

A G E N D A
Board of Supervisors
Work Session 8:30AM
August 7, 2019

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. **Solicitor Report:** discussion of further changes to Omnibus Zoning Ordinance
Discuss Sewer Ordinance amendment
Authorize to advertise Transient Retail Ordinance amendment
Model Whistleblower Policy
4. **Manager Report:**
 - Project Reports – task trackers
5. **Public Works Report:**
6. **Finance Report:**
7. **Committee Reports: PMRPC • PMREMS • Fire Commission • EDA • NID • PM COG**
8. **Old Business:**
 - Changes to Kalahari Agreement regarding the payments to township
 - Blakeslee Community Association - donation
 - Blakeslee Survey Results and BV Zoning District - discussion
9. **New Business:**
 - A. discuss expired zoning permits
 - B. discuss additional T & M Associates task orders for Sewer District #1 Service Agreement
 - C. potential refund of previously paid central sewer fees
 - D. Library tax - discussion
 - E. NextGen Realty, 907 Route 940, Pocono Lake [gas station/convenience store] - discussion
 - F. Earl Bunnell, 414 Old Route 940, Pocono Lake [small tools rental shop] - discussion
 - G. Severance Agreement approval
10. Board of Supervisors Report/Comment
11. Public Questions and Comment

ADJOURNMENT

AUDIO AND VIDEO RECORDING IN PROGRESS

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION
AUGUST 7, 2019

The August 2019 Work Session of the Tobyhanna Township Board of Supervisors (“Board”) was held on August 7, 2019, at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania, 18350.

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

1. Chair Anne Lamberton calls the meeting to order at 8:31AM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Solicitor Report
 - a. Discussion of further changes to Omnibus Zoning Ordinance. The Board discusses and decides to create provisions for community yard sales. The Board discusses and decides to update provisions for conditional use permits to require a meeting with appropriate staff instead of a pre-submission joint meeting with the Planning Commission and Board.

Barbara Nichols will work with Jonathan Reiss to provide clarification between changeable electronic variable message signs and changeable copy signs and their permitted uses. Barbara Nichols states the sign ordinance needs to be changed from Planned Commercial Residential Entertainment District to Mixed Use Town Center Development district.

Barbara Nichols discusses complaints concerning chickens. Anne Lamberton directs Barbara Nichols to research this further. Rachel Schickling states the previous zoning officer allowed chickens on residential properties and expresses concern for the chickens being sold commercially. Anne Lamberton states the chickens would be for personal use only. Rachel Schickling states personal chickens should be kept indoors.

- b. Discuss Sewer Ordinance Amendment. The Board does not discuss this.
- c. Authorize to advertise Transient Retail Ordinance amendment. Barbara Nichols states she is satisfied with the clarification she received at the previous meeting.
- d. Model Whistleblower Policy. Autumn Canfield states Jonathan Reiss believes this should be included in the personnel manual. The township should also budget for Jonathan Reiss to review the personnel manual to ensure continued compliance.
- e. Heidi asks about progress on Short Term Rentals (STRs). Barbara Nichols states she is still researching the issue. The Board discusses enforcement issues with STRs.

4. Manager's Report

- a. Project Reports - Task Trackers. John Jablowski states the Board will receive the updated task trackers in the upcoming days.
- b. John Jablowski discusses the status of tree trimming proposals and states he would like to have a special work session the week of August 26th regarding Act 537 plan updates.

5. Public Works Report - no report given.

6. Finance Report - no report given.

7. Committee Reports:

- a. PMRPC - Brendon Carroll states he did not attend the last meeting.
- b. PMREMS - Heidi Pickard states she does not yet have the statistics for the previous month. The Regional Roundup is August 22nd. This event is to raise money for cardiac monitors which are \$35,000 - \$40,000 per monitor.
- c. Fire Commission - John Holahan states the last meeting was canceled.
- d. EDA - John Holahan states the last meeting was canceled.
- e. NID - Anne Lamberton states there is nothing to report.
- f. PM COG - Heidi Pickard states she did not attend the last meeting.
- g. John Holahan commends the staff for their work at National Night Out.

8. Old Business

- a. Changes to Kalahari Agreement regarding the payments to township. The Board discusses different payment options. Ralph Gundram and Ralph Matergia state the township can hire BCRA to do the billing. Township staff will contact BCRA and revisit the agreement.
- b. Blakeslee Community Association - donation. Trudi Denlinger asks if the Board has made movement on obtaining the \$8,100 needed for repairs to the community center. The association has received \$2,000 from Pocono Springs. Anne Lamberton states Kalahari will hold an event soon and part of the event may include a donation to the association. Trudi Denlinger states David Carbone has agreed to pay \$1,000 out of his supervisor salary. John Holahan clarifies the supervisor salary was not in the budget. Autumn Canfield will examine the budget for possible reappropriations.

- c. [New Business Agenda Item D] Library tax - discussion. Autumn Canfield states the library tax needs to be put to referendum in order to be lowered. The tax needs to be lowered due to the reassessment. The Board directs Autumn to research this further.
- d. Blakeslee Survey Results and BV Zoning District - discussion. Matthew Helbers states, based on the results of the survey and the comments of those in attendance at the results meeting, the Board should move forward with the Blakeslee Village Zoning District. The Board should consider renaming it Village Commercial so it may be applied to other areas in the township. The Board will discuss this at their August 20th meeting.

9. New Business

- a. Discuss expired zoning permits. The Board directs Barbara Nichols to speak with Jonathan Reiss on how to proceed regarding expired zoning permits whose property owners have changed or are unreachable.
- b. Discuss additional T & M Associates task orders for Sewer District #1 Service Agreement. Autumn Canfield states this is included for the Board's review before potential approval at the August Regular Business Meeting. The first one is the Kalahari Engineering committee. T&M is requesting an increase of cost from \$8,000 to \$12,000.

The second task order is related to Sewer District #1 improvements. The scope of the work is above and beyond current services. This includes various maintenance and repair costs resulting from inspections over the last year and a half.

The third task order is related to changes in the Kalahari plan. This would be \$3,995 to put a plan together for what should be in the capital reserve. The Board decides to wait until after the engineers' meeting to discuss this.

Ed Tutrone states it has been over a year, and there is still no backup system in place. Autumn Canfield states there is a plan in place. Heidi Pickard asks if there's a plan in place for Pocono Springs to aid in the capital plan costs. Anne Lamberton states that will be discussed at the engineers' meeting.

- c. Potential refund of previously paid central sewer fees. The Board discusses a resident who was charged over \$7,000 for user fees when he was not hooked to the sewer system. The Board directs staff to work with Jonathan Reiss on appropriate course of action.
- d. Library tax - discussion. [Discussed under Old Business Item C]
- e. NextGen Realty, 907 Route 940, Pocono Lake [gas station/convenience store] - discussion. Barbara Nichols states Aashish Kharb has purchased the old Daisy Mart. He intends to increase total pumps to four. Aashish Kharb states he is seeking a land development procedural waiver as he is proposing minimal changes to the structure.

The Board discusses HOP requirements. Aashish Kharb states PennDOT informed him that they do not require an HOP, but the township does. Anne Lamberton asks Aashish to produce that in writing for the zoning officer. The Board discusses architectural and design guidelines. The Board will discuss this at their August Regular Business Meeting.

- f. Earl Bunnell, 414 Old Route 940, Pocono Lake [small tools rental shop] - discussion. Earl Bunnell states he is trying to move his shop onto Old Route 940 and plans to develop in accordance to guidelines. The Board directs Barbara Nichols to speak with Jonathan Reiss regarding conditional certificates of occupancy as the property changes from residential use to commercial use on a commercially zoned property

Barbara Nichols states this may be a good area to apply the Village Commercial District. Brendon Carroll asks if the structure is non-conforming. Barbara Nichols states it is, but it is not being expanded.

- g. Severance Agreement approval. John Holahan motions to approve the severance agreement, Heidi Pickard seconds. Vote: all in favor; motion carries.

10. Board of Supervisors' Report

- a. William Van Gilder states he would like the region of SR 940 between Mountaintop Lodge and Van Gilder's Jubilee to have its speed limit lowered and passing zone vacated. Many accidents happen from passing on the shoulders. Rumble strips and reflectors on the shoulder will reduce this. The Board discusses the Bike & Hike Trail, and how a PennDOT study may increase the speed limit.

11. Public Comment

- a. Anne Lamberton thanks Representative Jack Rader for his role in the liquor license legislation change.

12. John Holahan motions to adjourn, Heidi Pickard seconds. Meeting adjourned at 9:45 AM.

Minutes recorded by Matthew Helbers

Respectfully submitted:



Julla Heikkinen, Township Secretary