

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS SESSION
FEBRUARY 22, 2022

The February Regular Business Meeting of the Tobyhanna Township Board of Supervisors (“Board”) was held on February 22, 2022, at the Tobyhanna Township Government Center located at 105 Government Center Way, Pocono Pines, PA 18350.

John Kerrick, David Carbone, Brendon Carroll, Rachel Schickling, and Joseph Colyer are present. Also present is Owen Coleman, Solicitor, Robert Bartal, Manager, and Autumn Canfield, Assistant Manager.

1. John Kerrick calls the meeting to order at 6:00PM, a quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements: John Kerrick states an executive session was held on February 7, 2022 from 7:10PM to 7:35PM for litigation.
4. Solicitor’s Report: Owen Coleman states his report has been given to the Board.
5. Manager’s Report:
 - a. Monthly Report from Penn Strategies: Robert Bartal states the report has been provided to the Board. He continues stating there are three resolutions on this agenda for submission of grants with Penn Strategies.
 - b. January 2022 Zoning and Septic Report: Robert Bartal reviews the Zoning and Septic Report stating the septic applications are down 4 from 2021 and zoning permits are down 5 from 2021.
6. Committee Reports:
 - a. PMRPC: Brendon Carroll states call volume is down as well as complaints and accidents. He continues stating the township is over 180 hours for the month and cumulatively 211 hours for the year.
 - b. PMREMS: Joseph Colyer states he will report at the next meeting.
 - c. Fire Commission: No report.
 - d. EDA: Rachel Schickling states the PIL is still being discussed with Kalahari and special council. Brendon Carroll states the EDA property has been listed for sale.
 - e. NIDA: No report.
 - f. PMCOG: No report.

- g. Library: Mary Erm introduces herself as the new director. She states there is not much to report except they are working on their state report. She also gives an update on John Bloyce's recovery.
- h. STR: John Kerrick states the Draft Short Term Rental Ordinance will be posted on the website tomorrow morning along with an email for comments to be sent to.
- i. DPW/Vehicle Report: Corey Burd reviews the DPW Report. He states no repairs were done in the month but there was a minor failure of an axel seal on one of the trucks this morning that will be worked on. He continues stating the DPW staff are working on finishing some projects. David Carbone thanks the DPW for a good job on snow removal. Rachel Schickling asks about straightening up road signs. Corey Burd states the they have started working on that. John Kerrick asks for an update on the 423 Bridge. Corey states PennDOT is expected to finish June 1st, 2022.
- j. Planning Commission: John Kerrick states the Planning Commission has submitted their annual report to the Board. Brendon Carroll motions to accept the annual report, David Carbone seconds. Vote: all in favor; motion carries.

7. Discussion Items:

- a. Consider Appointments:
 - i. Discuss Appointment to EDA – LOI from Mike Murphy: Brendon Carroll motions to accept the LOI from Mike Murphy for the EDA vacancy, Rachel Schickling seconds. Vote: all in favor; motion carries.
- b. Discussion on Draft Fire Ordinance: John Kerrick states the draft will be sent to the fire companies for their comments and will entertain a motion to advertise for a public hearing. Brendon Carroll motions to authorize to advertise for a public hearing. Robert Bartal states he is unsure if a public hearing is needed. Owen Coleman states a notice for public hearing for the ordinance shall be published and reads requirements for the publication. Brendon Carroll amends his motion to advertise for public comment and a public hearing, David Carbone seconds. Vote: all in favor; motion carries.
- c. Discussion of Land Development Waiver Approval for Kalahari Equalization Tank Project: Nick Argot from Borton Lawson reviews the request for land development waiver for the equalization tank project. He states that he believes this structure would be considered an accessory structure and wants to proceed with the waiver process for land development. Owen Coleman reviews the townships ordinance requirements for land development waiver and states the waiver process does not apply to this project. Brendon Carroll states he thought the project was an accessory use and would apply for the waiver process. The Board discusses the tank's use and the process for land development. The Board has consensus for the project to go through land development process.

8. Action Items:

- a. Authorize to Advertise 2022 Tree Trimming Bid: Brendon Carroll motions to authorizes to advertise the 2022 Tree Trimming Bid, David Carbone seconds. Ed Tutrone asks which roads are they trimming trees. David Carbone reads off the list of roads for the tree trimming bid. Robert Bartal states the same roads are proposed for the Road Paving Bid. Vote: all in favor; motion carries.
 - b. Authorize to Advertise 2022 Road Paving Bid: Brendon Carroll motions to authorizes to advertise the 2022 Road Paving Bid, David Carbone seconds. Vote: all in favor; motion carries.
 - c. Consider Resolution 2022-007 Application for GTRP Grant: Brendon Carroll motions to approve the resolution, David Carbone seconds. Vote: all in favor; motion carries.
 - d. Consider Resolution 2022-008 Application for DCNR Community Parks and Recreation Grant: Brendon Carroll motions to approve the resolution, Joseph Colyer seconds. Vote: all in favor; motion carries.
 - e. Consider Pinecrest PRD Phasing Schedule Amendment: Rachel Schickling motions to approve the phasing amendment, David Carbone seconds. Vote: John Kerrick, David Carbone, Rachel Schickling, and Joseph Colyer all in favor, Brendon Carroll abstains; motion carries.
 - f. Consider Zelenkofske Axelrod Engagement Letters: Audit and DCED Report: Rachel Schickling motions to approve the engagement letters from Zelenkofske for both the audit and DCED Report in an amount not to exceed \$15,000.00, Brendon Carroll seconds. Vote: all in favor; motion carries.
 - g. Consider Resolution 2022-009 Temporary Closure and Detour of Hudock Rd.: David Carbone motions to approve the resolution, Brendon Carroll seconds. Heino Fetty asks why there would be a closure. John Kerrick states Hudock Road is being relocated to go around the Saint Luke's Medical Center. Vote: David Carbone, Brendon Carroll, Rachel Schickling, and Joseph Colyer vote in favor, John Kerrick abstains; motion carries.
 - h. Consider Temporary Access and Constriction Easement Agreement for Hudock Road: David Carbone motions approve the agreement, Brendon Carroll seconds. Vote: David Carbone, Brendon Carroll, Rachel Schickling, and Joseph Colyer vote in favor, John Kerrick abstains; motion carries.
 - i. Consider Resolution 2022-010 Authorizing Submission of State LSA Grant: Brendon Carroll motions to approve the resolution, Rachel Schickling seconds. Vote: all in favor; motion carries.
9. Treasurer's Report: Brendon Carroll reviews the January 2022 Treasurer's Report. David Carbone motions to approve the treasurer's report, Rachel Schickling seconds. Vote; all in favor; motion carries.

10. Consider February 22, 2022 Bill Pack: Rachel Schickling motions to approve the bill pack in the amount of \$424,158.28, Joseph Colyer seconds. Vote: all in favor; motion carries.

11. Board of Supervisors Report/Comment:

- a. David Carbone states the dog park is coming along well and hopes to schedule a park's meeting soon to design with equipment.
- b. Rachel Schickling asks about jake brakes on trucks. John Kerrick states it was discussed a long time ago and was un-enforceable and is unsure if that has changed. Rachel asks if that could be added to the noise ordinance. John Kerrick states the Solicitor can look into it.

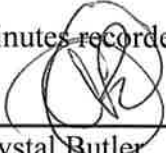
12. Public Comment:

- a. Heino Fetty states to stay awake from jake brakes and asks if PennDOT is aware of the Hudock Road work pertaining to liquid fuels. The Board states they have notified PennDOT.
- b. Deana Huges expresses concerns about a possible warehouse in Blakeslee. Robert Bartal states no formal application has been submitted and also states the area is zoned for the use of a warehouse.
- c. Michael Camino states he was here to talk about short term rentals. He states the township is a tourist area and asks about the draft ordinance to be posted. The Board states the draft will be posted to the website tomorrow and a special meeting to be scheduled soon.
- d. Tammy Livziewy thanks the Board for their donation and also express concerns about a possible warehouse in Blakeslee. She asks when the zoning on the parcel changed. Robert Bartal states that parcel was zoned commercial industrial in 1995. Tammy Livziewy reviews the impacts of a warehouse in Blakeslee and asked if the zoning for that parcel can be changed. Robert Bartal explains the township could be open up to a lawsuit from interested parties if they started to attempt to change the zoning. The Board explains the process for land development.
- e. Wei Zhou reviews materials he provides to the Board and asks them to review before making a decision on the short term rental ordinance. He thanks the Board for their efforts.
- f. Iris Otano states she is speaking on behalf of short term rentals. She asks for information on maximum occupancy in the new draft and when comments can be submitted. John Kerrick states once the new draft gets posted email comments can be submitted and a meeting scheduled.
- g. Maryann DiAmore reads contact information for the company proposing a cell tower on Third Street and express concerns.

- h. Paul Lopez also express concerns for the cell tower and thinks another location should be found to place the tower.
- i. Anthony Rollo asks about possible legal stumbling blocks the Supervisors had. David Carbone states there were just a few legal questions from the Board they wanted to ask and review before putting out the draft.
- j. Donna Slagle states she is a realtor and regulations are needed for short term rentals. She reviews the impact of short term rentals on the local area.
- k. Kelsey Yu states she is a short term rental owner and has information on best practice of short term rentals she would share.
- l. Michael Camino states Emerald Lake Committee is hosting a meeting on best practices for short term rental and invites anyone to join.

13. Adjournment: The meeting adjourns at 7:11PM

Minutes recorded by Betsy Tiene



Crystal Butler
Township Secretary