

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS SESSION
DECEMBER 20, 2021

The December 2021 Regular Business Meeting of the Tobyhanna Township Board of Supervisors (“Board”) was held on December 20, 2021, at the Tobyhanna Township Government Center located at 105 Government Center Way, Pocono Pines, PA 18350.

John Kerrick, David Carbone virtually, Brendon Carroll virtually, John Holahan, III, and Rachel Schickling virtually are present. Also present is Harry Coleman, Solicitor, Robert Bartal, Manger, and Autumn Canfield, Assistant Manager.

1. John Kerrick calls the meeting to order at 6:02PM, a quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements: Robert Bartal states a vaccine card is needed to remain in the meeting.
4. Consider Minutes: David Carbone motions to approve the minutes of November 15, 2021 Regular Business Meeting, Brendon Carroll seconds. Vote: all in favor; motion carries.
5. Solicitor’s Report: Harry Coleman states his report has been given to the Supervisors. He also states the request for Declaratory Judgment for Clymer Library has been filed.
 - a. Public Hearing Ordinance No. 566 Non-Uniform Pension Plan amendment: John Holahan motions to open the public, David Carbone and Brendon Carroll second. Vote: all in favor; the public hearing is open.

Harry Coleman states this amendment for the pension plan comes at the recommendation of the pension company.

John Holahan motions to close the public meeting, David Carbone seconds. Vote: all in favor; the public hearing is closed. Agenda Item moved to Action Items.

6. Manager’s Report:
 - a. Monthly Report from Penn Strategies: Robert Bartal states the report has been provided to the Board.
 - b. November 2021 Zoning and Septic Report: Robert Bartal reviews the Zoning and Septic Report stating the zoning was down 7 from 2020 and septic was up 13 from 2020.
 - c. Multimodal Grant Response: Robert Bartal states we did not receive funding from the Multimodal grant that was applied for.

7. Discussion Items:

- a. Discuss I 380 Project Phasing: Earl Armitage from Pennoni presents the I 380 off ramp realignment. He reviews the phases and states the first phase will be ready to go out to bid in January 2022.
- b. Knowles Proposal with Traveler's Insurance: Robert Bartal reviews the proposal from Knowles with the recommendation to switch to Traveler's Insurance. He states raising cyber liability coverage and considering removing the fire company vehicles from the policy was recommended by Mr. Zimmerman from Knowles Insurance. Mr. Zimmerman discusses the reasons from removing the fire company vehicles from the insurance to include liability and replacement value coverage. Robert Bartal states the current policy expires at the end of the year but the township could carry the coverage on the fire company vehicles for another 45 days until the fire companies get coverage. John Holahan motions to switch to Traveler's Insurance under Knowles, increase Cyber Liability to \$1,000,000.00, and have the fire companies obtain their own insurance in 45 days, Brendon Carroll seconds. Ed Tutrone asks if the whole amount for insurance coverage would be subsidized for 2022 as they did not budget for that. John Kerrick states we need to see how much it will be and go from there. Vote: John Kerrick, David Carbone, Brendon Carroll, John Holahan in favor; Rachel Schickling does not respond; motion carries.
- c. Discuss Change Request Order for Huddock Road – Tobyhanna Site: Robert Bartal reviews the request to change the apron construction received from Tobyhanna Site. He states the developer would like to change the apron from concrete to asphalt. John Holahan states the engineer from Reilly Associates says both ways are acceptable but recommends staying with the concrete. John Holahan motions to deny the request, David Carbone seconds. Brendon Carroll asks for clarification if the township would be responsible for the maintenance. John Kerrick states once the township accepts the road, then yes, we would be responsible for the maintenance. The Board discusses future maintenance cost for the concrete versus the asphalt and stripping options. Vote: Rachel Schickling, David Carbone and John Holahan in favor, Brendon Carroll votes no, John Kerrick abstains; motion carries.
- d. Discuss Addendum #2 to Temporary Aquifer Testing and Access Easement: Robert Bartal reviews the addendum to the testing and access agreement with Pocono Mountain School District. He states this would extend the agreement for another 24 months. John Holahan motion to extend the agreement another 24 months, Brendon Carroll seconds. Vote: all in favor; motion carries.
- e. Discuss Kalahari/PMI Equalization Tank- Amendment Sewer Agreement: John Kerrick states this item will be discussed in two parts; the equalization tank and then Sewer Agreement Amendment. Harry Coleman reviews the changes to the Intermunicipal Agreement in removing the need for pretreatment facilities in exchange for an equalization tank. He states this has been reviewed by all parties involved to include Pocono Township. John Holahan motions to authorize the Chairman to execute the amendment to the Intermunicipal Sewer Agreement with Pocono Township, Brendon

Carroll seconds. Vote: Rachel Schickling, David Carbone, Brendon Carroll, and John Holahan in favor; John Kerrick abstains; motion carries. Harry Coleman states the Sewer District #1 Agreement with Kalahari will also need to be changed to reflect the equalization tank and will be the next step in the process. Ralph Gundrum states waiting for these documents to be executed is holding up equipment and costing Kalahari. Harry Coleman reviews the steps of the process, apologizes for any delay, and expects this to be ready by the next meeting in January.

- f. Discuss Kalahari DCED Tourist Attraction Grant Agreement: Harry Coleman reviews the agreement for the marketing/tourist grant along with minor changes needed per DCED and administration cost. He states the township would be administering the grant. John Holahan motions to adopt agreement conditioned on edits but not to authorize for signing, Brendon Carroll seconds. John Kerrick asks about cost for the township to administer. Robert Bartal states the agreement accounts for \$20,000 for fees. Ralph Gundrum states Kalahari did not apply for the grant and would to review before execution. Harry Coleman agrees. Vote: Rachel Schickling, David Carbone, Brendon Carroll, and John Holahan in favor; John Kerrick abstains; motion carries.

8. Action Items:

- a. Consider Resolution 2021-025 Budget Reappropriations: John Holahan motions to approve the resolution, Brendon Carroll and Rachel Schickling second. Vote: all in favor; motion carries.
- b. Consider Resolution 2021-026 Adopting 2022 Township Budget: Brendon Carroll motions to approve the resolution, David Carbone seconds. Vote: all in favor; motion carries.
- c. Consider Resolution 2021-027 2022 Tax Millage Rate: Rachel Schickling motions to approve the resolution, Brendon Carroll seconds. Vote: all in favor; motion carries.
- d. Consider Appointment of June O'Neil as Deputy Tax Collector: David Carbone motions to approve appointment, Brendon Carroll seconds. Robert Bartal explains this appointment coincides with the election of the tax collector. He states the deputy serves as tax collector if the elected tax collector is incapacitated or unable to serve. Vote: all in favor; motion carries.
- e. Consider Approval of TTVFC VSCP Eligibility List: John Holahan motions to approve the list, Brendon Carroll seconds. Rachel Schickling asks if it was important that the eligibility list was missing some addresses. Crystal Butler states TTVFC had software issues and the list was put together without all the address information. Vote: all in favor; motion carries.
- f. Consider Resolution 2021-028 COPS Grant: Robert Bartal reviews the grant for 2 additional officers. He explains the breakdown for each township's responsibilities. Harry Coleman states a MOU will be a part of this grant for the member municipalities. John Holahan motions to approve the resolution, Brendon Carroll seconds. Vote: all in favor; motion carries.

Item taken out of order (Action on Ordinance No. 566 Pension Amendment): Robert Bartal states action on the Ordinance from the Solicitor's Report Public Hearing still needs to be addressed. David Carbone motions to adopt Ordinance No. 566, Brendon Carroll seconds. Vote: all in favor; motion carries.

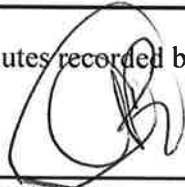
(Item Not on Agenda) Harry Coleman states a Draft MOU had been sent to the fire company without any response and recommends a committee be formed to review the fire service ordinance. David Carbone volunteers for the committee. He states he would like for John Kerrick and Robert Bartal to also be on the committee.

9. Consider Resolution 2021-029 Recognizing John J. Holahan, III (Taken out of order): John Kerrick reads the resolution. David Carbone motions to approve the resolution, Brendon Carroll seconds. John Holahan thanks the staff and the residents for allowing him to serve. Vote: John Kerrick, Brendon Carroll, and David Carbone vote in favor, Rachel Schickling votes no, John Holahan does not vote; motion carries. Jack Rader presents John Holahan with a plaque for his service.
10. Treasurer's Report: Tabled.
11. Consider December 20, 2021 Bill Pack (Taken out of order): David Carbone motions to approve the Bill Pack in the amount of \$1,046,182.72, Brendon Carroll seconds. Vote: all in favor; motion carries.
12. Board of Supervisors Report/Comment: None.
13. Public Comment:
 - a. Joe Crandall asks on the status of the short term rental ordinance. Harry Coleman states it is still being reviewed by the Board and himself. He gives thanks to John Holahan for his work on the STR Committee. John Holahan states the Board and staff will be meeting with companies that do the short term rental work for the township.
 - b. Anne Hersh addresses the Board in regards to short term rentals. She states she is in favor of 5 to 7 day limits and other restrictions.
 - c. Wendy Manley asks who will be running the STR Committee. John Kerrick states that would be handled at the Reorganizational Meeting.
 - d. Ralph Gundrum introduces representatives from Borton Lawson. They ask for a land development waiver for the equalization tank. Crystal Butler states an application of land development waiver was incomplete and a list of items still needed was given to Nick Argot of Borton Lawson without any further response. A review of the proposed work was presented for the equalization tank.
 - e. John Holahan urges progress on the short term rental ordinance.

- f. Ed Tutrone asks about the fire ordinance. Harry Coleman states the work to be done is to be more aligned with the requirements of the second class township code. Ed Tutrone state the companies are familiar with the requirements and asks if the companies will be included in the conversation. Harry Coleman states the process hasn't begun yet and if the time arise and its needed, the Board could reach out to the companies.

14. Adjournment: The meeting adjourns at 7:27PM

Minutes recorded by Crystal Butler



Crystal Butler
Township Secretary