16 and 5 Beech Spring Drive, Lake Naomi, well
17 isolation distance waiver request. Item J.

18 MS. PICKARD: This is a repair
19 of a failure of a septic system so he is going to
20 locate the septic within 57 feet from his -- his
21 own personal existing well, which is the only
22 (inaudible) on the system.

23 I'll make a motion that we
24 approve the waiver request for Mr. Knauer and that
25 will be Lots 4 and 5 and a portion of 3, Unit 3,

1 Section 1 in Lake Naomi.

2 MR. KERRICK: Motion.

3 Do we have a second?

4 MS. LAMBERTON: I'll second it.

5 MR. KERRICK: Questions or

6 comments from the board?

7 Questions or comments from the

8 public?

9 You're aware of it?

10 MS. WENDY FREEMAN: I am, thank

11 you.

12 MR. KERRICK: Call the vote.

13 Anne?

14 MS. LAMBERTON: I vote in favor.

15 MR. KERRICK: Donny?

16 MR. MOYER: I vote in favor.

17 MR. KERRICK: Heidi?

18 MS. PICKARD: I vote in favor.

19 MR. KERRICK: I vote in favor.

20 Motion carried.

21 Do we have anything else?

22 Do you have anything else?

23 MR. ARMSTRONG: It could be a

24 record.

25 MR. KERRICK: No, not yet.

1 We're not done yet. Never say that.

2 Anyone from the public?

3 Anybody? Wow.

4 I have one other item, with
5 regret I have a resignation from Jamie Keener
6 effective October 15, 2011, explaining that he's
7 moving out of the area.

8 Do we have a motion to accept
9 his resignation? You don't have to.

10 MALE VOICE: Make him stay.
11 Yeah, make him stay.

12 MS. LAMBERTON: I'm opposed.

13 MR. ARMSTRONG: Since it's dated
14 --

15 MR. KERRICK: Should we wait
16 until the meeting?

17 MR. ARMSTRONG: You may want to
18 wait until the October meeting when he's present
19 and --

20 MR. KERRICK: I was going to
21 wait for the whole thing but --

22 MR. ARMSTRONG: There's nothing
23 preventing you from moving forward to start
24 considering other potential supervisors at this
25 time.

1 MR. KERRICK: You have 30 days
2 from that date.

3 MR. ARMSTRONG: Right. Right.

4 MR. KERRICK: Okay. Anyone
5 else?

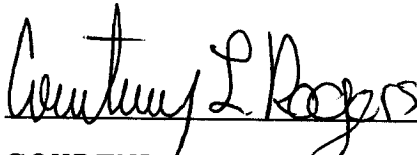
6 We're adjourned. Thank you.

7 (Meeting concluded at 7:20
8 p.m.)

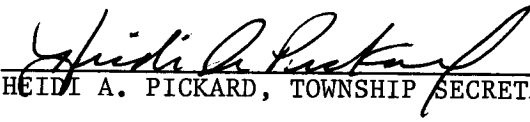
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I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

ORIGINAL


COURTNEY L. ROGERS

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

A G E N D A
Board of Supervisors
Regular Business Meeting
October 10, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements: Trick or Treat Hours - Monday, Oct.31-6PM to 8PM
Candidate Forum for Monroe County Commissioners-Thurs.Oct.27-7PM
Pocono Mtn. Regional Police Foundation Fundraiser
Golf Tournament-Saturday, Oct.15 and 5K Run/Walk-Sunday, Oct.16
4. Consider the Minutes of: August 8, 2011 Regular Business Meeting
5. Consider the Treasurer's Report: \$ *335,565.02*
6. Solicitor Report:
7. New Business:
 - A. TEC PTO request-donation for Halloween Parade/Party
 - B. Locust Lake Village POA proposed pavilion LDP waiver request
 - C. Locust Ridge Quarry Asphalt Plant Control Building LDP waiver request
 - D. Lake Naomi Clubhouse Pavilion roof LDP waiver request
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, October 10, 2011 beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JAMIE B. KEENER, Board Member
DONALD MOYER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to
2 welcome everyone here to the board of the
3 supervisors meeting, October 10.

4 Could we open the meeting with a
5 pledge of allegiance, please?

6 (Pledge of allegiance was
7 recited.)

8 MR. KERRICK: First item on our
9 agenda, announcements.

10 MS. PICKARD: The trick or
11 treat hours are Monday, October 31 from 6 to 8 p.m.
12 We are having a Monroe County Commissioners Forum
13 on Thursday, October 27, in the meeting room here
14 at 7 p.m. and the Mount -- Pocono Mountain Regional
15 Police Foundation is having their golf tournament
16 Saturday, October 15, and that's with the 5K
17 run/walk Sunday, October 16.

18 MR. KERRICK: Do you have
19 anything else?

20 MS. PICKARD: Just it's still
21 township cleanup through the end of the week.

22 MR. KERRICK: Anything else?

23 MS. PICKARD: No.

24 MR. KERRICK: Thank you.

25 Next item on our agenda,

1 consider the minutes of August 8, 2011 regular
2 business meeting. What's the board's pleasure?

3 MS. PICKARD: I'll make a
4 motion. I had a couple of --

5 MR. KERRICK: Go ahead.

6 MS. PICKARD: -- typos. On the
7 August 8 regular business meeting minutes, Page 23,
8 Line 24, it should be looking for; Page 38, Line
9 20, should be Boulder, B-O-U-L-D-E-R, as in Big
10 Boulder; Page 43, Line 23, the first word should
11 read it; Line 44, Line 1, should be municipalities,
12 M-U-N-I-C-I-P-A-L-I-T-I-E-S; Page 50, Line 5,
13 should be N, as in Nancy, NPDES, that's NPDES; Page
14 61, Line 1, should be the letter J and J; Page 66,
15 Line 1, Line 7, and Page 67, Line 15, should be
16 Wessel, W-E-S-S-E-L, it's Kate Wessel.

17 That would be it. With that
18 I'll make a motion we approve the August 8, 2011
19 regular business meeting minutes.

20 MR. KERRICK: Motion on the
21 board, do we have a second?

22 MS. LAMBERTON: Second.

23 MR. KERRICK: Motion and
24 second.

25 Questions or comments from the

1 board on the motion?

2 Questions or comments from the
3 public?

4 Call the vote. Jamie?

5 MR. KEENER: I vote in favor.

6 MR. KERRICK: Anne?

7 MS. LAMBERTON: I vote in
8 favor.

9 MR. KERRICK: Donny?

10 MR. MOYER: I vote in favor.

11 MR. KERRICK: Heidi?

12 MS. PICKARD: I vote in favor.

13 MR. KERRICK: I'll vote in
14 favor. Motion carried.

15 Next item on our agenda. I
16 forgot my bill pack.

17 MS. PICKARD: Yeah, I did too.

18 MR. KERRICK: Dated October 10,
19 2011, total amount for board approval is
20 \$335,565.02.

21 MS. PICKARD: I make a motion
22 we pay the bill dated October 10, 2011 in the
23 amount of \$335,565.02.

24 MR. KERRICK: Motion. Do we
25 have a second?

1 MR. KEENER: Second.

2 MR. KERRICK: Questions or
3 comments from the board?

4 The bills are up front in the
5 box if anyone cares to take a look. Questions or
6 comments from the public?

7 Call the vote. Jamie?

8 MR. KEENER: I vote in favor.

9 MR. KERRICK: Anne?

10 MS. LAMBERTON: I'll abstain.

11 MR. KERRICK: Donny?

12 MR. MOYER: I vote in favor.

13 MR. KERRICK: Heidi?

14 MS. PICKARD: Vote in favor.

15 MR. KERRICK: Motion carried.

16 Next item on our agenda,
17 solicitor's report.

18 MR. ARMSTRONG: Thank you, Mr.
19 Chairman.

20 The first item under my report,
21 as you are all aware of the Arcadia on New Ventures
22 Lot 100 to 110, preliminary land application
23 approval that was granted probably about two years
24 ago. You're also aware that they came before you
25 probably two months ago and asked you to submit an

1 HOP application for their proposed development.

2 You have submitted the
3 application. They have been a little slow in
4 getting back the maintenance agreements with
5 respect to the improvements related to those HOPs.
6 I had a conversation with their counsel today and
7 what I'm going to suggest you do -- I got a revised
8 version of the maintenance agreements back on
9 Friday.

10 I talked to their counsel today
11 and I let them know that what I would be suggesting
12 to you tonight is that you would make a motion to
13 pull the HOP applications unless we finalize these
14 agreements before the end of next week, and they're
15 aware of it. I don't see anyone here tonight.

16 I think, they think we can
17 finalize it before the end of this week. I just
18 want to make sure that there's something pushing to
19 get this done in the near future. So with that if
20 you have any questions, please let me know. It's
21 more of a motion to get them moving and finalizing
22 those agreements.

23 Is there a motion from the
24 board? You don't have to make a motion if you
25 don't want to do it, you don't have to. It's just

1 something -- I've been working with them for a
2 little over a month and a half now. It's taking a
3 little longer than I would have anticipated.

4 MS. LAMBERTON: Do they have a
5 problem with --

6 MR. ARMSTRONG: No. No, they
7 don't.

8 MS. LAMBERTON: Is there a good
9 reason why they haven't come forward?

10 MR. ARMSTRONG: There's a lot
11 of cooks in the kitchen over there which might be
12 one of the reasons. I would think that's probably
13 the main reason.

14 MS. LAMBERTON: So we would
15 make a motion and we pushed it along a little bit
16 faster?

17 MR. KERRICK: They didn't agree
18 to all the conditions. They didn't want to be
19 responsible for the maintenance of the traffic
20 signal and the drainage.

21 MR. ARMSTRONG: Yeah, and a --

22 MS. LAMBERTON: And we want
23 them to be.

24 MR. ARMSTRONG: Absolutely.

25 MR. KERRICK: Yeah. It's a

1 private community.

2 MS. LAMBERTON: We still have
3 that in place even if we made this motion for them
4 to move forward?

5 MR. ARMSTRONG: Absolutely.

6 MS. LAMBERTON: We're just
7 putting a little steam underneath them to get it
8 moving.

9 MR. ARMSTRONG: I finally got
10 the revisions back from my maintenance agreements
11 on Friday and most of their changes are fine,
12 they're just technical type changes; but there are
13 probably two or three that I'm not going to suggest
14 for you to agree to. I don't anticipate them --
15 that being a stumbling block. I think they're
16 going to agree to not make those changes and -- you
17 know, I think we can probably finalize it before
18 the end of this week, but I don't have a problem
19 with giving them to the end of next week.

20 MS. LAMBERTON: Well, I thought
21 they were anxious 'cause they had a user.

22 MR. ARMSTRONG: So did I.

23 MS. LAMBERTON: So we should
24 make this motion. I'll make the motion.

25 MR. KERRICK: We have a motion

1 on the floor. Do we have a second?

2 MR. MOYER: Second.

3 MR. KERRICK: Questions or
4 comments from the board on the motion?

5 Questions from the public on the
6 motion?

7 Call the vote. Jamie?

8 MR. KEENER: I vote in favor.

9 MR. KERRICK: Anne?

10 MS. LAMBERTON: I vote in
11 favor.

12 MR. KERRICK: Donny?

13 MR. MOYER: I vote in favor.

14 MR. KERRICK: Heidi?

15 MS. PICKARD: I vote in favor.

16 MR. KERRICK: I vote in favor.

17 What else do you have for us,
18 Pat?

19 MR. ARMSTRONG: As you're
20 aware, the county -- the Monroe County addressing,
21 911 addressing plan took place earlier this year
22 and we were -- it was brought to our attention, I
23 believe at the work session last week, that the
24 local fire departments were having trouble getting
25 some of the information. In response to that, I

1 directed a letter and I believe Heidi went to the
2 county commissioners meeting last week.

3 And I got a letter in response
4 to that inviting myself and anyone from the
5 township who wants to attend a meeting with some of
6 the representatives from the county to go over, you
7 know, what they're preparing and whether or not --
8 and what's going to be available to the local fire
9 departments. So I've already left a message with
10 the individual that I was given.

11 I believe Heidi, you will be
12 attending, correct?

13 MR. KERRICK: You're going to
14 have it here, correct?

15 MR. ARMSTRONG: I didn't talk
16 to anyone yet. I'm anticipating to request them to
17 come here, but it does involve, I think, two people
18 that are employees of the county. So they may want
19 to have the meeting at the county.

20 MR. KEENER: I would try here.

21 MS. PICKARD: Usually they like
22 to come up here.

23 MR. KEENER: They'll travel.

24 MS. PICKARD: They'll travel,
25 yeah.

1 MR. ARMSTRONG: If they will,
2 that's fine. I haven't had the opportunity to
3 talk to them yet, so --

4 I have one executive session
5 item for after the public meeting. And that's all
6 I have for my report.

7 MR. KERRICK: Thank you.

8 MR. KEENER: Yeah. Just to
9 follow that up. I never got a response to my
10 e-mail that I think triggered some of the
11 discussion about the 911, the addresses.

12 You guys saw it, didn't you?

13 MS. LAMBERTON: Yes, I did.

14 MR. KERRICK: You did not get a
15 response?

16 MR. KEENER: No. I'm glad that
17 somebody's at least following up, because again, I
18 think for the amount of money the county spends,
19 and the purpose of that was for the enhanced 911,
20 why our emergency services folks don't have access
21 to that, even now, is beyond me.

22 MR. RON GATTI: May I comment
23 on that?

24 MR. KERRICK: Sure.

25 THE REPORTER: Would you state

1 your name, please?

2 MR. RON GATTI: Yes. I'm Ron
3 Gatti, G-A-T-T-I, from Locust Lake Village.

4 THE REPORTER: Thank you.

5 MR. RON GATTI: In your
6 comments or in your meeting with the county
7 officials, if you could ask them also to get some
8 maps available to the communities. We're
9 responsible for implementing the 911 and yet we do
10 not have the information to do so. We can't put up
11 street signs if we don't have the street names. We
12 can't put up the numbers if we're not sure what the
13 new numbers are going to be.

14 So that -- we have been working
15 with Phyllis and she has been extremely helpful and
16 very cooperative to the extent that she can be, but
17 the blockage seems to be getting the information
18 from the county. If there is any way that, in your
19 discussion, the importance of making information
20 available to the communities is very important.

21 MS. PICKARD: We appreciate
22 that. They're not giving the township the
23 information. Our primary concern is to get it to
24 the emergency services right now.

25 MR. RON GATTI: Yeah. They --

1 the point being that we want to implement the
2 system, but we too need the information in order to
3 do so.

4 MS. PICKARD: We understand.

5 MR. KERRICK: We'll give you an
6 update date after we have our meeting.

7 Anyone else?

8 Next item on our agenda -- you
9 done, Jamie? I'm sorry.

10 MR. KEENER: Yeah.

11 MR. KERRICK: Next item on our
12 agenda, TEC PTO request donation for Halloween
13 party.

14 What's the board's pleasure?

15 MS. PICKARD: We made a
16 donation of \$250 for the last two years.

17 MR. KERRICK: Is that your
18 motion?

19 MS. PICKARD: I'll make a
20 motion that we donate \$250 for the fall party, TEC
21 PTO.

22 MR. MOYER: Second.

23 MR. KERRICK: Motion and
24 second.

25 Questions or comments from the

1 board?

2 Questions or comments from the
3 public?

4 Call the vote. Jamie?

5 MR. KEENER: I vote in favor.

6 MR. KERRICK: Anne?

7 MS. LAMBERTON: I vote in
8 favor.

9 MR. KERRICK: Donny?

10 MR. MOYER: I vote in favor.

11 MR. KERRICK: Heidi?

12 MS. PICKARD: I vote in favor.

13 MR. KERRICK: I vote in favor.

14 Motion carried.

15 Next item, Locust Lake Village
16 Property Owners Association proposed pavilion land
17 development waiver request. Obviously we have
18 representatives from Locust Lake.

19 What's the board's pleasure?
20 Any questions since the work session?

21 MR. ARMSTRONG: This is a
22 request for waiver of land development. It looks
23 like the applicant proposes to put a nonresidential
24 structure on the property and they're requesting a
25 waiver of the land development requirements.

1 Obviously one of the conditions would be for the
2 applicant to comply with all zoning ordinance
3 requirements of the township and obviously any
4 other applicable codes or regulations that would
5 apply. I don't know if the township had any other
6 potential conditions that you wanted to place.

7 If you want to entertain the
8 request of waiver of the land development.

9 MR. KERRICK: What's the
10 board's pleasure?

11 MR. KEENER: I think based on
12 some of the discussions we had at the work session
13 about, I guess, pavilions and guard shacks and some
14 of those items that are probably less than needing
15 to be engineered and significant site improvements,
16 I would support a waiver. I think we should put a
17 stipulation on the amount of square footage of the
18 structure, say -- I mean, what do we currently
19 have? 200 square feet?

20 MR. MOYER: Yeah.

21 MR. KEENER: You know, I'm
22 thinking maybe a thousand square feet, maybe five
23 hundred or a thousand square feet. I'll throw that
24 out there, I don't know.

25 MS. PICKARD: Is 1320.

1 MR. MOYER: It's 44 by 30.

2 MR. KERRICK: 1320, Jamie.

3 Their proposed pavilion is 1320.

4 MS. PICKARD: The pavilion is
5 1320.

6 MS. LAMBERTON: I don't have a
7 problem with the size.

8 MR. KEENER: I think it's
9 something -- again, the MPC provides for, any
10 improvement really is defined as a land
11 development. We just need to determine what we
12 feel should go through the process and even what
13 doesn't go through the regular land development
14 process, I still think needs to comply with storm
15 water management regs, erosion control regs. And
16 even if we do waive the land development process
17 that still needs to be complied with.

18 So there's still going to be a
19 cost associated with generating those drawings
20 and/or calculations to support the development.
21 So, I mean, I don't know, do you want to go to -- I
22 mean, think -- do we want to do it for
23 nonresidential? Do we want do it for residential?

24 Right now a single residential
25 home is not defined as land development, is that

1 correct?

2 MS. PICKARD: No.

3 MR. ARMSTRONG: Any
4 nonresidential improvement to a structure.

5 MR. KEENER: Right. Or two or
6 more residential.

7 MR. MOYER: Right.

8 MR. KERRICK: We discussed this
9 many years ago that we were going to change it. We
10 talked about it several times and we never have
11 changed it. I think we could do it case by case.
12 We're in the process of redoing our ordinances and
13 zoning. Let's see if we can come up with a square
14 footage. I don't think that's unreasonable, the
15 13, and match what you said there. I have no
16 problem with it.

17 MR. KEENER: Do you want to put
18 it as square footage or are you just want to leave
19 it arbitrary and --

20 MR. MOYER: Case by case.

21 MS. KEENER: -- make it on a
22 case by case basis?

23 MS. PICKARD: Case by case.

24 MR. MOYER: Yeah, 'cause it's
25 not -- they're not all pavilions, you know what I

1 mean? They're going to have different structures.

2 MR. KEENER: Well, but if
3 somebody comes in with a commercial development, a
4 retail store that's 1500 square feet. I mean, it's
5 going to be hard to do a stand-alone structure of
6 1500 square feet, but it could very well happen.

7 MR. KERRICK: I don't think
8 that's our intent here.

9 MR. KEENER: Understand --

10 MS. LAMBERTON: That's why
11 that's an amenity.

12 MS. PICKARD: That's why it
13 makes sense to do it a case by case.

14 MR. MOYER: Case by case, yeah.
15 At that time then we'll --

16 MR. KEENER: Okay. I mean,
17 understanding that there's administrative costs and
18 still some processing for the waiver, I'd recommend
19 a thousand dollars plus reimbursement of other fees
20 such as the engineer and any other professional
21 fees.

22 Pat, had you adjusted the
23 developer's agreement? Did you mention that?

24 MR. ARMSTRONG: There would not
25 be a develop -- there wouldn't be -- well, I guess

1 there could be, but it would primarily be a
2 professional services reimbursement agreement to
3 that extent, because they won't be -- if you do
4 waive the land development requirements, they won't
5 be going through the actual land development
6 process.

7 MR. KEENER: Right. So I would
8 say a thousand dollars plus the professional
9 services agreement and ensuring compliance with all
10 other local, state and federal regulations that
11 might apply.

12 MR. KERRICK: Motion on the
13 floor. Do we have a second?

14 MS. LAMBERTON: I will second
15 that.

16 MS. PICKARD: This is a waiver
17 of the conditional use and the land development
18 plan?

19 MR. KEENER: I would just say
20 land development. I wouldn't waive conditional use
21 or special exception because that's a separate
22 process.

23 MR. ARMSTRONG: Yeah. Special
24 exception you wouldn't be able to --

25 MS. PICKARD: No. This is

1 conditional use. This is a development amenity
2 which would require a conditional use hearing, so
3 are we not waiving the conditional use and
4 advertise a conditional use hearing?

5 MR. KEENER: To be honest with
6 you, no, I wouldn't waive conditional use.

7 MR. KERRICK: They should have
8 been told last week then, so they could've started
9 this process. We're time sensitive here.

10 MS. PICKARD: I think we should
11 waive the conditional use and the plan development.

12 MS. LAMBERTON: I think we
13 should too.

14 MR. KERRICK: If you can.

15 MS. LAMBERTON: You're saying
16 we can't, though.

17 MR. ARMSTRONG: Well, you can't
18 waive special exception. This is conditional use
19 and if the board feels it's not necessary --

20 MR. KEENER: I guess you could,
21 but, again, it's another process by which you have
22 the opportunity to review an application and, I
23 mean, if you're just going to waive it generically
24 --

25 Are you going to waive each one

1 as they come up? Is that the intent?

2 MR. KERRICK: I don't really
3 think -- our intent was to change the ordinance as
4 it is. We never did and all of a sudden we have
5 three before us -- four before us this evening.

6 MR. KEENER: For land
7 development, that I wasn't aware we were talking
8 about conditional use or --

9 MR. KERRICK: I know we
10 weren't, but we also are in October and these
11 people want to continue with their projects. I
12 don't want to hold them up. What we should have
13 done, in my opinion, we should've told them then
14 that they needed to do some things, they could've
15 started that process. Why hold them up?

16 MR. ARMSTRONG: Well, right now
17 --

18 (Inaudible discussion.)

19 MR. KERRICK: For a pavilion?

20 MR. KEENER: I don't have a
21 problem with it, if that that's what you want to do
22 for this specific one but --

23 MS. LAMBERTON: I think we are
24 talking just this one right here.

25 MR. KEENER: That's what we're

1 talking about tonight.

2 MS. LAMBERTON: Me too, yes. I
3 know.

4 MR. ARMSTRONG: Locust Lake

5 MS. LAMBERTON: Yep.

6 MR. ARMSTRONG: We're not
7 waiving anything across the board or anything.

8 MR. MOYER: Yeah. We're not
9 making it --

10 MS. PICKARD: No.

11 MR. KEENER: That's good, but
12 you set a precedent once you do one.

13 MR. ARMSTRONG: Well, the
14 applicant, I don't think they've actually requested
15 a waiver of the conditional use. They may not have
16 been aware of that.

17 MR. RON GATTI: No. We thought
18 the use of the pavilion was an established use
19 because it is an amenity structure and what is
20 already an amenity, that the use aspect of it --

21 MR. ARMSTRONG: That would make
22 sense. If there's an existing use there, this --

23 MR. MOYER: Right. It's not
24 changing.

25 MR. ARMSTRONG: -- isn't brand

1 new. Then that would make sense. The conditional
2 use is for the actual use of the property. If
3 that's already been established by possibly a prior
4 conditional use, that's not an issue.

5 MR. KEENER: Okay.

6 MS. PICKARD: Then we'll make
7 a motion.

8 MR. KERRICK: Any other
9 questions? No?

10 You okay?

11 MR. KEENER: Yeah.

12 MR. KERRICK: Any questions
13 from the public on the motion?

14 MR. RON GATTI: Yeah.

15 MR. KERRICK: Yes, sir.

16 MR. RON GATTI: First of all,
17 thank you. Secondly --

18 MR. KERRICK: We didn't vote.

19 MR. RON GATTI: You didn't
20 vote? Is the agreement to be drawn up and an
21 escrow payment in case of need or (inaudible) or is
22 that a fee for --

23 MR. ARMSTRONG: The
24 professional services agreement with the township
25 is when an applicant comes in and submits a plan

1 there are obviously costs to the township with
2 respect to the township engineer reviewing plans,
3 if they need to be reviewed, any other reviews of
4 professionals, the traffic consultant and myself.
5 For plans such as this, I don't anticipate the
6 professional services to be extensive; but in order
7 to cover the township in the event that there is an
8 unforeseen circumstance --

9 MR. RON GATTI: It is the
10 escrow that --

11 MR. ARMSTRONG: It'll be a
12 professional services agreement that the township
13 -- it's a formal agreement that we've entered into
14 with applicants and there's an escrow requirement.
15 I don't necessarily know what that is or what it
16 would be with respect to a plan like this. I
17 wouldn't anticipate it being -- but I don't know,
18 sitting here, what the actual escrow amount would
19 be.

20 MR. KEENER: What's our --

21 MR. ARMSTRONG: The
22 professional services escrow would be returned to
23 you once your pavilion's completed in the event
24 that you never used any money from that.

25 MR. RON GATTI: Correct. Thank

1 you.

2 MR. ARMSTRONG: The fee in lieu
3 -- the thousand dollar fee in lieu, that's
4 something separate, that would not be together with
5 the professional service agreement.

6 MS. LAMBERTON: I'm fine with.

7 MR. KERRICK: Any other
8 questions?

9 Call the vote. Jamie?

10 MR. KEENER: I vote in favor.

11 MR. KERRICK: Anne?

12 MS. LAMBERTON: I vote in
13 favor.

14 MR. KERRICK: Donny?

15 MR. MOYER: I vote in favor.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: I vote in favor.

19 Motion carried.

20 Next item on our agenda, Locust
21 Ridge Quarry Asphalt Plant Control Building, land
22 development waiver request.

23 Anyone here from Locust Ridge?

24 What's the board's pleasure?

25 MS. LAMBERTON: That's the same

1 situation, isn't it?

2 MR. KERRICK: Pretty much the
3 same situation, Anne.

4 MR. KEENER: What's the square
5 footage of the building?

6 MR. MOYER: 17 by 30.

7 MR. KEENER: 17 by 30?

8 MR. MOYER: Yeah, I'm pretty
9 sure.

10 MR. KEENER: Almost 560 square
11 feet. I make a motion we approve the waiver
12 request from Haines and Kibblehouse, the asphalt
13 plant and control building that is approximately
14 560 square feet.

15 MS. LAMBERTON: I second.

16 MR. KEENER: Waiver of land
17 development.

18 MR. ARMSTRONG: Subject to the
19 same conditions?

20 MR. KEENER: Subject to the
21 same conditions; professional services agreement
22 and compliance with all other local, state and
23 federal regulations.

24 MR. ARMSTRONG: Same fee in
25 lieu of --

1 MR. KEENER: Yes.

2 MR. KERRICK: Do we have a

3 second?

4 MS. LAMBERTON: I'll second it.

5 MR. KERRICK: Any questions

6 from the board on the motion?

7 And questions from the public on

8 the motion?

9 Call the vote. Jamie?

10 MR. KEENER: I vote in favor.

11 MR. KERRICK: Anne?

12 MS. LAMBERTON: I vote in favor.

13 MR. KERRICK: Donny?

14 MR. MOYER: I vote in favor.

15 MR. KERRICK: Heidi?

16 MS. PICKARD: I vote in favor.

17 MR. KERRICK: I vote in favor.

18 Motion carried.

19 Next item on our agenda, Lake

20 Naomi Clubhouse pavilion roof, land development

21 waiver request.

22 What's the board's pleasure?

23 MS. LAMBERTON: It's just a

24 roof?

25 MR. MOYER: Jamie, this is

1 already done.

2 MS. LAMBERTON: Umm-hmm. I'll
3 make a motion to approve the waiver, in lieu of the
4 same conditions that we put on the other two.

5 MR. KERRICK: Motion on the
6 floor. Do we have a second?

7 MR. MOYER: Second.

8 MR. ARMSTRONG: Compliance with
9 zoning and all other code and ordinances?

10 MS. LAMBERTON: Absolutely,
11 yes.

12 MR. ARMSTRONG: Storm water
13 management compliance in lieu of a thousand dollars
14 and professional services agreement?

15 MS. LAMBERTON: Sounds
16 wonderful.

17 MR. MOYER: Second.

18 MR. KERRICK: Questions or
19 comments from the board?

20 Public, questions or comments?
21 Call the vote. Jamie?

22 MR. KEENER: I vote in favor.

23 MR. KERRICK: Anne?

24 MS. LAMBERTON: I vote in
25 favor.

1 MR. KERRICK: Donny?

2 MR. MOYER: I vote in favor.

3 MR. KERRICK: Heidi?

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: I vote in favor.

6 Motion carried.

7 Next item on our agenda. Timber
8 Trails Gatehouse land development waiver request.
9 Small addition to the rear of the gatehouse.

10 Do you want to discuss that with
11 us, John?

12 MR. JOHN LAMBERTON: John
13 Lamberton, Lake Naomi Club. We had submitted
14 application and plans to the township to get a
15 building permit for a small addition we're doing on
16 the rear of the Timber Trails Gatehouse. It
17 consists of 132 square feet and received a phone
18 call from Phyllis on Friday stating that she could
19 not give a waiver because -- even though it was
20 below the 200 square feet, that it was not in a
21 commercial district; it was commercial use.

22 So therefore she suggested that
23 we come to the board and get a waiver. Also time
24 sensitive, we're looking to start construction
25 immediately. And basically the addition consists

1 of a bathroom and a hallway connecting the bathroom
2 to the existing building, for a total of 131 square
3 feet.

4 MR. MOYER: Let's get that
5 bathroom.

6 MR. KEENER: Speaking of
7 bathrooms, how are you going to serve the bathroom?
8 Where's the septic?

9 MR. JOHN LAMBERTON: We
10 currently have a bathroom there.

11 MR. KEENER: Okay.

12 MR. JOHN LAMBERTON: It's
13 inside the existing facility and that will be
14 removed and it's being pumped out. So it does have
15 an existing septic system.

16 MR. KERRICK: What's the
17 board's pleasure?

18 MR. KEENER: I'll make a motion
19 we approve the Timber Trails Gatehouse addition of
20 132 square feet, plus or minus, with the conditions
21 of the thousand dollars for the waiver request; the
22 compliance with all other local, state and federal
23 regulations; professional services agreement.

24 MR. ARMSTRONG: In lieu of?

25 MR. KEENER: I mentioned the

1 thousand dollar fee.

2 MR. ARMSTRONG: The only thing
3 you may want to consider adding to this one, since
4 I don't believe Bob McHale, the township engineer,
5 has seen it, because I think it just came in today,
6 is conditional upon review by Bob McHale to make
7 sure there's no outstanding items that the board's
8 not aware of that may impact --

9 MR. KEENER: That's why I said
10 compliance with all local, state and federal
11 regulations so that he would ensure compliance.

12 MR. KERRICK: Do we have a
13 second?

14 MR. MOYER: Second.

15 MR. KERRICK: Questions or
16 comments from the board on the motion?

17 Questions or comments from the
18 public on the motion?

19 Call the vote. Jamie?

20 MR. KEENER: I vote in favor.

21 MR. KERRICK: Anne?

22 MS. LAMBERTON: I'll abstain.

23 MR. KERRICK: Donny?

24 MR. MOYER: I vote in favor.

25 MR. KERRICK: Heidi?

1 MS. PICKARD: I vote in favor.

2 MR. KERRICK: I vote in favor.

3 Motion carried.

4 Anyone else have anything?

5 MS. LAMBERTON: No more

6 waivers?

7 MR. MOYER: No more waivers.

8 MS. LAMBERTON: I'm good.

9 MR. KERRICK: Do you have
10 anything else, Pat?

11 MR. ARMSTRONG: Just a brief
12 executive session.

13 MR. KERRICK: Anyone from the
14 public have anything? Anything we should discuss?
15 Nobody?

16 I didn't forget. I was dragging
17 it out until last.

18 We have one other item on our
19 agenda. We have to take action on Jamie Keener's
20 resignation.

21 What's the board's pleasure?

22 MS. PICKARD: I'll make a
23 motion we accept Jamie Keener's resignation as
24 of --

25 MR. KERRICK: That was quick.

1 I -- you know who your friends are.

2 MR. KEENER: That makes me feel
3 good.

4 MS. PICKARD: -- October 15,
5 2011.

6 MR. KERRICK: Do we have a
7 second?

8 MS. LAMBERTON: I'm not going
9 to second it.

10 MR. MOYER: I'll second it.

11 MR. KERRICK: Motion and
12 second.

13 Questions or comments from the
14 board?

15 Questions or comments from the
16 public on the motion?

17 Call the vote. Jamie?

18 MR. KEENER: I abstain.

19 MR. KERRICK: Anne?

20 MS. LAMBERTON: I vote no.

21 MR. KERRICK: Donny?

22 MR. MOYER: I vote in favor.

23 MR. KERRICK: Heidi?

24 MS. PICKARD: I vote in favor.

25 MR. KERRICK: I vote in favor.

1 Motion carried.

2 It's with regret, Jamie. Will
3 you be able to attend our next meeting in the
4 audience?

5 MR. KEENER: Hmmm, I'll have to
6 see.

7 MR. KERRICK: If you're in
8 town?

9 MR. KEENER: If I'm in town.
10 If not -- go ahead.

11 MR. KERRICK: -- the meeting
12 afterwards, but it's been a pleasure. I really
13 appreciate some of the visioning in Blakeslee that
14 you had started and we hope to carry it through.

15 MR. KEENER: I appreciate that
16 and I apologize to all the voters that supported me
17 and to the residents of Tobyhanna Township, but
18 there are other demands on my schedule that I must
19 take up with my work and my family. So I
20 appreciate the opportunity to work with all of you.
21 I think we've done some great things over the last
22 few years and again in life we hope that we
23 contribute a little bit to make things a little bit
24 better than we've had them when they were there, so
25 I hope I've done that.

1 I hope we continue to keep
2 things moving in Tobyhanna Township, I think with
3 Blakeslee, with all of the things, the Blakeslee
4 Natural Area and some of the recent things that
5 have been happening here. I see some significant
6 changes in Tobyhanna Township coming and again I
7 attribute that to a lot of -- the hard work from
8 the volunteers, from our staff and from the office
9 people, the DPW.

10 Yesterday I had the opportunity
11 to coach a baseball game and had a gentleman come
12 up to me from Scranton and say about how beautiful
13 it was to come to Blakeslee -- or to Pocono Pines
14 to our ball field to play on such great facilities.

15 And again, John, thank you for
16 the work that you do and your staff with preparing
17 the fields. It's comforting to know that the hard
18 work is appreciated not only by our residents, but
19 by those who are outside. It's a difficult job, it
20 certainly is, but it's something that's very
21 rewarding to be able to make decisions that impact
22 people's lives.

23 And again, I appreciate the
24 opportunity and I hope you guys continue to move
25 those things forward in Blakeslee. I'm actually

1 going to be attending a planning conference, a
2 state planning conference this weekend and I'm
3 going to be talking about the visioning process and
4 taking that to the statewide folks and hopefully
5 they can apply that throughout Pennsylvania and
6 Blakeslee will be an example of how it can be done
7 right.

8 So, again, thank you. And I'll
9 be here until I'm permanently moved, I'll be
10 around, so if you need me for anything give me a
11 call. Thank you.

12 MR. KERRICK: I am surprised
13 that you missed one thing. I took great effort and
14 pain to get the roadway maintenance finished and
15 put on our office wall and I thought after all the
16 grief you gave me that you might mention it this
17 evening.

18 MR. KEENER: As a professional
19 planner --

20 MR. KERRICK: Do you see it on
21 the wall?

22 MS. LAMBERTON: I have to go
23 look.

24 MR. KERRICK: For the next 20
25 years.

1 MR. KEENER: As a professional
2 planner that's one of the things that we've always
3 pushed, is trying to get things organized so you
4 have a plan in place and so you use the money
5 wisely.

6 And, John, you said a lot of
7 people don't understand the hours that you put in
8 and the DPW folks, from fixing roads and clearing
9 trees and plowing the streets but certainly I know
10 it's a difficult task. We have probably the most
11 roads of any in the municipalities in the county.
12 So, yeah, it's not unrecognized.

13 Thank you.

14 MR. KERRICK: Thank you.

15 Anyone from the public?

16 MR. RON GATTI: I too would just
17 like to add my appreciation for the work that
18 you've done. We have not had direct dealings, but
19 I did talk to you while you were a candidate and I
20 appreciate that you shared your professional
21 expertise with the township. We have all benefited
22 from it.

23 MR. KEENER: Thank you.

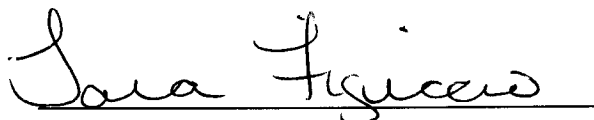
24 MR. KERRICK: Thank you.

25 Anyone else?

We're adjourned. Thank you.

(Meeting concluded at 7:38 p.m.)

I hereby certify that the
proceedings and evidence are contained fully and
accurately, to the best of my ability, in the notes
taken by me at the meeting in the above matter; and
that the foregoing is a true and correct transcript
of the same.



TARA FIGUCCIO, C.R.

ORIGINAL**Respectfully submitted:**
HEIDI A. PICKARD, TOWNSHIP SECRETARY

**Tobyhanna Township Board of Supervisors
November 7, 2011
Work Session Meeting Minutes**

The work session of the Tobyhanna Township Board of Supervisors was held at 3:30 p.m. on November 7, 2011 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	Anne M. Lamberton	Member
	Donald J. Moyer	Member
	Patrick Armstrong	Township Solicitor
	Phyllis Haase	Township Zoning Officer
	John Brogan	Township Sewage Enforcement Officer

The meeting was called to order at 3:45 p.m. by Ms. Heidi Pickard with the Pledge of Allegiance.

Secretary Report

No action.

Aqua Billing Agreement –Township Secretary Heidi Pickard notified the Board that the sewer billing agreement with Aqua will need to be renewed at the end of the year and that she was discussing possible revisions with Aqua.

Solicitor Report

Arcadia Properties – New Ventures Park – Land Development Plan – The Board agreed to move forward with a correspondence to Penn DOT requesting the HOP applications filed by the Township and naming the Township as permittee in relation to the land development plan of Arcadia Properties due to the applicant's failure to respond to the proposed maintenance agreements associated with such applications.

Bernard Woodford – Sewer Assessment and Tapping Fee Agreement – The Board discussed the proposed agreement for payment of the outstanding assessment and tapping fees associated with Mr. Woodford's property. Donald Moyer made a motion to authorize the execution of the agreement and it was seconded by Anne Lamberton. Motion passed 3-0. Chairman Kerrick was not present at the time of the vote.

Little League Lease Agreement – The Board agreed that a written agreement between the Township and the Little League was appropriate, but wanted to review the draft agreement and make some revisions to the same.

Sludge Hauling Contract Renewal – Biros – Heidi Pickard made a motion to authorize an Addendum to the Agreement to extend the agreement with Biros for an additional two (2) year term pursuant to the original bidding documents. Donald Moyer seconded the motion. The motion passed, 4-0.

Lake Naomi – Land Development/Subdivision – Parking Facility Gate – The Board agreed that Lake Naomi should execute an indemnification agreement relating to the location and use of the

gate installed within the Township's right-of-way adjacent to the recently constructed parking facility.

DPW Report and Sewer Report

None.

Engineering Report

None

Sewer Enforcement Officer Report

SEO John Brogan informed the Board of a recent inquiry from a property owner within Arrowhead Lakes regarding the possibility of applying for and receiving a permit for sewer connection prior to the DEP May 2012 retrofit timeline. Mr. Brogan informed the Board that DEP did not have an objection to issuing the permits before May 2012.

Anne Lamberton made a motion to allow the issuing of a permit before May 2012 so long as there is written confirmation that DEP and the Township Engineer are agreeable to the same and the actual connection does not take place until after the Arrowhead Lakes system retrofit is completed in May 2012. The motion also authorized the Township Solicitor to prepare a form agreement for such a conditional permit. The motion was seconded by Donald Moyer. The motion passed 3-0. Chairman Kerrick was not present at the time of the vote.

Zoning Officer Report

No action.

Zoning Ordinance Amendment – The Zoning Officer informed the Board that the Planning Commission will attempt to complete its preparation and review of the proposed Zoning Ordinance Amendment by March 2012.

Committee Reports

PMREMS – None

PMRPC – None

Open Space – None

BNA Report – None

CMTPTT Regional Comprehensive Plan – None

New Business

2012 Budget – No action. The Board will discuss this at its regular business meeting.

Inactive Sewer Accounts – No action. The Board will discuss this at its regular business meeting.

PMREMS – Anne Lamberton made a motion to authorize the letter of support for PMREMS' grant application for new radios. The motion was seconded by Heidi Pickard. The motion passed 4-0.

Resolution to Adopt Monroe County 2011 Hazard Mitigation Plan – No action. The Board will discuss this at its regular business meeting.

PEMA Resolutions – No action. The Board will discuss this at its regular business meeting.

Personnel Policy Update - No action. The Board will discuss this at its regular business meeting.

YMCA Summer Camp 2012 - No action. The Board will discuss this at its regular business meeting.

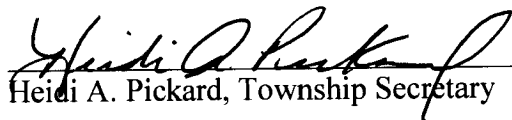
Public Comment

None.

Adjournment

Chairman Kerrick adjourned the meeting at 5:25 p.m.

Respectfully Submitted:


Heidi A. Pickard, Township Secretary

A G E N D A
Board of Supervisors
Regular Business Meeting
November 14 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: September 12, 2011 Regular Business Meeting
October 10, 2011 Regular Business Meeting
5. Consider the Treasurer's Report: \$463,370.44
6. Solicitor Report:
7. New Business:
 - A. Consider Appointing Township Supervisor
 - B. Consider Resolution 2011-028 PEMA-Hurricane Irene DR-4025
 - C. Consider Resolution 2011-029 PEMA-Hurricane Irene EM-3339
 - D. Consider Resolution 2011-030 PEMA-Tropical Storm Lee EM-3340
 - E. Consider Resolution 2011-031 reduction, exemption and write-off of certain inactive sewer accounts
 - F. Proposed 2012 Budget update
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, November 14, 2011 beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
DONALD MOYER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to
2 welcome everyone here to the board of supervisors
3 meeting, November 14.

4 Could we open the meeting with
5 the pledge of allegiance, please?

6 (Pledge of allegiance was
7 recited.)

8 MR. KERRICK: First item of
9 business, announcements.

10 MS. PICKARD: I don't have any
11 at this time.

12 MR. KERRICK: No? Consider the
13 minutes of September 12, 2011, regular business
14 meeting and October 10, 2011, regular business
15 meeting.

16 MS. PICKARD: I make a motion
17 that we approve the September 12, 2011 and the
18 October 10, 2011, regular business meeting minutes.

19 MR. MOYER: Second.

20 MR. KERRICK: Motion and second
21 on the floor.

22 Any questions or comments from
23 the board?

24 Questions or comments on the
25 public on the motion?

1 Call the vote. Anne?

2 MS. LAMBERTON: I vote in
3 favor.

4 MR. KERRICK: Donny?

5 MR. MOYER: I vote in favor.

6 MR. KERRICK: Heidi?

7 MS. PICKARD: I vote in favor.

8 MR. KERRICK: I vote in favor.

9 Motion carried.

10 Next item on our agenda, approve
11 the current obligations, bill pack dated November
12 14, 2011, total amount for board approval
13 \$463,370.44

14 MS. PICKARD: I make a motion
15 that we approve the November 14, 2011 bill pack in
16 the amount of \$463,370.44.

17 MR. MOYER: Second.

18 MR. KERRICK: Motion and
19 second.

20 Questions or comments from the
21 board on the motion?

22 Questions or comments from the
23 public on the motion? Bills are up front if
24 anybody wants to take a look.

25 MR. KERRICK: Call the vote.

1 Anne?

2 MS. LAMBERTON: I'll abstain.

3 MR. KERRICK: Donny?

4 MR. MOYER: I'll vote in favor.

5 MR. KERRICK: Heidi?

6 MS. PICKARD: I vote in favor.

7 MR. KERRICK: I vote in favor.

8 Motion carried.

9 Solicitor's report.

10 MR. ARMSTRONG: The only few
11 items I have in my report are more of a status
12 type. One is to review Monroe County 911
13 addressing project that was completed in the
14 beginning of the year. We've been since having
15 problems getting copies of the actual maps of the
16 911 addressing, the new roads, the new proper
17 addresses.

18 I had a meeting in mid-October
19 with representatives of the county and together
20 with Heidi and the zoning officer. And since then
21 I actually did just receive an email with an
22 attachment this morning from the county, with the
23 list that we require or at least what I believe to
24 be the list that we require, which would be the
25 lists of the old addresses and the new addresses

1 lined up together. So we did receive that today.
2 I don't know if Phyllis has had a chance to look
3 through it, Phyllis, the zoning officer. But I
4 anticipate speaking with her in the next few days
5 on that.

6 We still have not received the
7 maps. I did speak with John Dunn, the solicitor
8 for the county, on Thursday of last week. After
9 the meeting I guess the county representatives have
10 been going through trying to print these maps that
11 we looked at during the meeting. And when they
12 printed out, the problem is, is that the IDs for
13 these addresses apparently are like overlapping,
14 they're printing on top of each other and they're
15 ineligible, not able to be read.

16 So right now with respect to
17 maps, I'm not sure where we stand. They're saying
18 they can't produce them because it's -- you know,
19 it's a document that they don't have. We talked
20 about last week potentially filing a Right to Know
21 request with the county. That being said, we can
22 still do that, but if what they are saying is
23 correct and that there is no actual -- or they
24 can't -- they don't have a document which we're
25 requesting -- which I'm not sure if they do or not

1 yet.

2 Under the Right to Know Law, if
3 they don't have it, they can't produce it. I think
4 they have it, it's just a matter of getting it in a
5 form that they can produce it for the township. So
6 at this point in time I'm going to issue a Right to
7 Know request not without the board authorizing it.

8 If you wanted to make that
9 decision tonight, you can. If you want to wait and
10 I can continue to go back and forth with the county
11 to see if we can come up with something with
12 respect to the maps, I can continue to do that
13 until December.

14 MR. KERRICK: What's the
15 board's pleasure?

16 MS. LAMBERTON: Has any
17 township received anything?

18 MR. MOYER: Or anybody, period?

19 MR. ARMSTRONG: I'm not aware
20 of it. And if they would have, I would suspect the
21 county would easily turn over the maps, but I could
22 be wrong.

23 MS. PICKARD: I assume from our
24 meeting that Kimble had the original ones or a lot
25 of changes to that and that information wasn't put

1 over. So they're going to say they don't have it
2 in their possession and it's something they have to
3 create.

4 MR. ARMSTRONG: That's what
5 they're saying.

6 MS. PICKARD: They don't have
7 to create it.

8 MR. ARMSTRONG: They don't have
9 to create it under the regular law.

10 MR. KERRICK: I would just keep
11 working on it.

12 MS. PICKARD: Yeah.

13 MR. KERRICK: Just keep working
14 when you see them.

15 MR. ARMSTRONG: Okay.

16 MR. KERRICK: Personally.

17 MR. MOYER: Yeah, I agree.

18 MR. ARMSTRONG: One other item.

19 The Little League lease for the park properties
20 throughout the township, I circulated it. I got
21 some feedback and I also got some additional
22 feedback this afternoon; and along with the
23 revisions I've already made, I'm assuming the board
24 wanted to continue to make some revisions.

25 Basically the township would

1 continue to maintain the fields with some
2 contributions on the part of the Little League as
3 part of their lease, is that accurate?

4 MR. KERRICK: Yes.

5 MR. ARMSTRONG: With respects to
6 the specifics of the contributions, I could be in
7 contact with Heidi at the township later in the
8 week.

9 The only other thing is, if you
10 recall last month, Locust Ridge Quarry, the H&K
11 group, you granted them a waiver of land
12 development. A few days after they received my
13 letter, their counsel called me and wanted to see
14 if you would be willing to entertain a potential
15 revision to the waiver.

16 If you recall, the waiver
17 required a thousand dollar contribution in lieu of
18 land development together with a \$500 escrow to be
19 included with the signed professional services
20 agreement. What they would prefer is to just
21 provide a \$1500 fee in lieu of land development.

22 I necessarily don't have an
23 issue with it. I'd like to confirm with Bob
24 McHale, the township engineer, that he's not going
25 to have any reviews with respect to this plan,

1 because obviously, if you don't have a professional
2 services agreement with them and if there's
3 extensive reviews from Bob's part, you know,
4 someone's got to pay for his time.

5 I'm not going to have any -- to
6 my knowledge, with respect to the waiver and the
7 plan, I'm not going have any more participation in
8 it unless something comes up that I'm aware of.

9 That's fine, I can confirm with Bob, but would the
10 board be okay with revising that waiver to just be
11 a \$1500 fee in lieu of land development so long as
12 Bob McHale's agreeable that he's not going to have
13 any extensive work to do on the plan?

14 It's up to the board. It's a
15 request of the applicant, you don't have to agree
16 with it.

17 MS. LAMBERTON: Bob would be
18 the one reviewing it, so --

19 MR. KERRICK: Yeah, I have no
20 problem.

21 MS. LAMBERTON: I don't have a
22 problem.

23 MR. MOYER: Yeah.

24 MR. KERRICK: They're just
25 replacing equipment, so --

1 MR. MOYER: Right, right.

2 MS. PICKARD: I'll make that
3 motion.

4 MR. KERRICK: Heidi made the
5 motion.

6 MS. LAMBERTON: Second.

7 MS. LAMBERTON: Motion and
8 second.

9 Questions or comments from the
10 board?

11 Questions or comments from the
12 public?

13 Call the vote. Anne?

14 MS. LAMBERTON: I vote in
15 favor.

16 MR. KERRICK: Donny?

17 MR. MOYER: I vote in favor.

18 MR. KERRICK: Heidi?

19 MS. PICKARD: I vote in favor.

20 MR. KERRICK: I vote in favor.

21 Motion carried.

22 MR. ARMSTRONG: That's all I
23 have for my report. Thank you.

24 MR. KERRICK: New business.

25 I'm going to skip down one to the end. Consider

1 Resolution 2011 dash 028, PEMA, Hurricane Irene
2 DR-4025.

3 Heidi?

4 MS. PICKARD: These are all
5 designating Phyllis Haase to be the one to sign off
6 and submit the reimbursement request on behalf of
7 the township. So with that I'll a make a motion
8 that we approve Resolution 2011 dash 028, PEMA,
9 Hurricane Irene DR-4025.

10 MR. KERRICK: Can we do them
11 all together?

12 MS. PICKARD: Yeah.

13 MR. ARMSTRONG: I would do them
14 separately.

15 MR. KERRICK: Separately?
16 Okay.

17 MR. KERRICK: Is there a
18 second?

19 MS. LAMBERTON: I'll second.

20 MR. KERRICK: Motion and
21 second.

22 Questions or comments from the
23 board?

24 Questions or comments from the
25 public?

1 Call the vote. Anne?

2 MS. LAMBERTON: I vote in favor.

3 MR. KERRICK: Donny?

4 MR. MOYER: I vote in favor.

5 MR. KERRICK: Heidi?

6 MS. PICKARD: I vote in favor.

7 MR. KERRICK: Motion carried.

8 Next item, consider Resolution

9 2011 dash 029, PEMA, Hurricane Irene, EM dash 3339.

10 MS. PICKARD: Make a motion that
11 we approve Resolution 2011 dash 029 PEMA, Hurricane
12 Irene, EM dash 3339.

13 MR. KERRICK: Do we have a
14 second?

15 MS. LAMBERTON: Second.

16 MR. KERRICK: Questions or
17 comments from the board?

18 Questions or comments from the
19 public?

20 Call the vote. Anne?

21 MS. LAMBERTON: I vote in favor.

22 MR. KERRICK: Donny?

23 MR. MOYER: I vote in favor.

24 MR. KERRICK: Heidi?

25 MS. PICKARD: I vote in favor.

1 MR. KERRICK: Motion carried.
2 Next item, consider Resolution
3 2011 dash 030, PEMA, Tropical Storm Lee, EM dash
4 3340.

5 MS. PICKARD: Make a motion
6 that we approve Resolution 2011 dash 030, PEMA
7 Tropical Storm Lee, EM-3340.

8 MS. LAMBERTON: Second.

9 MR. KERRICK: Motion and
10 second.

11 Questions or comments from the
12 board?

13 Questions or comments from the
14 public?

15 Call the vote. Anne?

16 MS. LAMBERTON: I vote in favor.

17 MR. KERRICK: Donny?

18 MR. MOYER: I vote in favor.

19 MR. KERRICK: Heidi?

20 MS. PICKARD: I vote in favor.

21 MR. KERRICK: I vote in favor.

22 Motion carried.

23 Next item on our agenda,
24 consider Resolution 2011 dash 031, reduction,
25 exemption and write-offs of certain inactive sewer

1 accounts.

2 You want to explain that a
3 little bit?

4 MS. PICKARD: Yeah. These are
5 -- we've been discussing this before. These are
6 the accounts from our old system that got passed
7 through the Centax. The majority of these became
8 -- went to our current biller inactive. And we've
9 researched them all and had that -- at our work
10 session, that all these accounts that are active
11 are being billed under different accounts.

12 So with that I'll make a motion
13 that we approve Resolution 2011 dash 031,
14 reduction, exemption and write-off of certain
15 inactive sewer accounts.

16 MR. KERRICK: We have a motion.
17 Do we have a second?

18 MR. MOYER: Second.

19 MR. KERRICK: Questions or
20 comments from the board on the motion?

21 Questions or comments from the
22 public on the motion?

23 Call the vote. Anne?

24 MS. LAMBERTON: I vote in
25 favor.

1 MR. KERRICK: Donny?

2 MR. MOYER: I vote in favor.

3 MR. KERRICK: Heidi?

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: I'll vote in
6 favor. Motion carried.

7 Next item, proposed 2012 budget
8 update.

9 You want to give us any update
10 on that, Heidi?

11 MS. PICKARD: Everything pretty
12 much where it was. We still don't have the final
13 figure for the police. We're using last year's
14 figure. There's really not much else that we can
15 do to tweak this. Uhm, it's up to the board
16 whether we wanted to move forward or we wanted to
17 just go with the draft we have and --

18 MR. KERRICK: We have to put
19 this out to the public for 20 days. I would make a
20 suggestion that -- we have a police meeting on
21 Wednesday. We should have a final number there and
22 then Heidi could -- if we would give her tentative
23 approval to post it, after she gets the final
24 figure, I think we can put it out for final
25 adoption -- advertising and final adoption.

1 MS. LAMBERTON: I'll make that
2 motion.

3 MR. MOYER: I'll second.

4 MR. KERRICK: Anne and Donny.
5 Questions or comments from the
6 board on the motion?

7 Questions or comments from the
8 public?

9 That's with no tax increase,
10 correct?

11 MS. PICKARD: That is correct.

12 MR. KERRICK: Call the vote.
13 Anne?

14 MS. LAMBERTON: I vote in favor.

15 MR. KERRICK: Donny?

16 MR. MOYER: I vote in favor.

17 MR. KERRICK: Heidi?

18 MS. PICKARD: I vote in favor.

19 MR. KERRICK: I'll vote in
20 favor. Motion carried.

21 We took care of the park, Pat,
22 the agreement, we don't need to discuss it anymore?

23 MR. ARMSTRONG: Unless there's
24 anything --

25 MS. PICKARD: If we get those

1 changes, can we forward it just for review to the
2 Little League so we have something, so they know
3 what we're dealing with?

4 MR. KERRICK: We didn't do a
5 motion. Do we want to do a motion?

6 MR. ARMSTRONG: You can, so
7 long as --

8 MS. PICKARD: Did you --

9 MR. ARMSTRONG: There are no
10 other revisions other than the contribution aspect.
11 The township is going to continue to maintain the
12 fields with some contributions from the Little
13 League. If there's no other changes, then, yeah.

14 MR. MOYER: All right.

15 MS. PICKARD: I'll make that
16 motion.

17 MR. MOYER: Second.

18 MR. KERRICK: Motion and second.
19 Questions or comments from the
20 board on the motion?

21 Questions or comments from the
22 public?

23 Call the vote. Anne?

24 MS. LAMBERTON: I vote in
25 favor.

1 MR. KERRICK: Donny?

2 MR. MOYER: I vote in favor.

3 MR. KERRICK: Heidi?

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: I vote in favor.

6 MS. PICKARD: I just have one
7 other question with respect to them with the
8 concession stand. We have to authorize that in
9 writing. Is there something more specific besides
10 insurance that I need to get back to them, that
11 they need to see?

12 MR. ARMSTRONG: Uhm, insurance
13 and a one paragraph indemnification clause
14 identifying the township. I have a form that we
15 can use.

16 What they should do is, did they
17 provide an -- did they identify an entity that they
18 want to --

19 MS. PICKARD: They have an
20 entity that they're dealing with. Do we need to
21 make an approval based on Pat's approval for that
22 information, that they can move forward with that
23 concession?

24 MR. KERRICK: They need to move
25 forward now, before the first of the year?

1 MS. PICKARD: That's what
2 they're trying to do, yes.

3 MR. ARMSTRONG: Oh, okay. What
4 I would suggest, if the town -- if the board wants
5 to entertain a motion to that effect tonight. Make
6 it conditional upon them executing a lease with the
7 township as well. And then what the township can
8 do is, you can issue a two sentence letter saying
9 that the township is okay with whatever the entity
10 is, operating a snack stand, so long as sufficient
11 insurance, indemnification agreement is executed
12 and a lease with the Little League is executed as
13 well.

14 MR. MOYER: So move.

15 MR. KERRICK: Motion. Do we
16 have a second?

17 MS. LAMBERTON: Second.

18 MR. KERRICK: Questions or
19 comments from the board on the motion?

20 Questions or comments from the
21 public on the motion?

22 Call the vote. Anne?

23 MS. LAMBERTON: I vote in favor.

24 MR. KERRICK: Donny?

25 MR. MOYER: I vote in favor.

1 MR. KERRICK: Heidi?

2 MS. PICKARD: I vote in favor.

3 MR. KERRICK: I vote in favor.

4 Next item on our agenda, police
5 commission appointment for the remainder of the
6 year.

7 MR. MOYER: I'll make a motion
8 that we appoint Anne Lamberton to finish the year
9 for the police commission.

10 MS. PICKARD: I'll second the
11 motion.

12 MR. KERRICK: Motion and
13 second.

14 Questions or comments from the
15 board?

16 Questions or comments from the
17 public?

18 Call the vote. Anne?

19 MS. LAMBERTON: I guess I'll
20 abstain.

21 MR. KERRICK: Donny?

22 MR. MOYER: I'll vote in favor.

23 MR. KERRICK: Heidi?

24 MS. PICKARD: I'll vote in
25 favor.

1 MR. KERRICK: I'll vote in
2 favor.

3 Next item, or lastly on our
4 agenda we have, to consider appointing a township
5 supervisor. We had three applicants. We sent out
6 a questionnaire and received answers back from all
7 three. We read those, and does anybody want to
8 discuss it or make a motion.

9 MS. LAMBERTON: I would like to
10 comment. I read them all and I appreciate all your
11 responses. I'd like to make a recommendation for
12 appointment of John Holahan.

13 THE REPORTER: Can you spell
14 that?

15 MS. LAMBERTON: H-O-L-I-H-A-N,
16 if I'm correct. No? Go ahead, I'm sorry.

17 MR. JOHN HOLAHAN:
18 H-O-L-A-H-A-N.

19 MS. LAMBERTON: I apologize.

20 MR. JOHN HOLAHAN: It's all
21 right.

22 MR. KERRICK: We have a motion
23 on the floor. Do we have a second?

24 MS. PICKARD: I'll second the
25 motion.

1 MR. KERRICK: Questions or
2 comments from the board?

3 Questions or comments from the
4 public?

5 Call the vote. Anne?

6 MS. LAMBERTON: I vote in favor.

7 MR. KERRICK: Donny?

8 MR. MOYER: I vote in favor.

9 MR. KERRICK: Heidi?

10 MS. PICKARD: I vote in favor.

11 MR. KERRICK: I vote in favor.

12 Motion carried.

13 Do you have anything else, Pat?

14 MR. ARMSTRONG: Nope.

15 MR. KERRICK: Anything else
16 from the board?

17 Public participation, anybody?

18 Yes, sir.

19 MR. TROY COUNTERMAN: Pat, when
20 it comes to the --

21 THE REPORTER: Could you just
22 state and spell your name?

23 MR. TROY COUNTERMAN: Troy
24 Counterman, fire chief.

25 When it comes to the maps,

1 you're saying you can't get anything. Now, we
2 spoke last month about us purchasing the mapping
3 and preplanning software. Those maps we need with
4 the software. Is this going to hinder us, slow us
5 down in any way, shape or form?

6 MR. ARMSTRONG: The fire
7 department?

8 MR. TROY COUNTERMAN: Yeah.

9 MR. ARMSTRONG: Purchasing the
10 software from the county?

11 MR. TROY COUNTERMAN: No.

12 MR. KERRICK: The information
13 they need --

14 MR. TROY COUNTERMAN: The
15 information we need is at the county.

16 MR. MOYER: They need --

17 MS. PICKARD: The program that
18 the county gave you access to, that's not the same
19 program that --

20 MR. TROY COUNTERMAN: No.

21 MR. ARMSTRONG: I guess, what
22 program are you purchasing or already purchased?

23 MR. TROY COUNTERMAN: It's a
24 company called Iron Compass out of New Jersey.

25 MR. ARMSTRONG: That's going to

1 allow you to view these maps, is that what the idea
2 is?

3 MR. TROY COUNTERMAN: Umm-hmm.
4 We're going to with their cards on all of them; and
5 when we get a call, there's supposed to be a circle
6 on the address of the call we're supposed to be
7 going to.

8 MR. ARMSTRONG: Yeah. I don't
9 necessarily know how the township's dealings with
10 the county will slow that up. I think you need to
11 make sure when you're speaking with the county that
12 what you're going to purchase is going to give you
13 the ability to view these maps before you --

14 MR. TROY COUNTERMAN: Well, what
15 I'm saying is --

16 MR. KERRICK: I think if I
17 would have known -- if I could just one second?

18 MR. TROY COUNTERMAN: Sure.

19 MR. KERRICK: If I would have
20 known this information before we voted, I might
21 have had you a little more aggressive on the other
22 end.

23 MR. MOYER: Yeah.

24 MR. KERRICK: Or find out what
25 we can do --

1 MR. TROY COUNTERMAN: We can
2 file a Right to Know with the county also.

3 MR. ARMSTRONG: Right.

4 MR. KERRICK: But that's not
5 going to --

6 MR. ARMSTRONG: The issue is
7 whether or not the document exists in a form that
8 they can produce it and from what I've been told
9 thus far, they're having a hard time.

10 MR. MOYER: They have nothing to
11 produce.

12 MS. LAMBERTON: How are other
13 emergency responses going to respond?

14 MR. KERRICK: Can we produce
15 it? Can we have the planning -- the county
16 planning commission produce it? Can we have
17 something here to help get this done?

18 MS. LAMBERTON: There has to be
19 something.

20 MR. ARMSTRONG: The township
21 would request the county to produce it. We can't
22 produce anything that we don't have and we don't
23 have it.

24 MR. KERRICK: But we have some
25 of those maps from when this whole thing started

1 when we signed off finalizing it, correct?

2 MS. PICKARD: At one point --

3 MR. ARMSTRONG: In 2008?

4 MR. KERRICK: No, just
5 recently, before -- before the addresses were
6 released, we had maps -- they're not probably
7 finalized for what you would need, but it's a
8 starting point. I don't see what the hold up here
9 is.

10 MS. PICKARD: Didn't Gary say
11 at one point in time they couldn't print a map
12 because all the numbers would be so clustered? I
13 mean, if that's going into software, wouldn't that
14 --

15 MR. TROY COUNTERMAN: I guess
16 my question would be -- I mean, we could -- I would
17 like both. I would like the paper map and the
18 digital map.

19 MR. ARMSTRONG: Right.

20 MR. TROY COUNTERMAN: If the
21 digital was available, we could still move ahead
22 with our project. I have a meeting with the
23 company Wednesday night.

24 MR. ARMSTRONG: Yeah, I mean,
25 when we were with our meeting at the county's

1 level, we were requesting both a paper copy, which
2 I guess is going to be 11 or 12 separate copies for
3 the entire township, together with a PDF version
4 because the township has a plotter -- a plotter
5 printer here that you can print your own.

6 MR. TROY COUNTERMAN: Okay.

7 MR. ARMSTRONG: And it was my
8 impression after leaving that meeting that they
9 were going to email them to the township; but I
10 guess subsequent to the meeting, the individuals
11 from the county responsible for putting that
12 together realized that he was having some problems
13 getting it into the paper format, as well as the
14 PDF form (inaudible). One of the problems is that
15 the ID numbers were overlapping each other and you
16 couldn't -- you know, maybe you could read the one
17 number on top, but the three underneath you
18 wouldn't.

19 So after them going through --
20 my understanding is after going through each of the
21 township maps and moving each of the IDs to
22 different locations, they're not right now in a
23 position to resend them to me, to the township.
24 Under the Right to Know Law, we can't require them
25 -- we can't require them to produce -- to create

1 something that doesn't exist. And what they would
2 be doing is basically creating a new map.

3 MR. TROY COUNTERMAN: So,
4 again, my question is, what should we do as a fire
5 company?

6 MR. ARMSTRONG: You're asking
7 me what you should do?

8 MR. TROY COUNTERMAN: You're
9 talking over \$13,000 we're laying out here; and if
10 we're going to put this kind of money out, and
11 there's no maps available, we're throwing money in
12 the wind.

13 MR. ARMSTRONG: Has anyone --
14 have you contacted the county?

15 MR. KERRICK: Could we meet
16 with the representative with you to see exactly
17 what's needed?

18 MR. TROY COUNTERMAN: Tomorrow
19 night -- or Wednesday night, seven o'clock down at
20 the firehouse.

21 MR. ARMSTRONG: What time?

22 MR. TROY COUNTERMAN: Seven.

23 MR. KERRICK: We need to know
24 exactly what they need and then we can go to the
25 county or they could go with us to the county.

1 MS. PICKARD: The county
2 should --

3 MR. KERRICK: Hmm?

4 MS. PICKARD: The county should
5 go.

6 MR. ARMSTRONG: You need a map
7 with the new addresses, meaning the new --

8 MR. KERRICK: If they would,
9 yes.

10 MR. ARMSTRONG: -- property
11 numbers and the new road names. That's all you
12 really need, road names and property numbers,
13 right?

14 MR. TROY COUNTERMAN: Yes.
15 Yeah, because it doesn't make sense to load an old
16 map into a computer system.

17 MS. LAMBERTON: Did the county
18 give us a deadline as to when this should be
19 available?

20 MR. MOYER: Yeah, what happened
21 to -- if they get the map or whatever they do and
22 then the county comes out with something that's not
23 consistent with what they got?

24 MS. LAMBERTON: What do you do
25 when you get a call right now?

1 MR. TROY COUNTERMAN: The
2 problem is with the road name change --

3 MR. KERRICK: Certain names
4 don't exist.

5 MS. LAMBERTON: But have they
6 -- put them across as new names, though.

7 MR. KERRICK: How did they do
8 the addressing if they don't have the maps?

9 MS. LAMBERTON: Are you getting
10 the old -- so how do you know?

11 MR. TROY COUNTERMAN: If you
12 put up the DPW maps, you know where the new roads
13 are. I got guys that aren't in the DPW and they
14 don't know what the new road name is.

15 MS. LAMBERTON: Of course not.

16 MR. TROY COUNTERMAN: And then
17 you go into a development and those names changed.

18 MR. MOYER: Yeah, it's not
19 going to be consistent.

20 MS. LAMBERTON: So why wouldn't
21 they provide it when the names change?

22 MR. MOYER: Yeah, I don't
23 understand.

24 MR. TROY COUNTERMAN: I mean,
25 we got a call the other day for Fern Ridge Road and

1 they called it in as Fern Ridge and I know there is
2 no Fern Ridge involved. It was up in Briercrest

3 MS. LAMBERTON: But because you
4 work there you know that.

5 MR. TROY COUNTERMAN: Right.

6 MS. LAMBERTON: But not
7 everybody would know that.

8 MR. KERRICK: I wonder if we
9 can get -- if they won't -- if the county won't
10 come here, he can go to the county with us, with
11 their representative.

12 MR. ARMSTRONG: Yeah, there's
13 nothing -- the county's commissioners meetings are
14 public. You can attend those meetings, I believe
15 they are --

16 MR. KERRICK: I think we as a
17 board ought to support the fire company and go with
18 them.

19 MS. PICKARD: Wednesday
20 morning, Wednesday morning. It's this Wednesday?

21 MS. LAMBERTON: I'll go.

22 MR. ARMSTRONG: I'm not sure
23 when the county's next meeting is.

24 MS. PICKARD: Let's check after
25 the meeting 'cause it's 9:30 Wednesday. I'm not

1 sure if it's every other Wednesday.

2 MR. KERRICK: I'm not sure.

3 MS. PICKARD: When Gary was at
4 the meeting, he explicitly said that they guide you
5 directly through. That you could be blind and
6 they'll tell you where to go. Now, in my
7 conversation with regional EMS, they said that's
8 not always the case.

9 MR. TROY COUNTERMAN: The
10 problem runs into what we're being told when we're
11 approaching this system when they would give us
12 whatever we needed.

13 MS. PICKARD: Well, that's what
14 they --

15 MR. TROY COUNTERMAN: Now it's
16 copyrighted, and it's in the county's hands.

17 MS. PICKARD: It's not
18 copyrighted. They can't copyright it.

19 MR. TROY COUNTERMAN: Well,
20 that's what we're being told.

21 MR. ARMSTRONG: If it was
22 copyrighted, it would most likely be Kimble.

23 MR. TROY COUNTERMAN: I can
24 only tell you what we're being told.

25 MR. ARMSTRONG: That's not the

1 reason I was given. Perhaps, you know, we're
2 talking to two different people.

3 MR. TROY COUNTERMAN: Well, I'm
4 going with the control center. That's who I know
5 to deal with and they're telling me one story
6 because supposedly the county owns the maps. And
7 they give us a website that we could go on. That's
8 great, if it's accurate. We'll have cell service
9 in the laptops, hopefully. But I'd rather have a
10 paper one too to back up the digital.

11 MS. PICKARD: But on these new
12 computers you can't pull up the county website?

13 MR. TROY COUNTERMAN: You could,
14 but is it accurate?

15 MR. KERRICK: They bought the
16 software.

17 MS. PICKARD: No, I know that,
18 but --

19 MS. LAMBERTON: Yeah, that --

20 MR. MOYER: That was my
21 concern, is it going to be consistent with whatever
22 they come out with.

23 MR. KERRICK: Why can't we try
24 to send somebody to the next commissioners meeting,
25 whoever wants to go from the board? Do we need Pat

1 there? I think Pat should be there and Troy will
2 have a representative from the company.

3 MS. LAMBERTON: I'll go.

4 MR. MOYER: On Wednesday?

5 MR. KERRICK: Whatever
6 Wednesday it is. I don't know if it's this
7 Wednesday or next one.

8 MR. MOYER: The commissioners
9 meeting you mean, not the software meeting?

10 MR. KERRICK: No. I don't
11 think it's going to do us any good to go there.

12 MR. MOYER: Right.

13 MR. TROY COUNTERMAN: I will
14 find out what they actually need at the meeting
15 Wednesday night.

16 MR. KERRICK: The
17 representative from the software company needs to
18 be there to tell us exactly what we need and
19 whether they could produce it for --

20 MR. MOYER: Yeah, I agree. I
21 think we should go in support.

22 MR. KERRICK: Is that okay with
23 you or that doesn't sound right?

24 MR. ARMSTRONG: Yeah, that's
25 fine. I don't know what we're going to -- I don't

1 know how involved the commissioners are in the
2 whole process, but it definitely will not hurt to
3 let them know that there is an issue and to get
4 them involved in the process.

5 MR. KERRICK: You're in charge
6 of the planning commission.

7 MR. ARMSTRONG: Yeah.

8 MR. KERRICK: So start with
9 that.

10 MR. ARMSTRONG: Did you buy the
11 software yet or you're about --

12 MR. TROY COUNTERMAN: The
13 computers -- they're being built now. We're just
14 waiting on this stuff.

15 MR. ARMSTRONG: You're waiting
16 for actual data to be put into the software, and
17 you haven't dealt with the county?

18 MR. TROY COUNTERMAN: No. We
19 -- our representative that we bought the system
20 from talked to the representative of the control
21 center and when we started everything was a go.

22 MR. ARMSTRONG: So the person
23 you're paying for the software has dealt with the
24 county to understand what data you're going to get?

25 MR. TROY COUNTERMAN: No. The

1 control center, not the county commissioners, and
2 I'm being told that the problem is lying with the
3 commissioners.

4 MR. ARMSTRONG: Okay.

5 MS. PICKARD: There is a
6 meeting this Wednesday at 9:30, a public meeting.

7 MR. TROY COUNTERMAN : The online
8 map, the control center has control of that.
9 That's their map. The one I think we need is at
10 the commissioner level.

11 MR. ARMSTRONG: Okay. Well,
12 why don't -- I mean, after the meeting tonight we
13 can find out when the next commissioner meeting is.

14 MR. MOYER: It's Wednesday.

15 MR. ARMSTRONG: This Wednesday?

16 MR. MOYER: At nine.

17 MS. LAMBERTON: 9 a.m. I'll
18 attend.

19 MR. ARMSTRONG: Does the board
20 want my attendance as well?

21 MR. KERRICK: Of course.

22 MR. MOYER: I think it would
23 help.

24 MS. LAMBERTON: I'll go.

25 MR. KERRICK: Anything else,

1 Troy?

2 Anyone else have anything for
3 the board?

4 We adjourned. Thank you.

5 MR. MOYER: Thank you.

6 (Meeting concluded at 7:27 p.m.)

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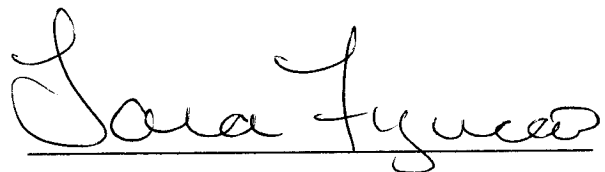
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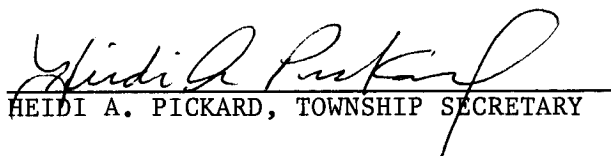
I hereby certify that the
proceedings and evidence are contained fully and
accurately, to the best of my ability, in the notes
taken by me at the meeting in the above matter; and
that the foregoing is a true and correct transcript
of the same.



TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY

**Tobyhanna Township Board of Supervisors
December 5, 2011
Work Session Meeting Minutes**

The work session of the Tobyhanna Township Board of Supervisors was held at 3:30 p.m. on December 5, 2011 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	Anne M. Lamberton	Member
	Donald J. Moyer	Member
	Patrick Armstrong	Township Solicitor
	Robert McHale	Township Engineer
	Phyllis Haase	Township Zoning Officer
	John Brogan	Township Sewage Enforcement Officer

The meeting was called to order at 3:35 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

Secretary Report

Heidi Pickard informed the Board that John Henry's term on the Zoning Hearing Board expires in January 2012 and that the Board will need to appoint someone, likely John Henry, to fill that slot. Ms. Pickard also discussed the proposed 2012 Fee Schedule Resolution as well as the 2012 rental dates and fees for the Main Lodge. No action was taken and these matters will likely be acted on at the Board's next Regular Business Meeting.

Solicitor Report

Monroe County RTK Request – Heidi Pickard made a motion to authorize the filing of a Right to Know Law Appeal to Monroe County's recent December 1, 2011 denial of the Township's request for the County's 911 Addressing Project Map. Donald Moyer seconded the motion. The motion passed, 4-0.

Lake Naomi Pedestrian Bridge – Lightning Protection – After a lengthy discussion, Lake Naomi decided it will proceed with getting quotes for the installation of additional lightning protection at the bridge.

DPW Report and Sewer Report

No action.

Engineering Report

No action.

Sewer Enforcement Officer Report

No action.

Zoning Officer Report

No action.

Committee Reports

PMREMS – None

PMRPC – None

Open Space – None

BNA Report – None

CMTPTT Regional Comprehensive Plan – None

New Business

Open Space – No action. The Board listened to the status of the Township's open space lands as presented by Anne Sincavage.

Metrocast Cable Franchise Agreement – Donald Moyer made a motion to prepare and advertise an ordinance authorizing the approval and execution of the Metrocast Cable Franchise Agreement. The motion was seconded by Heidi Pickard. The motion passed 4-0.

Lake Naomi Gate Indemnification Agreement – Heidi Pickard made a motion to authorize the execution of the Lake Naomi Gate Indemnification Agreement. The motion was seconded by Donald Moyer. The motion passed 4-0.

Delinquent Property Tax Bills – No action. The Board discussed recent requests to allow the discounted tax rate for untimely payees, but the Board was not inclined to allow the same.

2012 Meeting Schedule and Holiday Schedule – No action. The Board agreed with the proposed schedule of meetings and holidays, with the exception of the May 7, 2012 work session which the Board agreed to cancel due to a conflict with the PSATS annual conference.

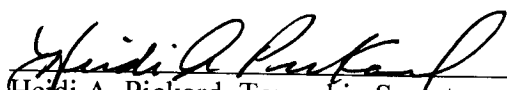
Public Comment

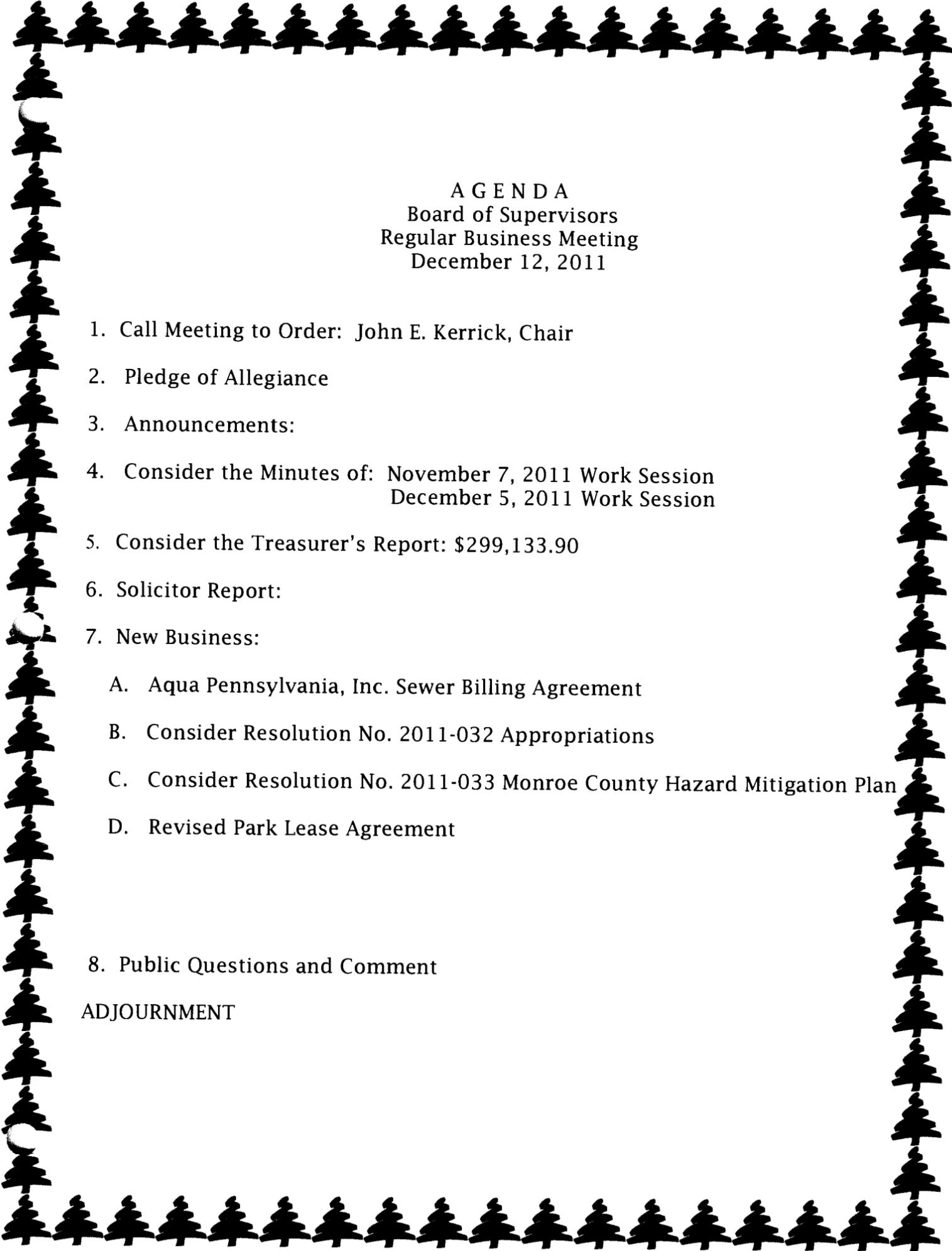
None.

Adjournment

Chairman Kerrick adjourned the meeting at 5:10 p.m.

Respectfully submitted:


Heidi A. Pickard, Township Secretary



A G E N D A
Board of Supervisors
Regular Business Meeting
December 12, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: November 7, 2011 Work Session
December 5, 2011 Work Session
5. Consider the Treasurer's Report: \$299,133.90
6. Solicitor Report:
7. New Business:
 - A. Aqua Pennsylvania, Inc. Sewer Billing Agreement
 - B. Consider Resolution No. 2011-032 Appropriations
 - C. Consider Resolution No. 2011-033 Monroe County Hazard Mitigation Plan
 - D. Revised Park Lease Agreement
8. Public Questions and Comment

ADJOURNMENT

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, December 12, 2011 beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

--- **ORIGINAL**

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: I'd like to
2 welcome everyone here this evening for the board of
3 supervisors meeting, December 12, 2011. Call the
4 meeting to order with the pledge of allegiance,
5 please.

6 (Pledge of allegiance was
7 recited.)

8 MR. KERRICK: First item of
9 business, I'd like to welcome John on board.

10 MR. HOLAHAN: Well, thank you.

11 MR. KERRICK: It's a pleasure
12 working with you.

13 MR. HOLAHAN: Same here,
14 thanks.

15 MR. KERRICK: Next item,
16 announcements.

17 MS. PICKARD: We do have our
18 special meeting at 11:30 on Wednesday, December 21,
19 to approve the budget. We also will have our
20 hearing for the Metrocast Cable Agreement and we
21 have bids coming in on rental bids. I don't have
22 any other business.

23 MR. KERRICK: 21st.

24 MS. PICKARD: That's all for
25 now.

1 MR. KERRICK: That will be --
2 we'll adopt our budget on the 21st?

3 MS. PICKARD: Yes.

4 MR. KERRICK: I noticed that
5 several other communities announced that there's no
6 tax increase, but somehow they missed ours.

7 MS. PICKARD: Mike Sadowski --

8 MR. KERRICK: Not you.

9 MS. PICKARD: Mike Sadowski did
10 call and I did speak with him, so he was aware.

11 MR. KERRICK: Next item,
12 consider the minutes of November 7, 2011, work
13 session and December 5, 2011, work session.

14 MS. PICKARD: I'll make a
15 motion that we approve the November 7 work session
16 and the December 5 work session minutes.

17 MR. KERRICK: Motion. Do we
18 have a second?

19 MS. LAMBERTON: Second.

20 MR. KERRICK: Motion and
21 second.

22 Questions or comments from the
23 board?

24 Questions or comments from the
25 public on the motion?

1 Call the vote. Anne?

2 MS. LAMBERTON: I vote in
3 favor.

4 MR. KERRICK: John?

5 MR. HOLAHAN: I abstain.

6 MR. KERRICK: Heidi?

7 MS. PICKARD: I vote in favor.

8 MR. KERRICK: I'll vote in
9 favor. That's a little different rhythm than what
10 I'm used to. Donny in the middle there.

11 MS. PICKARD: We did just get
12 the November regular business meeting minutes this
13 week. So we haven't had a chance to review them.

14 MR. KERRICK: Next item on our
15 agenda, consider the treasurer's report bill pack
16 dated December 12, 2011, total amount for board
17 approval \$299,133.90.

18 MS. PICKARD: I make a motion
19 we approve the December 12, 2011 bill pack in the
20 amount of \$299,133.90.

21 MR. HOLAHAN: I'll second.

22 MR. KERRICK: Motion and
23 second.

24 Questions or comments from the
25 board on the motion?

1 Questions or comments from the
2 public? Bills are up front if anybody would like
3 to take a look.

4 Call the vote. Anne?

5 MS. LAMBERTON: I'll abstain.

6 MR. KERRICK: John?

7 MR. HOLAHAN: I vote in favor.

8 MR. KERRICK: Heidi?

9 MS. PICKARD: I vote in favor.

10 MR. KERRICK: I'll vote in
11 favor. Motion carried.

12 Next item, solicitor's report.

13 MR. ARMSTRONG: I just have a
14 few items under my report. One is, Heidi already
15 indicated that the Metrocast ordinance and
16 agreement is going to be advertised or has been
17 advertised for your meeting on the 21st of
18 December. That would be the franchise -- the cable
19 franchise agreement with Metrocast Communications.

20 Additionally, I did receive late
21 last week revised agreements from Arcadia. If you
22 recall, we were waiting for an extended period of
23 time for those revised agreements. They didn't
24 submit them. We submitted a letter to PennDOT
25 indicating that, to put a hold on those HOP

1 applications and I don't know how long ago -- it
2 wasn't that long ago and a few weeks later I got
3 the revised agreements, I think, Thursday or Friday
4 of last week.

5 So I'll take a look at them and
6 I'll respond accordingly to their counsel, but I
7 think for the most part Acardia and S.I.D.E.
8 Corporation worked out some differences between the
9 two of them. So it looks like that plan might be
10 going forward at this point in time. I would not
11 suggest any additional correspondence to PennDOT
12 until we have these in final form.

13 MR. KERRICK: Could I ask a
14 question? Do you want me to raise my hand?

15 MR. ARMSTRONG: Go for it.

16 MR. KERRICK: That was for
17 traffic signal and drainage.

18 MR. ARMSTRONG: Correct. We got
19 both of the revised versions late last week.

20 MR. KERRICK: Thank you.

21 MR. ARMSTRONG: I see Jeff Evans
22 and Wendi Freeman. I don't know if you recall from
23 last week, there were some discussions about the
24 Lake Naomi Bridge lightning protection issue.

25 I don't know if you have

1 anything.

2 MS. WENDI FREEMAN: We did hire
3 an electrical engineer to take a look at it. I've
4 been corresponding with Bob McHale. I know that
5 John Kerrick's been copied, but I'm not sure about
6 the rest of the group. But we have -- we did
7 receive a letter from Keystone Engineering with
8 their, uhm -- with their signature that says it's
9 acceptable.

10 We also went to our insurance
11 company and got something from them, that they
12 believe, that the drawings and everything are
13 acceptable. And now we're just waiting for this
14 last engineering company to give us their opinion
15 and then we'll go over everything with Bob and go
16 from there.

17 MR. ARMSTRONG: Your insurance
18 company indicated that everything was acceptable to
19 the existing lightning protection on the bridge?

20 MS. FREEMAN: What is there now
21 is acceptable.

22 MR. ARMSTRONG: Okay.

23 MS. WENDI FREEMAN: Acceptable
24 to them.

25 MR. ARMSTRONG: Okay. We also

1 got copied on the -- obviously it was addressed to
2 the township from Keystone Engineering.

3 MS. WENDI FREEMAN: Yes.

4 MR. ARMSTRONG: Therefore it
5 would probably be appropriate -- everyone's aware
6 that there's a small outstanding balance of money
7 that was allotted for Mr. Depue -- Mr. Depue's
8 company with respect to the project. And given the
9 fact that we have that letter from Keystone, I
10 don't know what the position of the board is, but
11 it would seem appropriate to release that money at
12 this point in time.

13 MR. KERRICK: You need a
14 motion?

15 Can we have a motion, please?

16 MS. PICKARD: So moved.

17 MR. KERRICK: Second?

18 MR. HOLAHAN: Second.

19 MR. KERRICK: Second.

20 Questions or comments from the
21 board?

22 Questions or comments from the
23 public?

24 Call the vote. Anne?

25 MS. LAMBERTON: I'll vote in

1 favor.

2 MR. KERRICK: John?

3 MR. HOLAHAN: I vote in favor.

4 MR. KERRICK: Heidi?

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I vote in favor.

7 Motion carried.

8 Anything else, Pat?

9 MR. ARMSTRONG: No. I'm just
10 -- if you can call -- it sounds like you're working
11 with Bob?

12 MS. WENDI FREEMAN: Have been,
13 yes.

14 MR. ARMSTRONG: But if the
15 independent lightning consultant or your electric
16 consultant that you're dealing with, if they
17 recommend any additional work, the township, I
18 think, would recommend that Lake Naomi pursue that
19 additional work or whatever it may be.

20 MS. WENDI FREEMAN: Thank you.

21 MR. KERRICK: Thank you.

22 Anything else, Pat?

23 MR. ARMSTRONG: The Little
24 League lease, there were some prior changes. I
25 don't know if we want to discuss it yet today or if

1 we want to wait until December 21. I just received
2 something in -- with response to that -- with
3 respect to that. I haven't had a chance to really
4 look at it, but it looks like we got a certificate
5 of insurance at least.

6 Do you want to talk about the
7 lightning -- or the Little lease -- the Little
8 League lease agreement this evening or --

9 MR. KERRICK: It's on the
10 agenda down further. We can talk about it right
11 now.

12 MR. ARMSTRONG: Oh, it is?

13 MR. KERRICK: Yeah, it's D.

14 MR. ARMSTRONG: Well, then I
15 can wait until it comes up on the agenda.

16 MR. KERRICK: Okay. Anything
17 else?

18 MR. ARMSTRONG: That's all I
19 have to report.

20 MR. KERRICK: Thank you.

21 Next item on our agenda, new
22 business. Aqua Pennsylvania, Inc., sewer billing
23 agreement.

24 MS. PICKARD: This is -- we
25 have a two year agreement which is taking the per

1 bill rate from 2.06 the first year to 12 the second
2 year. The difference for regular billing is around
3 a hundred and eighty dollars for the year.

4 With that, I'll make a motion
5 that we approve the billing agreement with Aqua
6 Pennsylvania subject to --

7 MR. KERRICK: I didn't
8 understand what you just said, I'm sorry.

9 MS. PICKARD: I said it's for
10 two years.

11 MR. KERRICK: I got that.

12 MS. PICKARD: It's going from
13 \$2 a bill currently to 2.06 for the first year and
14 2.12 for the second year.

15 MR. KERRICK: I thought I heard
16 a hundred and eighty something.

17 MS. PICKARD: It's a hundred and
18 eighty dollars difference per 3,000 bills a year.

19 MR. KERRICK: Oh, oh, I'm
20 sorry. I didn't understand.

21 MS. PICKARD: That is about the
22 difference, so I think at this point in time that
23 would be the best move.

24 I'll make a motion that we
25 approve the sewer billing agreement with Aqua

1 Pennsylvania.

2 MR. KERRICK: Motion on the
3 floor.

4 Do we have a second?

5 MR. HOLAHAN: Yeah, I'll
6 second.

7 MR. KERRICK: Motion and
8 second.

9 I have a question. What was --
10 when we started with Aqua, what was the -- what did
11 it start at per bill?

12 MS. PICKARD: I'd have to go
13 back and research that. We've been --

14 MR. KERRICK: Was it a dollar?

15 MS. PICKARD: It was like maybe
16 a 1.35, but I think they found it was a lot more
17 work.

18 MR. KERRICK: Okay. I was just
19 curious.

20 MS. PICKARD: It was an issue,
21 and that was back in 2005.

22 MR. HOLAHAN: This is including
23 postage increase as well?

24 MR. KERRICK: I think we pay
25 the postage.

1 MS. PICKARD: I think we pay
2 the postage.

3 MS. LAMBERTON: On top of --

4 MR. HOLAHAN: On top of that.

5 MS. PICKARD: It says if it
6 increases that they reserve the right to increase
7 it per cost --

8 MR. KERRICK: All right.

9 Questions or comments from the
10 public on the motion?

11 Call the vote. Anne?

12 MS. LAMBERTON: I'll vote in
13 favor.

14 MR. KERRICK: John?

15 MR. HOLAHAN: I vote in favor.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: I'll vote in
19 favor. Motion carried.

20 Next item, consider Resolution
21 No. 2011 dash 032, appropriations.

22 MS. PICKARD: This is just our
23 final reshuffling of line item from one account to
24 the other. I had given you a draft that, at the
25 work session, we had to add a few things when we

1 posted November and put some of the POs in for
2 December.

3 With that I'll make a motion we
4 approve Resolution 2011 dash 032.

5 MS. LAMBERTON: I second.

6 MR. KERRICK: Motion and
7 second.

8 Questions or comments from the
9 board?

10 Questions or comments from the
11 public?

12 Call the vote. Anne?

13 MS. LAMBERTON: I vote in
14 favor.

15 MR. KERRICK: John?

16 MR. HOLAHAN: I vote in favor.

17 MR. KERRICK: Heidi?

18 MS. PICKARD: I vote in favor.

19 MR. KERRICK: I'll vote in
20 favor. Motion carried.

21 Next item, consider Resolution
22 No. 2011 dash 033, Monroe County Hazard Mitigation
23 Plan.

24 MS. PICKARD: We had received
25 last week the finalized version of the county's

1 hazard mitigation plan. Bob McHale has been doing
2 a review. He had reviewed it before we made some
3 changes. He just checked on a few things. He had
4 a couple of comments which I discussed with Mary
5 Ellen Keegan down at emergency management office.

6 Three of the items we had were
7 -- they had the State Police Barracks in Fern Ridge
8 in the flood plain, we think that's the old
9 building not the new building, she is checking on
10 that. The other question we had regarding the
11 Pocono Summit Volunteer Fire Department, which has
12 in the HAZMAT buffer, we were wondering whether
13 that was relating to the superfund site. She
14 thought, no, it was because of the flower mill. I
15 don't know if anybody here might have any -- and
16 then it mentions about the drums on the superfund
17 site, which we believe to be cleaned up, but it
18 still is on here.

19 So she's going to get back to me
20 just to clarify those issues, that it would be okay
21 to adopt the plan subject to clarification of those
22 issues.

23 MR. ARMSTRONG: Yeah, if the
24 board would entertain a motion adopting a plan
25 tonight, I would just make it conditional upon

1 confirming that those two items are accurate. Then
2 whoever, I guess, needs to do the leg work or the
3 research to make sure everything's accurate should
4 do so.

5 MR. KERRICK: What's the -- I
6 should make some discussion, I guess. Make a
7 motion.

8 MS. PICKARD: I'll make --

9 MR. HOLAHAN: I'll make a
10 motion.

11 MS. PICKARD: Okay. I'll
12 second the motion.

13 MR. KERRICK: Motion and second
14 on the floor.

15 Question I have, what if --
16 what's the process if you need to add it or update
17 that plan?

18 MS. PICKARD: I think the
19 county needs to edit or update anything that we
20 find to be incorrect in the plan.

21 MR. KERRICK: So we would just
22 write a letter to the county --

23 MR. ARMSTRONG: Notifying them
24 --

25 MR. KERRICK: -- notifying them

1 of something that's inaccurate or something that
2 needs to be added. So it's not etched in stone if
3 we adopt this, basically. Okay.

4 MS. PICKARD: I'm making it
5 subject to the -- clarifying those issues.

6 MR. ARMSTRONG: There is a
7 motion, but I would just suggest, and maybe to save
8 everyone's time -- I don't know how long it's going
9 to take you to confirm those two items, but if you
10 can -- if it can be done in a timely manner, maybe
11 just wait to send your correspondence to the county
12 until, you know, you have those answers. If it's
13 going to take an extended period of time --

14 MR. KERRICK: Those answers
15 they're looking up for us. So they should be
16 getting back to us with those answers.

17 MS. PICKARD: Yeah, and I hope
18 --

19 MR. KERRICK: Heidi had already
20 made the call today.

21 MS. PICKARD: I made the call
22 this afternoon.

23 MR. ARMSTRONG: I'm sorry.

24 MR. KERRICK: No, that's fine.

25 Any other questions?

1 Questions from the public?

2 Call the vote. Anne?

3 MS. LAMBERTON: I vote in
4 favor.

5 MR. KERRICK: John?

6 MR. HOLAHAN: I vote in favor.

7 MR. KERRICK: Heidi?

8 MS. PICKARD: I'll vote in
9 favor.

10 MR. KERRICK: I'll vote in
11 favor. Motion carried.

12 Okay, Pat, revised park lease.
13 You're on.

14 MR. ARMSTRONG: For those of
15 you who may recall, a month or so ago there was the
16 Little League park lease that was proposed to you.
17 Since then it was forwarded to my understanding to
18 the Little League. There were some comments with
19 respect to -- one of the questions were, in the
20 lease that was purported to them, having them
21 responsible for the electric -- electricity charges
22 at the fields. Since then, it's my understanding
23 that this board is okay not requiring them to the
24 make payments towards the electricity bills. So
25 I've taken that out.

1 There were also some concerns
2 about requiring the fee per registrant in the
3 lease, so we've taken that out. It's my
4 understanding that the board does not want to
5 charge the Little League per registrant, I think it
6 was at \$2 per registrant, per participant in the
7 Little League. So we've taken that out. We
8 initially had a parking escrow in the amount of a
9 hundred dollars, we've taken that out and just have
10 the township -- giving the township the ability to
11 fine the Little League if there are any parking
12 problems that are found by the township; \$25 per
13 occurrence.

14 Other than that, I believe, the
15 lease is pretty much the same as was proposed to
16 the Little League with the exception of the term.
17 We did propose a five-year term. Since then, I was
18 informed that a two-year term might be more
19 appropriate, in the event that situations change.
20 So it is now being proposed as a two-year term
21 lease with the Little League.

22 If there are any other items
23 that should be revised, if you want to let me know
24 either now or after you have a chance to look
25 through it again, and then I would suspect we

1 should probably forward this on to the Little
2 League for final --

3 MR. KERRICK: Did they mark up
4 a copy and get back to you with their concerns?

5 MR. ARMSTRONG: I spoke with
6 Heidi who had spoken with someone from the Little
7 League. I did not --

8 MR. KERRICK: I thought they
9 had marked something up and sent it back?

10 MS. PICKARD: No, Bert came in
11 and talked to me.

12 MR. KERRICK: They're okay with
13 the --

14 MS. PICKARD: The main thing
15 was whether there was a charge for the registrants,
16 which we had previously talked about not charging
17 them anything at this point, but it was still in
18 there and the electricity wasn't in there.

19 MR. KERRICK: That was the
20 porta-potties?

21 MR. ARMSTRONG: The
22 porta-potties I have in there.

23 MS. PICKARD: Gray.

24 MR. KERRICK: It's grayer.

25 MR. ARMSTRONG: Let me see what

1 I --

2 MR. HOLAHAN: A supervisor
3 joke.

4 MS. PICKARD: Or a septic joke.

5 MR. ARMSTRONG: The Little
6 League shall be solely responsible for any and all
7 expenses associated with portable bathrooms and/or
8 snack stand services at the park property that are
9 associated with the Little League's permitted
10 events. So the Little League will be solely
11 responsible for the porta-potties and the snack
12 services related to their events.

13 MS. PICKARD: We didn't really
14 discuss the porta-potties so I need to get this to
15 Bert. We had a conversation --

16 MR. KERRICK: I don't know how
17 everybody feels.

18 MS. PICKARD: We had the
19 history of the porta-potty.

20 MR. KERRICK: The history was
21 they paid for it and then we split it and now, for
22 years, we've been doing the whole thing. It's
23 growing.

24 MS. PICKARD: And I got the
25 sense that Bert Rinehimer and Jerry Greeley are

1 very involved in this and are very amenable to
2 working with us. They talked about making a
3 donation, so that's something I think we could, you
4 know, talk to them about.

5 MR. ARMSTRONG: Other than those
6 two costs, the other provision in the lease with
7 respect to maintenance, the township's still going
8 to be the the party cutting the grass.

9 MR. KERRICK: Right.

10 MR. ARMSTRONG: It's my
11 understanding that's what the board wanted.
12 However, it's kind of flexible language with
13 respect to, the Little League will be helping the
14 township with maintaining the park property and
15 cleaning up the park property after each event.
16 Now, obviously it's pretty -- you know, it's loose
17 because I don't know if the township and the Little
18 League are ready for teeth at this point, in this
19 type of an agreement, but it's a start, I think.

20 There is a requirement that the
21 leadership from the Little League meet with the
22 township at least once a year before the season
23 begins. If there's certain items that the board
24 really wants them to address or look at, that would
25 be the appropriate time to discuss it with them.

1 MS. PICKARD: We did talk. I
2 have some printouts of some of the electric bills
3 in the park and I think we'll work with them.
4 There's a couple of things I want to check on them.
5 They seemed higher this year and there was -- Bert
6 had mentioned that they had found the lights all
7 turned on --

8 MR. KERRICK: Yeah.

9 MS. PICKARD: -- and the doors
10 locked; that somebody has a key that's been going
11 in there.

12 MR. KERRICK: We're going to
13 rekey it.

14 MS. PICKARD: John and I later
15 talked about rekeying it, but I think they'll be
16 more responsible about, being mindful of those
17 things.

18 MR. HOLAHAN: It's only a
19 two-year lease so we're going to catch the details
20 after the first season, possibly the -- make and
21 kind of tweak a little bit the second season and
22 then we'll have a good lease after that.

23 MR. ARMSTRONG: I know -- I
24 think I know the answer to this. But you could
25 always request them to provide almost like a

1 security-type deposit if you have concerns about
2 them keeping the park property in an acceptable
3 condition. It's always a possibility if you want
4 to wait until you see how the season goes, that's
5 fine.

6 MR. HOLAHAN: I say give them a
7 pass on it right now, you know, starting off with
8 this thing.

9 MS. PICKARD: We got a new
10 group of people.

11 MR. KERRICK: We never had a
12 problem. We never had a problem, really.

13 MS. PICKARD: No. But I think
14 we got a new regime in that really wants to do the
15 right thing.

16 MR. ARMSTRONG: Okay.

17 MR. KERRICK: So going forward
18 this will go to them unless -- if we don't have any
19 more changes. Once they sign it, it'll come back
20 and then we'll put it on our agenda?

21 MS. PICKARD: No, we are
22 adopting it now as it is.

23 MR. KERRICK: That's not what
24 he recommended.

25 MS. PICKARD: Okay.

1 MR. ARMSTRONG: Well, if you
2 want to adopt it now, you can.

3 MR. KERRICK: But you said you
4 had some things you wanted to go through.

5 MR. ARMSTRONG. No, I'm saying
6 if you needed more time to go through it.

7 MR. KERRICK: I thought you
8 said earlier that you had some things that they
9 just gave you tonight that you wanted to go through
10 it.

11 MR. ARMSTRONG: No, I'm sorry,
12 this has to do with the snack stand. I believe
13 this is from the proposed vendor for the snack
14 stand.

15 MR. KERRICK: Oh, I apologize.
16 What's the board's pleasure?

17 MR. HOLAHAN: I would -- we
18 got a motion on the floor, right?

19 MR. KERRICK: Not yet.

20 MR. HOLAHAN: I make a motion
21 that we approve the lease and let it go before
22 them, see if they have any other questions. If
23 they send it back to us, then we got more
24 discussion.

25 MS. LAMBERTON: Go ahead.

1 MR. ARMSTRONG: No, I'll wait
2 until it's seconded.

3 MR. KERRICK: Do we have a
4 second?

5 MS. LAMBERTON: I'll second.

6 MR. KERRICK: Pat, you have a
7 comment?

8 MR. ARMSTRONG: The one blank
9 in here is the regular baseball season shall be
10 defined as the period from blank to blank. I have
11 that blank. Is this board okay with the --

12 MR. HOLAHAN: It's on Page 2
13 there?

14 MR. ARMSTRONG: Yeah.

15 MS. LAMBERTON: With the
16 blanks.

17 MR. HOLAHAN: Paragraph B?

18 MR. ARMSTRONG: Is this board
19 okay with letting the Little League provide that
20 information?

21 MS. LAMBERTON: Oh gosh, yeah.

22 MR. KERRICK: No. They have a
23 thing called fall ball now the last couple of
24 years. So that --

25 MR. ARMSTRONG: I mean, are you

1 comfortable with them basically telling me when --

2 MR. HOLAHAN: Well, they're
3 suppose to give us a -- according to this, they're
4 suppose to give us a schedule anyway.

5 Which will become part of the
6 lease?

7 MR. ARMSTRONG: Yes.

8 MR. HOLAHAN: Yes, okay.

9 MS. PICKARD: We have three
10 exhibits on this for the Locust Ridge Ball Field,
11 the Keiper Ball Field and the field out here.

12 MR. ARMSTRONG: Okay, I'm
13 sorry. It was seconded so --

14 MR. KERRICK: That's all
15 right.

16 Any other questions?

17 Questions from the public on the
18 motion?

19 Call the vote. Anne?

20 MS. LAMBERTON: I vote in
21 favor.

22 MR. KERRICK: John?

23 MR. HOLAHAN: I vote in favor.

24 MR. KERRICK: Heidi?

25 MS. PICKARD: I vote in favor.

1 MR. KERRICK: I'll vote in
2 favor. Motion carried.

3 Do you have anything else, Pat?

4 MS. PICKARD: Do we want to
5 talk about that or we can bring that up next month
6 or -- I mean, I know you just were handed that, but
7 that was the -- they wanted to sub out the
8 concession stand.

9 MR. KERRICK: If it meets the
10 criteria, I don't know if we need to talk about it.

11 MS. PICKARD: Well, it's in our
12 lease that --

13 MR. KERRICK: It's in our lease
14 so --

15 MS. PICKARD: -- we would
16 approve any agreement that they entered into.

17 MR. ARMSTRONG: Right. Subject
18 to the appropriate insurance. It'll probably just
19 need clarifying because it looks like this
20 individual is almost bidding to the township,
21 looking for a contract with the township, and I
22 don't know that necessarily that's -- I don't think
23 we need that. So I think we just need to clarify
24 it with them.

25 MR. KERRICK: So put that on

1 our next --

2 Does the board have anything
3 else they like to discuss?

4 John?

5 Heidi.

6 MR. HOLAHAN: Oh, no, this was
7 fun, the first meeting.

8 MR. KERRICK: We try to keep it
9 a little short just till you get accustomed, we'll
10 jump into a long one.

11 MR. HOLAHAN: Ease me in with
12 --

13 MR. KERRICK: Ease you in --

14 MR. HOLAHAN: With baseball park
15 leases. Good.

16 MS. PICKARD: I just did want to
17 mention that John and I met with the -- a bunch of
18 people regarding the Thornhurst Bridge and the EMS.

19 MR. KERRICK: 27th of December
20 it's closed.

21 MR. HOLAHAN: Is that to all
22 traffic?

23 MR. KERRICK: To all traffic
24 and they are going to provide two EMTs.

25 MS. PICKARD: No, I don't

1 think -- one EMT, one driver.

2 MR. KERRICK: In Arrowhead Lake
3 and a place for the crew to stay and the vehicle.
4 Arrowhead's going to provide that and PennDOT is
5 paying for those positions, and the contractor's
6 going to share, which is still PennDOT, and they
7 hope to expedite the bridge and have it done in a
8 seven month time frame.

9 MR. PICKARD: Seven or eight
10 months.

11 MS. LAMBERTON: This is
12 happening December 27.

13 MR. KERRICK: Well, he did say
14 the second time, he said, seven to eight months.
15 The first time he said seven so I just figured --

16 MS. PICKARD: We did designate
17 and switch designation on that, but I don't know if
18 we need to change that and --

19 MR. KERRICK: I think
20 everything is fine the way it is, personally.

21 MS. PICKARD: We never sent
22 anything to control center at this point in time.

23 MR. KERRICK: We need to.

24 MS. PICKARD: I think that we
25 have the backup, but we need to change then -- our

1 motion was to designate BLS to PMR EMS and they
2 have somebody there. My concern there was they
3 said something about calling in and letting control
4 center know that they were --

5 MR. KERRICK: They weren't
6 sure up that it would be up 24 hours a day, 7 days
7 a week.

8 MS. PICKARD: But I -- I was
9 thinking if we would send something in, that we
10 could reference that it would be, as long as they
11 called in and they're up and if they haven't called
12 in and said they're available, that it would go to
13 PMR EMS.

14 MR. KERRICK: That's fine for
15 Tobyhanna Township. We'd still need Coolbaugh to
16 do the same with their fire, which they said they
17 were going to.

18 MS. PICKARD: Yeah, but they're
19 dual dispatching.

20 MR. KERRICK: Correct, and
21 they have been in Tobyhanna, not in Coolbaugh.

22 MS. PICKARD: We can't control
23 --

24 MR. KERRICK: No, I'm just
25 saying, they attended the meeting as well.

1 MS. PICKARD: Okay.

2 MR. HOLAHAN: Who's doing the
3 road closing notifications? PennDOT?

4 MS. PICKARD: PennDOT.

5 MR. HOLAHAN: Do they have them
6 up yet, they have them up now?

7 MR. KERRICK: I didn't see any.

8 MS. PICKARD: No. They make
9 the contractor do that.

10 MR. KERRICK: Well, the
11 contract -- but, I mean, it's up to the --

12 MR. HOLAHAN: Do we have any
13 input on that like, uhm, not put the road closed
14 sign 50 feet in front of the bridge? Could we let
15 people know, you know, before Arrowhead or
16 something like that?

17 MR. KERRICK: John, that will
18 have to be posted as a detour because it's a 17
19 mile detour.

20 MR. HOLAHAN: Okay. It'll have
21 to be right at --

22 MR. KERRICK: I assume, they
23 probably will send a layout of the detour signs and
24 the road closed signs here. So I'll get you a copy
25 of that when it does come or we can make some

1 suggestions at the river side.

2 MR. HOLAHAN: Yeah.

3 MR. KERRICK: So they don't get
4 down around the corner and --

5 MS. PICKARD: John brought up
6 that a lot of traffic is going to go on our
7 Caughbaugh Road and discuss maybe getting some
8 materials from PennDOT.

9 MR. KERRICK: Well, I thought
10 it was pretty generous of PennDot to provide two
11 EMTs to Thornhurst for Arrowhead, which I'm not
12 saying whether it's needed or not --

13 MR. HOLAHAN: Right.

14 MR. KERRICK: -- but I thought
15 it would be the time to ask for stone for the
16 Caughbaugh Road because that's not their detour,
17 but they know a lot people are going to use it. He
18 thought that he could do something.

19 MS. LAMBERTON: Excellent.

20 MR. KERRICK: He could give us
21 some assistance, in material, if we provided the
22 labor.

23 MR. HOLAHAN: Okay.

24 MR. KERRICK: So that's all.

25 MS. LAMBERTON: Fair enough.

1 MR. HOLAHAN: Ask them to
2 tailgate it and not just drop it in a big pile.

3 MR. KERRICK: Be glad to get
4 the stone, John.

5 MR. HOLAHAN: Okay. I don't
6 know how this works yet, John.

7 MR. KERRICK: Hopefully it
8 works.

9 Anything else?

10 Heidi, you have anything else?

11 Pat?

12 Public have anything? Anyone?

13 It's the last meeting -- we'll it's not quite the
14 last meeting. I saw your hand coming up.

15 MR. JEFFREY EVANS: Not mine.

16 MS. PICKARD: Do we want to
17 just mention (inaudible) or --

18 MR. KERRICK: That's it. We're
19 adjourned.

20 (Meeting concluded at 7:30 p.m.)

21 ---

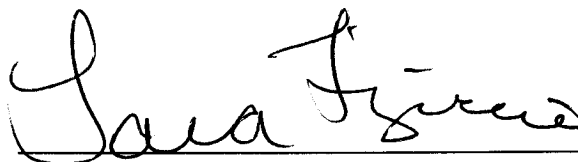
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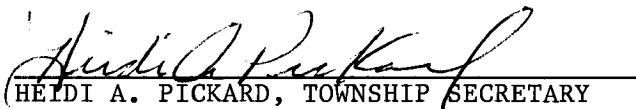
I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

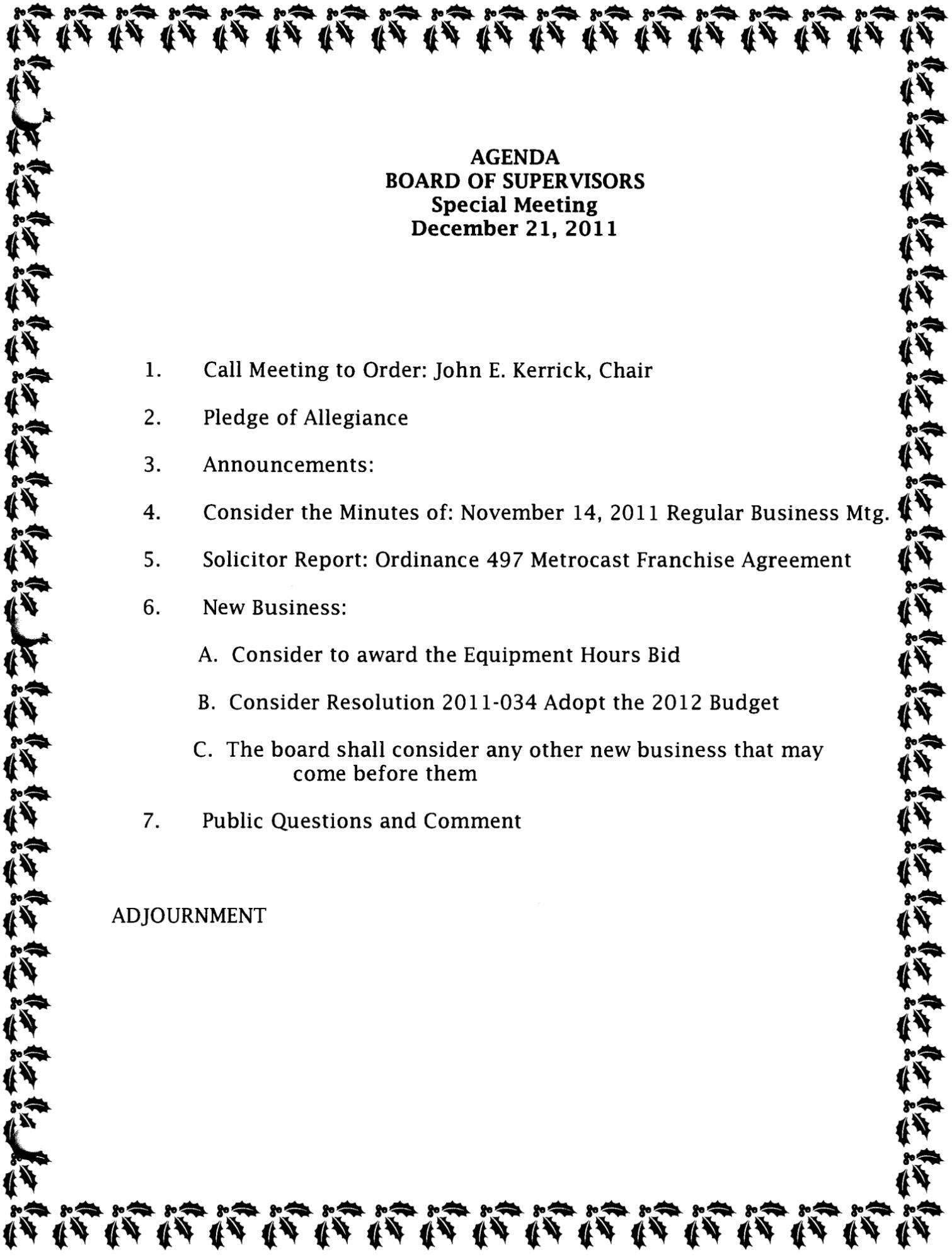


TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY



AGENDA
BOARD OF SUPERVISORS
Special Meeting
December 21, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: November 14, 2011 Regular Business Mtg.
5. Solicitor Report: Ordinance 497 Metrocast Franchise Agreement
6. New Business:
 - A. Consider to award the Equipment Hours Bid
 - B. Consider Resolution 2011-034 Adopt the 2012 Budget
 - C. The board shall consider any other new business that may come before them
7. Public Questions and Comment

ADJOURNMENT

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Special Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Wednesday, December 21, 2011 beginning at 11:39 a.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member
DONALD J. MOYER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: Call the special
2 meeting to order with the pledge of allegiance,
3 please.

4 (Pledge of allegiance was
5 recited.)

6 MR. KERRICK: First item on our
7 agenda, announcements.

8 Heidi, do you have any
9 announcements?

10 MS. PICKARD: Just that our
11 reorganizational meeting will be followed by our
12 work session; our regular meeting to begin at 3:30,
13 on January the 3rd.

14 MR. KERRICK: That's it?

15 MS. PICKARD: Yep.

16 MR. KERRICK: Consider the
17 minutes of November 14, 2011, regular business
18 meeting. There's some corrections.

19 MS. PICKARD: Yeah. I have a
20 couple of corrections and I'll make a motion to
21 approve the November 14, 2011, regular business
22 meeting. I just have on Page 26, Line 20; Page 27,
23 Line 6; and Page 36, Line 7, that should be Troy
24 Counterman.

25 With that I'll make the motion.

1 MR. KERRICK: Do we have a
2 second?

3 MR. HOLAHAN: I'll second.

4 MR. KERRICK: Motion and
5 second.

6 Questions or comments from the
7 board on the motion?

8 MR. HOLAHAN: Yeah. Didn't we
9 -- are we just approving amended minutes? Because
10 we approved these at the December -- was it 12 or
11 14?

12 MS. PICKARD: No, those were
13 the special meeting -- the work session. Those
14 were two work session minutes we had.

15 MR. HOLAHAN: Okay. Yeah, I
16 didn't understand that, okay.

17 MR. KERRICK: Any other
18 questions from the board?

19 Questions from the public on the
20 motion?

21 Call the vote. John?

22 MR. HOLAHAN: I vote in favor.

23 MR. KERRICK: Anne?

24 MS. LAMBERTON: I vote in
25 favor.

1 MR. KERRICK: Donny?

2 MR. MOYER: I'll vote in favor.

3 MR. KERRICK: Heidi?

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: I'll vote in
6 favor. Motion carried.

7 Next item, solicitor's report.

8 MR. ARMSTRONG: The one item
9 under my report is the Ordinance 497 with regard to
10 the Metrocast Franchise Agreement. As you recall,
11 last year you renewed your fran -- your cable
12 franchise agreement with Blue Ridge Cable. It was
13 discovered that Metrocast also has a slight
14 operation in one small portion of the township.

15 Since then, we've come to terms
16 with respect to a cable franchise agreement with
17 Metrocast for a very special -- small portion of
18 the township where they're already in operation.
19 The terms of the franchise agreement include the
20 five percent franchise fee that was instituted with
21 Blue Ridge Cable last year, as well as some
22 additional requirements for Metrocast to comply
23 with, within the township.

24 This is the ordinance
25 authorizing the execution of the cable franchise

1 agreement with Metrocast. It's been advertised for
2 public hearing this afternoon. It was advertised
3 in the Pocono Record on December 14, 2011. The
4 ordinance and proposed agreement have been
5 available for public availability at the township
6 office, as well as the Monroe County Library.

7 So with that being said, we can
8 open it up for public hearing at this time.

9 Are there any comments or
10 discussion from the board on the proposed ordinance
11 authorizing the execution of the cable franchise
12 agreement with Metrocast?

13 Seeing none.

14 Any comments from the public?

15 Seeing none.

16 We can close the public hearing.

17 And just for clarification it's actually GANS
18 Communication Limited Partnership, doing business
19 as Metrocast Communications.

20 MR. KERRICK: Do I have a
21 motion to close the hearing?

22 MS. PICKARD: So moved.

23 MR. MOYER: Second.

24 MR. KERRICK: Motion and second
25 to close the hearing.

1 Questions or comments?

2 Questions or comments from the
3 public?

4 Call the vote. John?

5 MS. LAMBERTON: I vote in
6 favor.

7 MR. KERRICK: Anne?

8 MS. LAMBERTON: I vote in
9 favor.

10 MR. KERRICK: Donny?

11 MR. MOYER: I vote in favor.

12 MR. KERRICK: Heidi?

13 MS. PICKARD: I vote in favor.

14 MR. KERRICK: I'll vote in
15 favor. Motion carried.

16 Do you want to act on that now?
17 Do you want to see if they want to -- do you want
18 to wait till new business or what did you have in
19 mind?

20 MR. ARMSTRONG: No, you just
21 adopted the ordinance.

22 MS. PICKARD: So that is --

23 MR. KERRICK: I just closed the
24 hearing.

25 MR. ARMSTRONG: Right.

1 MR. KERRICK: That's what I'm
2 asking. I'm having a hard time getting it out.

3 MR. ARMSTRONG: Yeah. The adop
4 --

5 MR. KERRICK: Sorry.

6 MS. PICKARD: That will execute
7 the agreement?

8 MR. ARMSTRONG: And we also
9 have the agreement. First you'll adopt the
10 ordinance authorizing the execution of the
11 agreement and then we'll make a motion --

12 MR. KERRICK: So you need two
13 motions?

14 MR. ARMSTRONG: Yes.

15 MS. PICKARD: I'll make a
16 motion to approve Ordinance 497.

17 MR. HOLAHAN: I'll second.

18 MR. KERRICK: Motion and
19 second.

20 Questions or comments from the
21 board?

22 MR. HOLAHAN: Yeah. Did we get
23 any phone calls from anybody asking about this?

24 MS. PICKARD: No.

25 MR. ARMSTRONG: I have not.

1 MR. MOYER: Are the fees the
2 same as what we had with Blue Ridge?

3 MR. ARMSTRONG: Yeah. So
4 John's aware, last year we had some people come in
5 from -- that are Blue Ridge customers about the
6 five percent franchise fee. It used to be three
7 percent. The township -- actually most of the
8 townships have the five percent.

9 MS. PICKARD: Two and a half.

10 MR. ARMSTRONG: So we had some
11 residents come in with respect to Blue Ridge. I
12 haven't heard anything from any Metrocast resident
13 -- or customers. I don't know if the township has,
14 but I haven't heard anything.

15 MR. HOLAHAN: Okay.

16 MR. KERRICK: But if you
17 recall -- I don't know if you have Blue Ridge, I
18 have blue Ridge.

19 MR. HOLAHAN: I do.

20 MR. KERRICK: On your statement
21 last year it said five percent increase --

22 MR. MOYER: Yeah.

23 MR. KERRICK: -- which wasn't
24 true. It's actually only a two percent.

25 MR. MOYER: The paper --

1 MR. KERRICK: We already paid
2 the three.

3 MR. MOYER: The paper had it
4 messed up then.

5 MR. KERRICK: The pap -- well,
6 the paper -- sorry about that.

7 MR. HOLAHAN: Well, it wasn't
8 this paper.

9 MR. KERRICK: You weren't here.

10 MR. MOYER: Well, the way it
11 was written --

12 MR. KERRICK: The way it was
13 written on your bill, it looked like the township
14 threw this five percent on and that's why some
15 people came in.

16 MS. LAMBERTON: We just chose
17 to collect it. It's already been charged.

18 MR. KERRICK: Any other
19 questions from the board?

20 MR. HOLAHAN: No.

21 MR. KERRICK: Questions from
22 the public?

23 Call the vote. John?

24 MR. HOLAHAN: I vote in favor.

25 MR. KERRICK: Anne?

1 MS. LAMBERTON: I vote in
2 favor.

3 MR. KERRICK: Donny?

4 MR. MOYER: I vote in favor.

5 MR. KERRICK: Heidi?

6 MS. PICKARD: I vote in favor.

7 MR. KERRICK: I'll vote in
8 favor. Motion carried.

9 Now, we need a motion to ado --
10 to --

11 MR. ARMSTRONG: Approve and
12 authorize the execution of the agreement.

13 MS. PICKARD: Is this ten years
14 as well?

15 MR. ARMSTRONG: This is ten
16 years as well.

17 MR. KERRICK: Ten year?

18 MR. ARMSTRONG: Yes.

19 MR. KERRICK: Okay. Do we have
20 a motion?

21 MR. HOLAHAN: So moved.

22 MR. KERRICK: Do we have a
23 second?

24 MR. MOYER: Second.

25 MR. KERRICK: Any questions or

1 comments from the board?

2 Questions or comments from the
3 public?

4 Call the vote. John?

5 MR. HOLAHAN: I vote in favor.

6 MR. KERRICK: Anne?

7 MS. LAMBERTON: I vote in favor.

8 MR. KERRICK: Donny?

9 MR. MOYER: I'll vote in favor.

10 MR. KERRICK: Heidi?

11 MS. PICKARD: I vote in favor.

12 MR. KERRICK: I'll vote in

13 favor. Motion carried.

14 Anything else, Pat?

15 MR. ARMSTRONG: No, that's all
16 I have. If you wanted to see, there's an exhibit
17 of where Metrocast is operating. I don't know if
18 anyone's interested, but that's --

19 MR. KERRICK: That's a little
20 chunk in Blakeslee, correct?

21 MR. ARMSTRONG: Yes.

22 MS. PICKARD: It's like the
23 Campstead area, Fern Crest Road.

24 MR. ARMSTRONG: Right in that
25 Blakeslee area.

1 MS. PICKARD: I don't know
2 whether that will include Keswick Pointe?

3 MR. ARMSTRONG: But that's all
4 I have for my report.

5 MR. KERRICK: Thank you.

6 MR. ARMSTRONG: Thank you.

7 MR. KERRICK: We'll start new
8 business.

9 First item we have is, consider
10 the award equipment bid.

11 Heidi, you want to explain. We
12 had one bidder. Three people pick up bids.

13 MS. PICKARD: We only had one
14 bid. We opened the bids at 11:15 on Monday,
15 December 19. I had the proof of publication in the
16 Pocono Record and that was from Papillon and Moyer.

17 Did you get a chance to look at
18 that? It appears that everything was in here, the
19 performance, the bid bond.

20 MR. ARMSTRONG: Well, the
21 performance bond will come after the --

22 MS. PICKARD: The bid bond
23 is what I'm -- and I believe we currently have
24 Papillon and Moyer, and the rates are the same as
25 they were for this past year.

1 So with that, I'll make a motion
2 that we award the equipment hours bid to Papillon
3 and Moyer Excavating and Paving, LLC.

4 MR. HOLAHAN: I'll second.

5 MR. KERRICK: Could I ask a
6 question? In the bid there's both prevailing and
7 --

8 MS. PICKARD: -- nonprevailing.

9 MR. KERRICK: Yeah. Do we have
10 to do two motions for that, Pat, or just one?

11 MR. ARMSTRONG: You can make it
12 one motion awarding the bid for both the prevailing
13 and non.

14 MS. PICKARD: I'll amend my
15 motion.

16 MR. KERRICK: Do you amend the
17 second, John?

18 MR. HOLOHAN: I will.

19 MR. KERRICK: Motion and second
20 on the floor.

21 Any questions or comments from
22 the board?

23 Questions or comments from the
24 public?

25 Call the vote. John?

1 MR. HOLAHAN: I vote in favor.

2 MR. KERRICK: Anne?

3 MS. LAMBERTON: I'll abstain.

4 MR. KERRICK: Donny?

5 MR. MOYER: I'll vote in favor

6 MR. KERRICK: Heidi?

7 MS. PICKARD: I vote in favor.

8 MR. KERRICK: I'll vote in

9 favor. Motion carried.

10 Next item, consider Resolution
11 2011 dash 034, adopt the 2012 budget.

12 MS. PICKARD: Okay. That was
13 also advertised and has been on display for the
14 requisite period of time. The total budget is
15 about 5.8 million dollars. I had mentioned, there
16 was a couple of just cleanups when Terry put this
17 in. We did put the funds balance in for the 05 and
18 the 31 for the capital accounts that we're drawing
19 down.

20 There was a tweak on the
21 interest to even out the sewer fund and I just made
22 -- there were some minor corrections. We changed
23 the name of the loans in the sewer fund to the 2011
24 general obligation bond. It was previously
25 Pennvest and Emmaus.

1 With that, I'll make a motion
2 that we approve the fiscal year 2012 budget which
3 does not have an increase in taxes.

4 MR. KERRICK: Fantastic. I
5 appreciate your work.

6 Do we have a second?

7 MR. HOLAHAN: Yeah, I'll second.

8 MR. KERRICK: Questions or
9 comments from the board on the budget -- or the
10 motion, excuse me?

11 Questions or comments from the
12 public?

13 Call the vote. John?

14 MR. HOLAHAN: I vote in favor.

15 MR. KERRICK: Anne?

16 MS. LAMBERTON: I vote in
17 favor.

18 MR. KERRICK: Donny?

19 MR. MOYER: I vote in favor.

20 MR. KERRICK: Heidi?

21 MS. PICKARD: I vote in favor.

22 MR. KERRICK: I'll vote in
23 favor. Motion carried.

24 Next item, consider -- or the
25 board shall consider any other business.

1 Do we have any other business?

2 MR. HOLOHAN: Yeah. Pardon me.

3 Reorganization is going to be what date?

4 MS. PICKARD: January 3. It
5 legally has to be January 3, but we have it at
6 3:30.

7 MR. HOLAHAN: Is that when
8 we'll be discussing committees and boards and
9 things like that?

10 MS. PICKARD: Correct.

11 MR. HOLAHAN: So we won't be
12 doing it at this point? We'll be doing it --

13 MS. PICKARD: We do it --
14 that's what we do at the reorganization meeting.

15 MR. HOLAHAN: I'm learning.

16 MR. KERRICK: What we'll do
17 before the meeting, if I could add something, is
18 we'll give you a list of what the appointments are,
19 for solicitor and different committees that we're
20 on now. And you can study it between now and then
21 your recommendations on the 3rd.

22 MR. HOLAHAN: That's what I'm
23 looking for, thanks.

24 MS. PICKARD: We've been
25 getting, you know, the price rates for everybody

1 that we usually use at this point in time. We have
2 rates on our legal counsel and things like that,
3 but if there's anything else we need to follow up
4 with, look at, we can do that.

5 MR. HOLAHAN: All right. Thank
6 you.

7 MR. KERRICK: Anything else?

8 MS. PICKARD: No. But I did
9 want to mention that the budget, when I made that
10 motion, it is Resolution 2011-034.

11 MR. KERRICK: Okay.

12 MR. HOLAHAN: I have to say, I
13 think -- I wasn't really involved in the budget
14 process, it was the board of supervisors. Heidi
15 did such a good job in taking care of that. I just
16 wanted to make note of it.

17 MS. PICKARD: Thank you.

18 MR. KERRICK: The fortunate or
19 unfortunate part about the budget there's so many
20 fixed costs, insurances and different things, that
21 you really can't change.

22 MR. HOLAHAN: Right.

23 MR. KERRICK: Of course our
24 fuel's up --

25 MS. PICKARD: Utilities.

1 MR. KERRICK: Healthcare's up,
2 utilities are up.

3 MR. HOLAHAN: Tax revenues will
4 be coming down.

5 MR. KERRICK: Tax revenues are
6 way down.

7 MR. HOLAHAN: Right.

8 MR. KERRICK: Heidi struggled
9 and put a lot of time in to be able to put together
10 this budget without an increase.

11 MR. MOYER: She did a great job.

12 MR. KERRICK: I think she did a
13 great job.

14 MS. PICKARD: I just wanted to
15 make a comment also that, hopefully, due to the
16 great work from Phyllis Haase help working with
17 John to get some FEMA reimbursement, we're hoping
18 to possibly get \$140,000 we --

19 MS. LAMBERTON: That's awesome.

20 MS. PICKARD: -- put in, to
21 recoup some of our costs from Hurricane Irene and
22 Lee.

23 MR. HOLAHAN: So do we need the
24 NIMS designations for -- is that tied into the same
25 thing?

1 MS. PICKARD: We all are
2 suppose to have completed 100 and 700, and I think
3 I sent you --

4 MR. HOLAHAN: I did 100.

5 MS. PICKARD: If you could just
6 print me out the certificate, then I'll have it on
7 file so that we all have that. We should all have
8 that here.

9 MR. KERRICK: Anyone from the
10 public have anything?

11 MR. HOLAHAN: Laura?

12 You all know Laura from --
13 director of the Clymer Library?

14 MR. KERRICK: Yes.

15 MS. LAURA LASPEE CLYMER: We are
16 presenting our budget at the library tonight. So I
17 appreciate everyone's hard work. I know what a
18 process it is, so --

19 MR. KERRICK: Have fun.

20 MS. LAURA LASPEE CLYMER: Thank
21 you.

22 MS. LAMBERTON: I'd like to
23 make a comment. The reason for my abstaining is
24 that I am an employee of Papillon and Moyer. So
25 that is the purpose of my disclosing that.

1 MR. KERRICK: Thank you.

2 Anyone from the public?

3 Come on, Wendi.

4 Nothing?

5 MR. HOLAHAN: Michael?

6 MS. LAMBERTON: Not yet.

7 MR. KERRICK: He's preparing
8 himself for after the meeting.

9 Thank you for attending. Have a
10 great holiday season. Look forward to seeing you
11 January 3.

12 MR. MOYER: Is that it?

13 MR. KERRICK: That's it.

14 (Meeting concluded at 11:53
15 a.m.)

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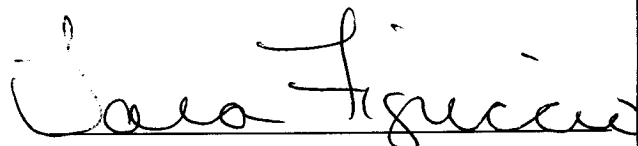
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I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.



TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:


HEIDI A. PICKARD, TOWNSHIP SECRETARY