

**A G E N D A**  
**Board of Supervisors**  
**Regular Business Meeting**  
**June 19, 2018**  
**7:00 PM**

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. Announcements:
4. Consider the Minutes of: June 5, 2018 Special Meeting  
June 5, 2018 Regular Business Meeting
5. Treasurer's Report for May 2018
6. Bill Pack Total: \$233,032.27
7. Solicitor Report: **Public Hearing** - Proposed Ordinance - PMRPD amended agreement  
**Consider adopting Ordinance No. 545**
8. **Old Business:**
  - Assignment of Agreement for HOP for Stormwater and Traffic Signal Maintenance - New Ventures Park
  - DPW Equipment Purchase
9. **New Business:**
  - A. Consider request for waiver of Land Development-Pocono Springs Temporary Sales Trailer
  - B. Proclamation for TEC 4<sup>th</sup> grade students
  - C. Consider Resolution 2018-020
  - D. Consider Resolution 2018-021 designating Clymer Library & Five Loaf House as Emergency Warming Shelters
  - E. Consider L & V Engineering Proposal - SR 940 & Old Route 940 Intersection
  - F. Penn Strategies monthly update
  - G. Request for waiver of Land Development - AVB Group [Hop Inn], 463 Old Route 940
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  
JUNE 19, 2018

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The second June 2018 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on June 19, 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, David Carbone, Solicitor Jonathan J. Reiss, Esquire, and Township Manager John Jablowski Jr. Brendon Carroll is absent.

1. Chair Anne Lamberton calls the meeting to order at 7:01PM. It is determined that a quorum is present.
2. The Pledge of Allegiance is recited.
3. John Holahan motions to accept the meeting minutes for the June 5, 2018 Special Meeting, David Carbone seconds. Vote: All in favor; minutes accepted.
4. David Carbone motions to accept the meeting minutes for the June 5, 2018 Regular Meeting Regular Business Meeting, Heidi Pickard seconds. Vote: All in favor; minutes accepted.
5. Treasurer's Report
  - a. John Holahan motions to approve the Treasurer's Report, David Carbone seconds. Heidi Pickard states she just received the budget to actuals. Autumn Canfield replies that the budget-to-actuals are an FYI, cash reports are the treasurer's report. Heidi Pickard asks that budget-to-actuals, and a comparison to the prior year for expenses and cash be included in the treasurer's report from now on. Vote: Heidi Pickard opposed; Anne Lamberton, John Holahan, and David Carbone in favor; motion carries.
  - b. John Holahan motions to approve the bill pack for \$233,032.27, Heidi Pickard seconds. Vote: all in favor; motion carries.
6. Solicitor's Report
  - a. Public Hearing – Proposed Ordinance – PMRPD (Pocono Mountain Regional Police Department) amended agreement – Consider adopting Ordinance No. 545. John Holahan motions to open the hearing, Heidi Pickard seconds: hearing is open. Jonathan Reiss states that this ordinance is to approve and authorize the chair to enter into the amended and restated agreement on PMRPD. Once adopted by Tobyhanna Township and the other participating municipalities, this will settle



the litigation commonly referred to as the Coolbaugh litigation, and a mutual release would be entered into. This is basically the original agreement with some changes to address issues some municipalities had with the way things operated at the regional police force. This proposed ordinance has been advertised for a public hearing, posted on the township bulletin board, and has been available at the township and the local newspaper. Mike Christian asks for a synopsis of what the agreement is. Jonathan Reiss states this is the agreement used to regionalize the police. It discusses the district boundaries, regional police commission, sets duties, discusses the apportionment formula, the budget, finances, and other items. Mike Christian asks what has changed. Jonathan Reiss replies there are a lot of changes, but the largest changes are doing away with the bylaws and creating a process to adopt new bylaws. There were some changes regarding how municipalities decide how much they want to budget each year, and dealt with issues if budgets aren't approved by individual municipalities, as well as how to deal with increases. Anne Lamberton states one issue is that Coolbaugh didn't want to approve their budget until they knew what the police budget was, but the police budget occurs at the same time. Mike Christian asks if there are changes affecting Tobyhanna. Jonathan Reiss replies no. John Holahan motions to close the hearing, Heidi Pickard seconds: hearing is closed. David Carbone motions to adopt ordinance No. 545, Heidi Pickard seconds. Vote: all in favor; motion carries.

## 7. Old Business

- a. Assignment of Agreement for HOP for Stormwater and Traffic Signal Maintenance – New Ventures Park. Jonathan Reiss states this is not ready yet, the township has not received financial figures to set up financial security from New Ventures. This item is tabled.
- b. DPW Equipment Purchase. Anne Lamberton states that the Board received information, and asks for a comparison with the same size skid steer, and a list of roads that the DPW plans to mill and work on using the skid steer and its attachments. Heidi Pickard states there is already a \$6,000 rental bill, and CAT is willing to roll that into the purchase; can the Board definitely decide this issue next meeting? Anne Lamberton states that some equipment invoices were from 2017, others were 2018. Ed Tutrone states that updated quotes were sent out last week. Anne Lamberton asks for quotes for machines with the same horsepower and same size machine. John Holahan asks what piece of equipment the DPW recommends. Ed Tutrone states that Highway Equipment created the comparison with the CAT machine DPW is considering and their machine. Their machine was \$4,000 - \$5,000 less than the CAT. DPW is currently renting a CAT, and has accrued \$12,000 in rentals thus far. CAT has guaranteed to put at least \$6,000 toward the purchase of the CAT roller; the CAT sales rep is finding out if he can roll over the full \$12,000. Ease of maintenance and safety features on the CAT are

reasons why DPW prefers the CAT. If DPW purchased the Bobcat, DPW would still need to pay CAT the machine rental on top of the Bobcat price. DPW employees have demoed both pieces of equipment, and prefer the CAT over the Bobcat. Purchasing the CAT is cheaper. Anne Lamberton asks for a report on what DPW has done with the current rental with a dollar figure and an equivalent comparison with the same size machine, and the Board will make a decision at the next meeting. Ed Tutrone states that the Bobcat S650T4 Bobcat skid steer loader is comparable to the CAT 262DSSL. The S650T4 is \$57,727.53, and the CAT is \$65,570. There is currently \$6,000 in rentals that will be waived if DPW buys the CAT. Anne Lamberton states that the Bobcat would have been cheaper without the rental. Ed Tutrone states that when he received the quotes, he was told by the sales representatives that the Bobcat was equivalent to the CAT, and the rep quoted him the bigger machine. Heidi Pickard asks to revisit safety equipment. Ed Tutrone states on the original quote for the CAT, it had a backup camera and the direction the exhaust goes is safer. If a Bobcat enters regen when someone is behind it, they could get burned by 1,300° exhaust. The CAT is designed with ease of repair in mind; the mechanic doesn't have to take the machine apart to service it. There is a 2-year warranty on CAT, and a 1-year warranty on Bobcat. Both machines have battery disconnects. When Anne Lamberton requested the Bobcat quote from Jamie, the new Bobcat now has an extended warranty, and a backup camera. Anne Lamberton asks why he didn't ask for quotes. Ed Tutrone states that he requested quotes in 2017. The Bobcat did not come standard with the safety features. Anne Lamberton expresses concerns that the CAT quote was from 2018 and the others were from 2017. Ed Tutrone states that he emailed the Board stating that he did not have current pricing on Bobcat. The updated Bobcat quote was sent to the Board on Friday.

Trudi Denlinger asks if the Roadmaster provided a five-year project plan. Have the supervisors toured the township to address what needs to occur? Is there a plan so that any piece of equipment that needs to be purchased has bidding, comparative analysis, and all information provided in written form? The job of the road master should be addressing the Board concerning what needs to happen with the roads. This should be a budgetary item. Anne Lamberton states that she created a DPW committee, and they are working on it. Ed Tutrone states the Board was given a report for 2018 in November of 2017. Main line paving was discussed at budget meetings, and a sealed bid was put out for advertisement. This machine is used for maintenance items, and not just for road repair. It's used in many facets of work. Trudi Denlinger asks if the Board is considering attrition on equipment. Ed Tutrone states that is being worked on. Anne Lamberton states that this should have been presented in November, so it could be put in the budget. Ed Tutrone states that he was told to not put that in the budget. Heidi Pickard agrees with Ed Tutrone's statement.



John Holahan motions to approve the purchase of the CAT skid steer for \$65,570, Heidi Pickard seconds, and confirms the number is with the trade-in of the backhoe that is rotting in the back parking lot. Juliet Dunham asks if Brown & Brown reported back concerning covering the rental. Ed Tutrone states that Brown & Brown need a bill to do that. If we purchase the CAT, we won't have a bill for a rental. Anne Lamberton asks if CAT could bill the township and then credit that money to the purchase. Jonathan Reiss and Ed Tutrone state that is not a possibility. Ed Tutrone states that if DPW doesn't purchase the CAT, he can submit the bill.

Vote: John Holahan and Heidi Pickard in favor, David Carbone and Anne Lamberton opposed: motion is dead. Anne Lamberton will wait on additional information and what roads the equipment will be used on. This will be on next meeting's agenda.

John Holahan asks what Ed Tutrone recommends for the roller. Ed Tutrone states he received an invoice for a roller today at about 4PM from Highway Equipment on a Volvo. Anne Lamberton suggests tabling this. Renting the roller is \$2,000 a month plus insurance. Heidi Pickard states that the Board could purchase the Volvo, and have the insurance pay the rental. Ed Tutrone states he doesn't know how much of a rental the insurance will cover. John Holahan asks what the DPW recommends. Ed Tutrone replies his department recommends the CAT at \$41,843. John Holahan motions to purchase the CAT roller at \$41,843, Heidi Pickard seconds. Vote: Heidi Pickard and John Holahan in favor, Anne Lamberton and David Carbone opposed: motion fails. Anne Lamberton states this will be on the agenda for next meeting.

## 8. New Business

- a. Consider request for waiver of Land Developments – Pocono Springs Temporary Sales Trailer. Barbara Nichols spoke with Garret Burgy from Kimley-Horn. The BCO (Building Codes Official) is having issues with how far back trailer is. The trailer must be ADA compliant, and the road is 12' wide by 4" thick, so a firetruck cannot reach it. They are working on correcting the issue, and request that the item be tabled. Item is tabled.
- b. Proclamation for TEC 4<sup>th</sup> grade students. John Jablowski states the 4<sup>th</sup> grade students joined the Board for Government Day, and this proclamation recognizes the students' interest and concern for the future. Heidi Pickard motions to approve the proclamation for TEC, John Holahan seconds. Vote: all in favor; motion carries.
- c. Resolution 2018-020. Heidi Pickard motions to approve Resolution 2018-020, a resolution of the Township of Tobyhanna Board of Supervisors recognizing

Donna L. Knecht for serving twenty-nine years as a member of the Tobyhanna Township administration, John Holahan seconds. Vote: all in favor; motion carries. Anne Lamberton presents a plaque to Donna Knecht.

- d. Consider Resolution 2018-021 designating Clymer Library & Five Loaf House as Emergency Warming Shelters. David Carbone motions to adopt Resolution 2018-021 designating Clymer Library & Five Loaf House as Emergency Warming Shelters, Heidi Pickard seconds. Ed Tutrone states that emergency warming shelters much have generators. Trudi Denlinger states that she met with Jason Fitzgerald, who is pursuing acquiring generators coming back from the Middle East. The first step is receiving the designation. Both facilities are handicap accessible. Donna Knecht asks about Blakeslee and Pocono Summit. Trudi Denlinger states she is moving forward on Clymer and Five Loaf because they are ready to act, but she plans to work on Blakeslee and Pocono Summit. TOMEC Food Pantry is a tenant in Five Loaf. Ed Tutrone tells Trudi Denlinger to call the RedCross once the generators are installed because they will designate those places as shelters, and asks they forward any special needs from PPL, like people requiring oxygen, to him so the township and TTVFC have the information. Trudi Denlinger states that Clymer Library is compiling a list of nonprofit organizations, so anyone who wants to volunteer has a list of places to volunteer. Vote: all in favor; motion carries.
- e. Consider L & V Engineering Proposal – SR 940 & Old Route 940 Intersection. prop. Heidi Pickard motions to approve L & V Engineering Proposal, John Holahan seconds. Anne Lamberton states that this is for SR 940 and SR 423, to scope to realign the area. Vote: all in favor; motion carries.
- f. Penn Strategies monthly update. Jason Fitzgerald is not present, item passed over.
- g. Request for waiver of Land Development – AVB Group (Hop Inn), 463 Old Route 940. Anthony Bezpalko states he is requesting a waiver of land development for Phase 1, because he is rebuilding in the existing structure's footprint. Phase 1 is 15 rooms, the reception area, and kitchen. Barbara Nichols states a porch is being moved. She shows the Board before and after maps, and then presents the map to the public.

Heidi Pickard motions to grant a conditional land development waiver for Phase 1 based on the Phase 1 schematic plan dated June 5, 2018 with the following conditions: the applicant enter into a professional services agreement with the township and fund an escrow of \$1,500, that the land development waiver approval would cover Phase 1's continental breakfast area, which is not for the general public, that the applicant produce an accurate wetland delineation along with a copy of the US Army Core of Engineers preliminary jurisdictional determination, that the applicant show on the plan an accurate right of way in



order to determine the front yard building setback, that L & V engineering prepare a concept roadway alignment plan in order to properly evaluate the proposed driveway access locations for Phases 1 and 2, that the stormwater management plan demonstrates Chapter 124 compliance for Phases 1 and 2, that the applicant present a will serve letter from Aqua for sanitary sewer capacity, that sanitary sewer lines be shown on the plan, both existing and proposed, that the plan would then be subject to township staff review, and that the site review be performed by the township building code official, including fire suppression, and if the waiver is granted it is only for Phase 1; Phase 2 will need land development, David Carbone seconds. Vote: all in favor; motion carries.

Frank Festa states there are a few things that they plan to do in the future. He will contact L & V Engineering for stormwater management. There is a paper street in the back of the property, and hopes to have a pipe down to the stream. Once established, the hotel will pursue a liquor license. Barbara Nichols asks who signs the contract concerning professional services. Jonathan Reiss replies that John Jablowski signs.

#### 9. Board of Supervisors' Report

- a. David Carbone states on June 23<sup>rd</sup> from 9am-3pm, Ford is raising funds for the PMRPD Canine Unit. For every person that test drives a car, the company donates \$20.
- b. Heidi Pickard states the Roundup for Regional EMS is August 9th. Jeanine Hofbauer states that funds are being dedicated to new heart monitors. The heart monitors will have to be replaced in 2022. They cost \$36,000 each, and the EMS needs four. This is round two of fundraising, and the event will be held at Skytop.
- c. John Jablowski thanks the staff and members. Tornadoes ripped through his home area, and the staff was helpful. There were six walking injured.
- d. Anne Lamberton states the Board held an executive session for 5:30-6PM for legal reasons. Jonathan Reiss states he will not be present the first week of July; Peter Nelson will be present. Trudi Denlinger states that it is normal to state who was at the executive session. Jonathan Reiss states that there is recent case law stating that if parties outside Board, manager, and solicitor are present, the discussion may not be proper for executive session. Anne Lamberton states that the following people were present in executive session. David Carbone, Heidi Pickard, John Holahan, Anne Lamberton, Jonathan Reiss, John Jablowski, and Autumn Canfield.

- e. Julia Heilakka announces the TOMEK Food Pantry Raffle. Donate a personal care item to receive a free t-shirt and a chance to win tickets to Kalahari, Pocono Raceway, or the SWB RailRiders.

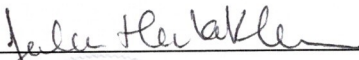
10. Public Comment – none.

11. Meeting adjourned at 7:57 PM.

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Minutes recorded by Julia Heilakka

Respectfully submitted:

  
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Julia Heilakka, Township Secretary

