

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
WORK SESSION
DECEMBER 6, 2021

The December 2021 Work Session Meeting of the Tobyhanna Township Board of Supervisors was held on December 6, 2021, at the Tobyhanna Township Municipal Building Meeting Room in Pocono Pines Pa.

Present are Supervisors John Kerrick, David Carbone, Brendon Carroll, John Holahan, III, and Rachel Schickling. Solicitor Harry Coleman (arrives at 6:17PM), Manager Robert Bartal, Assistant Manager Autumn Canfield is also present.

1. Call Meeting to Order: 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 STR comments will be taken after the report.
4. Review December 6, 2021 Interim Bill Pack: Brendon Carroll motion to approve the interim bill pack in the amount of \$176,424.20, David Carbone seconds. Vote: all in favor; motion carries.
5. Solicitor's Report: No report.
6. Manager's Report:
 - a. Review NEPMIC 2022 Benefit Grid: Robert Bartal reviews the 2022 medical coverage grid and no action is needed.
7. Committee Reports: (Taken out of order)
 - a. PMRPC: David Carbone states the budget is almost finalized and a meeting is coming up. John Holahan references a 2005 Supreme Court Case and asks if the police have a duty to protect. Harry Coleman reviews some case law and states he does not believe this is an issue with the contracted police department for the township.
 - b. PMREMS: Heidi Pickard states calls are up almost 15% and they are still working on the budget. She also thanks the township for all the help provided.
 - c. Fire Commission: No report.
 - d. EDA: Brendon Carroll states the EDA is working on putting the parcel up for sale and continues working on public improvement levy discussion with Kalahari.
 - e. NIDA: No report.
 - f. PMCOG: No report.
 - g. Library: Trudi Denlinger reviews the Library Report along with community efforts to include work with the Pocono Mountain School District. She also provides an update on facility improvements to the roof. She states there is a vacancy on the Board of Trustees and thanks

Rachel Schickling and David Carbone for attending the Library's Tree Lighting. She also thanks John Holahan for his service as supervisor as his term is almost over.

- h. Short Term Rental Committee: John Holahan reviews some of the issues currently being worked on to include building codes. Harry Coleman agrees the building code issue needs further study. John Holahan asks the Board for their thoughts on minimum stays. Rachel Schickling states she is fine with 2 and 3 day stays. John Holahan reviews some of the possible statics of the number of short term rentals and states the ordinance will not cover every problem but should deal with the bigger problems. Brendon Carroll expresses concerns of doing an ordinance that conflicts with zoning. The Board discusses the building and zoning issues and John Kerrick states he will see what dates would be available to schedule a public meeting. Joe Crandall reviews work performed by the committee and believes they have answered a lot of the questions the Supervisors had. Heidi Pickard asks about occupancy limits and believes this ordinance should be a living document. Charles Marzzaco reviews real estate bundle of rights and believes the current zoning ordinances covers some of the complaints. He also states having maximum occupancy violates rights. Ted Walski speaks against minimum night stays. Ralph Shamburg states he has made multiple investments in the community for his short term rentals. Trudi Denlinger states the committee should continue to work and review the ordinance even after adoption and asks about enforcement plans. Miguel Strada states an ordinance needs to be passed and discuss enforcement. John Holahan clarifies with Harry Coleman that fees collect for short term rental cannot be used for other expenses. Harry Coleman confirms. Juliet Dunham recommends posting minutes from previous STR meetings for reference. William Zho states he has researched STR for our area and believes there would be a huge economic impact if STR are not allowed.
- i. DPW/Vehicle Report: Brendon Carroll states we are working on the trade ins for the purchase of one new vehicle. Robert Bartal states the trade in value for the 2 explorers was approximately \$22,000.00.

8. Work Session Topics: (Topics taken out of order)

- a. Consider Rescinding Prior Action of the Board Raising the Library Millage Rate: Harry Coleman reviews the prior action taken by the board and states he has the declaratory judgment action ready to file. He recommends in order to clean up the minutes prior to the declaratory judgement action the Board should rescind the prior vote increasing the library millage rate. Brendon Carroll motions to rescind the approved raised millage rate for the Library, David Carbone seconds. Trudi Denlinger states she was under the impression the original vote to raise the millage rate would stand and be on hold until the declaratory action was made. John Kerrick expresses concerns about leaving the vote of the increased millage rate. He states they had not budgeted for it and Library Council implied the township would be liable for the tax money for 2022. Harry Coleman states the original premise brought forward by the Library at the June Work Session was that the county reassessment resulted in the Library receiving less tax dollars was false. He continues stating the Library has actually received more money than originally expected for 2021 taxes. The Board discusses the original presentation of the Library regarding the county reassessment and amount of tax money received. Ed Tutrone asks if Tunkhannock Township, who also had a binding referendum, is increasing their library millage rate and is that

why Tobyhanna Township would be considering it. Trudi Denlinger states that information has not been presented to Tunkhannock Township. Vote: John Kerrick, David Carbone, Brendon Carroll, and Rachel Schickling vote in favor of rescinding the prior vote, John Holahan votes no; motion carries.

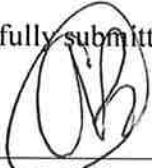
- b. Consider Amending Road Vacation Agreement with Tobyhanna Site: Harry Coleman states the change in the agreement should coincide with the dedication of the road to the township and recommends tabling the topic. John Holahan motions to table this topic, Brendon Carroll seconds. Vote: all in favor; motion carries. Topic tabled.
 - c. Discussion on Razing of Building at 117 Stillwater Drive: Robert Bartal states he would like to see if the Board wants to pursue proposals for demolition or have the DPW employees perform the work. Brendon Carroll asks if the building should be inspected prior to demo. Robert Bartal is looking in to whether or not an inspection is needed. The Board directs Robert Bartal to get an estimate for the work.
 - d. Consider Welcome Sign "Website" Correction: Robert Bartal states the Township Welcome signs had an incorrect website address on them. He presents the proposal to make the address plaques for the correction. Rachel Schickling motions to approve the proposal in the amount of \$1,735.00, David Carbone seconds. Vote: all in favor; motion carries.
 - e. Consider Resolution 2021-024 PMRPD's 2022 Budget: David Carbone motions to approve the 2022 budget for PMRPD, Brendon Carroll seconds. Vote: all in favor; motion carries.
 - f. Consider Postage Meter Renewal: John Holahan motions to approve the renewal at the reduced rate of \$18.95 per month, David Carbone seconds. Vote: all in favor; motion carries.
 - g. Approve VSCP Eligibility List for PSVFC: Robert Bartal states this is the list for PSVFC He continues stating TTVFC had a computer error and will have the list by the December 15th deadline. John Holahan motions to approve the list, Brendon Carroll seconds. Vote: all in favor; motion carries.
 - h. Consider Approval of Rettew JPA Addendum # 7: Robert Bartal reviews the addendum stating there is an additional \$27,500 for added work. John Holahan motions to approve the addendum, Brendon Carroll seconds. Vote: all in favor; motion carries.
 - i. Consider Land Development Waiver Approval for Ray Price Auto Dealership: Chris McDermott reviews the work being proposed on the parcel located in Coolbaugh Township. He explains a driveway will come out on to a Tobyhanna Township road along with a small portion of the parking lot falling in the township. John Holahan motions to approve the land development waiver, Brendon Carroll seconds. Vote: all in favor; motion carries.
 - j. Consider Release of Financial Security of Moose Crossings LD: Robert Bartal reviews the request for release of financial security. He states the township engineer completed an inspection and the improvements are all on site and are not intended to be dedicated to the township. The township Engineer is comfortable, at the Supervisors' discretion, to waive the maintenance period and release \$162,912.53 of financial security and retain \$7,500.00 for final site stabilization. Rachel Schickling motions to release \$162,912.53, Brendon Carroll seconds. Vote: all in favor; motion carries.
9. Board of Supervisors Report/Comment: None.

10. Public Comment: None.

11. Adjournment: Meeting adjourning at 8:00PM.

Minutes recorded by Crystal Butler

Respectfully submitted:

A handwritten signature in black ink, appearing to be the initials 'CB' or 'C.B.', enclosed within a large, loopy circular flourish.

Crystal Butler, Township Secretary