

**A G E N D A**  
**Board of Supervisors**  
**Regular Business Meeting**  
**June 5, 2018**  
**7:00 PM**

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. Announcements: Executive Session - May 30, 2018
4. Consider the Minutes of: May 14, 2018 Regular Business Meeting  
May 17, 2018 Joint BOS & PC Meeting  
May 30, 2018 Special Meeting
5. List of Bills for BOS approval - \$243,906.30
6. Solicitor Report: **Public Hearing** - Proposed Ordinance - amending Parks Ordinance  
**Consider adopting Ordinance No. 543**  
  
**Public Hearing** - Proposed Ordinance - amending Fireworks Ordinance  
**Consider adopting Ordinance No. 544**  
  
Authorize preparation of an Ordinance and advertisement for public hearing  
to approve the PMRPC Inter-municipal agreement
7. **Old Business:** Assignment of Agreement for HOP for Stormwater and Traffic Signal  
Maintenance - New Ventures Park  
  
Treasurer's Report for April 2018  
  
DPW Equipment Purchase  
Summit Avenue paving via Coolbaugh Township Bid
8. **New Business:**
  - A. Consider Well Testing Bids - Pocono Summit West Community Water System
  - B. Authorize Temporary Potable Water Tank & Water Tank Hauling Services during well testing
  - C. Consider rescinding motion of 10/18/17 Special Mtg.- HRG Proposal dated 10/2/2017 [WB&E trailhead wetland delineation & field survey]
  - D. Parks and Main Lodge Lease Agreement with the YMCA
  - E. Kalahari Resorts C2 Convention Center Plan - Minor Modification
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  
JUNE 5, 2018

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The first June 2018 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on June 5, 2018, at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania, 18350.

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

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. Anne Lamberton states that the Board held an Executive Session after the May 30<sup>th</sup> meeting from 9:00-9:15AM regarding personnel.
4. Minutes
  - a. John Holahan motions to approve the meeting minutes for the May 14, 2018 Regular Business Meeting, the May 17, 2018 BOS/PC Joint Meeting, and the May 30, 2018 Special Meeting, Brendon Carroll seconds. Vote: All in favor; minutes accepted.
5. List of Bills
  - a. Heidi Pickard motions to approve the bill pack for \$243,906.30, Brendon Carroll seconds. Vote: all in favor; motion carries.
6. Solicitor's Report
  - a. Solicitor Report: Public Hearing – Proposed Ordinance – amending Parks Ordinance: Consider adopting Ordinance No. 543. Jonathan Reiss states that this public hearing has been advertised and posted at the township, and a copy is available at the Pocono Record and township for review. This ordinance amends regulations in parks to prohibit the operation of drones. John Holahan motions to open the hearing, Heidi Pickard seconds. Vote: hearing is open. Diane Lake states that this is a good idea. John Holahan motions to close the hearing, Heidi Pickard seconds. Vote: hearing is closed. Heidi Pickard motions to adopt Ordinance No. 543, Brendon Carroll seconds, Vote: all in favor; motion carries.



- b. Public Hearing – Proposed Ordinance – amending Fireworks Ordinance: Consider adopting Ordinance No. 544. John Holahan motions to open the hearing, Brendon Carroll seconds. Vote: hearing is open. Jonathan Reiss states that this was advertised, has been on the township bulletin board, and has been available for public inspection. This ordinance would amend regulations to comply with Act 43. It updates consumer and display fireworks definitions, and requires a permit for display fireworks. Display fireworks must be set off 300 ft. or more from a facility that sells fireworks. There is a seven-day continuance of a permit if there is bad weather, and this allows for an assignment of a permit. John Holahan motions to close the hearing, Heidi Pickard seconds. Vote: hearing is closed. John Holahan motions to adopt Ordinance No. 544, Heidi Pickard seconds. Vote: all in favor; motion carries.
- c. Authorize preparation of an Ordinance and advertisement for public hearing to approve the PMRPC Inter-municipal agreement. Heidi Pickard motions to approve and authorize preparation of an ordinance and advertisement for public hearing to approve the PMRPC Inter-municipal agreement, John Holahan seconds. Vote: all in favor; motion carries. Jonathan Reiss states this will be discussed on June 19<sup>th</sup>, because he will not be present at the July 3<sup>rd</sup> meeting.
- d. Barbara Nichols states that Anthony Bezpalko wanted to update Board on what his plans are for the old Hop Inn. This is informational only. He is planning to phase the front half of the building first. The building is nonconforming, so they will stay within the boundaries of the original building. There will be 15 hotel rooms, and will expand in the back. He will probably ask for land development waiver, but that will be discussed later. Bob McHale will look over the plans, and Anthony will need a letter from Aqua concerning capacity. Anthony plans to raze the entire front section. Anne Lamberton asks if the property has a liquor license. Barbara Nichols is unsure, and will ask.
- Heidi Pickard asks if there will be a fee in lieu of land development. Barbara Nichols states that she wants a professional services agreement in place. John Jablowski states there have been lots of meetings with Anthony. The hotel will be three stories tall, and will conform to zoning regulations.
- e. Barbara Nichols states that there have been issues with properties, and she has taken action. At the old Hop Inn, the unregistered vehicles are gone and Anthony is complying. An issue with another property is being taken care of. She can only do 5-6 properties at a time, but will get to the entire township. Heidi Pickard asks about a property maintenance code. Barbara Nichols states that Jonathan Reiss is working on the code. Anne Lamberton asks that Barbara Nichols send that portion of the ordinance to the Planning Commission and Board. Rachel Schickling asks if Nichols needs help; this is a lot for one person. John Jablowski states the township is interviewing this week.

## 7. Old Business

- a. Assignment of Agreement for HOP for Stormwater and Traffic Signal Maintenance – New Ventures Park. Jonathan Reiss does not have financial security information yet, and asks that this be tabled. John Holahan motions to table this item, Heidi Pickard seconds. Vote: item is tabled.
- b. Treasurer's Report for April 2018. Heidi Pickard motions to approve the Treasurer's Report for April 2018, Brendon Carroll seconds. Vote: all in favor; motion carries.
- c. DPW Equipment Purchase. Anne Lamberton states that a lot of information was thrown at the Board this morning. The Board consensus is to wait until the next meeting because David Carbone is not present, but agrees that the grapple is necessary. Heidi Pickard motions to approve the purchase of a Gradall grapple at \$12,438, Brendon Carroll seconds. Ed Tutrone states the quote is from November, and is hopefully still good.

Rachel Schickling states that DPW did a great job during the storm. Is the DPW a road crew or maintenance crew, because Tutrone doesn't have enough people to do both. Four to five employees is not enough and they are spread too thin. Ed Tutrone states that DPW is not a road construction company, they do road maintenance. At a meeting this morning, he identified that the DPW is short-handed. He contacted municipalities around the regional police coverage area to determine other DPW's responsibilities and manpower. DPW is down two full-time employees. Concerning equipment, the equipment that he asked the Board for is for maintenance. There is minor base repair in isolated areas, but it is maintenance. For main line paving, base repair goes into the bid. Concerning this year's bid, the DPW repaired minor damages to roads. The equipment DPW asks for is for maintenance. The DPW has two seasonal employees.

Rachel Schickling asks if Tutrone has considered Boy Scouts. Ed Tutrone replies no, but the YMCA discussed a park clean up. The Little League has helped also, but the township cannot depend on volunteer work. DPW needs six full-time and two seasonal employees. Concerning work, DPW is behind because of the weather. They lost the month of April due to snow, and the bad wind storm undid a lot of work in the parks. They may need to sub out work to catch up. Rachel Schickling asks if the township does base work, will the contractor approve the full warranty? Ed Tutrone replies yes, all contractors surveyed the roads and will honor the standard one-year warranty. One road was thought to need base repair, but the road was accidentally expanded so blacktop was laid on dirt. DPW milled up the side, brought the road back to 19 feet wide, and added stone on the sides. The mainline paving contractor would do base repair if it was warranted. Rachel Schickling states that the parks used to be pristine. Now, they are horrible. Ed



Tutrone replies that again, that is due to lack of help. The park is much improved, but the largest issue is the weather. Heavy equipment still can't traverse the fields because of water retention. The tennis courts will be pressure washed soon. Julia Heilakka states that Jason Fitzgerald is creating a master site plan for Blanche Price Park, which will assist with grant opportunities. Ed Tutrone states that if DPW can get back to a full complement, they will be back in business.

John Jablowski is working on getting an LED for the EMS sign. Ed Tutrone states when lighting was redone, there were no provisions for the sign, so he is researching a new design. You can no longer purchase 8-foot bulbs that the sign needs. Brendon Carroll states that there are kits. Ed Tutrone replies yes, but the kits are for interior, not exterior. Rachel Schickling does not feel that six full-time employees would be enough. Ed Tutrone states that concerning trails, there is grant money available, and that would be subcontracted out. A skid steer would be used for trail maintenance. About half of the township will be resurfaced after this summer's work, so the maintenance demands on roads will lessen.

John Jablowski states that the township received a \$550,000 grant for the trails. Rachel Schickling asks if the township has reached out to colleges for internships. John Jablowski replies yes. Diane Lake states that she sent letters to honors students in high school, and Clymer Library has heard nothing. He also reached out to the Boy Scouts to help with a spring cleanup. John Jablowski states that they met with the Boy Scouts, and nothing came of the meeting. Vote: all in favor; motion carries.

John Holahan states that the Board will be talking about the roller and skid steer. He is prepared to move forward on that, but would like Dave to be a part of that. Ed Tutrone agrees.

- d. Summit Ave paving via Coolbaugh Township Bid. Heidi Pickard motions to approve the bid at \$94,865.05, John Holahan seconds. Anne Lamberton asks if the bid tally sheet is independent of our \$94,000. Ed Tutrone states this is the regular MS-944 sheet. The \$94,000 is part of the \$572,000 for Coolbaugh's base bid. Brendon Carroll asks if it is better to do it this way rather than get our own scope of work. Ed Tutrone replies yes; it is one road and thus more cost effective for Coolbaugh to continue paving the road. Brendon Carroll states there are issues at the end of the road. Ed Tutrone replies that will be addressed tomorrow or Thursday, depending on weather. Coolbaugh was told that if Hanson gets the bid, they can start after July 4<sup>th</sup>. Coolbaugh will use their grader to cut shoulders. The townships will work together. Vote: all in favor; motion carries.

## 8. New Business

- a. Consider Well Testing Bids – Pocono Summit West Community Water System. John Jablowski states the township applied for a grant for small community water systems through DCED. There is a meeting in mid-July. The grant will allow for a project of up to \$500,000 to promote community water systems. It will fund 85% of the project, so the state would fund \$425,000. This bid is to drill and install two additional wells. Russ Scott from RKR Hess states that the money would allow for pump installation also.

Heidi Pickard asks about a letter of no prejudice. John Jablowski states once school is out of session, well testing can begin. The letter of no prejudice makes sure that the project can start, and if the grant is awarded, it can be applied retroactively to the start of the project. There is a risk that the township will not receive the grant, but the township has funds in a line item.

Heidi Pickard asks if there is an update on the Act 537. John Jablowski states that he called Wayne Gross of RKR Hess, and has no official update. The last discussion was that the plan is submitted to DEP for alternative disposal. 13% of the school district's property is suitable for spray, but the cost is astronomical. The school district issued letter stating that they are not interested. Alternate options have been explored, and the township is waiting to hear that the only possible solution is to update the plant. Ed Tutrone states that he met RKR Hess on site, and they want to start immediately. The process will take time and must be done before school is in session. John Jablowski states that water will be brought to the site for potable water and fire suppression. John Holahan states that the Board must determine if they want to spend \$200,000 on wells that may not be reimbursed, with the understanding that the sewer is not prepared yet. John Holahan motions to approve the bid, Brendon Carroll seconds. Anne Lamberton states the township is at a crossroad of growth; do residents want to continue to look at Port-a-Potties? This is part of the phasing to upgrade. John Jablowski states that a community water system would bring fire hydrants to the area. Vote: all in favor; motion carries.

John Holahan motions for conditional approval and issuance of the final work notice, execution of the contract, and issuance of the notice to proceed, contingent upon receipt and favorable review of the agreement, bonds, and other documents by the solicitor and project engineer, Brendon Carroll seconds. Vote: all in favor; motion carries.

- b. Authorize Temporary Potable Water Tank & Water Tank Hauling Services during well testing. John Holahan motions to approve authorizing temporary potable water tank and water tank hauling services during well testing, and awarding it on the recommendation of the engineer to Palmeri Group with a ceiling of \$10,000, Brendon Carroll seconds. Vote: all in favor; motion carries.



- c. Consider rescinding motion of 10/18/17 Special Mtg.- HRG Proposal dated 10/2/2017 [WB&E trailhead wetland delineation & field survey]. Jonathan Reiss states when the work was done, the overall cost of the proposal increased and only needs a motion to approve \$1,280.50. Autumn Canfield states that this motion was approved specifically without a 10% contingency. John Holahan motions to approve the additional \$1,280.50, Heidi Pickard seconds. Vote: all in favor; motion carries.
- d. Parks and Main Lodge Lease Agreement with the YMCA. John Holahan motions to approve the lease agreement, Heidi Pickard seconds. Heidi Pickard asks if Wee Wons and others like Crimson Dragon warned. John Jablowski replies yes, he has spoken to them. They have preference over the YMCA. Anne Lamberton states the YMCA will discount the camp 10% for residents. John Jablowski states that the YMCA is paying rent. Sharon Smith states the YMCA camp in the park is great! John Jablowski states that they are helping to clean up the park. Diane Lake states that Jody talked about using the library. Vote: all in favor; motion carries.
- e. Kalahari Resorts C2 Convention Center Plan – Minor Modification. Anne Lamberton excuses herself from the conversation. Barbara Nichols states that she emailed the plans. This is a minor change to the approved site development. Kalahar is reducing the convention center and is adding more parking and a helipad. Bob McHale sees no issue, and the change will not add additional stormwater. He recommends approving the minor modification, subject to staff review and approval and sufficient sewage approval.

Heidi Pickard states that Kalahari is over their sewage flows. Barbara Nichols states this is part of a pre-approved plan. John Holahan asks if they purchased 230,000 gal/day. John Jablowski replies yes. John Holahan states that if they already use 230,000 gal/day, this convention center will put them over. John Jablowski states Kalahari has not exceeded 230,000 gal/day this year. The annual average usage is 190,000 gal/day. Jonathan Reiss states there must be resolution between the township, Pocono Manor, and Kalahari. The township cannot get stuck between two property owners. John Jablowski suggests sitting with Kalahari and Pocono Manor. Kalahari is exploring reverse osmosis. Jonathan Reiss states if Pocono Township pushes, they will not take back EDUs that were purchased. John Holahan asks if the Board grants approval, is the Board giving them additional EDUs. Barbara Nichols replies no. Brendon Carroll states because of overages, Kalahari agreed to purchase total approved EDUs early. That 230,000 gal/day is already allocated. Jonathan Reiss states the modification does not increase capacity. John Holahan motions to approve the minor modification, contingent upon final staff review and approval, including proof that there is sufficient sewage capacity to serve the convention center, Heidi Pickard seconds. Vote: John Holahan, Heidi Pickard, and Brendon Carroll in favor; Anne Lamberton abstains: motion carries.

## 9. Board of Supervisors' Report

- a. Julia Heilakka states that Community Day posters are available, courtesy of Printing Craftsman. To keep the Board updated, she put together list of pertinent events where John Jablowski is speaking at events in the township. The Meeting of the Managers and Arrowhead Senior Association State of Township addresses are on June 14<sup>th</sup>. June 26<sup>th</sup> is State of the Township: Blakeslee at 6pm at Blakeslee Community Center. August 7<sup>th</sup> is National Night Out, and there will be a township cleanup day on Saturday, Aug 25<sup>th</sup> from 11AM-3PM at the Government Center. These events are posted on the website and Facebook. John Jablowski states that part of Community Day is a t-shirt sponsorship to benefit Five Loaf House. Donate an item to receive a t-shirt, and then wear the t-shirt on Community Day. Attendees wearing the t-shirt on Community Day are entered to win tickets to Kalahari, Pocono Raceway, or a RailRiders game.
- b. Ed Tutrone commends the staff for the storm on the 15<sup>th</sup>. The staff handled incidents inside while DPW worked outside. They remained calm and handled the situation. On the DPW side, there are two private developments with township roads. Lake Naomi did an amazing job working as a team to clear the roads and get emergency services through. In an emergency, DPW will open roads, regardless if the roads are private, township, or state owned. PPL was also prepared for the storm.

## 10. Public Comment

- a. Diane Lake states that residents should come by the Clymer Library to see art on the windows. Children from TEC made a banner. The summer reading program starts in a few weeks. The home tour and brunch is the first Wednesday in August.
- b. Denise Doremus states that subscriptions started in June. If anyone has questions, please call the building or go to PMREMS.org.
- c. Juliet Dunham thanks the Board for the two most recent special meetings. She appreciates discussion on the insurance policy.

11. John Holahan motions to adjourn, Heidi Pickard seconds. Meeting adjourned at 8:09PM.

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Minutes recorded by Julia Heilakka

Respectfully submitted:



Julia An Heilakka  
Julia Heilakka, Township Secretary

