

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
APRIL 20, 2020

The April 2020 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on April 20, 2020, via GoToMeeting due to COVID-19 restrictions.

Present are Supervisors John Kerrick, David Carbone, Brendon Carroll, John Holahan, III, and Lloyd Vought. Solicitor Jonathan J. Reiss, Esq., Manager Robert Bartal, and Assistant Manager Autumn Canfield are also present.

1. Call Meeting to Order: John Kerrick calls the meeting to order at 6:01PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Public Questions/Comments on Meeting Agenda Items: No questions received.
4. Announcements: John Kerrick announces executive sessions were held for personnel and potential litigation on the following dates: February 28, 2020 from 8:30AM to 9:40AM; March 18, 2020 from 12:00PM to 12:31PM; March 20, 2020 from 8:30 AM to 9:15AM; March 23, 2020 from 8:30AM to 8:45AM; March 25, 2020 8:15AM to 9:15AM; March 27, 2020 from 8:30AM to 9:12AM; March 30, 2020 from 8:30AM to 9:35AM; April 1, 2020 from 8:30AM to 9:30AM; April 3, 2020 from 8:30AM to 9:05AM; April 6, 2020 from 8:30AM to 9:30AM; and April 8, 2020 from 8:30AM to 9:00AM; April 10, 2020 from 8:30AM to 9:15AM.
5. Consider Minutes: John Holahan motions to approve the minutes of February 2, 2020 Work Session; February 13, 2020 Special Meeting; February 15, 2020 Special Meeting; and February 18, 2020 Regular Business Meeting, Brendon Carroll seconds. Vote: all in favor; motion carries.
6. Treasurer's Report: John Holahan motions to approve the Treasurer's report for February 2020 and March 2020, Brendon Carroll seconds. Vote: all in favor; motion carries.
7. Ratify Bill Packs: John Holahan motions to ratify the March Bill Pack at \$445,388.22, April Bill Pack at \$210,011.37 and April 20, 2020 Bill Pack at \$271,417.07, Brendon Carroll seconds. Vote: all in favor; motions carries.
8. Solicitor's Report: Jonathan Reiss states Senate Bill 841 passed and allows digital tele-meetings and for extensions on pending applications and deadlines. The Board directs office staff to send out notices. Autumn Canfield recommends skipping to {Item r} in New Business; Consider Resolution 2020-007. Jonathan Reiss states Senate Bill 841 also allows townships to extend the deadline for real estate tax discount period. John Holahan motions to approve Resolution 2020-007, Lloyd Vought seconds. Vote: all in favor; motion carries.
9. Old Business: None.

10. New Business:

- a. Ratify Declaration of Disaster Emergency for COVID-19 Pandemic: David Carbone motions to ratify the declaration, Brendon Carroll seconds. Vote: all in favor; motion carries.

Autumn Canfield states Resolution 2020-008 extends the declaration to May 31, 2020. Brendon Carroll motions to approve Resolution 2020-008, John Kerrick seconds. Vote: all in favor; motion carries.
- b. Consider Cohen Law Group Proposal – Cable Franchise Renewal Services: John Holahan motions to approve the proposal, Brendon Carroll seconds. Vote: all in favor; motions carries.
- c. Reappoint Michelle Bisbing and Brendon Carroll to the Planning Commission: John Holahan motions to reappoint Michelle Bisbing, David Carbone seconds. Vote: all in favor; motions carries. Brendon Carroll recommends appointing Sam Keiper to his seat on the Planning Commission. John Holahan motions to appoint Sam Keiper to the Planning Commission, David Carbone and Brendon Carroll second at the same time. Vote: all in favor; motion carries.
- d. Consider UGI Utilities, Inc. Road Cut Escrow Refund: John Holahan motions to approve the refund, Brendon Carroll seconds. Vote: all in favor; motions carries.
- e. Consider Transco Gas Pipe Line Co. LLC Road Cut Escrow Refund: John Holahan motions to approve the refund, David Carbone seconds. Vote: all in favor; motion carries.
- f. Consider Fire Fund Distribution to PSVFC for Calibration Kit: David Carbone motions to approve the distribution, Brendon Carroll seconds. Vote: all in favor; motion carries.
- g. Consider Authorization to Advertise bid for 2020 Road Paving Projects: Item pulled off agenda.
- h. Consider Union Contract: David Carbone motions to approve the contract, Lloyd Vought seconds. Vote: all in favor; motions carries.
- i. Consider Economic Development Authority Request for Loan Increase: Tabled.
- j. Consider approving VSCP Application: David Carbone motions to approve the applicant, Brendon Carroll seconds. Vote: all in favor, motion carries.
- k. Kalahari Resorts Sewer District No. 1 Service Agreement: Jonathan Reiss reviews the request to release the letter of credit for pretreatments under the Inter-Municipal Agreement. Steve Pine and Ralph Gundrum state the current letter of credit attached to the pretreatment portion of the agreement is about to lapse. Now that pretreatment is no longer needed, they wish to allow the letter of credit to lapse. The Board discusses the request and daily flows of Kalahari. John Holahan motions to waive the requirement of pretreatments and associated letter of credit conditioned that Pocono Township does the same and voids the requirement out of the Intermunicipal Agreement, Brendon Carroll

seconds. Vote: all in favor; motion carries. The Board directs staff to send a letter to Pocono Township.

- l. Consider CR Landscaping Refund of Escrow: John Holahan motions to approve the refund, Brendon Carroll and David Carbone second at the same time. Vote: all in favor; motion carries.
 - m. Consider Rinehimer Construction, Inc. Refund of Unused ZHB Fees: Brendon Carroll motions to approve the refund, David Carbone seconds. Vote: all in favor; motion carries.
 - n. Consider Telephone Proposals: This item was requested to be moved to the end of New Business.
 - o. Rettew Proposals – SR940 Pocono Summit West Project Wetland Study: John Holahan motions to approve the wetland study not to exceed \$9,000.00, Brendon Carroll seconds. Vote: all in favor; motion carries.
 - p. Well Isolation Waiver Request: John Kerrick asks about a diagram and verification of location. Crystal Butler states she has not yet received the diagram but estimates the new distance to be 87 feet. John Holahan motions to waive the isolation distance, Lloyd Vought seconds. Vote: all in favor; motion carries.
 - q. Dunne Manning MOU: Jonathan Reiss reviews the MOU. John Holahan motions to approve the MOU, Lloyd Vought seconds. Vote: all in favor; motion carries. Jonathan Reiss states another issue with Stillwater Drive exits in regards to ownership and he recommends the township own. The Board has consensus.
- {n.} Consider Telephone Proposals: Crystal Butler reviews the recently collected information in regards to fiber service. The Board discusses the option of fiber internet and phone service. John Holahan motions to approve PenTeleData for fiber internet phone service, Lloyd Vought seconds. Vote: all in favor; motion carries.

11. Board of Supervisors Report:

- a. Robert Bartal states Stoney Hollow Road Bridge over Wolf Spring Run has some structural issues. An engineer will perform a follow up inspection next week.
- b. Robert Bartal states he is in receipt of bids for work on Caughbaugh Road. Lloyd Vought states he would like to see township trucks utilized for the work and an adjustment to the bid process to avoid conflicts of interest. David Carbone motions to approve Papillon and Moyer for maintenance to Caughbaugh Road, Brendon Carroll seconds. Vote: David Carbone, Brendon Carroll, John Holahan, III, and Lloyd Vought in favor, John Kerrick abstains; motion carries.
- c. Autumn Canfield states a proposed traffic impact study of the Pocono Summit area is being reviewed. Earl Armitage along with the staff of the township are requesting to contact property owners to determine the study area and define what would be fair share cost. John Kerrick ask what happens when a property owner does not wish to be a part of the study. Earl Armitage replies the study would not include their information and they

would be responsible to have their own study done. John Holahan motions to approve the request, David Carbone seconds. Vote: all in favor; motion carries. Brendon Carroll volunteers to be the Supervisor Representative for the meetings with property owners.

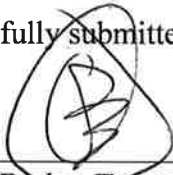
12. Public Comments:

- a. Mike Christian emailed in and asks Jonathan Reiss about the township's support for the special exception in regards to the Dunne-Manning MOU. Jonathan Reiss states he wants to clarify the language in the MOU so that it is understood they would still have to do land development but explains to the Board the property is both commercial and residential.
- b. Juliet Dunham emailed in that the library is still closed as they adhere to state restrictions. Online resources are available. Anne Hogya adds there are eBooks and audio books available.
- c. Robert Bartal states Spring Clean Up and Community Day are cancelled.
- d. Ed Tutrone states that the TTVFC has the ability to do a disinfectant fogger in the buildings.
- e. John Holahan states according to the state on May 8, 2020 residential construction and online car sales can start again.

13. John Holahan motions to adjourn, Brendon Carroll seconds. Vote: all in favor, meeting adjourned at 7:28PM.

Minutes recorded by Crystal Butler

Respectfully submitted:

A handwritten signature in black ink, appearing to be 'Crystal Butler', enclosed within a circular scribble.

Crystal Butler, Township Secretary