

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
AUGUST 15, 2022

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The August Regular Business Meeting of the Tobyhanna Township Board of Supervisors (“Board”) was held on August 15, 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 Harry 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 the Blanche Price Dog Park opening will be on Wednesday August 17, 2022 at 9:30AM. He also states an executive session was held on August 15, 2022 from 5:00PM to 6:00PM for possible legal action.
4. Consider Minutes: David Carbone motions to approve the minutes of the July 18, 2022 Regular Business Meeting, Joseph Colyer seconds. Vote: all in favor; motion carries.
5. Solicitor’s Report: Harry Coleman reviews the Solicitor’s Report.
  - a. (Taken Out of Order) Item B – Ratify Development Agreement for Kalahari EQ Tank: Harry Coleman reviews the agreement and looks for the Boards approval retroactive to August 1<sup>st</sup> 2022. Brendon Carroll motions to approve the Development Agreement for Kalahari’s EQ Tank, David Carbone seconds. Vote: David Carbone Brendon Carroll, Rachel Schickling, and Joseph Colyer in favor, John Kerrick abstains; motion carries.
  - b. Harry Coleman continues the Report stating Pocono Pines Self Storage Land Development Agreement, Standard Stormwater Agreement, and HOP Stormwater Facilities Agreement are complete and have been reviewed by the Township Engineer and himself. He continues stating these agreements are ready for the Board to approve. Brendon Carroll motions to approve the agreements, Rachel Schickling seconds. Vote: all in favor; motion carries.
  - c. Harry Coleman states the payment to TTVFC aerial fire truck can be made at the Boards discretion. Joseph Colyer motions to approve a payment in the amount of \$83,391.21, Brendon Carroll seconds. Brendon Carroll asks if the payment goes directly to Kansas Bank. John Kerrick states it does go to the bank. Vote: all in favor; motion carries.
  - d. (Taken Out of Order) Item A – Public Hearing – Ordinance No. 571 Chapter 9 Fire Companies Amendment: Brendon Carroll motions to open the hearing, David Carbone seconds. Ed Tutrone asks why there is no stenographer for the hearing. Crystal Butler

states for a General Powers Ordinance a stenographer is not required. Vote: all in favor; the hearing is open.

Harry Coleman reviews the procedure for the hearing and the advertisements for the ordinance amendment. He introduces and reviews the ordinance amendment for Chapter 9 Fire Companies. Fred Buck, representative for TTVFC, provides testimony regarding TTVFC's requested changes and edits to the ordinance amendment. He expresses concerns on section 9-7 and 9-11 of the proposed ordinance amendment. Ed Tutrone provides testimony on the previously requested changes on the definition of the term 'Delinquency'. Harry Coleman states PSVFC had no reservations about the ordinance amendment and asks why TTVFC does. Ed Tutrone states a definition for 'Delinquency' has not been added as discussed. Fred Buck reiterates the definition of 'Delinquency' is too vague. Troy Counterman also provides testimony and speaks against the ordinance amendment.

Brendon Carroll motions to close the hearing, David Carbone seconds. Vote: all in favor; the hearing is closed. Brendon Carroll motions to approve Ordinance Amendment No. 571, David Carbone seconds. Vote: all in favor; motion carries.

6. Manager's Report:

- a. Monthly Report from Penn Strategies: Robert Bartal reviews the monthly Penn Strategies Report provided to the Board.
- b. July Zoning and Septic Report: Robert Bartal reviews the July 2021 and July 2022 zoning and septic report.
- c. Closing Panther Waste on September 17, 2022 for Paving: Robert Bartal states that Panther Waste is planning to close for paving of their lot and entrance. The Board has consensus for the temporary closure and to place a notice on the website.
- d. Discuss Limiting Access to Locust Ridge Ball Field for Labor Day Weekend: Robert Bartal reviews recent damage to the ball field over past holiday weekends. The Board has consensus to limit access.
- e. Reminder of Township Building Voter Location: Robert Bartal reminds the Board the Township Building will be used as a voting location for the November Election.

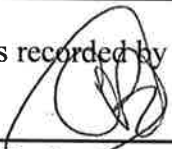
7. Committee Reports:

- a. PMRPC: Brendon Carroll states call volume is up. He continues stating the Township was over 29 hours for the month and over 88 hours for the year.
- b. PMREMS: Joseph Colyer states PMREMS provided a report that has been given to the Board.
- c. NIDA: No report.

- d. PMCOG: Autumn Canfield reviews the previous meeting for COG stating there was no new information regarding the radios for the fire companies and reminded the Board about the Golf Outing hosted by COG.
  - e. Library: No report.
  - f. STR: John Kerrick states has a list of the people interested in the short-term rental committee and will review for next month.
  - g. DPW/Vehicle Report: Corey Burd reviews the DPW Report and states there were no major vehicle repairs for the month.
8. Discussion Items: None.
9. Action Items:
- a. Consider Authorization for Agent to Apply for PennDot HOP – Proposed Mackes Road Warehouse Facility: Joe Correia reviews the request stating an application to PennDot will be needed to pursue development plans for the warehouse. He requests permission to file for a HOP Permit on behalf of the Township as Agent. Brendon Carroll states he believes this is a township road and wanted to know if there are any prior documents for Mackes or any other assistance the township could provide. Joe Correia states they have done the research and have not found any other HOP documents for this road. Mark Walt from T&M provides an overview of the project for the warehouse. David Carbone motions to authorize Joe Correia as agent for the Township to apply for the HOP Permit, Brendon Carroll seconds. Vote: John Kerrick, David Carbone Brendon Carroll, and Rachel Schickling in favor, Joseph Colyer abstains; motion carries.
  - b. Consider Conditional Approval of Xavier Land Development: Jeff Dean from Keystone Consulting Engineer reviews the Land Development Plan for Xavier Landscaping citing some minor changes based on the Township’s Engineer’s review. David Carbone motions to approve the land development conditioned on Bob McHale’s Review Letter dated August 8, 2022, Brendon Carroll seconds. Vote: David Carbone, Brendon Carroll, and Rachel Schickling, in favor, John Kerrick and Joseph Colyer abstains; motion carries.
  - c. Consider Proposal for HVAC Design by Martin Rogers Engineering Consultants: Robert Bartal reviews the proposal stating the cost for the design would be \$6,800.00. Brendon Carroll motions to approve the proposal in the amount of \$6,800.00, Joseph Colyer seconds. Vote: all in favor; motion carries.
  - d. Consider Resolution 2022-017 Fire Tax Resolution: Brendon Carroll motions to adopt the resolution, David Carbone seconds. Fred Buck asks about the level of discretion for the split of funds and states it’s too vague. He continues stating they would be willing to discuss an appropriate split. Vote: all in favor; motion carries.
  - e. Consider Resolution 2022-018 Foreign Fire Tax Resolution: Brendon Carroll motions to adopt the resolution, David Carbone seconds. Fred Buck states he has the same comments as the last resolution. Vote: all in favor; motion carries.

10. Treasurer's Report: Brendon Carroll reviews the July Treasurer's Report. David Carbon motions to approve the treasurer's report, John Kerrick seconds. Vote: all in favor; motion carries.
  11. Consider August 15, 2022 Bill Pack: Brendon Carroll motions to approve the bill pack in the amount of \$433,607.24, David Carbone seconds. Vote: all in favor; motion carries.
  12. Board of Supervisors Report/Comment: None.
  13. Public Comment:
    - a. Ed Tutrone states in regards to the new Fire Companies Ordinance Amendment and TTVFC previously provided letter asks if the Board will still dispatch TTVFC. He also asks what the back up plan for TTVFC's coverage area is.
    - b. Troy Counterman makes a comment about votes.
    - c. Autumn Canfield provides an update on the STR Program.
  14. Adjournment: The meeting adjourns at 7:08PM
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Minutes recorded by Crystal Butler

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Crystal Butler  
Township Secretary