

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
WORK SESSION  
JANUARY 19, 2021

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The January 2021 Work Session Meeting of the Tobyhanna Township Board of Supervisors was held on January 19, 2021, over digital tele-meeting due to Covid-19 restrictions.

Present are Supervisors John Kerrick, Brendon Carroll, John Holahan, III, and Lloyd Vought, Solicitor Jonathan J. Reiss, Esquire, Manger Robert Bartal, and Assistant Manager Autumn Canfield. David Carbone arrives at 6:12PM

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: None.
4. Announcements: John Kerrick announces an executive sessions were held for litigation and personnel on January 6, 2021 from 10:00AM to 10:10AM and January 19, 2021 from 5:30PM to 6:00PM.
5. January 19, 2021 Bill Pack: Brendon Carroll motions to approve the bill pack in the amount of \$669,888.87, Lloyd Vought seconds. Vote: all in favor; motion carries.
6. Solicitor's Report:
  - a. Jonathan Reiss states Kamal Trucking is filing a Land Use appeal to the court of common pleas and he is looking for authorization to have Grim Biehn and Thatcher represent the township in the appeal. Brendon Carroll makes that motion, John Holahan seconds. Vote: all in favor; motion carries.
7. Manager's Report:
  - a. Monthly Report from Long Nyquist and Penn Strategies: Robert Bartal has included updates for both firms in the Supervisors paperwork. He continues stating both firms have been very receptive to questions and providing updates. The Board states the monthly updates are helpful.
  - b. Monthly Septic/Zoning Report: Robert Bartal states there have been 15 Septic permits issued in December 2020 and 4 in December 2019 for an increase of 9. He continues stating 26 Zoning applications submitted in December 2020 and 17 received in December 2019 for an increase of 11.
8. Committee Reports
  - a. PMRPC: Brendon Carroll reviews the previous meeting with PMRPC and states the extra hours for the township are being used.
  - b. PMREMS: No report.

- c. Fire Commission:
- d. EDA: Brendon Carroll states the EDA reorganized at their last meeting and will have a better report for next month. John Holahan asked about Daryl Morris' appointment to the EDA. The Board will discuss later in the meeting.
- e. NIDA: No report.
- f. PMCOG: No Report.

9. Old Business:

- a. Planning Commissions' Comments of Zoning Amendment for Permit Time Issuance: Robert Bartal reviews the comments from both Planning Commissions. Monroe County recommended approval but the township's planning commission would like to see 10 days for issuance with a penalty clause in the third party's contract for not approving within that time. Robert Bartal reviews the procedure if any changes are made to the draft amendment. Jonathan Reiss explains other townships have 30 day time frames per the MPC and that the penalty clause will be a non-starter with the third party. John Kerrick asks if there is a problem with the 7 days as the ordinance is written. Robert Bartal expresses concern with using a third party for zoning that it's a possibility that permits would not be issued in time and fees would have to be refunded. Brendon Carroll states he has not seen in the MPC where it states a 30 day time frame. John Holahan states he would like to keep it at 15 days as drafted. Robert Bartal and Crystal Butler Reviews the process of a zoning application through issuance. Brendon Carroll recommends removing the fee refund language out of the ordinance. Jonathan Reiss will look further into the MPC and other statutes to determine time frame. Brendon Carroll motions to table, John Holahan seconds. Vote: all in favor; the item is tabled.
- b. Zoning Hearing Board Appointment: The item was tabled.

10. New Business:

- a. Consider Bureau Veritas Lease and Professional Service Agreements: Robert Bartal reviews the agreements. John Kerrick ask if there is a claw back provision. Robert Bartal states it is a 30 day provision. John Holahan motions to approve the agreements, Brendon Carroll seconds. Vote: all in favor; motion carries.
- b. Consider Authorization to Execute Construction Inspection Agreement: Robert Bartal explains this is for the Hike and Bike Project with a maximum cost of \$63,613.12. John Holahan motions to approve, Brendon Carroll seconds. Vote: all in favor; motion carries.
- c. Consider Appraisal Proposal from Tim McKeown for Pocono Summit Properties: Robert Bartal in waiting for DEP decision is seeking the Board's determination to move forward with the appraisal or wait for DEP. John Holahan motions to table, David Carbone seconds. Vote: all in favor; the item is tabled.

- d. Consider Tunnkhannock Township's Request for John Buzz EIT Credit for VSCP: Crystal Butler reviews the request stating it is the same request as last year. Brendon Carroll motions to approve the request, David Carbone second. Vote: all in favor; motion carries.
- e. Re-designate Voting Delegate for PSATS: David Carbone volunteers to be the voting delegate. Brendon Carroll motions to appoint David Carbone as the voting delegate, Lloyd Vought seconds. Vote: John Kerrick David Carbone, Brendon Carroll, and Lloyd Vought in favor, John Holahan opposed; motion carries.
- f. Consider Release of Additional Escrow Fees for Keiper Minor Subdivision: Brendon Carroll motions to approve in the amount of \$513.00, David Carbone seconds. Vote: all in favor; motion carries.
- g. Discuss Administrative Permits to be Issued by Township Personnel: Robert Bartal states there are some permits separate from the Zoning Ordinance that are currently issued by the Zoning Officer that can be issued by Township staff instead to save cost. John Holahan motions to authorize Jonathan Reiss to draft the amendment, Brendon Carroll seconds. Vote: all in favor; motion carries.
- h. Discuss Fee Schedule: The Board directs the Crystal Butler to set up meeting with Brendon Carroll and Lloyd Vought to review the fee schedule.
- i. Discuss Zoning Map Changes: Autumn Canfield reviews the status of the project. Brendon Carroll suggest a joint meeting with the Planning Commission. The Board discusses having a supervisors or two attend a Planning Commission Meeting for the Zoning Map Changes.

11. Board off Supervisor Report:

- a. David Carbone is reviewing some tree ordinances to see if it's worth having in the township.
- b. John Holahan asks again about the Daryl Morris appoint to the EDA. Brendon Carroll is reaching out to Jack Dean in regards to the appointment. Jonathan Reiss states that a member of the EDA cannot be removed he would have to resign.

12. Public Comment:

- a. Ralph Gundrum states Kalahari has space for meetings if the township needs it. He also states he was unaware Daryl Morris was appointed and will touch base with him in regards.

13. Adjournment: Meeting adjourning at 7:02PM.

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Minutes recorded by Crystal Butler

Respectfully submitted:

A handwritten signature in black ink, consisting of several overlapping loops and a central vertical stroke, positioned above a horizontal line.

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Crystal Butler, Township Secretary