

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
MARCH 6, 2023

The March Regular Business Meeting of the Tobyhanna Township Board of Supervisors (“Board”) was held on March 6, 2023, at the Tobyhanna Township Government Center located at 105 Government Center Way, Pocono Pines, PA 18350.

John Kerrick, David Carbone virtually, Brendon Carroll, Rachel Schickling, Joseph Colyer are present. Also present is Solicitor Owen Coleman, Robert Bartal, Township Manager, and Crystal Butler, Assistant Township 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: Robert Bartal states an executive session was held on March 6, 2023, from 5:40PM to 6:00PM for legal matters.
4. Consider Minutes: Brendon Carroll motions to approve the minutes of January 3, 2023, Reorganizational Meeting and January 17, 2023, Regular Business Meeting, Joseph Colyer seconds. Vote: all in favor; motion carries.
5. Solicitor’s Report: Owen Coleman states there is no report at this time but will receive one from their office later in the week.
6. Manager’s Report:
 - a. Legacy Donations for Pocono Lions Club: Robert Bartal reviews the legacy donation in the amount of \$250.00 for the Wreaths for Veterans Ceremony. He also states some of the supervisors have donated their salary to the cause. Brendon Carroll motions to authorize Robert Bartal to send the donation letter to the Pocono Lions Club, Rachel Schickling seconds. Vote: all in favor; motion carries.
7. Discussion Items:
 - a. Discuss Occupancy and Children Under 2 – STR Ordinance: Joe Crandall reviews his request to amend the ordinance to allow children under 2 years of age not be counted towards occupancy for short term rentals. John Kerrick states the Board will add it to their list of topics to consider for Short Term rentals.
 - b. Discuss Resolution 2023-007 Fee Schedule – STR Application Re-Review Fee: Robert Bartal reviews the reasoning for the additional fee for re-reviewing the STR applications. He states the office staff is reporting that some applicants are resubmitting the same tasks that were deemed deficient and it’s creating more work. He recommends charging for a fourth review and every subsequent review as reflected in the proposed fee schedule. Crystal Butler reviews the process for deficiencies and some of the discussions around insurance. The Board discusses the application process. Joseph Colyer motions to approve the resolution and add a re-review of \$200.00 for the fourth and every subsequent review, Brendon Carroll seconds. Vicki Mebus has a complaint about trespassing by short term rental. Vote: all in favor; motion carries. Greg Lawson asks about how STR complaints tracked. Crystal Butler explains the enforcement software for the complaints. Ralph Schomberg asks about STR complaints being legitimate. Crystal Butler explains how the Short-Term Rental enforcement officer will pursue an investigation. Joe Crandall asks for an update on the numbers of applications received. Crystal Butler reviews the number of applications submitted and permits issued. Vote: all in favor; motion carries.

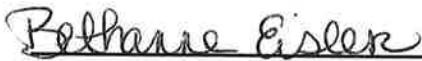
- c. Discuss Existing PennDot HOP Permit for 109 Realty Land Development: Robert Bartal reviews corresponded from the Township Engineer and asks the Board if they wish to pursue any further action related to the HOP permit for 109 Realty for their land development. The Board discusses the exiting use and the possible reduced traffic counts. Brendon Carroll motions to authorize Robert Bartal to review with Harry Coleman, Rachel Schickling seconds. Vote: all in favor; motion carries.
- d. Evergreen Detox Facility Presentation: Ralph Matergia provides an introduction for the plan presentation in a commercial district. He states there is no defined use for a detox center in the zoning ordinance. He reviews uses in the residential and commercial districts and possible pathways for this type of use. Joseph Mattioli presents plans for a luxury detox facility center. He describes the use of this location as a subacute in-patient detox facility for substance abuse on average for 5-7 days. He reviews the types of patients and care, number employees and layout for the facility. Ralph Matergia and Joseph Mattioli thanks the Board for allowing them to present.

8. Action Items:

- a. Consider Appointment of Township Secretary and Recording Secretary: Robert Bartal reviews recent changes in staff. Brendon Carroll motions to appoint Bethanne Eisler as Township Secretary and Recording Secretary, Rachel Schickling seconds. Vote: all in favor; motion carries.
- b. Consider Resolution 2023-008 Temporary Joint Tax Collection District: Crystal Butler reviews the recent change of the interim tax collector and explains a joint taxing district needs to be temporarily created with Coolbaugh for the collection of taxes. John Kerrick states this will expire on December 31, 2023. Brendon Carroll motions to approve Resolution 2023-008 for the Temporary Joint Tax Collection District, Joseph Colyer seconds. Vote: all in favor; motion carries.
- c. Consider Authorization to Advertise Zoning Ordinance Amendment – Towing Operations: Brendon Carroll motions to authorize to advertise the public hearing for the Zoning Ordinance Amendment for Towing Operations, Rachel Schickling seconds. Vote: John Kerrick, David Carbone, Brendon Carroll, and Rachel Schickling in favor, Joseph Colyer abstains; motion carries.
- d. Consider Paving Waiver Request for Xavier Landscapes: Will Demarco reviews the proposed changes to the land development regarding the paving. He states the estimated number of tips is 40 to 50 per day. He continues stating he will still pave the apron and handicap spot but would like to waiver the rest of the parking area. Brendon Carroll states a waiver can be given when under 400 trips per day. Brendon Carroll motions to approve the paving waiver, Rachel Schickling seconds. Vote: David Carbone, Brendon Carroll, and Rachel Schickling in favor, John Kerrick and Joseph Colyer abstain; motion carries.
- e. Consider Pinecrest Development Amended Phasing Schedule: John Kerrick states this amending phasing schedule is done every year. Rachel Schickling motions to approve the amended phasing schedule, Joseph Colyer and David Carbone seconds. Vote: John Kerrick, David Carbone, Rachel Schickling and Joseph Colyer in favor, Brendon Carroll abstains; motion carries.
- f. Consider Amended Subdivision Plan for Toby Site LLC: Ralph Matergia reviews the minor change to the subdivision plan for Toby Site LLC. He states there were minor alterations to avoid a pole and it would be appropriate to amend the plan for recordation. Deanna Schmoyer reviews in greater detail the location of the pole and the revision that were reviewed by the Township Engineer. Rachel Schickling motions to approve the amended plan, Brendon Carroll seconds. Vote: David Carbone, Brendon Carroll, Rachel Schickling, Joseph Colyer in favor, John Kerrick abstains; motion carries.

- g. Consider Well Isolation Waiver for 1289 Arrowhead Drive: Brendon Carroll motions to approve the well waiver for 1289 Arrowhead Drive, Rachel Schickling seconds. Vote: all in favor; motion carries
 - h. Consider Awarding Fire Pumper Bid: Robert Bartal states one bid was received. He continues stating he spoke with Harry Coleman, and he recommends accepting the bid conditioned on details being worked out between the Bidder and PSVFC per the fire ordinance. Joseph Colyer motions to accept the bid from Fire Fighter 1 in the amount of \$301,500.00, David Carbone seconds. Vote: all in favor; motion carries.
9. Consider March 6, 2023, Bill Pack: Brendon Carroll motions to approve the bill pack in the amount t of \$244,658.82, Rachel Schickling seconds. Vote: all in favor; motion carries.
10. Board of Supervisors Report/Comment: None.
11. Public Comment:
- a. Heino Fetty asks about the detox center and whether residents would get preference.
 - b. Ed Tutrone asks about correspondence to the Solicitor about a meeting and speaks to the letter from the Board of Supervisors. He states the fire company put out a response and reviews the response.
12. Adjournment: The meeting adjourns at 7:25PM
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Minutes recorded by Crystal Butler



Bethanne Eisler

Township Secretary