

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
MARCH 15, 2021

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The March 2021 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on March 15, 2021, via GoToMeeting due to COVID-19 restrictions.

Present are Supervisors John Kerrick, Brendon Carroll, and John Holahan, III are present. Solicitor Jonathan J. Reiss, Esq., Manager Robert Bartal, and Assistant Manager Autumn Canfield are also present. David Carbone arrives at 6:10PM

1. John Kerrick calls the meeting to order at 6:00PM. A quorum is present.
2. The Pledge of Allegiance is recited.
3. Public Comments on Agenda Items: None.
4. Announcements: John Kerrick announces an executive session was held March 8, 2021 from 11:00AM to 11:35AM for personnel and real estate.
5. Public Hearings:

- a. Liquor License Transfer – Aharts Market in Blakeslee – Resolution 2021-010: John Holahan motions to open the hearing, Brendon Carroll seconds. Vote: all in favor; the hearing is open.

Jonathan Reiss reviews the application for the transfer of the liquor license. He states any vote by the Board will require a minimum of three votes to approve. He asks if anyone attending the hearing wishes to have party status. No one has interest in party status. Jonathan Reiss reviews the exhibits for the public hearing. David Horvath is representing the applicant George Ahart. George Ahart is sworn in. David Harvath questions the applicant on the application of the liquor license transfer clarifying the location of the store in Blakeslee and that the liquor license is being transfer from Barret Township. George Ahart reviews the manner in which he plans to sell alcohol in the grocery store and some of the PLCB Regulations he is planning to implement.

David Carbone joins the meeting. Jonathan Reiss asks David Horvath if he has any objections to David Carbone weighing in on the hearing. David Horvath has no objections. Jonathan Reiss asks the Board if they have any questions. The Board has no questions. Jonathan Reiss asks the public if they have any questions. There were no questions from the public.

John Holahan motions to close the hearing, Brendon Carroll seconds. Vote: all in favor; the hearing is closed.

John Holahan motions to approve the application in the form of Resolution 2021-010 Liquor License Transfer for Aharts, David Carbone seconds. Vote: all in favor; motion carries.

- b. Ordinance 562 – Amendment for Chapter 49 – Alarm Systems and Chapter 82 – Lawn, Yard, Garage, Tag and Estate Sale -Bazaar, Fair and Festival: Brendon Carroll motions to open the hearing, John Holahan seconds. Vote: all in favor; the hearing is open.

Jonathan Reiss reviews the changes to the chapters to move permit issuance for the items to designated staff and not the Zoning Officer.

John Holahan motions to close the hearing, Brendon Carroll seconds. Vote: all in favor; the hearing is closed.

Brendon Carroll motions to adopt Ordinance 562, John Holahan seconds. Vote: all in favor; the ordinance is adopted.

6. Consider Minutes: John Holahan motions to approve the minutes of September 15, 2020 Budget Session, October 27, 2020 Budget Session, December 7, 2020 Work Session, December 21, 2020 Regular Business Meeting, January 4, 2021 Reorganizational Meeting, January 4, 2021 Regular Business Meeting, January 19, 2021 Work Session, David Carbone seconds. Brendon Carroll states Al Kerrick' s name is spelled wrong on the December 21, 2020 Regular Business Meeting Section 12 (b) on page 3. Crystal Butler will make the correction. Vote: all in favor; motion carries.
7. Treasurer's Report: Brendon Carroll reviews the February Treasurer's Report. John Holahan motions to approve the report, David Carbone seconds. Vote: all in favor; motion carries.
8. March 15, 2021 Bill Pack: Brendon Carroll motions to approve the March 15, 2021 Bill Pack in the amount of \$403,087.66, David Carbone seconds. Vote: all in favor; motion carries.
9. Manager's Report:
  - a. Long Nyquist/ Penn Strategies Monthly Report: Robert Bartal reviews the updates received and states that they have been included in their binders.
  - b. February 2021 Septic/Zoning Report: Robert Bartal states Zoning permits were down by 1 and septic applications were down by 3, possibly due to recent weather.
10. Solicitors Report: No report.
11. DPW Report: Brendon Carroll states Vehicle N0. 3 is being asked to be decommissioned as it is no longer safe. He also states the DPW Committee is considering turning in the two old Ford Explorers as they are not being used.
12. Old Business:
  - a. Consider Comments from The MCPC and the TTPC for Short Term Rental Ordinance/Zoning Amendment: John Kerrick states the MCPC would like to see the ordinance be more restrictive where the township's planning commission is looking for less restrictions. John Holahan states he still wants to see a standalone ordinance along with the zoning amendment. Brendon Carroll would like to see the onus on the short term rental owner and reduce burden on the staff. He also expresses his concerns on the emergency services who respond to calls at these short term rentals. Jonathan Reiss suggests the staff to touch base with surrounding townships in regards to their ordinances. Robert Bartal states some of the suggestions he has received is utilizing a noise monitoring devices on the short term rentals. The Board has concerns about costs and that they don't want this to cost the tax payers extra money. John Holahan asks about the process in which to move forward with adopting ordinances and fees. Jonathan Reiss states the township still needs to advertise for the public hearing for the ordinances and suggest doing a change to the fee schedule at the same time. He also suggests doing both the zoning ordinance amendment and the standalone together to prevent owners from saying they are grandfathered in. The Board looks to schedule another meeting to simplify and make changes to the short term rental ordinance.
13. New Business:
  - a. Consider Appointment of Supervisor: David Carbone motions to appoint Rachel Schickling as Supervisor, Brendon Carroll seconds. John Holahan speaks against the motions. Vote: John Holahan votes nay; David Carbone, Brendon Carroll and John Kerrick vote in favor; the motion carries.

- b. Consider Appointment for Zoning Hearing Board: Brendon Carroll motions to appoint John Henry to the Zoning Hearing Board, John Holahan seconds. Vote: all in favor; motion carries.
- c. Consider Authorization to Send Zoning Amendment for Permit Issuance Time Frame to the MCPC and the TTPC: Brendon Carroll motions to send the amendment to the planning commissions, David Carbone seconds. Vote: all in favor; motion carries.
- d. Consider Approval of Tobyhanna Site LLC Planning Module – Resolution 2021-011: John Holahan motions to approve the resolution for the planning module, Brendon Carroll seconds. Vote: John Holahan, Brendon Carroll, and David Carbone vote in favor; John Kerrick abstains; motion carries.
- e. Consider Approval of Keswick Pointe Minor Sub-division and Lot Line Adjustment: John Holahan motions to approve a modification to the final approved plan of the PRD, Brendon Carroll seconds. Vote: all in favor; motion carries.
- f. Consider Rettew Addendum #6 for an Additional \$40,000.00: Robert Bartal states this addendum is for part of the 380 realignment project. Brendon Carroll motions to approve the addendum, David Carbone seconds. Vote: all in favor; motion carries.
- g. Consider Kalahari DCED Grant Agreement: Robert Bartal states this grant is for Kalahari to help with sewer cost in which the township will receive reimbursement to administer the grant. David Carbone motions to approve the agreement, Brendon Carroll seconds. Vote: all in favor; motion carries.
- h. Planning Commission’s Formal Request to review SALDO Ordinance: Brendon Carroll is in favor of sending a letter of support and feels that some work can be done on the SALDO to clean up the ordinance. The Board has consensus to send a letter of support.
- i. Consider memorial Day Parade on Old Route 940: Robert Bartal states he has not received any documentation from the requester. The item is tabled.

14. Board of Supervisors Report:

- a. John Kerrick states he would like to have an executive session after the meeting.

15. Public Questions and Comments:

- a. Bruce Freedman states he is in favor of a short term rental ordinance.
- b. Ricky Cortez states he is in favor of short term rentals.
- c. Nicole Grous states Coolbaugh Township is struggling to get rental owners to comply with permitting. She is in favor of inspection to keep short term rental owners in check.
- d. Wendy Manley states she left Crystal Butler information for the supervisors and she asks about the time frame for the ordinances to be passed. Jonathan Reiss states the timing will depend on what happened at the next meeting for draft ordinance and the process of advertising takes at least a month.
- e. Moria Sedgwick states she is in favor of short term renting.
- f. Autumn Canfield states that Mike Peterson is asking about the numbers of letters of intent received for the supervisor’s vacancy. John Kerrick states he believes it was four letters of intent received and the applicants were interviewed.

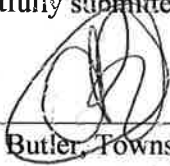
- g. Ed Tutrone asks who were the four letters of intent from. John Kerrick states Tia Fritz, Rachel Schickling, Mike Erlsten, and Joe Crandle submitted letters. Ed Tutrone asks if Rachel Schickling will come off the Planning Commission to allow another resident to serve. John Kerrick and John Holahan both state they don't see any problem with that. Jonathan Reiss states she would have to decide if she wants to vacate her seat. John Holahan states one of the EDA members that are a supervisor will have to come off since the bylaws state there can only be 2 supervisors.
- h. Anthony Rallo states he is in favor of short term rentals and that it is important to pass the zoning amendment to legitimize owners.
- i. Carolina Sorilla is in favor of short term rentals.
- j. Denise Wash asks Jonathan Reiss why the zoning amendment can't advance without the standalone. He states he does not want to risk short term rental owners thinking they are grandfathered in by having the township pass the zoning amendment without the standalone.
- k. John Holahan states new platforms such as AirBnB and VBRO have changed the face of short term renting.
- l. Mike Erlsten complains about garbage on Old Route 940. The staff states that complaint has been passed to the Zoning Officer and Monroe County Waste Authority.

16. Meeting adjourned at 7:22PM.

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Minutes recorded by Crystal Butler

Respectfully submitted:



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Crystal Butler, Township Secretary