

A G E N D A
Board of Supervisors
Regular Business Meeting
May 14, 2018
9:30 AM

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. Announcements: Joint BOS & PC Meeting on Thursday, May 17th at 5:30pm
4. Consider the Minutes of: May 1, 2018 Regular Business Meeting
5. Treasurer's Report for April 2018
6. Bill Pack Total: \$371,781.58
7. Solicitor Report:
 - Proposed amendment to Parks Ordinance - authorize to advertise
 - Proposed amendment to Fireworks Ordinance - authorize to advertise
8. **Old Business:**
 - Riley and Company, Inc. Representation Letter - Financial Statements and Audit Report
 - Assignment of Agreement for HOP for Stormwater and Traffic Signal Maintenance - New Ventures Park
 - Unilateral Declaration of Covenants, Conditions and Restrictions for Pocono Manor Investors
9. **New Business:**
 - A. Consider proposal for Sewer District #1 Pump Station Operations & Maintenance
 - B. Consider Resolution 2018-019 watershed restoration and protection program grant
 - C. Consider Pennoni Proposal-Pocono Pines Intersection Concept Plans
 - D. Penn Strategies monthly update
10. Board of Supervisors Report/Comment
11. Public Questions and Comment

ADJOURNMENT

AUDIO AND VIDEO RECORDING IN PROGRESS

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
MAY 14, 2018

The second May 2018 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on May 14, 2018, at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania, 18350.

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

1. Vice Chair John Holahan calls the meeting to order at 9:30AM. It is determined that a quorum is present.
2. The Pledge of Allegiance is recited.
3. John Holahan welcomes Tobyhanna Elementary Center's (TEC) 4th grade students to the meeting.
4. Announcements
 - a. John Holahan states that there will be a Board of Supervisors and Planning Commission Joint meeting on Thursday, May 17th at 5:30PM.
5. David Carbone motions to accept the meeting minutes for the May 1, 2018 Regular Business Meeting, Brendon Carroll seconds. Vote: all in favor; minutes accepted.
 - a. Brendon Carroll explains to the students that Julia Heilakka types up what happens during meetings, and the Board reads the minutes to make sure they are accurate, and then approves them.
6. Treasurer's Report
 - a. Heidi Pickard states that she didn't get to look at the report. Brendon Carroll states that he and David Carbone did not have the chance to review the report. This item is tabled.
7. Bill Pack
 - a. John Holahan motions to approve the bill pack at \$371,781.58, David Carbone seconds. Heidi Pickard states that there is a bill from the Pocono Mountain Industrial Park Authority for \$29,768.21 for an agreement with Arcadia. Autumn Canfield replies that the bill concerns the traffic light at 115 next to New Ventures Park. Heidi Pickard states that the township planned to upgrade the poles, but

were informed that the township didn't have to pay for that. That was through Pennsy Supply last year, but this bill is dated this year. Ed Tutrone states that the original contract was with Pennsy Supply because they were the general contractor, but the contract needed to be with Pocono Mountain Industrial Park Authority. The same money is encumbered; it is only under a different name. John Holahan explains to TEC that the Board must authorize bills to be paid. Heidi Pickard states that out of the \$371,781.58, \$152,228.94 of that is our monthly bill from the Pocono Mountain Regional Police Department (PMRPD).
Vote: all in favor; motion carries.

8. John Holahan asks the members and staff to introduce themselves to TEC. Each staff member introduces themselves accordingly: John Jablowski is the manager of the staff, Julia Heilakka types up the minutes for meetings, Autumn Canfield is the assistant manager and treasurer, Ed Tutrone is the public works director, and his job is to oversee roads, buildings, and parks. Jonathan Reiss is the township solicitor, and he provides legal services. Brendon Carroll is an elected official and assists with decisions and management of the township. David Carbone is the newest supervisor, who was elected in January. Heidi Pickard is the oldest member of the Board, who has been a member since 2002. She also works for Lake Naomi Real Estate. John Holahan is the vice chair. Anne Lamberton, the chair, could not be present today, so the vice chair runs the meeting in her stead.

9. Solicitor's Report

- a. Proposed amendment to Parks Ordinance – authorize to advertise. Jonathan Reiss states this would prohibit the landing, taking off, or operation of drones in township parks. Heidi Pickard motions to authorize to advertise the proposed park ordinance amendment, David Carbone seconds. Vote: motion carries.
- b. Proposed amendment to Fireworks Ordinance – authorize to advertise. Jonathan Reiss states that regarding Act 43, this amendment updates the definition of consumer and display fireworks, makes clear that a permit is required to ignite display fireworks, amends the definition of a safe display location, amends the ability for a rain date so the permit is still valid, and addresses that permits are transferrable but must continue to comply with the township ordinances, and that the township must be given notice. David Carbone motions to advertise the amendment, Brendon Carroll seconds. Vote: motion carries.
- c. Jonathan Reiss states that he emailed an amendment to the zoning ordinance on Friday regarding the sales of fireworks. This will either be discussed at the Joint Meeting on May 17th or at the next scheduled Board meeting.

10. Old Business

- a. Riley and Company, Inc. Representation letter – Financial Statements and Audit Report. Heidi Pickard motions to approve the Riley Representation letter, financial statements, and audit reports, David Carbone seconds. John Holahan states that Riley and Company makes sure the township's financials are in order. Vote: motion carries.
- b. Assignment of Agreement for HOP for Stormwater and Traffic Signal Maintenance – New Ventures Park. Jonathan Reiss asks to table this, as he is still waiting on information. Heidi Pickard motions to table, Brendon Carroll seconds. Vote: item is tabled.
- c. Unilateral Declaration of Covenants, Conditions, and Restrictions (“Declaration”) for Pocono Manor Investors. John Holahan states that the Board discussed this before. Autumn Canfield states that the signed copy was sent on Wednesday, but it hasn't arrived. Jonathan Reiss states that when Pocono Manor subdivided their land, they entered a Declaration because there were no pending land development plans for the properties. Certain paragraphs made sure Kalahari Boulevard was accessible to the public, and that the other two lots would be accessible. Then, the Declaration's first amendment occurred. Now that Kalahari is built, Pocono Manor wants to clean up their title. Bob McHale and Jonathan Reiss edited the Declaration to eliminate moot paragraphs. Heidi Pickard asks for an explanation of paragraph 44. Jonathan Reiss replies that Lot 3A would've required financial securities and a development agreement. Those are requirements under the township's planning code, so it doesn't need to be in this document. Heidi Pickard asks for clarification on paragraphs 3 and 4 in the amendment. Jonathan Reiss replies that paragraph 44 didn't exist in the original Declaration, so deleting that paragraph with two different sets of wording is a precautionary measure. David Carbone motions to authorize the execution of the Unilateral Declaration of Covenants, Conditions, and Restrictions, Brendon Carroll seconds. Vote: motion carries.

11. New Business

- a. Consider Proposal for Sewer District #1 Pump Station Operations & Maintenance. Ed Tutrone states that the current contract is a 3-year contract with Aqua that expires tomorrow. Aqua did not want to renew the contract. Environmental Service Corporation (ESC) is the low bidder for another 3-year contract. The gentleman that works for ESC was one of the people that originally set up the station. Heidi Pickard asks if the company provided all insurances and documents. Ed Tutrone replies yes; the township used Mike Shober from T & M for collecting the bids. The original contract was \$700 for 3 visits a week, and ESC's pricing is similar. Heidi Pickard motions to accept the proposal from Environmental Service Corporation, Brendon Carroll seconds. Vote: all in favor; motion carries.

- b. Consider Resolution 2018-019 watershed restoration and protection program grant. Jason Fitzgerald states that he is a grant writer and lobbyist. He looks at grant programs, writes the grants, and goes to Harrisburg or Washington to get them approved. A grant is money for a project that comes from the state or federal government. The watershed restoration grant is \$300,000 for stormwater work or environmental remediation tied to that. He suggests this may be used for work on the Alberta Property. Stormwater management makes sure that the water is clean.

Jason Fitzgerald states that he is working on a park survey to see what the community wants in the park. The township does not pursue anything related to the military. Autumn Canfield states that to procure a grant, the township asks for funding for a specific project. Jason Fitzgerald states that it is tough to get this money; there are about 8,500 lobbyists. A lobbyist tries to convince people to support a certain cause. John Holahan welcomes Representative Jack Rader at 10:01AM. Vote: Heidi Pickard motions to approve Resolution 2018-019, David Carbone seconds. Vote: motion carries.

- c. ITEM D – Penn Strategies Monthly Update. Jason Fitzgerald states that the staff submitted a \$19,500,000 RACP Business Plan to the Pennsylvania Office of the Budget, which is still being considered by the Pennsylvania Department of Community and Economic Development. Announcements are expected in August or September of 2018.

Jason Fitzgerald states that announcements for the PA Small Water and Sewer Program Grant Application for about \$500,000 for the Pocono Summit West Water District are expected in July of 2018 after the CFA meeting.

Jason Fitzgerald states that the township was awarded \$550,000 by the Pennsylvania Department of Transportation Alternatives Program (TAP). There were only 89 awarded out of about 450 grants requests that were submitted.

Jason Fitzgerald states that concerning the Pennsylvania Department of Transportation Green Light Go, the township's \$46,785 request for upgrades to four traffic lights was submitted to PennDOT on November 8, 2017. There have been no announcements made on this grant.

Jason Fitzgerald states that the Building Infrastructure Leading to Diversity Grant (BUILD) replaced the Transportation Investment Generating Economic Recovery Program (TIGER), and the grant is open now. 30% of dollars must be spent in rural areas. There is more money available than TIGER normally had. The maximum award is \$25 million, but no more than \$150 million per state. The application deadline is July 19th, with announcements in September or October. He asks if the township is technically a rural area. John Jablowski replies that the township is defined as a rural county, but the US census may differ. Over 685

people per mile is not rural. Heidi Pickard asks if this grant could fund the bridge over 380. Jason Fitzgerald replies yes. John Jablowski states that concerning the Pocono Summit West roadway improvements, PennDOT is looking to start improvements back to the Dollar General. Jason Fitzgerald states that these are evaluated based on merit criteria to include safety, economic competitiveness, quality of life, environmental protection, innovation, partnership, and additional non-Federal revenue generation for future transportation infrastructure investments.

- d. Item C - Consider Pennoni Proposal – Pocono Pines Intersection Concept Plans. Heidi Pickard states that this was not in the budget. John Jablowski replies no, it is not in the budget. Heidi Pickard asks what changed the focus. John Jablowski replies that Lake Naomi is moving forward on the Welcome Center. Wendi Freeman states that Lake Naomi has not moved forward on this project. Autumn Canfield states that the township received a letter from Lake Naomi's engineer asking for information because they were planning on starting the project. Mike Christian states that there is wetland on the property, and Lake Naomi is trying to find out what they can do with it. The Welcome Center is still in the concept stages, and is not moving forward. Heidi Pickard states that when Fred Harrold's property was sold, tall pines were removed from the site and residents got upset. Pennoni suggests removing the remaining tall pines to align the intersection. She feels that the township should get more information from Lake Naomi before township money is spent. Mike Christian will talk to Robert and Scott to find out what is going on, but Lake Naomi is not moving forward on this. David Carbone motions to table, Brendon Carroll seconds. Vote: motion carries; Pennoni Proposal is tabled.

12. Board of Supervisors' Report

- a. Jack Rader introduces himself. He welcomes TEC to the Supervisor's Meeting.
- b. Heidi Pickard states that Pocono Mountain Regional Emergency Medical Services (PMREMS) is hosting an event on Saturday, May 19th at Ray Price. Every test drive will procure \$20 for the ambulance. Concerning the website, she couldn't find Parks info. Autumn Canfield asks that if the Board notices anything that's missing on the website, please inform her. John Holahan states that he did not see anything on the Blakeslee Vision.
- c. Ed Tutrone asks concerning the agreement with New Ventures Park and traffic signal maintenance, if there is a warranty on that light because there is a problem. Jonathan Reiss states that under agreements, New Ventures Park is supposed to pay for that. The township will do the work and get reimbursed.

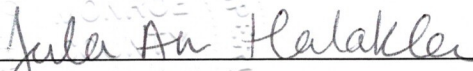
13. Public Comment

- a. The floor is opened to TEC to ask any questions about the meeting.
- b. John Holahan requests the aid of the TEC and asks what they would like to see in Blanche Price Park. He suggests a splash park. He asks for suggestions. Heidi Pickard states that this is to help the master site plan.
- c. Ed Tutrone states that Heidi Pickard mentioned a township-wide cleanup day. Due to the availability of dumpsters, it will have to be in the fall. He will meet with Panther Waste and set it up.

14. Heidi Pickard motions to adjourn, David Carbone seconds; meeting adjourned at 10:35AM.

Minutes recorded by Julia Heilakka

Respectfully submitted:



Julia Heilakka, Township Secretary