

A G E N D A
Board of Supervisors
Regular Business Meeting 6:00 PM
December 17, 2019

1. Call Meeting to Order: Anne Lamberton, Chair
2. Pledge of Allegiance
3. Announcements: Executive Session December 4, 2019 9:00am for personnel
BOS Special Meeting on December 26, 2019 @ 9:00am
Reorganization and Regular Business Meetings - Monday, Jan. 6, 2020 @ 3:00pm
4. Consider the Minutes of: November 14, 2019 Short Term Rental work session
November 19, 2019 Regular Business Meeting
November 22, 2019 Budget Meeting
December 4, 2019 Budget Meeting
December 4, 2019 Work Session
5. Treasurer's Report for November 2019
6. Bill Pack Total - \$288,931.69
7. Solicitor Report: **Public Hearing**-Proposed Zoning Ordinance -Wireless Communications Facility
Consider adopting Ordinance No. 559 Zoning Ordinance - WCF
Consider Resolution 2019-023 WCF Manual
Consider Resolution 2019-024 WCF fee schedule
 - Authorize to advertise Ordinance amending Chapter 9 Fire Companies
 - Solicitor representation at tax assessment appeals
 - Solicitor availability for BOS 2020 work sessions
8. **Old Business:**
9. **New Business:**
 - A. Volunteer Service Credit Program - approve applicants
 - B. Proposal for PMSD Appraisal
 - C. Uniform Company
 - D. Bureau Veritas Proposal for Property Maintenance Services
 - E. Barry Isett & Assoc. Proposal - ZO training & property maintenance services - discussion
 - F. Resolution 2019-025 recognizing Heidi Pickard
 - G. Resolution 2019-026 recognizing Anne Lamberton
 - H. Resolution 2019-027 adopting PMRPC 2020 budget
 - I. Resolution 2019-028 Budget Reappropriations and Supplemental Appropriations
 - J. St. Maximilian Kolbe Sewer Easement Request
 - K. Hanna's Farm Market PSA Escrow Release - final
 - L. Consider Exeter Blakeslee Lot 100 Land, LLC [sitework]-Financial Security Reduction No. 5
 - M. Consider Exeter Blakeslee Lot 110 Land, LLC [sitework]-Financial Security Reduction No. 2
10. Board of Supervisors Report/Comment
11. Public Questions and Comment

ADJOURNMENT

AUDIO AND VIDEO RECORDING IN PROGRESS

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
DECEMBER 17, 2019

The December 2019 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on December 17, 2019, 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, Solicitor Jonathan J. Reiss, Esquire, and Assistant Manager Autumn Canfield. David Carbone is not present.

Chair Anne Lamberton calls the meeting to order at 6:04PM. A quorum is present.

1. The Pledge of Allegiance is recited.
2. Announcements
 - a. Anne Lamberton states the Board held an Executive Session on December 4th at 9AM for personnel.
 - b. Anne Lamberton states the Board will meet on Thursday, December 26th at 9AM for a Special Meeting to approve the budget.
 - c. Anne Lamberton states the Reorganizational & Regular Business Meetings will take place on Monday, January 6, 2020, at 3PM.
 - d. Anne Lamberton states the Board held an Executive Session from 5:30-6:02PM regarding potential litigation.
3. Minutes
 - a. John Holahan motions to approve the minutes from the November 14, 2019 Short Term Rental Work Session, November 19, 2019 Regular Business Meeting, November 22, 2019 Budget Meeting, December 4, 2019 Budget Meeting, and December 4, 2019 Work Session, Brendon Carroll seconds. Vote: all in favor; motion carries.
4. Treasurer's Report
 - a. Heidi Pickard motions to accept the Treasurer's Report for November 2019, Brendon Carroll seconds. Vote: all in favor; motion carries.
5. Bill Pack
 - a. John Holahan motions to accept the Bill Pack at \$288,931.69, Heidi Pickard seconds. Vote: all in favor; motion carries.

6. Solicitor's Report

- a. **Public Hearing – Proposed Zoning Ordinance – Wireless Communications Facilities (WCF).** Jonathan Reiss states this updates the ordinance to comply with federal and state law for WCFs. The Monroe County Planning Commission recommends adoption. John Holahan motions to open the hearing, Heidi Pickard seconds; hearing is open. Mike Erlsten asks what the major changes are. Jonathan Reiss replies it changes the procedures for review and approval, remains the same regarding zoning districts, and prepares for 5G. John Holahan motions to close the hearing, Heidi Pickard seconds; hearing is closed.
- b. **Consider Adopting Ordinance No. 559 Zoning Ordinance – WCF.** John Holahan motions to adopt Ordinance No. 559, Brendon Carroll seconds. Vote: all in favor; motion carries.
- c. **Consider Resolution 2019-023 WCF Manual.** John Holahan motions to adopt, Brendon Carroll seconds. Vote: all in favor; motion carries.
- d. **Consider Resolution 2019-024 WCF Fee Schedule.** Brendon Carroll motions to adopt, John Holahan seconds. Vote: all in favor; motion carries.
- e. **Authorize to advertise Ordinance amending Chapter 9 Fire Companies.** Jonathan Reiss states this was amended at the last meeting to remove references to specific fire companies and have fire protection units recognized by resolution. There were specific references to companies throughout the chapter, which has now been corrected.

Jonathan Reiss states this also changes what records fire companies must produce to include all training certificates, a complete roster of active members, and any additional documents deemed necessary by the Board. The fire companies would also provide the township with an annual report for appropriated monies from the township for each year, which includes an annual financial report and budget. The requirement for an audit is removed. These requirements match those in the Second Class Township Code. Heidi Pickard states there seems to be confusion over tax dollars only being fire fund money that fire companies expended over the year. There should be a financial statement required. Regarding the cost of running the ESB, half of the cost of that building is for the EMS.

The Board clarifies that they want financial statements, and every three years the fire companies should provide an audited financial statement beginning in 2020; the first audit is due in 2023. John Holahan motions to advertise, Heidi Pickard seconds. Vote: all in favor; motion carries. Edward Tutrone asks if financial statements should be completed by a CPA or their own bookkeepers. Jonathan Reiss replies it depends on what the Board wants. The financial report is for a fire company's overall finances.

Mike Erlsten asks if this supersedes the quarterly requirements for Pocono Summit Volunteer Fire Company (PSVFC). Anne Lamberton replies no. Patrick Timothy asks what exactly is required from PSVFC. Anne Lamberton replies PSVFC must produce a

financial statement quarterly for the first year. This would not include any bills that the fire company forwards to the township for the township to pay.

Patrick Timothy states Coolbaugh Township refuses to give PSVFC money owed from 2017, and won't allow PSVFC to act as primary once Coolbaugh Township Volunteer Fire Company (CTVFC) arrives. Edward Tutrone states that Tobyhanna Township Volunteer Fire Company (TTVFC) and PSVFC have already worked this out.

Edward Tutrone states the accountant for TTVFC suggested that the fire fund money goes to the fire company and they pay the bill because the money in the tax fund is revenue to the fire company. Jonathan Reiss explains Tobyhanna Township distributes tax dollars to the fire companies instead of the township writing the checks. The Board asks the Fire Commission to address this.

- f. Solicitor Representation at Tax Assessment Appeal. Jonathan Reiss presents the new tax appeals, and confirms the Board does not want him to intervene.
- g. Solicitor Availability for BOS 2020 Work Sessions. Autumn Canfield states Jonathan Reiss is not available on the first Wednesday of the month; please bring your calendars to the reorganizational meeting. The Board considers the second Wednesday.
- h. Jonathan Reiss asks if there will be a regular meeting at end of January. The Board replies no.

7. Old Business – none.

8. New Business

- a. Volunteer Service Credit Program – approve applicants. John Holahan motions to approve applicants, Brendon Carroll seconds. Vote: all in favor; motion carries. The Board discusses roll calling votes.
- b. Proposal for PMSD Appraisal. John Holahan clarifies this is the proposal from Christie Davies, and motions to approve the appraisal between \$1,000 and \$1,800, Heidi Pickard seconds. Vote: all in favor; motion carries.
- c. Uniform Company. Autumn Canfield states the township is having problems with their uniform company. Jonathan Reiss explains the process of formally placing a complaint. John Holahan motions to authorize staff to send the letter, Heidi Pickard seconds. Vote: all in favor; motion carries.
- d. BV Proposal for Property Maintenance Services and [Item E] Barry Isett & Associates Proposal – ZO training & property maintenance services. Autumn Canfield states Barry Isett and Bureau Veritas provided proposals for property maintenance. John Decusatis states property maintenance would be on a written-complaint-driven basis. Heidi Pickard

clarifies that BV is offering services at \$50/hr, Barry Isett at \$85/hr. Heidi Pickard motions to approve BV for \$50 for property maintenance, and Barry Isett at \$85/hr for training, John Holahan seconds. John Holahan discusses changing the fee schedule, and asks if BV will be obligated to pursue building code violations if they are investigating a property maintenance complaint. John Holahan withdraws his second, Heidi Pickard withdraws her motion. John Holahan motions to adopt Barry Isett's proposal, Brendon Carroll seconds. John Holahan amends his motion to add a 6-month cap to the contract, Brendon Carroll amends his second. Vote: all in favor; motion carries.

- e. Resolution 2019-025 Heidi. John Holahan motions to adopt Resolution 2019-025, Brendon Carroll seconds. Vote: Anne Lamberton, John Holahan, and Brendon Carroll in favor; Heidi Pickard abstains: motion carries. John Holahan reads the resolution.
- f. Resolution 2019-026 Anne. John Holahan motions to adopt Resolution 2019-026, Brendon Carroll seconds. Vote: all in favor; motion carries. John Holahan reads the resolution.
- g. Resolution 2019-027 adopting PMRPC 2020 Budget. John Holahan motions to approve Resolution 2019-027, Brendon Carroll seconds. Julia Heilakka states there is an error in the Resolution. John Holahan explains the township will pay \$157,488.67 paid monthly, for a total is \$1,889,864.00. The uniform MMO is \$212,253.43. Heidi Pickard states part of this cost is reimbursed from the state. Vote: all in favor; motion carries.
- h. Resolution 2019-028 Budget Reappropriations and Supplemental Appropriations. John Holahan motions to approve, Heidi Pickard seconds. Vote: all in favor; motion carries.
- i. St. Maximilian Kolbe Sewer Easement Request. Autumn Canfield states the Diocese need a formal motion from the Board. John Holahan motions to approve, Heidi Pickard seconds. Jonathan Reiss confirms it's Aqua's line and they need an easement to cross township property. Vote: all in favor; motion carries. Autumn Canfield will send letter to Colin Devereux, and will check with Bob McHale if we have a legal description.
- j. Hanna's Farm Market PSA Escrow Release Final. John Holahan motions to release the escrow, Heidi Pickard seconds. Vote: Anne Lamberton, John Holahan, and Heidi Pickard in favor; Brendon Carroll abstains: motion carries.
- k. Financial Security Reduction Release for Lots 100 (#5) and 110 (#2). John Holahan motions to accept the financial security reduction release for Lot 100, Heidi Pickard seconds. Vote: all in favor; motion carries.

John Holahan motions to accept the financial security reduction release for Lot 110, Brendon Carroll seconds. Vote: all in favor; motion carries.

9. Board of Supervisors' Report – none.

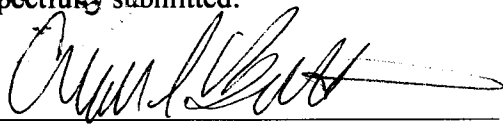
10. Public Comment

- a. Edward Tutrone states David Carbone referenced a law stating that TTVFC needed to pay back Tobyhanna Township for money it received from Coolbaugh Township. TTVFC is waiting on that information to pass their budget. Anne Lamberton states David Carbone is not here; she will contact him tomorrow. John Holahan asks the Board be copied on the correspondence.
- b. Edward Tutrone asks if Brendon Carroll can provide taxpayers with proof of residency. Brendon Carroll replies yes.
- c. Steve Pine of Kalahari Resorts thanks Anne Lamberton and Heidi Pickard for their service. The Board has always been supportive; thank you.
- d. Heidi Pickard asks for the status of the Bike & Hike Trail. Autumn Canfield replies the township has the HOP, and the Board instructed her to work with neighboring townships to get the parking lot paved. The \$550,000 grant is waiting on environmental clearances, and the Board authorized the easement appraisal for the school tonight.

11. John Holahan motions to adjourn; meeting adjourned at 7:00PM.

Minutes recorded by Julia Heilakka

Respectfully submitted:



Julia Heilakka, Township Secretary
Crystal Butler