

**A G E N D A**  
**Board of Supervisors**  
**Regular Business Meeting**  
**March 6, 2018**  
**7:00 PM**

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. Announcements: March 20, 2018 Meeting @ 3:00 PM  
February 22, 2018 Executive Session 7:30am - 8:00am
4. Consider the Minutes of: February 20, 2018 Regular Business Meeting
5. List of Bills for BOS approval - \$
6. Solicitor Report: **Public Hearing** - Transfer Liquor License to Malwa Ventures, LLC  
**Consider Resolution 2018-012** Board's decision on Liquor License Transfer
7. **Old Business:** Resolution 2018-013 appoint Code Enforcement Officer
8. **New Business:**
  - A. Lake Naomi Tennis Club Building -request for waiver of Land Development
  - B. Neighborhood Improvement District Annual Assessment Report by Municap dated 2/15/18
  - C. HOP Inn - update
9. Board of Supervisors Report/Comment
10. Public Questions and Comment

**ADJOURNMENT**

**AUDIO AND VIDEO RECORDING IN PROGRESS**

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
MARCH 6, 2018

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The first March 2018 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on March 6, 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. Announcements:
  - a. The next Board of Supervisors meeting is moved to 3:00PM on Tuesday, March 20, 2018.
  - b. On February 22, 2018, the Board held an executive session from 7:30AM-8:00AM regarding personnel.
  - c. The NIDA meeting is March 12, 2018 at 6:00PM.
  - d. The EDA meeting has been rescheduled for March 14, 2018 at 6:00PM.
4. Minutes
  - a. John Holahan motions to approve the minutes from the February 20, 2018, Regular Business Meeting, Brendon Carroll seconds. Vote: all in favor; motion carries.
5. List of Bills for Approval
  - a. Anne Lamberton states that there was an addition to the list of bills for approval at \$991.74 for reimbursement for the Zoning Officer for out of pocket expenses for travel, bringing the total list of bills for approval to \$41,953.32. John Holahan motions to approve the list of bills, Brendon Carroll seconds.

Heidi Pickard asks what the Barrett Signs shovel sign and Cramer's shovel plaque were for. John Jablowski replies that the shovel plate was for the shovel from the groundbreaking for American Tire Distributors, and the plaque was the wood for the shovel.

Heidi Pickard asks if there has been a policy change for donations, because the Board had not been doing donations, and then put \$1,000 in the budget for donations. Now, there is only \$500 left. \$250 seems to be a large donation in lieu of flowers, and donations were originally \$100. This is tax payer money. Anne Lamberton states that everyone voted in favor. David Carbone states that he plans

to not take a salary, so the \$2,500 will be free. Anne Lamberton states that she plans to do the same.

Heidi Pickard asks why the T & M bill for \$6,143 for Kalahari Blvd is signed off to Pocono Summit. John Jablowski states that T & M was servicing Kalahari Boulevard as part of the punch list. T & M's bills for the boulevard were placed under sewer, but the work they do does not fall under that category. The only other area with funding for that bill was the Pocono Summit Line item. Heidi Pickard asks if this is being reimbursed from escrowed funds. John Jablowski replies no, because it is a township road. Heidi Pickard replies that it is on a punch list.

Heidi Pickard asks what is being reimbursed out of the 380 fund, Autumn Canfield replies that it is a Pennoni bill in regards to a grant.

John Holahan asks if T & M's work is actually on Kalahari Boulevard, or if it is in that fund. John Jablowski replies that T & M developed a punch list of items that still need to be repaired from the 18-month maintenance period. Brendon Carroll states that in October, they met with T & M on site.

John Holahan and Heidi Pickard request the report on the punch list and the meeting that occurred in October. Vote: Heidi Pickard opposed, John Holahan, Brendon Carroll, David Carbone, and Anne Lamberton in favor; motion carries.

#### 6. Solicitor's Report

- a. John Holahan motions to open the hearing, Heidi Pickard seconds: hearing is open. [This hearing was recorded by Panko Recording, please see Exhibit A, attached to the minutes.] Heidi Pickard motions to close the hearing, Brendon Carroll seconds: hearing is closed. Brendon Carroll motions to adopt approval Resolution 2018-012, with the amendment that item three is changed to stay consistent with the Liquor Control Board hours of operation, David Carbone seconds. John Holahan states that there are 29 active licenses in our municipality, 3 expired, and 3 pending. Vote: John Holahan opposed; Anne Lamberton, Heidi Pickard, David Carbone, and Brendon Carroll in favor; motion carries.

#### 7. Old Business

- a. Resolution 2018-013 appoint Code Enforcement Officer. Heidi Pickard motions to accept Resolution 2018-013 appointing Barbara Nichols as Code Enforcement Officer, Brendon Carroll seconds. Vote: all in favor; motion carries.

#### 8. New Business

- a. Lake Naomi Tennis Club Building – request for waiver of Land Development. John Holahan motions to waive the land development, David Carbone seconds. Brendon Carroll states that this project seems like it should not require land development. James Kelley, engineer for Lake Naomi, states that he met with former Zoning Officer Maureen Minnick. It was her opinion that land



development was not required, but suggested submitting for a waiver anyway. Heidi Pickard motions to waive land development, David Carbone seconds. Vote: all in favor; motion carries.

- b. Neighborhood Improvement District Authority (NIDA) Annual Assessment Report by Municap dated 2/15/18. Brendon Carroll motions to approve the Annual Assessment Report, David Carbone seconds. Heidi Pickard asks why the Board is approving this if it is slated for approval at the NIDA meeting. Jonathan Reiss replies that this report affects the township. John Holahan and Heidi Pickard ask to table this item because the NIDA has not approved this yet. John Holahan motions to table, Brendon Carroll and David Carbone withdraw their motion and second: item tabled until the next meeting.
- c. HOP Inn – update. Anthony Bezpalko presents plans for the new inn to the Board. He plans to use the existing foundation and add additional square footage for the entrance and kitchen. Phase 1 of the project will include demolishing the front building and rebuilding it with a new entrance, as well as a front office, reception, kitchen, and 15 guest rooms. Phase 2 will be 35 new guest rooms, a bar, and a restaurant. John Holahan asks when the Board will receive the final drawings. Anthony Bezpalko responds that everything is identical to how the building is now, and he is waiting on his architect for detailed plans. The building will be under 38 ft. tall. Anne Lamberton states that the driveway permit will be through the township, not PennDOT. Anthony Bezpalko directs the Board's attention to the plan depicting the driveway entrance. John Holahan asks if Bezpalko has met with Bob McHale yet. Anthony Bezpalko states that he met with Bill Burton and Barbara Nichols, but not Bob McHale. Phase 2 will include three cottages in the back of the property with four rooms each, and will include the Conservation District. He wants to begin as soon as possible, and has a licensed engineer and architect on staff that are familiar with Monroe County. Heidi Pickard states that it may be time to revisit plans for that section of SR 940.

9. Board of Supervisors Reports/Comment

- a. John Holahan states that he received a letter from Pocono Township concerning sewer. John Jablowski states that he spoke with Steve Pine, and Kalahari is planning to send a letter asking Pocono township to consider moving up to 190,000 gallons from 150,000 gallons, and asking for consideration for a period of time not to exceed one year to explore alternate disposal methods for pool water. This should cut \$610,000 in EDUs costs. He expects this correspondence by the end of the week, and will then set up another meeting with Donna Asure, the manager of Pocono Township. John Holahan states that part of the letter is an invoice for \$1.755 million, and asks if Tobyhanna Township will have to write a check. John Jablowski states that Pocono Township seems willing to negotiate. Kalahari has an option to clean used pool water via reverse osmosis, and if they can recharge the local aquifer while cutting costs, it seems like a viable option. The potential implementation of a 1% sales levy will assist in completing Kalahari Blvd. punch list items, and could provide cash flow for other items.

John Jablowski states that Kalahari should have an operating reserve and six months of user fees, which are very low. He sent a letter and bill to Kalahari earlier today, and Kalahari is aware that they need to replenish the funds. Heidi Pickard asks for a copy of the letter John Jablowski sent to Kalahari. John Jablowski states that he sent a bill for \$157,088.36 for overages and a bill for the second quarter. Heidi Pickard replies no, did he send the bill for six months of user fees and the 20% operating reserve. John Jablowski states that he did not send that, but will.

- b. David Carbone states that while Coolbaugh is paying for the K-9 car, the Pocono Mountain Regional Police Department (PMRPD) still needs protective vests for both dogs, which cost \$1,500-\$1,700 each. Heidi Pickard motions to provide vests for the dogs, Brendon Carroll seconds. Vote: all in favor; motion carries.
- c. David Carbone states that he volunteered to help the Tobyhanna Township Volunteer Fire Company (TTVFC) with the restoration for the fire truck. That committee will meet next week concerning refurbishing the old fire engine.
- d. Brendon Carroll states the State faltered concerning Winter Storm Riley, and was wondering if anyone on the Board would be opposed to having township vehicles plow state roads to help. Ed Tutrone states that PennDOT deployed a triaxle from Locust Ridge to plow SR 940, but due to downed wires, the plow could not complete its route. The township plows did what they could to keep state routes open, but were severely hindered by trees, abandoned cars, and fallen wires. Pocono Summit was not plowed immediately due to a mishap with one of the township's vehicles. Whatever roads the township plows could reach, they were plowing. John Holahan and Brendon Carroll ask the Board if anyone objects to the Department of Public Works (DPW) dropping their plows on state roads to help out during storms.

Ed Tutrone states that the Emergency Operations Center in Snyder'sville has been activated as of 8AM on Wednesday, March 7, 2018. If there are issues, call them, and they will dispatch instructions to the road crews. The Emergency Services Building can be opened as a warming center. There is Board-wide discussion on what parts of the township have power. John Jablowski states that PPL has had conference calls on their progress all weekend. Heidi Pickard states that Jeff from PennDOT stated that 7,000 cars were stranded from SR 33 up to I-380. Ed Tutrone states that the biggest problem was people abandoning their vehicles. Because people walked away from their vehicles, plows could not get through. The police called wrecker services to clear the roads. During the storm, Ed Tutrone states that he did not see any PennDOT trucks in the area until around 8PM, and he believes it is because when the pile up on the interstate occurred, PennDOT sent their trucks there to help and then got stuck.



The Board consensus is that during snow events, the DPW has permission to drop their plows on state roads to aid PennDOT as needed.

- e. John Jablowski states that the DPW has \$800,000 in the budget for 5 miles of road improvements, with a supplemental for another mile. Included in this price is Summit Ave. Coolbaugh is planning to pave their portion of Summit Ave, and as a way to reduce costs, Tobyhanna Township plans to have them pave all of Summit Ave and reimburse Coolbaugh. With the Board's permission, the bid will be posted for review at the April 17<sup>th</sup> meeting. Ed Tutrone states that Coolbaugh is planning to use 1 ¼ leveling course, which will act as a cast for the road to level it out so next year, the top coat can be laid. The swales still need to be cleaned out, and cold patch removed. David Carbone motions to put the road improvements out to bid, Heidi Pickard seconds. Vote: all in favor; motion carries.
- f. John Jablowski brings the Retired Seniors Volunteer Program (RSVP) to the Board's attention. Tobyhanna Township has had a Memorandum of Understanding (MOU) with RSVP, and the program provides volunteer time at no cost to the township. He asks if he may renew the MOU with RSVP. The Board consensus is to renew the MOU with RSVP, and tells John Jablowski to act accordingly.
- g. Jonathan Reiss states that he sent a memo concerning Act 43 - Fireworks to the Board, and would like to discuss it at the March 20, 2018 meeting.
- h. Brendon Carroll states that he received the notice for a conditional use application from Shamrock Communications for a tower in Locust Lake. Minutes from a 1999 meeting approved the conditional use that violated a zoning ordinance, and suggests that this application should be for non-conforming use rather than conditional use. He does not believe that the Board should accept the \$1,200 check for the conditional use hearing. Jonathan Reiss states that Barbara Nichols and Bob McHale believe that the tower does not require a conditional use hearing, and can send back the check with the Board's approval. In 1999, the conditional use hearing had a 30-day appeal program. Because no one challenged it, even though it was in violation of the ordinance, it is final. Thus, Shamrock Communications does not need a conditional use hearing, and the Board may return the check. Heidi Pickard asks if the Control Center needs repeaters on the tower. Ed Tutrone states that there are multiple towers in Locust Lake, and the Control Center may have repeaters on a different tower. One of the conditions for towers is that emergency services can use them.

Brendon Carroll states that there cannot be towers in an RR district. Jonathan Reiss replies that because the original conditional use was approved, it is nonconforming use. The Board's consensus is to return the \$1,200 check from Shamrock Communications.

10. Public Questions/Comment

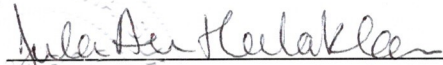
- a. Juliet Dunham states that the DPW did an amazing job of keeping the roads open. After the snow stopped, they came back and widened intersections and pushed snow back. The Clymer Library is doing well.
- b. Wendy Freeman states that on behalf of Lake Naomi, she thanks the DPW so much for their efforts to keep the roads clear. They did a phenomenal job.
- c. Ed Tutrone states that he and his crew have been pushing snow back for the past two days in preparation for Winter Storm Quinn.

11. Meeting adjourned at 8:00PM.

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Minutes recorded by Julia Heilakka

Respectfully submitted:



Julia Heilakka, Township Secretary