

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
APRIL 3, 2023

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The April Regular Business Meeting of the Tobyhanna Township Board of Supervisors (“Board”) was held on April 3, 2023, at the Tobyhanna Township Government Center Building located at 105 Government Center Way, Pocono Pines, PA 18350.

Present are Supervisors John Kerrick, David Carbone, Brendon Carroll, and Joseph Colyer. Also present are Solicitor, Harry Coleman, Esquire, Manager Robert Bartal, and Assistant Manager Crystal Butler. Rachel Schickling is not present.

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 March 20, 2023, from 7:05PM to 7:30PM for personnel matters. An executive session was held on April 3, 2023, from 5:40PM to 5:50PM for personnel matters.
4. Consider Minutes: Brendon Carroll motions to approve the minutes of January 26, 2023, Joint Board of Supervisors/Planning Commission Meeting; February 6, 2023, Joint Board of Supervisors/Planning Commission Meeting; February 13, 2023, Special Board of Supervisors Meeting, Joseph Colyer seconds. Vote: all in favor, motion carries.
5. Solicitor’s Report: Mr. Coleman states that he provided the Board with a letter outlining issues and legal issues he is working on for the Township.

Mr. Coleman stated that he has been in discussions with Vince Pompo regarding the Cash Collateral Agreement for the EQ Tank for Kalahari, and they are recommending the Township adopt the Cash Collateral Agreement for the EQ Tank. Brendon Carroll motions to adopt the Cash Collateral Agreement for the EQ Tank for Kalahari, David Carbone seconds. Vote: Brendon Carroll, David Carbone and Joseph Colyer in favor, John Kerrick abstains as he worked there in the past; motion carries.

- a. Public Hearing – Zoning Ordinance Amendment – Towing Operations: Brendon Carroll motions to open the hearing, David Carbone seconds. Vote: John Kerrick, David Carbone, and Brendon Carroll in favor, Joseph Colyer abstains. Motion carries.

Harry Coleman states a quorum is present. The Ordinance was appropriately advertised and was available at the Township, County Law Library and published in the newspaper.

Harry Coleman states that the purpose of the Ordinance is to amend Township Zoning Ordinance No. 155 and repeal Section 155-88 motor vehicle service station being a special exception and remove said section from Section 155-16(c) and add motor vehicle service station use to include a towing business in Section 155-16(b) as a permitted use to the commercial district. Incorporate as a special exception in Section 155-60, amend Section 155-54(b) to modify fencing requirements; amend Section 155-55(1) to modify parking requirements and add a definition of towing business to Section 155-5. Mr.

Coleman states that the Monroe County Planning Commission reviewed the Ordinance and their comments have been received. The Planning Commission met on March 3, 2023, and no formal recommendation was made to the Board. Mr. Coleman states that the Ordinance is appropriate for consideration by the Board of Supervisors.

David Carbone motions to close the hearing, Brendon Carroll seconds. Vote: John Kerrick, David Carbone, and Brendon Carroll in favor. Joseph Colyer abstains. Motion carries.

Brendon Carroll motions to adopt Ordinance 575 as presented, David Carbone seconds. Vote: John Kerrick, David Carbone, and Brendon Carroll in favor. Joseph Colyer abstains. Motion carries.

6. Manager's Report: None

7. Discussion Items:

- a. Discuss appointment to Zoning Hearing Board Vacancy: Brendon Carroll recommends to appoint Mr. Joe Crandall to the vacancy to the Zoning Hearing Board, David Carbone seconds. Vote: all in favor, motion carries.

8. Action Items:

- a. Consider Request from Heather Beck for the Lumberjacks Team from Pocono Mountain Softball League to use Locust Ridge Field on Sundays from April 30<sup>th</sup> – September 24<sup>th</sup>: Joseph Colyer motions to allow the Lumberjacks Team to use Locust Ridge Field from April 30<sup>th</sup> – September 24<sup>th</sup>, David Carbone seconds. Vote: all in favor, motion carries. Brendon Carroll motions to allow the manager or assistant manager to check schedule and if everything is in order with insurance be able to make that decision, Joseph Colyer seconds. Vote: all in favor, motion carries.
- b. Consider Request from Thomas Crosby of American Legion Wilson-Fischer Post 413 regarding Memorial Day Parade: Brendon Carroll motions to consider request from Mr. Crosby of the American Legion to host the Memorial Day Parade, David Carbone seconds. Vote: all in favor, motion carries.
- c. Consider Resolution No. 2023-010 – Resolution of Tobyhanna Township Designating Tobyhanna Township Bureau of Fire-Station 44 as a Designated Fire Company for the Township: Brendon Carroll motions to consider Resolution No. 2023-010 to adopt Station 44 as a designated fire company for the Township, David Carbone seconds. Ed Tutrone asks if they meet the criteria of the ordinance in order to pass this resolution. Harry Coleman states that they are only designating Station 44 as a fire station. Kelly Hixon asks if there is a timeframe to put the fire department into service. David Carbone states we are going to as quick as we can. Vote: all in favor, motion carries.
- d. Consider Well Isolation Waiver of 190 Wagner Way: Brendon Carroll motions to consider Well Isolation Waiver of 190 Wagner Way, David Carbone seconds. Vote: all in favor, motion carries.

9. Consider April 3, 2023, Bill Pack: \$97,501.62: Brendon Carroll motions to accept April 3, 2023 Bill Pack in the amount of \$97,501.62, David Carbone seconds. Vote: all in favor, motion carries.

10. Board of Supervisors Report/Comment: None.

11. Public Comment:

Ed Tutrone – TTFVC request to meet with the Board. Mr. Coleman states that is unethical to speak with him and is waiting for a response from their counsel.

Vicki Mebus states that the vehicles are speeding on Old Route 940 and Firehouse Road. David Carbone states that he spoke with the Chief, and they will be putting a machine there to record speed.

Kelly Hixon asks now that Fire Station 44 is a designated Fire Station what are the next steps. David Carbone states that they are waiting for the injunction to be resolved. Ms. Hixon asks if there is an option to have the meetings virtually again. David Carbone states they are looking into this option.

Jack Pollen asks if Station 44 is a recognized business and are their meetings going to be open to the public. David Carbone states that once they are up and running, they will announce it.

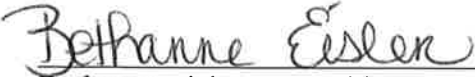
Heidi Pickard asks for an update on the STR permits. Crystal Butler states that over 100 permits have been issued. There are 478 applications made and we have approximately 270 that are waiting for final review or septic review.

Andrew Byrd asks if there is a list of officers for Station 44. David Carbone states that they have not had a meeting.

12. Adjournment: Meeting adjourned at 6:33PM.

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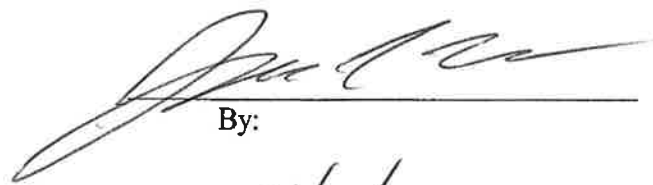
Minutes recorded by Bethanne Eisler

  
Bethanne Eisler, Township Secretary

CONFLICT OF INTEREST DISCLOSURE

I, Joseph C. Colyer, hereby disclose that I have a conflict of interest with regard to Towing Business Ordinances. I am unable to vote on; discuss; or participate in any Township action with respect to The Towing Business Ordinances

\_\_\_\_\_ because of my relationship with the matter, as follows: I Joseph C. Colyer own a Towing Business  
\_\_\_\_\_

  
By: \_\_\_\_\_

Dated: 4/3/23

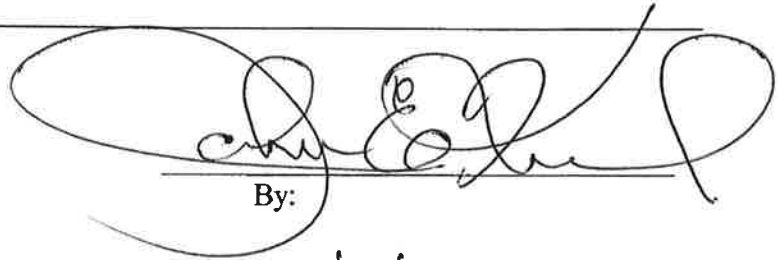
Received this 3rd day of April, 2023.

Bethanne Eselke  
Township Secretary

CONFLICT OF INTEREST DISCLOSURE

I, JOHN E. KERRICK, hereby disclose that I have a conflict of interest with regard to KALAHAKI RESORTS. I am unable to vote on; discuss; or participate in any Township action with respect to KALAHAKI RESORTS

\_\_\_\_\_ because of my relationship with the matter, as follows: WORKED AT RESORT AS A SUB CONTRACTOR

  
By: \_\_\_\_\_

Dated: 4/3/2023

Received this 3<sup>rd</sup> day of April, 2023.

Bethanne Esler  
Township Secretary