

A G E N D A
Board of Supervisors
Regular Business Meeting
January 16, 2018
7:00 PM

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: January 2, 2018 Reorganization Meeting
January 2, 2018 Regular Business Meeting
5. Consider the Treasurer's Report: 1/16/18 bills to be paid -\$407,482.90
Ratify interim bills - \$3,900.00
6. Solicitor Report: Amendments to Act 43 Fireworks
7. **Old Business:**
8. **New Business:**
 - A. Penn Strategies update
 - B. RKR Hess Proposal - Pocono Summit West Area Water System Business Plan
 - C. Barry Isett & Associates, Inc. Proposal for Sewer Enforcement Services
 - D. Resolution 2018-006 appoint Barbara Nichols as Township Zoning Officer
 - E. Accept John Kerrick's resignation as Township Auditor
 - F. Revised Final LDP & PCSM for Exeter Blakeslee Lot 100
9. Board of Supervisors Report/Comment
10. Public Questions and Comment

ADJOURNMENT

Reminder: American Tire Ground Breaking - January 18, 2018 at 11:00am

AUDIO AND VIDEO RECORDING IN PROGRESS

Add agenda items 1/16/18

G. Resolution 2018-007

H. Appoint New Auditor

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
JANUARY 16, 2018

The second January 2018 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on January 16, 2018, at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania, 18350.

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

1. Chair Anne Lamberton calls the meeting to order at 7:00PM. It is determined that a quorum is present.
2. The Pledge of Allegiance is recited.
3. Anne Lamberton asks for a moment of silence for the 16-year-old girl that lost her life in Coolbaugh Township.
4. Announcement – Anne Lamberton states that the American Tire Groundbreaking event is on Thursday, January 18th at 11AM in New Ventures Park. John Jablowski states that everyone is welcome to attend.
5. John Holahan motions to accept the meeting minutes for the January 2, 2018 Reorganizational Meeting, Heidi Pickard seconds. Vote: minutes accepted.
6. Heidi Pickard motions to accept the meeting minutes for the January 2, 2018 Regular Business Meeting, John Holahan seconds. Vote: minutes accepted.
7. Treasurer's Report
 - a. John Holahan motions to approve the bill pack at \$407,482.90, Heidi Pickard seconds. Vote: motion carries.
 - b. Heidi Pickard motions to approve the interim bills at \$3,900.00, Brendon Carroll seconds. Heidi Pickard states that there is only one bill, and it is for the deposit on the website. Vote: motion carries.
8. Solicitor's Report
 - a. Act 43. Jonathan Reiss states that the memo before the Board was prepared by Stephen Kramer, another lawyer in his office. In the fall of 2017, the Commonwealth of Pennsylvania amended Act 43 to regulate fireworks. Stephen Kramer looked through the township's ordinance to see if the township is in

compliance with the recent amendment. There are a few changes that need to be made.

John Holahan motions to authorize the solicitor to make necessary changes to the township's fireworks ordinance to comply with Act 43 so it may be presented to the Board at a later date, David Carbone seconds. Heidi Pickard states that the solicitor should make sure that transferrable licenses comply with the ordinance. Vote: motion carries.

- b. Heidi Pickard states that Mike Christian pointed out that supervisors are not eligible to be on the UCC Board of Appeals, and she is disappointed that it was not caught sooner. Brendon Carroll asks where Mike Christian read that supervisors are not eligible. Jonathan Reiss states that he did not see Mike Christian's email. Even without the two supervisors, the UCC Board of Appeals has three other members, so it has a quorum. John Holahan suggests John Kerrick as a member, and finding an additional member and alternate. Anne Lamberton asks that the Board email any suggestions for candidates to John Jablowski. Jonathan Reiss asks that John Holahan and Brendon Carroll tender their resignations.

9. Old Business – none.

10. New Business

- a. Penn Strategies Update. Anne Lamberton states that this is tabled until next month, when Jason Fitzgerald can present it. John Jablowski states that the Board will receive updates from Jason every two weeks.
- b. RKR Hess Proposal – Pocono Summit West Area Water System Business Plan. John Jablowski states that DEP requires a business plan when creating a new water system. Because RKR Hess is working on the water system, it seems fitting that they create the business plan. The proposal is for \$11,000-\$15,000.

Heidi Pickard states that the feasibility study is not even 1/3 complete, so this seems premature. There is still no Act 537 plan either. Further, a task tracker with a financial component may be useful for tracking deadlines. Anne Lamberton states that she and John Jablowski were discussing this earlier, and it would be something to look into.

Brendon Carroll asks if the business plan could be created in-house by Bob McHale. John Jablowski states that Bob McHale is the one that recommended using RKR Hess. Brendon Carroll suggests asking for a smaller window of variability; perhaps the Board could amend the proposal to not exceed \$12,000. The Board decides to table this proposal.

- c. Barry Isett & Associates, Inc. Proposal for Sewer Enforcement Services. John Jablowski states that over the past week, he has worked with Barry Isett & Associates, Inc. (thus called "Barry Isett") to create a fee schedule for Sewer Enforcement Officer (SEO) services. The only major change is the new permit fee rising from \$550.00 to \$625.00. The last time sewer fees were raised was in 2011. Heidi Pickard asks for a copy of the proposal, Jablowski replies he will email it. Pickard asks if Jablowski pursued other proposals, he replies no. Pickard asks if Jablowski has a copy of the research done pertaining to the fees, he replies yes, and will send it to Pickard. John Jablowski states that contractors want to work over this weekend, so he is trying to get a fee schedule in place so they can be accommodated. Heidi Pickard comments that this fee schedule was sent 8 minutes to 6PM today, and the Board should have had it earlier. John Jablowski replies that on Friday, he was not comfortable with the numbers; what the Board sees now was reduced.

Anne Lamberton states that the residential system, which includes a soil test and a 6-hole percolation test is \$625, raised from \$550.

John DeCusatis, representative for Barry Isett, states that the \$625 includes a \$75 administration fee which would go to the township to mitigate processing costs. Heidi Pickard suggests using alternate SEO Jeryl Rinehart until next week, so this is not pushed through. John Jablowski states that Rinehart may have a conflict of interest with one of the homeowners slated for work.

John DeCusatis introduces himself. He has been as SEO since 2005. There is a branch of Barry Isett in Stroudsburg, and is vice chairman of the Stroud Township Sewer Authority. He also works for Penn Forest Township three days a week. He feels that the fees are in line with other townships in the area. There is a meeting scheduled for January 22 at 5pm to introduce contractors to the new firm and answer any questions they may have.

Brendon Carroll asks how John DeCusatis will serve our township in a timely manner if he is in Penn Forest three days a week. John DeCusatis replies that he is scheduled for 9 hours a week in Penn Forest, and will have available times Monday through Friday. John Holahan states that he is staying out of this discussion because he uses Barry Isett for his business.

Jonathan Reiss states that if the Board appoints Barry Isett as interim SEO, the fee schedule can be approved and used for this weekend. At the February meeting, once the Board has a proposal, they can appoint Barry Isett as SEO. Heidi Pickard motions to approve Barry Isett as temporary SEO, Brendon Carroll seconds. Vote: John Holahan abstains, Anne Lamberton, Heidi A. Pickard, Brendon Carroll, David Carbone in favor; motion carries.

- d. Resolution 2018-006 appoint Barbara Nichols as Township Zoning Officer. John Holahan motions to approve Resolution 2018-006, David Carbone seconds. Heidi Pickard asks about the salary. John Jablowski states that there is no increase yet. Pickard asks what Nichols current salary is, Nichols responds \$16.50/hr. John Jablowski states that there will be a raise for Barbara Nichols, he is planning on presenting it with a package. Vote: motion carries.

Barbara Nichols states that Kalahari wants to build a miniature golf area. There are no new structures or parking areas, and Bob McHale stated that Kalahari only needs to submit stormwater. Barbara Nichols presents the map to the Board, and states there is plenty of money still present in Kalahari's escrow. Kalahari is asking for a waiver of land development fees. John Holahan motions to waive the land development fee for the Kalahari proposed miniature golf course as sited on the plans prepared by Pennoni, subject to its compliance with the township's stormwater ordinance, Brendon Carroll seconds. Vote: Anne Lamberton abstains; John Holahan, Heidi Pickard, Brendon Carroll, and David Carbone in favor; motion carries.

- e. Accept John Kerrick's resignation as Township Auditor. John Holahan motions to accept John Kerrick's resignation as Township Auditor, Brendon Carroll seconds. Vote: motion carries.
- f. Revised Final LDP & PCSM for Exeter Blakeslee Lot 100. Barbara Nichols states that Bob McHale has reviewed this, and it has met all comments. There were a few adjustments to parking, underground storage, electrical placement, and other items, but McHale recommends the approval of the LDP and PCSM.

Chad Knecht states that Anne Lamberton no longer asks for public comment before the Board votes on agenda items. Anne Lamberton states that she will start asking for public comment again before the Board votes.

Seth Isenberg asks what the LDP and PCSM are for. Anne Lamberton replies that this is for American Tire Distributors.

Heidi Pickard motions to approve the revised final land development plan and post construction stormwater management for Exeter Blakeslee Lot 100, project number 2017-003, subject to Bob McHale's review number 3, dated January 10, 2018, and approval by the Board's solicitor, John Holahan seconds. Vote: all in favor; motion carries.

- g. Resolution 2018-007, amend township fee schedule to include Barry Isett & Associates fee schedule. John Holahan votes to amend the township's fee schedule to include Barry Isett's fee schedule, David Carbone seconds. Vote: Heidi Pickard opposed because she did not receive the information; Brendon

Carroll, David Carbone, John Holahan, and Anne Lamberton in favor; motion carries.

- h. Appoint New Auditor. Anne Lamberton states that a new auditor must be appointed, and Diane Lake was also a candidate for auditor. Diane Lake states that she would be willing to assume the role of auditor. Heidi Pickard motions to appoint Diane Lake as auditor, David Carbone seconds. Vote: all in favor, motion carries.

Wendy Freeman asks why John Kerrick resigned. Anne Lamberton states that auditors cannot hold other appointed position, and John Kerrick thought he could be more effective on other boards.

11. Public Comment

- a. Chad Knecht asks if they are looking for people to be on the UCC Appeals Board. Anne Lamberton asks if Chad is interested. Chad Knecht replies he is not, but will talk to other people that might be.
- b. Juliet Dunham states that the Clymer Library is closed due to a burst pipe that occurred on January 7th. The damages are covered by insurance, excepting a \$500 deductible, and the library will be closed until repairs are made. Staff are working to continue processing Inter-Library Loans and circulation questions (book renewal, answering phones, etc.), but the building is not open to the public. On top of the burst pipe, the burner took on water and broke, and the sump pump was off over the weekend. The pipe failed because it was deteriorated; the library's well does not have a water filtration system. The 2017 report from the library is delayed because the burst pipe affected Ann's office the worst.

Clymer Library's Pot Pie Paluzza is in full swing. They are hoping for 500 pies. John Jablowski asks who he writes the check to, Dunham replies Mountain Top Lodge. Orders must be in by the 22nd, and pick up is on the 26th.


- c. Brendon Carroll asks if the Board has considered Chief Wagner's letter concerning assistance on a K-9 vehicle, and states that he would support a contribution to the cause. Juliet Dunham states that the deficit is no longer \$22,000. The Police Department has other monies earmarked for the vehicle, so it should be a more manageable number. The Board directs John Jablowski to reach out to Chief Wagner and find out how much money they still need.
- d. Brendon Carroll asks that the township acquire another flag, so the one in the meeting room is not travelling between conference room.

- e. Denise Doremus from PMREMS gives totals for the 2017 year. Total, PMREMS received 6,207 calls (up 4%), 1,322 of which were from Tobyhanna Township (up 16%). For December, PMREMS received 127 calls from Tobyhanna Township.
- f. John Holahan states that some sort of task tracker would be nice. He used to receive minutes from the Planning Commission and Police Commission meetings. An overview to keep the Board apprised of what's going on would be helpful. Anne Lamberton asks Barbara Nichols to circulate the minutes from the Planning Commission meetings. John Holahan states that the Board members also need to report back to each other; pairs of two supervisors that go to meetings need to update the other three members. John Jablowski states that once Kathy Matishak sends the Police Commission minutes to the township, they will be forwarded to the Board.
- g. Ed Tutrone asks if the DPW weekly report, which is part of the weekly report Autumn Canfield sends out every Friday, is working for the Board. Anne Lamberton and Brendon Carroll replies yes, thank you. John Jablowski suggests enhancing the weekly report to address John Holahan's concerns about keeping the Board up to date on other meetings.

12. Meeting adjourned at 7:48PM.

Minutes recorded by Julia Heilakka

Respectfully submitted:



Julia Heilakka, Township Secretary

[Faint circular official seal of the Township of Tobyhanna is visible in the background.]

CONFLICT OF INTEREST DISCLOSURE

I, John Holahan, hereby disclose that I have a conflict of interest with regard to Barry Isett as SEO. I am unable to vote on; discuss; or participate in any Township action with respect to Appointing Barry Isett Associates as SEO because of my relationship with the matter, as follows: I contact with Barry Isett Associates for my Business.

By: [Signature]
Dated: 16 January 2018

Received this 16th day of January, 2018.

[Signature]
Township Secretary