

A G E N D A
Board of Supervisors
Regular Business Meeting 7PM
April 23, 2019

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. Announcements: April 23, 2019 5:30pm to 6:00pm Executive Session to discuss building security
Next month BOS Meetings are scheduled for **Monday, May 20th at 8:30am and 9:30am**
4. Consider the Minutes of: March 19, 2019 Work Session
March 19, 2019 Regular Business Meeting
March 25, 2019 Work Session
April 10, 2019 Joint BOS/Pocono Twp. Commissioners Meeting
5. Treasurer's Report for March 2019
6. Bill Pack Total - \$561,040.65
7. Solicitor Report: **Public Hearing** for Proposed Zoning Ordinance - MUTCD zoning district
Consider adopting Ordinance No. 549
8. **Old Business:**
9. **New Business:**
 - A. Consider adopting revised Resolution 2019-009 appointing Charles Schwab Bank to serve as Custodian for the Tobyhanna Township Non-uniformed Employee Pension Plan
 - B. Consider awarding the 2019 Road Paving Project Bid
 - C. Lots 100 and 110 New Ventures Park LDP - buffer screening change from white pine to norway spruce
 - D. Consider Cohen Law Group proposal for Wireless Management Consulting Services
 - E. Clymer Library request for annual house tour sponsorship
 - F. AWSOM request for a donation
 - G. Consider well isolation waiver request- Ben Noyes, 142 Stillwater Dr., TM #19/4B/1/45
 - H. Erb's Landscaping proposed Pole Barn, 1686 Route 940, Pocono Lake
10. Board of Supervisors Report/Comment
11. Public Questions and Comment

ADJOURNMENT

AUDIO AND VIDEO RECORDING IN PROGRESS

Before
THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Meeting

Tobyhanna Township Government Center
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Tuesday, April 23, 2019, beginning at 7:01 p.m.

PRESENT: ANNE LAMBERTON, Chairperson
JOHN J. HOLAHAN, III, Vice-Chairperson
HEIDI A. PICKARD, Board Member
BRENDON J.E. CARROLL, Board Member
DAVID CARBONE, Board Member

JONATHAN J. REISS, ESQUIRE, Solicitor

ALSO

PRESENT: John J. Jablowski Jr.
Township Manager

Autumn Canfield
Assistant Township Manager

Barbara Nichols
Township Zoning Code Enforcement Officer

ORIGINAL

Panko Reporting
537 Sarah Street, Second Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MS. LAMBERTON: I would like to
2 call the board of supervisors regular business
3 meeting of April 23, 2019 to order. And we'll
4 begin with the pledge of allegiance, please.

5 (Pledge of allegiance was
6 recited.)

7 MS. LAMBERTON: Thank you. We
8 have a couple of announcements. April 23, 2019,
9 which is today, we had executive from 5:30 p.m. to
10 6 p.m. to discuss building security. Next month
11 the board of supervisors' meetings are scheduled
12 for May 20th, at 8:30 a.m. and 9:30 a.m.

13 I will entertain a motion to
14 consider the minutes of the March 19, 2019 work
15 session.

16 MR. CARROLL: So moved.

17 MS. PICKARD: Second.

18 MS. LAMBERTON: Motion and
19 second.

20 All in favor?

21 MS. CANFIELD: I do have --

22 MR. HOLAHAN: Aye.

23 MS. CANFIELD: I'm sorry. I
24 have suggested changes.

25 MS. LAMBERTON: I apologize. Go

1 ahead.

2 MR. CARBONE: I missed
3 something?

4 MS. CANFIELD: So the 3/19/19
5 work session, Steven Michaels is spelled
6 M-i-c-h-a-e-l-s and it should be M-i-c-h-i-e-l-s.
7 There's also Pinecrest, it is two words and it
8 should be one word.

9 MR. CARROLL: Read right over
10 it.

11 MS. LAMBERTON: Read right over
12 it. Amend your motion and a second?

13 MR. CARROLL: I'll amend my
14 motion.

15 MS. PICKARD: I'll amend my
16 second.

17 MS. LAMBERTON: Any other
18 questions or comments?

19 MS. LAMBERTON: All in favor?

20 BOARD MEMBERS: Aye.

21 MS. LAMBERTON: Anyone opposed?
22 Seeing none. Motion carries.

23 I'll entertain --

24 MS. CANFIELD: And I have one
25 for the regular business meeting too, do you want

1 it first?

2 MS. LAMBERTON: Thanks for the
3 heads-up. Yeah, go ahead.

4 MS. CANFIELD: On page 20, line
5 5, I believe it is spelled d-e-a-r and it should be
6 d-e-e-r; on page 43, line 4 banks, b-a-n-k-s should
7 be, b-a-n-k-e-s.

8 MS. LAMBERTON: Thank you.

9 MS. PICKARD: Motion to approve.

10 MS. CANFIELD: With changes?

11 MS. LAMBERTON: With the
12 changes?

13 MS. PICKARD: Yeah.

14 MS. LAMBERTON: Do I have a
15 second?

16 MR. CARROLL: Second.

17 MS. LAMBERTON: Second.

18 All in favor?

19 BOARD MEMBERS: Aye.

20 MS. LAMBERTON: Any opposed?

21 Seeing none. Motion carries.

22 I'll entertain a motion to
23 approve the March 25, 2019 work session.

24 MR. CARROLL: So moved.

25 MS. PICKARD: Second.

1 MS. LAMBERTON: All in favor?

2 BOARD MEMBERS: Aye.

3 MS. LAMBERTON: Any opposed?

4 Seeing none. Motion carries.

5 I'll entertain a motion to

6 approve the April 10, 2019, joint board of

7 supervisors and Pocono Township Commissioners

8 meeting.

9 MR. HOLAHAN: So moved.

10 MR. CARROLL: Second.

11 MS. LAMBERTON: All in favor?

12 MR. CARROLL: Aye.

13 MR. CARBONE: Aye.

14 MS. PICKARD: Aye.

15 MR. HOLAHAN: Aye.

16 MS. LAMBERTON: And I'll abstain

17 I was not in attendance.

18 I will entertain a motion to

19 approve the treasurer's report for March 2019.

20 MS. PICKARD: So moved.

21 MR. CARBONE: Second.

22 MS. LAMBERTON: Motion and

23 second.

24 Any questions or comments?

25 MS. PICKARD: I just had a

1 question I wanted to ask. Can we have the interest
2 rate on the reports for our bank account?

3 MS. CANFIELD: Yeah.

4 MS. LAMBERTON: Any other
5 questions or comments from the board?

6 Seeing none. All in favor?

7 BOARD MEMBERS: Aye.

8 MS. LAMBERTON: Any opposed?

9 Seeing none. Motion carries.

10 I'll entertain a motion to
11 approve the bill pack in the amount of \$561,040.65.

12 MR. CARBONE: Make the motion.

13 MS. PICKARD: Second.

14 MS. LAMBERTON: Motion and
15 second.

16 Questions or comments from the
17 board? No?

18 All in favor?

19 BOARD MEMBERS: Aye.

20 MS. LAMBERTON: Any opposed?

21 Seeing none. Motion carries.

22 Moving on to the solicitor's
23 report. Public hearing for the proposed zoning
24 ordinance, the MUTCD, M-U-T-C-H -- or C-D Zoning
25 District.

1 MR. REISS: Yes. This is an
2 ordinance that has been advertised for a public
3 hearing tonight. It has also been sent to the
4 county and township planning commissions for review
5 and comment. It basically changes the name of the
6 Planned Retail Entertainment and Dining District to
7 the Mixed Use Town Center Development District.
8 And the only other thing it does, other than
9 changing the names is, it cleaned up a
10 typographical error regarding parking aisle versus
11 parking angle.

12 So with that, you may want to
13 open up the public hearing.

14 MS. LAMBERTON: I'll entertain a
15 motion to open the public hearing.

16 MR. CARROLL: So moved.

17 MS. LAMBERTON: Do I have a
18 second?

19 MS. PICKARD: Second.

20 MS. LAMBERTON: All in favor?

21 BOARD MEMBERS: Aye.

22 MS. LAMBERTON: Is there any
23 public comment for the hearing?

24 Yes? If you could just get up
25 and state your name for the record, please.

1 MR. RALPH GUNDRUM: Ralph
2 Gundrum. I'm in-house counsel for Kalahari
3 Resorts. This zoning district surrounds the
4 Kalahari Resort and there were a couple of things
5 that predated really these changes that -- and
6 concerns we had. We have discussed those with the
7 owner of this land. We're not suggesting any
8 changes here tonight, which I understand is
9 procedurally problematic, but I just wanted to --
10 to talk a little bit about the changes that we
11 propose and the status of those with PMI. And
12 PMI's counsel's here and can talk about that too.

13 The first two concerns I'll sort
14 of lump together. One of the permitted uses is as
15 a hotel, that violates a non-compete. There is a
16 second use as well that is a truck and delivery
17 distribution terminal that could cause problems to
18 us because they're -- they tend to be loud, et
19 cetera. And I think a standalone commercial truck
20 term -- delivery terminal was never proposed
21 anyway. So my understanding is, at a later date
22 we're going to work with PMI to remove both of
23 those and they don't have any problems with that.

24 The third thing and we've got to
25 really get into this a little bit with PMI is, I

1 understand the ordinance, the town's noise
2 ordinance doesn't apply at all to this -- this
3 property, obviously with close to a thousand hotel
4 rooms, that could be problematic for us, there's
5 some dispute. And so we need to actually look into
6 whether what I just said is true or not, I think
7 it's out under this ordinance. If I'm wrong not,
8 than that's not necessarily a problem, but we'll
9 work with PMI on that or Pocono Manor on that. And
10 we don't think at the end of the day, that will be
11 problematic, but it's something we're working on
12 with them.

13 MS. LAMBERTON: And I -- I just
14 asked Jonathan and he said at this point we don't
15 know because of the exceptions of the --

16 MR. REISS: I don't have the
17 zoning ordinance with me tonight.

18 MR. RALPH GUNDRUM: Yeah, I
19 think -- I think the second one 155.11.Q is the --
20 the noise ordinance. So I think it was pulled out
21 of applicability to this with nothing else put in.
22 And I don't know if the town's default noise
23 ordinance is overly burdensome to them, we're not
24 looking to be overly burdensome; but, you know,
25 we're also not looking for an all-night concert

1 venue that will be adjacent to, like I said, a
2 thousand families sleeping.

3 MS. LAMBERTON: And I don't
4 think that that was anyone's intention to have that
5 not in there applied to the property. I -- I
6 assumed and I -- I don't have the ordinance in
7 front of myself either, but I would assume that
8 this same ordinance that is put upon the entire
9 township should be utilized at least in the -- in
10 the district as well. That would be just my
11 opinion.

12 MR. RALPH GUNDRUM: Like I said,
13 I don't know the details of the noise ordinance and
14 whether it makes sense to make some exceptions in
15 it or not.

16 MS. LAMBERTON: Well, thank you
17 for bringing that to our attention because that is
18 something that I think we need to be aware of.

19 Does anyone else -- yes?

20 MR. RALPH MATERGIA: Good
21 evening.

22 MS. LAMBERTON: Can you just
23 state your name for the record, please?

24 MR. RALPH MATERGIA: Ralph
25 Materia, counsel for PMI, Pocono Manor Investors.

1 Essentially what Ralph, my other Ralph, stated is
2 accurate. As Jonathan knows, I worked on the
3 original draft. I actually drafted the original
4 draft to this ordinance and whether we -- if we
5 bring in some provisions on noise in the zoning
6 ordinance or you deal with it at the time of land
7 development, which is another way to handle it,
8 we'll give some greater detail to that as between
9 the two parties to see that we can maintain our
10 cooperation together and be good neighbors. We
11 understand there's a hotel of people sleeping next
12 door so we have to accommodate that to some degree.
13 I think we can work that out.

14 The hotel use is -- well, I'll
15 start with when I drafted this ordinance and you
16 accepted it, it was really to be very flexible, to
17 be as broad as we could to invite development on
18 this property. We worked so hard to get the
19 infrastructure to the site and so forth, so -- but
20 we do have existing land restriction, use
21 restrictions, that's between us and recorded
22 documents and we certainly live up to our contract
23 obligations. We can't build a hotel on our
24 property, that is subject to this restriction being
25 a portion that is in this area -- or in this zone.

1 So taking it out of the zoning ordinance at a later
2 date, just sort of belts and suspenders, I suppose,
3 we'd be willing to do that. Hope you pass this
4 thing tonight.

5 MR. CARROLL: Ralph, do mind if
6 I ask a question?

7 MR. RALPH MATERGIA: Go ahead.

8 MR. CARROLL: My recollection is
9 faulty sometimes. I recall working with you on the
10 original draft ordinance for the PCRED and I think
11 you and I had the discussion no truck terminals, no
12 gas stations.

13 MR. RALPH MATERGIA: Right.

14 MR. CARROLL: And I couldn't put
15 my hand on that, but I see this come back up again
16 and I also see some things with lighting and things
17 that I believe that were in our ordinance as
18 155.11.H that I believe was in our original one.
19 So I just -- if you can refresh my memory of that
20 dialogue that we had. I think we got rid of some
21 of these things that are concerning --

22 MR. RALPH MATERGIA: I think
23 what was meant by the distribution was, that what
24 was thought about or envisioned at the time is that
25 there was gonna be a lot of retail aspects to this

1 development and getting -- and, as well as
2 restaurants and getting product in and out of there
3 would probably be buying into a centralized area
4 and then distributed from there, rather than having
5 delivery trucks at the front door of every -- you
6 know, of every business because it's -- it's being
7 proposed as a town center.

8 So just like, for example, when
9 you -- when you're on Main Street in Stroudsburg
10 and you have to slow and course around trucks are
11 parked in the public right-of-way, which they're
12 allowed to do to make deliveries to the front door
13 of the locations that they are serving, we want to
14 avoid that. We want to get the distribution and
15 the centralized area and then take it from there to
16 the facilities.

17 MR. CARROLL: I think what we
18 were saying is this was an entertainment family
19 oriented entertainment experience --

20 MR. RALPH MATERGIA: Without a
21 doubt.

22 MR. CARROLL: -- and not another
23 Fed-Ex freight terminal

24 MR. RALPH MATERGIA: Right.
25 That was never the intention. We can certainly

1 pull that out if we need to in a subsequent
2 amendment.

3 MR. CARROLL: That was just my
4 recollection of the things that we looked through
5 when we were drafting this is, you know --

6 MR. RALPH MATERGIA: So that you
7 understand, I'm not working directly on -- on the
8 development side with the tenants and so forth, so
9 -- but what I can tell you that at some point this
10 is getting attraction and it would be hoped at some
11 time, perhaps this year, we'll begin with initial
12 land use plans, which, of course, require a lot of
13 review. And once they have a better idea of what
14 they're gonna put and where they are going to put
15 it, that will start to develop itself and get the
16 planning documents that can be presented and get
17 your input.

18 MR. REISS: May I ask you a
19 question? Well, either of you a question. Will
20 one of you let me know when you've worked out these
21 three issues?

22 MR. RALPH MATERGIA: I'll be the
23 first to call you.

24 MS. LAMBERTON: Well, good.
25 Nice to see that it's -- good.

1 MS. PICKARD: Yeah. I just
2 wanted to ask one question have all the items been
3 addressed from the county's review?

4 MR. REISS: The county's review
5 have the same comments that they had when they
6 reviewed the --

7 MS. LAMBERTON: The PCRED.

8 MR. REISS: -- the Planned
9 Commercial Retail Entertainment Dining District.
10 None of the comments have changed. The basic
11 comments are that there aren't a lot of standards
12 in here by which you're gonna review the plans,
13 because you made it as flexible as possible.

14 MS. PICKARD: Okay.

15 MR. CARROLL: I think to review
16 signage and lighting or something, right?

17 MR. REISS: Well, you can --
18 there's a master signage plan that you'll review,
19 but you don't have a lot of standards even if
20 they're --

21 MS. PICKARD: So we allow
22 (inaudible).

23 MR. REISS: Yes.

24 MS. PICKARD: Well, on No. 8 is
25 says that there's a reference to the PCRED in our

1 ordinance.

2 MR. REISS: That was taken out.

3 MS. PICKARD: That was taken
4 out, okay.

5 MS. LAMBERTON: Any other public
6 comment?

7 Yes, sir. If you could just
8 state your name, this is a whole other --

9 MR. LLOYD VOUGHT: Lloyd Vought.
10 I brought to the attention of this board, quite a
11 while ago before the plaza was put in, that I was
12 concerned about the noise level. It was suggested
13 that there should be something to dampen that
14 noise. And I think I was told by several of you
15 board members that -- that they were going to put
16 trees in, which I made reference to.

17 There seems to be more emphasis
18 on these two gentlemen's problems over there with
19 noise than there was in Camelot Forest and at that
20 time, you said it wouldn't be a problem. And I
21 invited some of the board members to come to my
22 house to listen to all that noise.

23 Now this board is very concerned
24 about these people, giving them a lot of time and
25 effort and yet, you weren't even concerned about

1 our neighborhood in Camelot Forest. That irritates
2 me and that was wrong, very wrong. And just
3 because this is a big company, your attention for
4 these people. And you didn't even care about the
5 citizens in this township that I live right over
6 here.

7 MS. LAMBERTON: Well, that's not
8 true. I remember having this conversation -- if I
9 may, please -- and I recall stating the noise from
10 80 was probably more than the noise that you would
11 get from that Liberty Fuel and we did --

12 MR. LLOYD VOUGHT: Those trucks
13 were in there 24 hours a day and that's not what
14 was said, ma'am, uh-uh. You said it wouldn't be a
15 problem, you couldn't even hardly hear it.

16 MS. LAMBERTON: Okay. Well --

17 MR. LLOYD VOUGHT: The attention
18 this board has given these two guys for that big
19 company over there is a ludicrous, ludicrous.

20 MS. LAMBERTON: We give -- we
21 give the same attention to every project that comes
22 in.

23 MR. LLOYD VOUGHT: You did not
24 to my wife and I, we were cut short.

25 MS. LAMBERTON: Well, I

1 apologize that you feel that way, but that is not
2 --

3 MR. LLOYD VOUGHT: I don't feel
4 that way, I know that way.

5 MS. LAMBERTON: Okay. Okay.

6 MR. LLOYD VOUGHT: I have notes
7 on it.

8 MS. LAMBERTON: That -- that's
9 --

10 MR. LLOYD VOUGHT: And my wife.

11 MS. LAMBERTON: I understand
12 what you're saying, but that is not how I view it.
13 I view that these folks bring a plan in and as long
14 as they meet our ordinance and what's required, we
15 are -- at that point, we need to approve it. So if
16 the Liberty Discount Fuel, which we're really not
17 discussing right now, this is an open hearing for a
18 zoning ordinance that is being proposed; but if
19 that -- if that is what the plan has been approved,
20 it meets the ordinance, sir, we have to approve it.

21 MR. LLOYD VOUGHT: We were blown
22 off by this board in a very quick manner. These
23 fellows back here, man, they're getting a lot of
24 attention. Why?

25 MR. CARBONE: Well, I think

1 you're wrong.

2 MS. LAMBERTON: Yeah.

3 MR. CARBONE: As I look at
4 everything face value. I wasn't around when you --
5 so don't accuse --

6 MR. LLOYD VOUGHT: I didn't
7 accuse you.

8 MR. CARBONE: Right. You're
9 saying the board --

10 MR. LLOYD VOUGHT: (Inaudible)
11 on the board.

12 MR. CARBONE: You're saying the
13 board, that means all of us.

14 MR. LLOYD VOUGHT: The
15 responsible board at that time.

16 MR. CARBONE: Well, I think
17 everybody here that I've worked with since I've
18 been on the board takes the care of everybody that
19 comes forward. So I think you're wrong, but that's
20 just my opinion.

21 MR. LLOYD VOUGHT: I think
22 you're wrong.

23 MR. CARBONE: Well, that's fine.

24 MR. LLOYD VOUGHT: That's my
25 opinion.

1 MS. LAMBERTON: All right.
2 Let's get back to the hearing and then we'll take
3 public hearing and answer whatever we can from you,
4 if that is okay with you. Okay? We just need to
5 complete this.

6 MR. LLOYD VOUGHT: I just feel
7 that I was prejudiced in reference to my
8 neighborhood.

9 MS. LAMBERTON: I apologize that
10 you feel that way, that has never been my
11 intention.

12 MR. LLOYD VOUGHT: You don't owe
13 me an apology, I'm just giving my opinion.

14 MS. LAMBERTON: That's okay.

15 MR. HOLAHAN: It's noted. It's
16 noted, Mr. Vought.

17 MS. LAMBERTON: Okay. So moving
18 back to the actual hearing that we have open at
19 this time, I think we need to --

20 MS. PICKARD: Motion to close
21 the hearing.

22 MS. LAMBERTON: Yeah, we'll
23 close --

24 MR. REISS: Did you get all
25 public comment?

1 MS. LAMBERTON: Does anyone else
2 have any other comments or questions for the actual
3 hearing content? No?

4 MR. HOLAHAN: Motion to close
5 the hearing.

6 MS. PICKARD: Second.

7 MS. LAMBERTON: All in favor?

8 BOARD MEMBERS: Aye.

9 MS. LAMBERTON: So --

10 MR. REISS: Now you have before
11 you proposed Ordinance No. 549.

12 MR. HOLAHAN: Make a motion that
13 we -- we can approve it at this meeting now?

14 MR. REISS: Yes.

15 MR. HOLAHAN: Okay. Make a
16 motion that we approve Ordinance --
17 So give me the number again,
18 please.

19 MR. REISS: 549.

20 MR. HOLAHAN: -- 549 amending
21 the Zoning Ordinance of Tobyhanna Township, Monroe
22 County, PA to rename the Planned Commercial Retail
23 Entertainment Dining District as the Mixed Use Town
24 Center Development District, which is actually
25 easier to say. That's my motion.

1 MS. LAMBERTON: And are there
2 any conditions that have to be discussed?

3 MR. CARROLL: Can we condition
4 upon the attorneys --

5 MR. REISS: No, there's no
6 conditions for adopting this ordinance.

7 MR. CARROLL: Well, don't they
8 have to -- want to change if they disagree?

9 MR. REISS: But you don't place
10 conditions on ordinances only on land developments
11 and subdivision.

12 MS. LAMBERTON: And we'll
13 address those concerns at that time?

14 MR. RALPH MATERGIA: Correct,
15 yes.

16 MR. HOLAHAN: If we get a
17 second, we can discuss this, right?

18 MS. LAMBERTON: Yes, if we get a
19 second.

20 MR. CARBONE: Second.

21 MR. CARROLL: Oh, I'm sorry.

22 MS. LAMBERTON: Yes.

23 MR. REISS: So there's -- this
24 is an ordinance, either you adopt it or you don't
25 adopt it; you don't place conditions or anything.

1 There's been discussion that the attorneys for the
2 two properties owners are going to talk about a
3 couple, maybe three issues and come back with a
4 proposal to amend your ordinance at a future date.
5 That's not what you're voting on tonight.

6 MR. HOLAHAN: Right.

7 MR. REISS: Tonight you're just
8 voting to either approve this ordinance or not
9 approve this ordinance.

10 MR. HOLAHAN: I speak in favor
11 of the motion the way it's been presented because
12 we will resolve these other items later amending
13 the ordinance.

14 MR. CARROLL: I'm sorry. I'm
15 conf -- I would -- it would be my suggestion to
16 table it until we -- why -- why adopt an ordinance
17 and then change it again?

18 MR. REISS: Until this -- the
19 proposed developer would like this passed --
20 adopted as soon as possible because it will help
21 with some legislation in Harrisburg. The new
22 change of the name is very important.

23 MR. CARROLL: Yes -- okay.

24 MS. LAMBERTON: I have a motion
25 and a second.

1 Any questions or comments from
2 the board?

3 Call the vote. Brendon?

4 MR. CARROLL: I vote in favor.

5 MS. LAMBERTON: Dave?

6 MR. CARBONE: I vote in favor.

7 MS. LAMBERTON: Heidi?

8 MS PICKARD: I vote in favor.

9 MS. LAMBERTON: John?

10 MR. HOLAHAN: Yes.

11 MS. LAMBERTON: And I'll
12 abstain. Motion carried.

13 Moving on to new business.
14 Consider adopting revised Resolution 2019-009
15 appointing Charles Schwab Bank to serve as
16 custodian for the Tobyhanna Township Nonuniformed
17 Employee Pension Plan.

18 MS. PICKARD: Why was this
19 revised.

20 MS. CANFIELD: It was revised
21 because the first one had incorrect names in the
22 wrong places, so this fixes that and puts everyone
23 in the correct positions.

24 MS. PICKARD: I'll make a motion
25 that we approve Resolution 2019-009.

1 MR. HOLAHAN: Second.

2 MS. LAMBERTON: Motion and
3 second.

4 Any questions or comments from
5 the board? No?

6 All in favor?

7 BOARD MEMBERS: Aye.

8 MS. LAMBERTON: Any opposed?

9 Seeing none. Motion carries.

10 Consider awarding the 2019 road
11 paving project bid.

12 MR. HOLAHAN: I'll make a motion
13 that we award the 2019 road paving project to H&K
14 Group, which is the low bidder.

15 MR. CARROLL: Are we gonna add
16 the alternative work?

17 MR. HOLAHAN: Yeah, let's go and
18 add the --

19 MS. PICKARD: Should we do the
20 first or should we do that down with the second?

21 MR. REISS: Yes, you do it all
22 at once.

23 MR. HOLAHAN: To include the
24 alternative.

25 MR. CARROLL: Before they change

1 their mind.

2 MS. LAMBERTON: Before they
3 change their mind, yeah.

4 MR. HOLAHAN: To include the
5 alternative bid.

6 MS. LAMBERTON: And the
7 contractor based alternative bid items in the
8 amount of \$747,074.75.

9 MR. HOLAHAN: Aye.

10 MS. LAMBERTON: Aye. Is that
11 your second? Is there a second?

12 MR. CARBONE: I'll second.

13 MS. LAMBERTON: Second?

14 MR. CARBONE: Yeah.

15 MS. LAMBERTON: Any questions or
16 comments from the board? No?

17 Any questions or comments from
18 the public?

19 Seeing none. Call the vote.

20 Brendon?

21 MR. CARROLL: I vote in favor.

22 MS. LAMBERTON: Dave?

23 MR. CARBONE: I vote in favor.

24 MS. LAMBERTON: Heidi?

25 MS. PICKARD: Vote in favor.

1 MS. LAMBERTON: John?

2 MR. HOLAHAN: Yes.

3 MS. LAMBERTON: I vote in favor.

4 Motion carries.

5 Lots 100 and 110 New Ventures
6 Park land development plan. Buffer screening
7 change from white pine to Norway Spruce.

8 MR. HOLAHAN: Make a motion that
9 we approve the change from white pine to Norway
10 Spruce.

11 MR. CARROLL: Second.

12 MS. LAMBERTON: Motion and
13 second.

14 Any questions or comments from
15 the board?

16 Questions or comments from the
17 public?

18 Seeing none. Call the vote.
19 Brendon?

20 MR. CARROLL: I vote in favor.

21 MS. LAMBERTON: Dave?

22 MR. CARBONE: I vote in favor.

23 MS. LAMBERTON: Heidi?

24 MS. PICKARD: Vote in favor.

25 MS. LAMBERTON: John?

1 MR. HOLAHAN: Yes.

2 MS. LAMBERTON: I vote in favor.

3 Motion carries.

4 Consider Cohen Law Group
5 proposal for wireless management consultant
6 services. Pleasure of the board.

7 MR. HOLAHAN: We going to do
8 this.

9 MR. REISS: Well, what happened
10 you adopted an amendment and updated your zoning
11 about eight to twelve months ago for wireless
12 facilities. Since then, the FCC issued a new rule
13 that's actually taking effect at the end of this
14 month that requires further changes to your
15 wireless facility's provisions in your zoning
16 ordinance. This particular firm specializes in
17 wireless and cable TV law, and most -- I think all
18 of our municipalities or most of our municipalities
19 use their services because they are up to date on
20 the FCC rules, as well as state law.

21 MR. HOLAHAN: Okay. So along
22 with that, they're giving us a budget of maybe
23 3,000?

24 MS. LAMBERTON: Twenty-five it
25 says right at the end.

1 MR. HOLAHAN: Yeah.

2 MS. PICKARD: I'm confused by
3 this. Was it that 2500 for 10 hours or 12 hours?

4 MR. CARBONE: Ten.

5 MR. CARROLL: It's ten hours
6 with 2500.

7 MS. LAMBERTON: Well, the
8 amendments to the ordinance will take 10 hours, I
9 think we're combining the two, I think it's 5500.

10 MS. PICKARD: That's what I
11 didn't understand.

12 MS. LAMBERTON: That's how I
13 read it.

14 MS. PICKARD: That's what I read
15 it and understand. That's why I'm questioning.

16 MR. CARROLL: Oh, okay. You're
17 right, right, right.

18 MS. LAMBERTON: I see here
19 there's --

20 MS. PICKARD: Design guidelines
21 are 12.

22 MS. LAMBERTON: They're
23 guesstimating 10 and then 12 for design.

24 MR. CARBONE: I got it.

25 MS. LAMBERTON: So I would say

1 we're looking at 5500.

2 MR. HOLAHAN: I make a motion
3 that we --

4 MS. PICKARD: Is the county
5 gonna be doing anything to model ordinancewise?

6 MR. CARROLL: Last time nobody
7 got on board, right, at COG or whatever? We all --
8 we went our own ways.

9 MR. HOLAHAN: Make a motion that
10 we accept the proposal from the Cohen Law Group for
11 their wireless management consulting services.

12 MS. LAMBERTON: Should be not to
13 exceed 5500?

14 MR. CARROLL: Yes, I like that.
15 Good call.

16 MR. HOLAHAN: Okay. I'll put in
17 my motion.

18 MS. LAMBERTON: Thank you.
19 I have a motion, do I have a
20 second?

21 MR. CARROLL: I'll second.

22 MS. LAMBERTON: Motion and
23 second.

24 Any questions or comments from
25 the board?

1 MS. PICKARD: Just those fees
2 don't include travel, copy and postage and
3 whatever's, do we need to include them --

4 MS. LAMBERTON: You want to
5 amend your motion to --

6 MS. PICKARD: -- as a
7 contingency for --

8 MR. HOLAHAN: What do I want to
9 say? Anybody?

10 MS. PICKARD: Just to add a
11 contingency for --

12 MR. HOLAHAN: Yeah. I'll put a
13 contingency in there for the expenses such as
14 copying --

15 MS. LAMBERTON: And in their
16 words, which are kept at a minimum.

17 MR. HOLAHAN: Do you have that?
18 Do you got that figured out for me? Thank you.

19 MS. LAMBERTON: I have a motion
20 and a second.

21 Do we amend our second?

22 MR. CARROLL: I'll amend my
23 second.

24 MS. LAMBERTON: Thank you.

25 Any other questions or comments

1 from the board?

2 Questions or comments from the
3 public?

4 Seeing none. Call the vote.
5 Brendon?

6 MR. CARROLL: I vote in favor.

7 MS. LAMBERTON: Dave?

8 MR. CARBONE: I vote favor.

9 MS. LAMBERTON: Heidi?

10 MS. PICKARD: I vote in favor.

11 MS. LAMBERTON: John?

12 MR. HOLAHAN: Yes.

13 MS. LAMBERTON: I vote in favor.

14 Motion carries.

15 Clymer Library request for
16 annual house tour sponsorship.

17 What did we do last year?

18 MS. CANFIELD: Five hundred.

19 MR. CARBONE: Make a motion.

20 MS. PICKARD: Second.

21 MS. LAMBERTON: Motion and
22 second. And I'm assuming the 500 that we did last
23 year?

24 MR. CARBONE: Yep.

25 MR. HOLAHAN: Any discussion?

1 MS. LAMBERTON: Yes.

2 MR. HOLAHAN: Can we go a grand?
3 Can we go -- do we have money.

4 MS. CANFIELD: Up to you guys
5 the contribution line item is getting pretty slim
6 and we're only in April.

7 MR. HOLAHAN: Okay.

8 MS. LAMBERTON: And I have a
9 question on the next one.

10 MS. HOLAHAN: Then never mind.
11 Okay.

12 MS. LAMBERTON: I'll make a
13 comment on the next item.

14 MR. HOLAHAN: Okay. Cool.

15 MS. LAMBERTON: So, Dave, 500,
16 is that your motion?

17 MR. CARBONE: Yes.

18 MS. LAMBERTON: And second?

19 MS. PICKARD: Second.

20 MS. LAMBERTON: Okay. Any other
21 questions or comments from the board?

22 Questions or comments from the
23 public?

24 Seeing none. Call the vote.

25 Brendon?

1 MR. CARROLL: I vote in favor.

2 MS. LAMBERTON: Dave?

3 MR. CARBONE: I vote in favor.

4 MS. LAMBERTON: Heidi?

5 MS. PICKARD: I vote in favor.

6 MS. LAMBERTON: John?

7 MR. HOLAHAN: Yes.

8 MS. LAMBERTON: I vote in favor.

9 Motion carries.

10 AWSOM request for donation.

11 MS. CANFIELD: We have not
12 issued a donation to AWSOM in the past.

13 MS. LAMBERTON: I -- kind of --
14 we were side-barring here and I just -- I think it
15 should be in our township. Not that I don't think
16 AWSOM is a wonderful organization, I think there's
17 a lot of here in our own town that we could give
18 the money back to. Just my opinion.

19 MS. PICKARD: Just for the same
20 service?

21 MS. LAMBERTON: I'm just saying
22 -- I'm just saying like Clymer, you know, would you
23 rather take that additional money and give it to
24 our local library that our residents, you know,
25 benefit from? Not that I don't think AWSOM doesn't

1 do a wonderful job and I know the pet rescue and --
2 just my opinion.

3 MS. PICKARD: I know. And our
4 opinion in the past has been not to donate to a lot
5 of these organizations and let our taxpayers walk
6 with their own money, so I feel strongly about that
7 too, but the library is ours.

8 MS. LAMBERTON: And that's why I
9 feel that that's where it should go.

10 MS. PICKARD: I agree.

11 MR. HOLAHAN: I would not act on
12 this.

13 MS. LAMBERTON: Very good.

14 MR. STANLEY MENKING: What's
15 that's acronym stand for?

16 THE REPORTER: Your name, sir?

17 MR. CARBONE: Animal Welfare
18 Society of Monroe County.

19 MR. STANLEY MENKING: What's --
20 Stanley --

21 I don't know what's this --

22 THE REPORTER: Stanley what?

23 MR. STANLEY: What A-W-S-O-M
24 stands for?

25 MS. LAMBERTON: Animal Welfare

1 Society of Monroe.

2 THE REPORTER: And I didn't get
3 your last name, sir.

4 MR. STANLEY MENKING: Menking,
5 M-e-n-k-i-n-g.

6 THE REPORTER: Thank you.

7 MR. STANLEY MENKING: Menking.

8 MS. LAMBERTON: Okay. So we
9 will not take any action on that.

10 Consider well isolation waiver
11 request Ben Noyes, 142 Stillwater Drive, Tax Map
12 No. 19/4B/1/45.

13 MR. HOLAHAN: Make a motion that
14 we grant the waiver.

15 MS. PICKARD: Second.

16 MS. LAMBERTON: Motion and
17 second.

18 Questions or comments from the
19 board?

20 Questions or comments from the
21 public?

22 Seeing none. Call the vote.
23 Brendon?

24 MR. CARROLL: I vote in favor.

25 MS. LAMBERTON: Dave?

1 MR. CARBONE: I vote in favor.

2 MS. LAMBERTON: Heidi?

3 MS. PICKARD: I vote in favor.

4 MS. LAMBERTON: John?

5 MR. HOLAHAN: Yes.

6 MS. LAMBERTON: I vote in favor.

7 Motion carries.

8 And we already took action on
9 Erb's Landscaping pole barn. And board of
10 supervisors, any additional reports or comments.

11 MR. HOLAHAN: Yes. So for fire
12 commission, it was some time ago that the board of
13 supervisors had discussed having a police -- not
14 police, the fire chief and president of the fire
15 company be appointed to the fire commission --

16 MS. LAMBERTON: And we tabled
17 that --

18 MR. HOLAHAN: -- as nonvoting
19 members. Right. So I'm bringing it back up again.

20 MS. PICKARD: Are you making a
21 motion?

22 MR. HOLAHAN: Yes. The police
23 -- the fire commission had its meeting and is
24 bringing to the board, they're asking that that be
25 done.

1 MS. PICKARD: Are you making a
2 motion?

3 MR. HOLAHAN: I am making a
4 motion.

5 MS. PICKARD: I'm seconding that
6 motion.

7 MS. LAMBERTON: Motion and a
8 second.

9 Any questions or comments from
10 the board?

11 MR. CARBONE: I think, John,
12 what was changed on the ordinance was, we went with
13 the two chiefs not -- not to include the president.
14 It went to the two acting fire departments that
15 were covering our district, so that's why we tabled
16 it back then for that change.

17 MR. HOLAHAN: I think I was
18 driving up during -- during an ice storm, so I
19 didn't catch all the conversation there.

20 MR. CARBONE: Yeah, so it was --
21 we brought up for the two chiefs of both the fire
22 departments to be on the fire commission as
23 nonvoting.

24 MS. LAMBERTON: Right. Now, we
25 have Mount Pocono -- did we ever pay Mount Pocono?

1 MS. PICKARD: No.

2 MS. LAMBERTON: We need to pay
3 Mount Pocono. And we have Mount Pocono and we have
4 Tobyhanna as coverage.

5 So am I understanding you, Dave,
6 to say like the two, whatever departments are
7 producing coverage, or I should say --

8 MR. CARBONE: Well, that was our
9 discussion. You know what I mean? That's what we
10 kind of went with instead of, so this we had -- we
11 had both coverages from both the chiefs at the
12 meeting, so I'm just saying.

13 MR. HOLAHAN: People in the fire
14 commission weren't at the supervisors meeting to
15 hear that and I don't know if there was members --

16 MS. LAMBERTON: And I think
17 you're saying the fire commission said that.

18 MR. CARBONE: No, we brought it
19 up at the -- it was a while ago at the fire
20 commission when we didn't bring them on, it was
21 just a -- the nonvoting part of it. So we wanted
22 to have the two chiefs that were covering the whole
23 area as members of the board versus -- so that was
24 one reason why that resolution wasn't passed.

25 MS. LAMBERTON: Well, it'd be

1 good for communication.

2 MS. PICKARD: How much is --

3 MR. CARBONE: I'm just saying --

4 MS. PICKARD: -- is Mount Pocono
5 covering?

6 MR. CARROLL: That's what we
7 agreed. That was the tornado meeting.

8 MS. LAMBERTON: Oh, yeah, yeah.

9 MS. PICKARD: The what meeting?

10 MR. HOLAHAN: The tornado
11 meeting.

12 MS. LAMBERTON: There was a
13 tornado warning during the meeting.

14 MR. CARBONE: Right, right. So
15 it just gave representation for both the
16 departments that were covering the area, that was
17 the only difference.

18 MS. LAMBERTON: So, but --

19 MR. CARBONE: So that's why it
20 wasn't written up or anything. I think it was
21 written the wrong way that it said chief and the
22 president versus the two chiefs from the
23 department.

24 MS. LAMBERTON: Well, it would
25 make sense to have the person that's covering the

1 area with their department --

2 MR. CARROLL: That was our
3 intent, yeah.

4 MS. LAMBERTON: -- at the table.

5 MR. CARBONE: Yeah.

6 MS. LAMBERTON: You know? But I
7 mean wouldn't they attend anyway?

8 MR. HOLAHAN: Well, it depends
9 on -- all right. So I don't really understand, I
10 guess, the difference between what the president
11 does and what the chief does. Is the president,
12 president of the board and the chief is the on-site
13 supervisor?

14 MR. JABLOWSKI: One is fire and
15 operations, one is fire administration.

16 MR. HOLAHAN: Okay. All right.

17 MS. LAMBERTON: So the president
18 --

19 MR. HOLAHAN: So who do we want
20 operations or administration on the board?

21 MR. CARBONE: Operations.
22 Because I would want the chief that's going to run
23 the fires to have the say in --

24 MR. HOLAHAN: Does anybody have
25 any comment?

1 MR. ED TUTRONE: I'm actually
2 here tonight. Ed Tutrone, the president of
3 Tobyhanna Township Fire Company on behalf of the
4 fire company from our last meeting that we had on
5 -- our last fire company meeting. So when this was
6 brought up -- I'm going to caution you, when you
7 brought this up last year about Mount Pocono, Mount
8 Pocono -- or Pocono Mountain, I'm sorry. Pocono
9 Mountain Fire Company does not have primary
10 coverage area in Tobyhanna Township, they're a dual
11 dispatch with Tobyhanna Township.

12 MS. LAMBERTON: That's not what
13 we requested. One second, please. We requested
14 that they cover the call first respond from 380
15 east to Mount Pocono and Tobyhanna Township was to
16 cover from 380 west.

17 MR. TROY COUNTERMAN: No, you
18 didn't.

19 MR. ED TUTRONE: No, that's not
20 what was discussed.

21 MS. LAMBERTON: Yes, we did.

22 MR. TROY COUNTERMAN: No, you
23 didn't.

24 MR. ED TUTRONE: The way you did
25 it then, you did it -- that's not the way that it,

1 if that's what you requested. Right now Pocono
2 Mountain Fire Company only responds to fire calls.
3 They don't respond to accidents and they do not
4 respond to EMS assists, which we cover. We are a
5 dual dispatch with them to cover -- we are -- we
6 cover the entire township.

7 MS. LAMBERTON: Who made it dual
8 dispatch?

9 MR. ED TUTRONE: You guys did
10 with the control center.

11 MS. LAMBERTON: I didn't.

12 MR. CARBONE: No, they both get
13 dispatched at the same.

14 MR. ED TUTRONE: Yes, it's a
15 dual dispatch.

16 MS. LAMBERTON: I don't believe
17 that was my intention when I -- it doesn't make
18 sense to do that. You have everybody working,
19 right? And I -- hear me out, I don't --

20 MR. ED TUTRONE: No, no --

21 MS. LAMBERTON: I don't
22 understand. You have all these gentlemen at their
23 primary jobs, right? And why would you bring,
24 unless it was needed it at that point, so then
25 don't you have a different alarm that shows the

1 severity of the call?

2 MR. ED TUTRONE: No. When it
3 gets dispatched and us as Tobyhanna Township Fire
4 Company, 6 a.m. to 6 p.m., Monday through Friday,
5 we get dual dispatch on any fire call with our
6 second dual company. So over towards Emerald
7 Lakes, Long Pond gets dispatched with us,
8 Thornhurst gets dispatched with us over by
9 Arrowhead. So with that being said, if you appoint
10 primary dispatch area to Mount Pocono Borough -- or
11 I'm sorry, Pocono Mountain Fire Company, Mount
12 Pocono Borough picks up their workman's comp. That
13 will increase their workman's comp payment. They
14 don't just do it by the little percentage of the
15 area they cover, they do it by population. They
16 will end up paying -- Mount Pocono Borough will end
17 up paying workman's comp for another almost 9,000
18 people that are in Tobyhanna Township.

19 MS. LAMBERTON: That's why I
20 said we need to pay them for their service.

21 MR. CARBONE: Right.

22 MR. ED TUTRONE: So when you
23 guys did this you just had them as dual dispatch
24 and that was brought up before. And they don't
25 provide the full service that Tobyhanna Township

1 Fire Company's providing. That's why we get
2 dispatched on every single call in Tobyhanna
3 Township and then they come in and back us up.

4 MR. CARBONE: All right. This
5 was placed because Summit was removed.

6 MR. ED TUTRONE: Correct.

7 MR. CARROLL: Didn't we -- to
8 place them in place of Pocono Summit?

9 MS. LAMBERTON: That's where I'm
10 confused.

11 MR. TROY COUNTERMAN: No, that's
12 not what you did.

13 MR. ED TUTRONE: That's not what
14 you did.

15 MR. CARROLL: We need to get the
16 minutes out.

17 MR. TROY COUNTERMAN: I'm
18 telling you, you didn't do it.

19 MR. CARROLL: I'm sorry. Do you
20 have your minutes with you, Troy? Do you?

21 MR. TROY COUNTERMAN: I remember
22 the conversation --

23 MR. CARROLL: Okay. I remember
24 --

25 MR. TROY COUNTERMAN: --

1 (inaudible).

2 MR. CARROLL: -- I don't know
3 what I did yesterday, but you have to get the
4 minutes out.

5 MR. ED TUTRONE: Ask the control
6 center, the control center --

7 MS. LAMBERTON: You guys hang on
8 one second, she's taking minutes, okay.

9 So if, Troy, if you're gonna
10 speak, if you could please just give her your name.

11 MR. TROY COUNTERMAN: Troy
12 Counterman.

13 MS. LAMBERTON: Thank you.

14 MR. ED TUTRONE: The control
15 center maps do not reflect what you're saying right
16 now. Control center maps reflect the dual
17 dispatch.

18 MS. LAMBERTON: I guess we need
19 to clarify what the intention is and get that
20 straightened out.

21 MS. PICKARD: We should look at
22 the letter that was sent to control center and of
23 the meeting.

24 MS. LAMBERTON: Yeah.

25 MR. ED TUTRONE: So -- so my

1 understand --

2 MS. LAMBERTON: Just so we're
3 all clear.

4 MR. ED TUTRONE: No, and that's
5 fine. So it's my understanding then that we are
6 not going to be dispatched from 380 east?

7 MS. LAMBERTON: Well, what did
8 -- when Pocono Summit was in service, what did they
9 cover?

10 MR. ED TUTRONE: We did a dual
11 dispatch with them also.

12 MR. CARBONE: So that should
13 stay.

14 MR. ED TUTRONE: That's how it
15 -- that's how it was done.

16 MR. CARBONE: Right.

17 MS. LAMBERTON: So then what's
18 the purpose of two fire companies?

19 MR. CARBONE: Well, because some
20 of them they kind of overlap each other, so if they
21 responded first and they didn't need them, they
22 would just turn them around and vice-versa. So
23 that was -- but the idea of doing the fire
24 commission, was to have the chief on both of them,
25 but since we decommissioned Summit, that kind of

1 eliminated them from the process.

2 MS. LAMBERTON: So since --

3 MR. CARBONE: So when we brought
4 it up at the meeting, that's -- see, the original
5 write-up was the chief and the president, but at
6 our discussion, we said the two chiefs because both
7 fire departments --

8 MS. LAMBERTON: Sure.

9 MR. CARBONE: -- have a seat at
10 the table. And we didn't mention the president,
11 because like I said, that was more of an
12 administrative where the chief basically runs --
13 runs the fire department in the whole process other
14 than -- so that's why it was important that the
15 fire commission have the chief's input.

16 MR. HOLAHAN: Well, I'd be all
17 right with that because certainly the president is
18 going to have influence with the chief. So if
19 there's any issues that need to be brought forward
20 and can attend anyway.

21 MR. CARBONE: Yeah, he can
22 attend anyway. So the idea was putting two of them
23 on the board as nonvoting, the two chiefs, so they
24 would have a seat at the table to give us their
25 concerns of, you know, what they think and how --

1 you know, how far the fire commission should
2 operate, but the voting five would make the
3 ultimate decisions. So that's all it was.

4 MS. LAMBERTON: We had a lot of
5 discussion.

6 MR. CARBONE: 'Cause we didn't
7 want to -- we didn't want to increase the members
8 of the board, we just wanted to, so -- and -- and
9 -- and from day one, I mean, I always said the
10 chief should -- the chief should always have a seat
11 at the table, he's the chief and you got to respect
12 him for that. You know what I mean? He runs the
13 department, so --

14 MS. LAMBERTON: So basically --

15 MR. CARBONE: That was just my
16 opinion.

17 MS. LAMBERTON: It's basically a
18 good tool to have that person attend the meeting,
19 be part of the conversation and then the commission
20 is independent of the decision and vote that's
21 made.

22 MR. CARBONE: Right.

23 MS. LAMBERTON: Okay. Okay. I
24 apologize if -- I don't understand your whole
25 process. I'm trying to.

1 MR. CARBONE: But, Eddie, we're
2 going to have to look at -- but there was a dual
3 response, there always was.

4 MS. LAMBERTON: Okay.

5 MR. ED TUTRONE: And the other
6 thing too --

7 MS. LAMBERTON: I was trying to
8 save you guys a time, if you're working in the
9 township, right?

10 MR. ED TUTRONE: Well, we would
11 be --

12 MS. LAMBERTON: And you're --

13 MR. ED TUTRONE: We would be
14 dual dispatch anyway, the manpower's so light
15 during the day you're getting more than one company
16 anyway, but --

17 MS. LAMBERTON: No, but do you
18 understand my concern? If you guys are out and
19 you're trying to complete a project --

20 MR. ED TUTRONE: No, understood.

21 MS. LAMBERTON: -- right and
22 then I -- how many of your gentleman on the DPW are
23 in the fire company?

24 MR. ED TUTRONE: There's three
25 of us.

1 MS. LAMBERTON: Okay. So out of
2 five, three are leaving and it's a call that's
3 really not needed. I was just trying to understand
4 --

5 MR. ED TUTRONE: What we do on
6 that end of it, if it's a minor call and it's not
7 something -- it's just automatic alarm, only one
8 person's going to go if somebody else didn't go
9 just to check it. But back to Pocono Mountain Fire
10 Company, you never got an agreement from them
11 either because they were not willing to give up
12 their financials, which is a requirement in the
13 ordinance, to this board. And I know they didn't
14 do it.

15 MS. LAMBERTON: We did agree to
16 pay them for their -- their service.

17 MS. PICKARD: We have to get --

18 MR. ED TUTRONE: I'm not
19 disputing that. I mean, I'm not saying don't pay
20 them, but what I'm saying is, they did not give
21 their financials like every organization has to for
22 2017. They refused when we were talking about
23 that.

24 MR. CARROLL: How do you know
25 that?

1 MR. ED TUTRONE: Because their
2 president at the time said that they're not going
3 to do that.

4 MS. LAMBERTON: Well, could you
5 do me a favor --

6 MR. CARROLL: You didn't tell
7 that to us.

8 MS. LAMBERTON: -- John?

9 Yeah, let's have John Jablowski
10 follow up on that, if you would, please.

11 MS. PICKARD: You guys should
12 have a meeting with John and somebody give us a
13 report next month.

14 MR. CARBONE: Yeah, we should.
15 We'll square it away.

16 MS. LAMBERTON: Yeah. You know,
17 might I suggest --

18 That's a great idea, Heidi.

19 John Holahan and Dave Carbone
20 and John Jablowski, if you could get with Pocono
21 Mountain -- Pocono Mountain Fire Company and have a
22 sit down conversation and just so we're all on the
23 same page.

24 MR. HOLAHAN: So was that for
25 the ordinance? Are we amending our ordinance then?

1 MR. REISS: That was your
2 motion.

3 MR. HOLAHAN: No, initially that
4 the fire company recognize that we were amending --
5 so I'm looking at the December --

6 MR. ED TUTRONE: You're amending
7 it to just do a resolution, you aren't naming a
8 specific fire company.

9 MR. HOLAHAN: We aren't naming
10 them.

11 MR. CARBONE: Right.

12 MR. HOLAHAN: So that was --
13 that was an ordinance in a meeting that we're
14 looking at December 19 or something like that.
15 Okay. And that got tabled.

16 MR. CARBONE: Right.

17 MS. LAMBERTON: That got tabled
18 because the commission is new. I mean you got a
19 lot ahead of you to discuss as members of -- and
20 you have past members of the Pocono Summit, you've
21 got past members of Toby. Who else is on that?
22 You guys, John, he has fire experience. So it was
23 kind of an independent group is what I thought we
24 put the fire commission together for to have
25 discussion and see where we are moving forward.

1 Like, Heidi, you were just
2 discussing with the ambulance, what -- you know, we
3 got to look at 2020, 2021, what's going to happen
4 with, you know, more traffic, more people, more
5 visitors. We have to be prepared.

6 MR. CARBONE: I --

7 MS. LAMBERTON: I think that's
8 why it was tabled last time because we wanted the
9 five commission members to have the opportunity to
10 have additional discussion before moving forward
11 with a different ordinance.

12 MS. PICKARD: And they did and
13 that's what John's saying that there's still some
14 clarification.

15 MR. HOLAHAN: Yeah, I get that
16 because the ordinance the way it was read in
17 December is, two nonvoting members being the
18 president and the chief.

19 MR. CARROLL: And that's not
20 what we discussed.

21 MR. HOLAHAN: So I don't know
22 that we've addressed that language again.

23 MR. CARBONE: That's what I'm
24 saying because that's why it was tabled --

25 MR. HOLAHAN: So it's written --

1 MR. CARBONE: -- so we could
2 change it to the two chiefs.

3 MR. HOLAHAN: -- you're saying
4 written wrong here and that's why it was tabled?

5 MR. CARBONE: Right. So I think
6 at this time, I -- you know, listen, I think we
7 should put the chief of Tobyhanna on until we
8 decide -- until we have this meeting with --

9 MS. LAMBERTON: Well, why don't
10 you have the meeting with Pocono. Have the meeting
11 with Pocono and then we'll recircle that around at
12 our next meeting.

13 MR. CARBONE: Let's go back and
14 we'll square away -- dual respond and everything
15 and then we'll go forward with putting the chief
16 on.

17 MR. ED TUTRONE: So can we as
18 Tobyhanna Township Fire Company be involved with
19 that meeting?

20 MS. LAMBERTON: Right now I
21 would like to see Dave Carbone, John Holahan and
22 John Jablowski reach out. They can report to you
23 when they're done.

24 MR. ED TUTRONE: So as of today
25 who's the primary coverage area?

1 MS. LAMBERTON: Nothing's
2 changed. We just want to open up discussion so
3 everybody's on the same page.

4 MR. ED TUTRONE: I'm making sure
5 that we're on the same page. So nothing's changed
6 as far as response goes? Okay.

7 MR. CARBONE: You guys keep
8 doing what you're doing. I mean, you guys are
9 running the whole show basically so we can't change
10 it, you know? But we'll see what we owe Pocono --
11 Mount Pocono.

12 MS. LAMBERTON: We did agree to
13 pay them. I mean, it's not fair to not.

14 MR. CARBONE: Yeah, we agreed to
15 pay them and stuff for their coverage. And like
16 you said, we should have to look at what they're
17 not looking -- what they're not responding to and
18 stuff.

19 MS. PICKARD: I know, but the
20 whole thing with Pocono Summit was we didn't have
21 financials paperwork, so we'd have to have
22 financials in order to pay them.

23 MR. CARBONE: Right. So we'll
24 talk to them.

25 MS. LAMBERTON: So have that

1 meeting.

2 MR. CARBONE: We'll see if
3 (inaudible).

4 MS. LAMBERTON: There you go. I
5 did see Troy have his hand up. Yes?

6 MR. TROY COUNTERMAN: When
7 you're having that conversation with Pocono
8 Mountain, tell them to put that in front of their
9 body, not their chief. As a chief, I don't tell my
10 company where we're going, we decide that as a
11 group.

12 MR. CARBONE: Well, do they have
13 a president?

14 MR. TROY COUNTERMAN: Yes, they
15 do.

16 MR. CARBONE: Okay. So we'll
17 talk to the president then.

18 MR. TROY COUNTERMAN: You know
19 what I'm saying?

20 MR. CARBONE: Yes.

21 MR. TROY COUNTERMAN: I mean,
22 there are some things that I do operationally, but
23 --

24 MS. LAMBERTON: I'm not
25 expecting the gentleman who attends their meeting

1 to answer their questions right away. What I'm
2 expecting is the conversation to be had and then he
3 takes it back to his entire group and they have
4 that opportunity for discussion. So it might take
5 us a little bit to get to the point and we're --
6 you and I are speaking the same language right now.

7 MR. TROY COUNTERMAN: That's all
8 I'm saying, bring it front of the body.

9 MR. ED TUTRONE: Just keep in
10 mind the services too so that area is adequately
11 covered.

12 MS. LAMBERTON: Understood.

13 MR. HOLAHAN: All right. So I
14 have a motion that I'm withdrawing.

15 MS. LAMBERTON: Okay. Motion
16 withdrawn.

17 MS. PICKARD: I'll withdraw my
18 second.

19 MS. LAMBERTON: Very good.
20 Any public questions or
21 comments? Did you have any other comments?

22 MR. LLOYD VOUGHT: Yeah. I'd
23 like to apologize to Mr. Carbone for -- I don't
24 mean to insinuate that you were here at that time.

25 MR. CARBONE: Thank you.

1 MR. LLOYD VOUGHT: I'd like to
2 bring something to your attention that you
3 mentioned again tonight. When I mentioned the
4 problem with the noise over at the plaza, you made
5 reference to the overshadowing off of 80, you said;
6 however, when these two gentlemen from Kalahari
7 brought up the noise level, you didn't mention the
8 noise level coming off of 380 and that's something
9 that I think is a problem.

10 MS. LAMBERTON: I hear 380 from
11 my house.

12 MR. LLOYD VOUGHT: Yeah, I
13 understand that, but you didn't bring it to their
14 attention --

15 MS. LAMBERTON: I'm sure they're
16 very aware of it.

17 MR. LLOYD VOUGHT: -- that you
18 brought 380 to my attention in reference to my
19 neighborhood.

20 MS. LAMBERTON: I'll call them
21 tomorrow and mention 380 to them. That wasn't my
22 intention. There's nothing we can do about the
23 noise from 80 and 380.

24 MR. LLOYD VOUGHT: I understand
25 that. I understand that.

1 MS. LAMBERTON: Okay. So you
2 just feel slighted that I didn't bring up 380.

3 MR. LLOYD VOUGHT: Yeah, you
4 should've, you brought up 80 in reference to my
5 neighborhood.

6 MS. LAMBERTON: I try to think
7 of everything as I sit here, Mr. Vought.

8 MR. LLOYD VOUGHT: Oh, you're
9 pretty smart.

10 MS. LAMBERTON: Thank you. I'm
11 going to take that as a compliment and I will try
12 to do a better job and I will make sure that they
13 know about the noise coming from 380. Fair?

14 MR. LLOYD VOUGHT: Is that noise
15 louder than what they're complaining about?

16 MS. LAMBERTON: I don't --

17 MR. LLOYD VOUGHT: What you
18 originally said to me about 80 was that the noise
19 coming off of 80, oh, you shouldn't worry about the
20 noise coming from the plaza. That's the inference
21 I got from your conversation.

22 MR. HOLAHAN: Yeah, I have to
23 agree with you.

24 MS. LAMBERTON: You're agreeing
25 with me?

1 MR. HOLAHAN: Yeah, I know.

2 MS. LAMBERTON: Oh, my God.

3 MR. HOLAHAN: I'm agreeing with
4 her for something.

5 MS. LAMBERTON: Oh, wow. Oh,
6 no, just a little side thing. So you're agreeing
7 that the noise off of 80? And I don't want rehash
8 it and make anybody feel bad.

9 MR. HOLAHAN: Let's take a look
10 at the time of year this is happening.

11 MS. LAMBERTON: Right.

12 MR. HOLAHAN: It's happening
13 through the wintertime when there's no buffer,
14 there's no leaves or any of that stuff, it's
15 accentuated by that. With the trees being changed
16 over now from yellow ones -- from white pine to
17 spruce, it's going -- I mean, it's going to solve
18 --

19 MS. LAMBERTON: Yeah, you are
20 aware that that Lot 100 --

21 MR. LLOYD VOUGHT: Yeah, but the
22 noise levels in the wintertime are just as bad as
23 noise levels in the summertime with the buffer.

24 MR. HOLAHAN: No, I would agree.

25 MR. LLOYD VOUGHT: I don't

1 agree. I mean --

2 MS. LAMBERTON: Well, you know

3 --

4 MR. LLOYD VOUGHT: -- the noise
5 level in the wintertime -- I offered both of you --
6 I offered you, John, and, Anne, and you both pretty
7 much said that there wasn't any noise coming from
8 that area and invited you to come to my house to
9 listen.

10 MR. HOLAHAN: I've been to your
11 house.

12 MR. LLOYD VOUGHT: Yeah, you
13 built it.

14 MS. LAMBERTON: Was there dinner
15 or anything involved? I don't remember this
16 invite.

17 But, you know, moving forward,
18 guys, this is something we should also discuss with
19 our PC.

20 You bring up a very good point.

21 That I think moving forward with
22 our ordinances and how things change and how, you
23 know, 20 years ago that -- that trucking fueling
24 station might have had one or two. Maybe there are
25 items that we can add to our existing zoning

1 ordinances that could prevent any additional noise
2 and get the feedback.

3 MR. LLOYD VOUGHT: Yeah, the
4 lights have an influence, sound.

5 MS. LAMBERTON: We try to be
6 sensitive with the down lighting and with things
7 like that, but as things evolve, you know, what a
8 truck plaza was 20 years ago isn't what a truck
9 plaza is today. But one thing I do say is with
10 that particular location, it's nice for older
11 couples that are going from Tannersville to
12 Blakeslee, there was nothing in the middle there
13 for them to stop at, if needed. So there's a pro
14 and con to both sides.

15 MR. LLOYD VOUGHT: I didn't
16 bring up what I just said just because I'm running
17 for the board, that was not my intent.

18 MS. LAMBERTON: And I wish you
19 all the luck in the world.

20 MR. LLOYD VOUGHT: Thank you.

21 MS. LAMBERTON: Jason
22 Fitzgerald, I apologize. You weren't even on my
23 agenda. Did you want to report on --

24 MR. JASON FITZGERALD: Sure.

25 MS. LAMBERTON: -- your -- I

1 apologize. Thank you for bringing that to my
2 attention.

3 MR. JASON FITZGERALD: Jason
4 Fitzgerald, Penn Strategies.

5 MR. HOLAHAN: Well, because
6 he'll complain about it later.

7 MS. LAMBERTON: Will he? See, I
8 never talk to him about --

9 MR. JASON FITZGERALD: You have
10 to have one of the toughest jobs there is. I think
11 it's cool -- cool that you're doing it.

12 So --

13 MS. LAMBERTON: I am so sorry.

14 MR. JASON FITZGERALD: No,
15 that's all right. It's fine.

16 MS. LAMBERTON: Okay.

17 MR. JASON FITZGERALD: So a
18 couple of updates for you. We are working with Mr.
19 Jablowski and with Ms. Canfield on preparing two
20 multimodal applications. One will be submitted to
21 the Department of Community and Economic
22 Development. One will be submitted to PennDOT and
23 that's for the Pocono Summit West transportation
24 project. I have virtually all of the information
25 that we will need as far as to get started. We're

1 going to need some additional engineering
2 information, but they will be submitted by the
3 deadline, which is the end of July and they'll be
4 announcements hopefully made on those this year.

5 MR. JABLOWSKI: And the amounts
6 are?

7 MR. JASON FITZGERALD: For RCAP?

8 MR. JABLOWSKI: No, the
9 amount -- the one grant is for 3 million and one is
10 for 2.6.

11 MR. JASON FITZGERALD: Yeah, 2.6
12 -- one application is for 2.6, one application will
13 be for 3 million. And then on the RCAP, the
14 Redevelopment Capital Assistance Program grant has
15 been submitted. We're hearing that there may be
16 some announcements in the month of May before the
17 primary election so as they tend -- not that's --
18 that's just a coincidence I'm sure, right?

19 And they will roll them out over
20 the course of the year like they did last year. So
21 in other words, it's not going to be a situation
22 where all of the RCAPs are announced at once.
23 We've -- I'm cautiously optimistic about that. I'm
24 meeting next week. I'm working on getting the
25 date, but I'll let you know with the chief of staff

1 and the governor Mike Brunelle, so we will be --
2 one of the items we'll be talking about obviously,
3 is this project and its importance.

4 The build grants -- and I don't
5 know if you talked lately with Bryan McFarland from
6 Denali, but the build grants have opened back up.
7 My understanding is they were getting close to
8 hiring a federal firm to write and to advocate for
9 that, which it probably puts -- and we had done it
10 the last time because the timing, but I think that
11 we're very capable at state work and I think we're
12 capable of federal work, but, you know, it's
13 probably better for another firm to assist in that.

14 And so they would not be paid by
15 the taxpayers, they would be paid Denali
16 Development to pursue that funding. We would help
17 them since we submitted the last application on
18 behalf of the township. We would help, you know,
19 provide them with some information and obviously
20 the previous application. I think that's it for
21 right now. Tomorrow I'm going to be at chair --

22 Are you the chair of that
23 committee?

24 MR. CARBONE: No, me and Heidi
25 are co-chairs on the new parks committee.

1 MR. JASON FITZGERALD: I was
2 just invited to go, I'm going to be in town close
3 by. So I can come at five, give the get a copy of
4 the report and then I have to be to Stroudsburg by
5 six.

6 MS. PICKARD: I think I have to
7 be --

8 MR. JASON FITZGERALD: If that's
9 workable. What, in Stroudsburg? You're going to
10 go with me. I think you're right, actually, we do.
11 We do have that meeting, right?

12 MS. LAMBERTON: Well, that's
13 exciting.

14 MR. CARBONE: So Jason's going
15 to look into some grants for us for our new parks
16 projects.

17 MR. JASON FITZGERALD: So the
18 one that's open and we would have to move pretty
19 quickly on it is the Greenway, Trails and
20 Recreation Grant, which is through the Commonwealth
21 Financing Authority. And that's a maximum of
22 \$250,000 per project with a 15 percent match. We
23 missed the DCNR round this year, that's in April
24 every year, pretty much, as long as the governor
25 continues to fund DCNR.

1 MR. JABLOWSKI: Well, we chose
2 not to -- we didn't miss -- intentionally we
3 didn't apply.

4 MR. JASON FITZGERALD: We chose
5 not to because it wouldn't have worked.

6 MS. LAMBERTON: Oh, yeah, we
7 (inaudible).

8 MS. PICKARD: We need the master
9 site plan.

10 MR. JASON FITZGERALD: You need
11 the site plan before you all do it. I misspoke,
12 it's not like we just missed it. We were very well
13 aware of the deadline. We would've had to been
14 farther along to qualify. We can apply for that
15 next year, so I think that could be a positive.

16 Commonwealth Financing Authority
17 monies are funded through for Greenway, Trails and
18 Recreation are funded through an Act 13. There is
19 a little bit more money in there now than there
20 normally is because part of that is based upon
21 natural gas drilling. And then also, you know,
22 Commonwealth Financing Authority also infuses some
23 money in there as well, so the chances for approval
24 are obviously always better where there's more than
25 money.

1 I'd be happy to answer any
2 questions from the board or members of the public.

3 MS. LAMBERTON: I'll be happy
4 when you get them all.

5 MS. PICKARD: Just the two
6 multimodal, you said one was PennDOT and the other
7 one?

8 MR. JASON FITZGERALD:
9 Department of Community and Economic Development,
10 Commonwealth Financing Authority. I'm looking at
11 July 31 is the deadline, I think for the both of
12 them, but PennDOT I don't believe has formally
13 announced that yet, but they typically do.

14 MS. PICKARD: And then the 2.6
15 was PennDOT and the 3 DCED or --

16 MR. JASON FITZGERALD: Let me
17 think about that for a second.

18 MR. JABLOWSKI: I believe 3
19 million, PennDOT; the 2.6, DCED.

20 MR. JASON FITZGERALD: Yes.

21 MS. CANFIELD: The board will
22 seek resolutions for those on our next meeting.

23 MR. JASON FITZGERALD: And we're
24 working on putting the budget together. We did
25 originally have it scheduled for the last time, but

1 we made a determination that we needed to be a
2 little bit further along and -- you know, before we
3 presented those resolutions. We're in no rush, it
4 just has to be done July 31.

5 MS. LAMBERTON: Very good.
6 Well, thank you for all you're doing for the
7 township, we really appreciate your hard work.

8 MR. JASON FITZGERALD: Thank
9 you.

10 THE REPORTER: Could you just
11 spell Denali?

12 MR. JASON FITZGERALD: I'm going
13 to try D-e-n-l-i, is that --

14 MS. LAMBERTON: A-l-i.

15 MR. JABLOWSKI: Like Denali
16 Mountain.

17 MS. LAMBERTON: Thank you.
18 Anybody have anything for Jason?

19 MR. CARBONE: Yeah, I got two
20 things.

21 No, no, I'm done with you. I
22 got two more things to bring up.

23 MR. JASON FITZGERALD: You're
24 done with me?

25 MS. LAMBERTON: I'm done with

1 you. He didn't mean it to sound like that.

2 MR. JASON FITZGERALD: I have an
3 eight-month-old at home.

4 MS. LAMBERTON: No, no, no, go,
5 please. I am so sorry.

6 MR. JASON FITZGERALD: He hasn't
7 seen me for a little while.

8 MS. LAMBERTON: Aww.

9 MR. JASON FITZGERALD: We'll see
10 you guys.

11 MS. LAMBERTON: Thank you.

12 MR. CARBONE: All right.

13 Thanks, Jason.

14 A lot of the firemen are here
15 tonight because I don't want to go and let it slip
16 until next -- we got their firefighter credit and
17 allowance program that they brought up in front of
18 the fire commission. I talked to John about it,
19 we're not going to approve this tonight, because
20 I'd like to see something added. So we're going to
21 bring it back -- I'd like to speak to the chief and
22 add a thing or two before we move forward and
23 approve this. So just so you know it's on our
24 table and we are looking at it.

25 The second thing is tomorrow we

1 have the big parks -- parks committee meeting, as
2 you heard Jason, we're trying to get some money
3 for. It's going to be a long meeting tonight,
4 we're going to discuss all the parks in Tobyhanna
5 Township, Ed Black and he's gonna work with us on
6 trying to design a lot of this stuff to update our
7 parks. As you can see there's a lot of work been
8 done by our DPW and almost everything's ready for
9 opening day, which is great. So the meeting's
10 tomorrow night, at five o'clock if anybody wants to
11 come. That's it.

12 MS. LAMBERTON: Great. Thank
13 you.

14 Anyone else?

15 MR. HOLAHAN: Motion to adjourn.

16 MR. LLOYD VOUGHT: One thing.

17 MR. HOLAHAN: Too late.

18 MR. LLOYD VOUGHT: I'd like to
19 let all the board know that I voted for John and I
20 want John to know that I appreciate his
21 consideration when he goes to the poll.

22 MS. LAMBERTON: We don't solicit
23 votes in a township meeting, but thank you.

24 MR. CARBONE: Hold it, hold it.
25 One more thing. At our DPW meeting we discussed

1 the skid steer. I met -- I met with Eddie out in
2 PSATS, we went over a lot of the equipment. We
3 have the money in the budget that was approved. At
4 this time I'd like to put forward the approval for
5 the Cleveland Brothers, the Caterpillar 226D at
6 55,901, but that's also with the sale of our --

7 MS. LAMBERTON: Backhoe?

8 MR. CARBONE: -- the backhoe.

9 MR. ED TUTRONE: So it's 45,901?

10 MR. CARBONE: Right. So that's
11 going to bring this down.

12 MR. ED TUTRONE: It was 10,000
13 for the backhoe.

14 MR. CARBONE: So at this time
15 I'm asking the board to approve this purchase minus
16 the mill head, it'll be all the attachments that
17 the DPW asked for. I think you guys got the
18 package in your --

19 MS. LAMBERTON: Is that your
20 motion?

21 MR. HOLAHAN: Second.

22 MS. LAMBERTON: Motion and
23 second.

24 Any questions or comments from
25 the board?

1 Questions or comments from the
2 public?

3 Seeing none. Call the vote.

4 Brendon?

5 MR. CARROLL: I vote in favor.

6 MS. LAMBERTON: Dave?

7 MR. CARBONE: I vote in favor.

8 MS. LAMBERTON: Heidi?

9 MS. PICKARD: I vote in favor.

10 MS. LAMBERTON: John?

11 MR. HOLAHAN: Yes.

12 MS. LAMBERTON: I vote in favor.

13 Motion carries.

14 Anything else?

15 Now you can say it.

16 MR. HOLAHAN: Motion to adjourn.

17 MS. PICKARD: Second.

18 MS. LAMBERTON: Thank you all

19 for attending.

20 (Meeting concluded at 8:00 p.m.)

21 ---
22
23
24
25

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.



Tara Wilson

TARA WILSON, C.R.

ORIGINAL

Respectfully submitted:

Julia A. Heilakka
JULIA A. HEILAKKA, TOWNSHIP SECRETARY

CONFLICT OF INTEREST DISCLOSURE

I, Anne Lamberton, hereby disclose that I have a conflict of interest with regard to Pocono Springs. I am unable to vote on; discuss; or participate in any Township action with respect to any action / ordinance

_____ because of my relationship with the matter, as follows: I am employed by Papillon & Moyer & they are currently working on site

By: Anna M. Samuels

Dated: 4/23/19

Received this 24th day of April, 2019.

Julia An Halakka
Township Secretary