

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

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. Announcements: Wreaths for Veterans Ceremony - Pocono Lake Cemetery, Sat. Nov. 10th 11:00am
4. Consider the Minutes of: October 2, 2018 Regular Business Meeting
October 16, 2018 Regular Business Meeting
October 17, 2018 Budget Meeting
October 31, 2018 Budget Meeting
5. List of bills for approval - \$410,113.31
6. Solicitor Report:
 - Resolution 2018-033 approving proposed 2019 PMRPC budget
 - Assignment of Agreement for HOP for Stormwater and Traffic Signal Maintenance-New Ventures Park
7. **Old Business:**
8. **New Business:**
 - A. Consider Rettew Engineering Addendum #2 Route 940 Improvement Project – wetland delineation
 - B. Consider CPA Proposals for 2018, 2019 and 2020 Township Audits
 - C. Consider Exeter Blakeslee Lot 100 Land, LLC [Sitework] - Financial Security Reduction No. 2
 - D. Consider Electricity Provider Proposals for Township
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
NOVEMBER 7, 2018

The first November 2018 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on November 7, 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, 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. Anne Lamberton states the Veterans Wreath Ceremony is Saturday, November 10th at 11AM at the Pocono Lake Cemetery.
 - b. Anne Lamberton states the Board held an Executive Session on November 7, 2018 regarding personnel from 6-7PM.
4. Minutes
 - a. David Carbone motions to accept the meeting minutes for the October 2, 2018 Regular Business Meeting, Brendon Carroll seconds. Vote: all in favor; minutes accepted.
 - b. David Carbone motions to approve the minutes from the October 16th, 17th, and 31st meetings, Brendon Carroll seconds. John Holahan states he was not present on the 17th, so he plans to abstain. Vote: John Holahan abstains; Anne Lamberton, Heidi A. Pickard, Brendon Carroll, and David Carbone in favor: motion carries.
5. Treasurer's Report
 - a. David Carbone motions to approve the list of bills at \$410,113.31, Brendon Carroll seconds. Heidi Pickard asks who Bruce Phillips is. Autumn Canfield states he is the Board of Appeals attorney. Vote: all in favor; motion carries.
6. Solicitor's Report
 - a. Resolution 2018-033 approving proposed 2019 PMRPC budget. Jonathan Reiss states this includes the portion the township is responsible for and estimated MMOs for the township for the year. John Holahan motions to accept, David Carbone seconds. Heidi

Pickard asks if there is an estimate for what we will receive from state aid. Autumn Canfield states they have not told the township yet. Vote: all in favor; motion carries.

- b. Assignment of Agreement for HOP for Stormwater and Traffic Signal Maintenance – New Ventures Park. Jonathan Reiss states this is just for discussion. He circulated tracked changes to the agreement. The Board is amenable to the proposed changes, and directs Jonathan Reiss to move forward.
- c. [New Item] Zoning Ordinance Update. Jonathan Reiss states Barbara Nichols is keeping a list of problems with the township’s zoning ordinance. In the PCRED District, there is a typographical error in ordinance, and wants to change “angle” to “aisle.” He has prepared a zoning ordinance amendment that addresses her concerns, some of which are moving daycares into permitted uses, changing “angle” to “aisle” in PCRED, and addressing the issue of acreage and setback requirements for marijuana growers and bulk fuel storage use. He will circulate changes.

7. Old Business – none.

8. New Business

- a. Consider Rettew Engineering Addendum #2 Route 940 Improvement Project – Wetland Delineation. Heidi Pickard asks for a timeframe. Autumn Canfield states a timeline is on their table. Heidi Pickard motions to approve the Rettew proposal in the amount of \$18,7000, John Holahan seconds. Vote: all in favor; motion carries.
- b. Consider CPA Proposal for 2018, 2019, and 2020 Township Audits. Jonathan Reiss states the Board will not adopt a motion tonight. Staff needs the Board’s direction on who they are likely to approve so this can be advertised for 30 days. After that, a resolution may be adopted.

Debbie Borger of Riley & Co. (“Riley”) states it is important to analyze the qualifications of firms and prices of previously performed audits. Previously, Riley discounted their fee about 40%, and encountered additional time in the auditing process that was not charged. As a result, the discount to the township was larger than 40%. Companies face continuously increasing personnel and technology costs.

Jeff Weis of Zelenkofske Axelrod LLC states his is a niche firm, who focuses on municipal and government accounts. They also audit for Pocono and Jackson Townships. Brendon Carroll asks why there is no price increase. Jeff Weis states the first year of a new account requires extra time because of working with the other firm to transition.

Ray Zavada of Zavada and Associates states he has a small firm of eight people. He works with boroughs, townships, and municipal authorities. He only bid for one year, but

is willing to commit to three years. He downloaded the last two years of financial statements, and it looks like the township is financially sound.

Jonathan Reiss states township staff is looking for direction so they can advertise the appointment of a CPA, which must sit for 30 days. Heidi Pickard asks Ray Zavada what size municipalities he's dealt with. Ray Zavada states normally \$1 - \$3 million budgets, and Kingston township has a budget of \$25 million. The Board directs staff to make the advertisement for Zelenkofske Axelrod LLC.

- c. Consider Exeter Blakeslee Lot 100 Land, LLC [Sitework] – Financial Security Reduction No. 2. Jonathan Reiss states this reduction is for \$1,843,065.80. John Holahan motions to approve the reduction, Heidi Pickard seconds. Vote: all in favor; motion carries.
- d. Consider Electricity Provider Proposals for Township. Jonathan Reiss states every contract has basically the same penalty provisions. John Holahan motions to accept Hudson Energy for 5 years. Jonathan Reiss states Hudson Energy's proposal has a governing law provision that stipulates New York state law applies to the interpretation of the contract. This contract is enforceable in New York state. All contracts have a confidentiality provision, which is a problem because this contract is subject to Right to Know Law. John Holahan asks if Hudson Energy has renewable options. Autumn Canfield replies yes, but they tend to be more expensive. Brendon Carroll asks staff to research the integrity of the company. Jonathan Reiss states if Hudson Energy goes bankrupt, the company that buys them will honor the contract, or the township can negotiate a new contract. Heidi Pickard seconds.

Heidi Pickard motions to accept Hudson Energy for 60 months at .0599, contingent upon research into the company's integrity by Friday, David Carbone seconds. Vote: all in favor; motion carries.

9. Board of Supervisors' Report

- a. David Carbone states DPW was out during the storms and did a lot of clean up to make the roads safe: thank you.
- b. Heidi Pickard thanks the Pocono Mountain Regional Police Department (PMRPD) for their No Shave November fundraiser, to assist with funeral expenses for a 12-year-old girl that died of cancer. Anne Lamberton states information will be posted on the township website once it is available.
- c. Heidi Pickard states PMRPD officers were handing out candy during Halloween: thank you.
- d. Jason Fitzgerald states he provided the Board with copies of his update. He is still waiting to hear back on the RCAP and BUILD grants. Concerning future grants, he is working to resubmit a Green Light Go grant, and wants to work with

Edward Black & Associates to seek funding for projects concerning the master site plan for the parks. Applications must be submitted by April 2019 for funding in 2020. Grants are very rarely approved without master site plans.

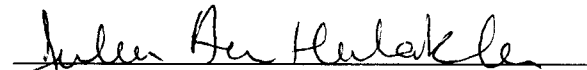
10. Public Comment

- a. Lloyd Vought asks if companies at New Ventures Park are allowed to pump water into the woods. Anne Lamberton states New Ventures Park is on central sewer. John Holahan states Vought might be observing stormwater discharge. The Board directs Autumn Canfield to contact Bob McHale so he and Lloyd Vought can discuss discharge points for stormwater.
- b. Dale Knecht asks if there is an update on the roller. David Carbone states yes, they are looking at the roller, a pole barn, and other items. John Holahan states the company selling the roller will hold their price until the end of December.

11. Meeting adjourned at 7:54 PM.

Minutes recorded by Julia Heilakka

Respectfully submitted:


Julia Heilakka, Township Secretary