

A G E N D A
Board of Supervisors
Work Session 8:30AM
October 2, 2019

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. **Solicitor Report:**
4. **Interim Manager Report:**
 - Project Reports – task trackers
5. **Public Works Report:**
 - Truck purchase - discussion
6. **Finance Report:**
7. **Committee Reports: PMRPC • PMREMS • Fire Commission • EDA • NID • PM COG**
8. **Old Business:**
9. **New Business:**
 - A. Pocono Mountain School District Reimbursement Agreement
 - B. Discussion of potential Zoning Ordinance Amendment
 - C. Dunne Manning Realty, LP 2693 Route 940 - request for land development procedural waiver
 - D. Discuss potential Kalahari Resort Buildout Sewage Flows
 - E. Discuss Wireless Communications Facilities Ordinance
 - F. Pennoni Proposal - Pocono Summit East Phase 1 Transportation Improvements
 - G. Fire Commission By-Laws
 - H. Long, Nyquist & Associates Proposal
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 SESSIONS
OCTOBER 2, 2019

A Work Session of the Tobyhanna Township Board of Supervisors ("Board") was held on October 2, 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, David Carbone, Interim Manager Autumn Canfield, Township Engineer Robert "Bob" McHale, and Solicitor Jonathan J. Reiss, Esq. are present.

1. Chair Anne Lamberton calls the meeting to order at 8:30AM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Solicitor's Report
 - a. Jonathan Reiss states that four tax assessment reports have been received. Entering an appearance in Monroe County requires a solicitor to attend a status conference. Because of this, he has not entered his appearance. The township will need to sign a settlement if one is reached. Heidi Pickard motions to un-authorize Jonathan Reiss's appearance in tax assessments, Brendon Carroll seconds. The Board does not vote, but gives consensus for Jonathan to not appear.
4. Interim Manager Report
 - a. Autumn Canfield provides the Board with updated task trackers.
5. Public Works Report: Truck Purchase Discussion.
 - a. Autumn Canfield states there is money in the budget to purchase a truck this year. The Board discusses the proposals and pricing for the truck.
6. Committee Reports:
 - a. PMRPC - Brendon Carroll states PMRPC is supportive of the speed limit reduction. They are expecting a 3% budget increase. The Board considers purchasing more hours.
 - b. PMREMS - Anne Lamberton asks Heidi Pickard to learn what hours the township uses.
 - c. Fire Commission - The Board discusses filling open positions and amending the fire ordinance.
 - d. EDA - John Holahan states the meeting is tonight with the new members.
 - e. NIDA – none.
 - f. PM COG – none.

7. New Business

- a. [Item C] DUNNE Manning LP request for procedural waiver. Larry Turoscy states the plan was submitted to the township to demolish the old 3,000 square-foot building and create a 4,200 sq. ft. building. The Board discusses what qualifies under the 3,000 sq. ft. waiver, and clarifies Dunne Manning's plan does not qualify for the land development procedural waiver. Larry Turoscy states the location of the building is the only change. Barbara Nichols states Dunne Manning will need to seek a variance for a 7.5 ft. setback from the Luzzi property and would need to do a lot joinder for the property.

Jonathan Reiss cautions that the covenants and restrictions on the property that's part of Stillwater Estates may restrict commercial uses. The Board discusses condemning the property to remove the restrictions. Jonathan Reiss states once a property is condemned, it must go up for bid unless the EDA purchases it, and explains the process of condemning the property. The Board discusses the development of the Luzzi property. Mark Luthe stresses the importance of having access to the back of the property via the road, and discusses proposed plans to grant back access. Carmen Tessitore expresses frustration about the plans changing constantly.

Larry Turoscy states they are meeting with PennDOT on October 11th at 10AM on site. Bob McHale and Jerilyn Luben will be present for the meeting. The Board decides that they, Stillwater, and Dunne Manning should meet to discuss plans.

Jonathan Reiss discusses the condemnation of the Stillwater property, and how to accommodate Dunne Manning's plans. Larry Turoscy states Dunne Manning submitted their plans to PennDOT, who suggested upgrading to a super convenience store, which may increase traffic.

The Board wants to have a meeting next week with interested parties to come up with a plan. Jonathan Reiss suggests if Dunne Manning can move their building so it's not on the Stillwater lots, they can merge the lots; they will not need a variance for that encroachment and won't need to worry about the restrictive covenants.

- b. [Item D] Discuss potential Kalahari Resort Buildout Sewage Flows. Anne Lamberton excuses herself from the conversation. Autumn Canfield states this was brought up because Pocono Township, Tobyhanna Township, Kalahari, and BCRA all met. BCRA asked Kalahari and Pocono Springs to determine flows they think they'll need; Pocono Township wants a formal request for additional capacity. Pocono Township must consider the information it receives from Tobyhanna Township and analyze its system before all parties meet again. Bob McHale asks the Board what information from the presentation they want to submit to Pocono Township; Kalahari submitted their ask in phases of items already approved in their LDP and a wish list of items they want to build.

Ralph Gundrum states there is a meeting on Monday to present this to the Pocono Sewer Board. John Holahan suggests providing full buildouts, so Pocono Township is aware of the township's endgame plans. Bob McHale states the township must talk to BCRA to see if they can handle the wastewater and that he will contact Pocono Township to see if they want the township at the meeting. The Board gives consensus for Autumn Canfield to write a letter for the full buildout, Anne Lamberton abstains from the consensus.

- c. [Item A] Pocono Mountain School District (PMSD) Reimbursement Agreement. Jonathan Reiss states the township agreed verbally that PMSD would upgrade certain things for an eventual community water system once they connected to the well drilled by the township, and the township would reimburse them. The extra cost was presented, and township consultants said the cost was accurate. The township has held off negotiating the agreement because there are other issues with the school to be addressed in the agreement. In the meantime, the school is asking for their money.

The Board discusses other requirements that still need to be addressed in the agreement. Jonathan Reiss recommends paying the school, and including a cover letter stating items that still need to be addressed. The Board consents to pay the school. Bob McHale suggests adding a guarantee of easements to use the water system; the Board agrees.

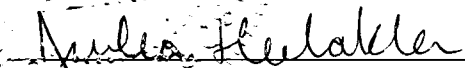
- d. [Item B] Discussion of potential Zoning Ordinance Amendment. Jonathan Reiss states motor vehicle service stations are permitted by special exception in TDPD, Commercial, and CI district. Certain restrictions for parking and screening requirements apply for vehicles without current registrations. The Board will review Section 155-88 and determine if they want to use this language, and discusses the language in the draft. [David Carbone leaves at 9:29AM.]
- e. [Item C] Dunne Manning Realty, LP 2693 Route 940 - request for land development procedural waiver discussed earlier. [Discussed in NB – A].
- f. [Item D] Discuss potential Kalahari Resort Buildout Sewage Flows. [Discussed in NB – B].
- g. [Item E] Discuss Wireless Communications Facilities Ordinance. Autumn Canfield states the township has contracted Cohen Law to bring the township's ordinance into compliance with current laws. Jonathan Reiss states this will go to the township and county planning commissions first. He has reviewed it and it looks good. The Board discusses what kind of technology has prompted the changes to the law.
- h. [Item F] Pennoni Proposal – Pocono Summit East Phase 1 Transportation Improvements. Autumn Canfield states this is running behind schedule, so Pennoni is asking for permission to move forward with scoping meetings and phase in this proposal. Bob McHale states page 11 provides a summary of design services. The Board discusses

meeting with larger stakeholders and providing permission for Pennoni to proceed with the \$3,000 item; the Board agrees. Bob McHale asks Jonathan Reiss to research if the \$10,000 remaining from the POA may be used for this. The Board discusses the POA study and possible trips available. [Further discussion in NB – K.]

- i. [Item G] Fire Commission By-Laws. [The Board does not discuss this item.]
 - j. [Item H] Long, Nyquist & Associates Proposal. The Board discusses keeping Jason at his current rate and signing with Long & Nyquist for a year. Heidi Pickard would like clarification on if we are paying two companies to complete the same tasks. The Board asks both companies to attend the next meeting to answer questions.
 - k. [Return to Item F] Bob McHale asks for permission to conduct meetings related to the traffic impact study with stakeholders to discuss cost sharing. The Board consents
 - l. [Return to Item H] Ed Tutrone asks what the proposal is for. Anne Lamberton replies it is for another lobbying firm.
8. Board of Supervisors' Report
- a. Brendon Carroll thanks everyone for their hard work.
 - b. The Board thanks the staff for the work put into Fall Fest.
9. Public Comment
- a. Ed Tutrone asks who reviews the Fire Commission letters. The Board discusses the process of appointing Fire Commission members and discusses the draft ordinance and exclusions of active members.
10. John Holahan motions to adjourn, Brendon Carroll seconds; meeting adjourned at 9:45AM.

Minutes recorded by Julia Heilakka

Respectfully submitted:


Julia Heilakka, Township Secretary