

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
May 1, 2023

The May Regular Business Meeting of the Tobyhanna Township Board of Supervisors (“Board”) was held on May 1, 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, Rachel Schickling and Joseph Colyer. Also present are Solicitor, Harry Coleman, Esquire, Manager Robert Bartal, and Assistant Manager Crystal Butler.

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 May 1, 2023, from 5:40PM to 5:55PM for a legal matter.
4. Solicitor’s Report:
 - a. Consider Right-of-Way Agreement with PPL for I-380 Project: Harry Coleman states that this is the grant of PPL for a Right-of-Way regarding the construction of one pole and overhead facilities. He recommends that it would be appropriate for the Chairperson to execute the Right-of-Way and forward to PPL for appropriate filing. Brendon Carroll motions to allow the Chairperson to execute the Right-of-Way and forward to PPL for appropriate filing, David Carbone seconds. Vote: all in favor, motion carries.
5. Manager’s Report:
 - a. Legacy Donation for Clymer Library: Robert Bartal states that we have received the information for the Clymer Library 2023 Brunch & House Tour being held on August 2, 2023. Mr. Bartal states that we are a gold sponsor for \$500.00 which includes 4 tickets to the brunch and tour. Mr. Bartal asks the Supervisors to advise him if they are available and if not, staff can go as they have done in previous years.

Robert Bartal states that late today, he received an email from Wendy Ney Manley with questions regarding short term rentals. Mr. Bartal will pass this to the Supervisors for their information and to Bethanne Eisler so it can become part of the record of this meeting.
6. Discussion Items:
 - a. Discuss Township Engineer’s request to submit Right-To-Know Request to Monroe County Commissioners, Monroe County Planning Commission and Monroe County Conservation District: Joseph Colyer motions to submit Right-To-Know Request to Monroe County Commissioners, Monroe County Planning Commission and Monroe County Conservation District, Brendon Carroll seconds. Vote: all in favor, motion carries.

- b. Discuss Change of Order Request #2 from Pioneer Construction in the amount of \$84,320.00: Robert Bartal states that this should be Change of Order Request #3 in the amount of \$84,320.00 for work along Stillwater Drive as directed by Pennoni and will be corrected in the record. David Carbone motions to pay the bill to Pioneer Construction in the amount of \$84,320.00, Rachel Schickling seconds. Vote: all in favor, motion carries.
- c. Discuss application for Payment #7 from Pioneer Construction in the amount of \$96,491.50: Robert Bartal states that this includes the \$84,320.00 plus previous work done. Mr. Bartal states this was reviewed and approved by Pennoni, Brendon Carroll makes a motion to approve the application for Payment #7 from Pioneer Construction in the amount of \$96,491.50, David Carbone seconds. Vote: all in favor, motion carries.

7. Action Items:

- a. Consider Request from Bureau Veritas to exercise the Renewal Option for consecutive one-year term: Robert Bartal states that per the Lease Agreement with Bureau Veritas they can request an additional year and they are requested to carry the lease into 2024. Mr. Bartal recommends that we ask Bureau Veritas for an increase of the rent to \$850.00 per month.
 - b. Consider utilizing services of L&V Engineering for traffic study: Brendon Carroll makes a motion to utilize L&V Engineering for traffic study, David Carbone seconds. Vote: all in favor, motion carries.
 - c. Consider Request from PMLL for a shed at Blanche Price Park: Brendon Carroll makes a motion to grant PMLL permission for a shed and to waive the zoning fees, David Carroll seconds. Vote: all in favor, motion carries.
 - d. Consider 2023 Road Paving Bid: Robert Bartal states that we received two bids. The low bid was from H&K Group for a base bid of \$784,380.00. Mr. Bartal states they also received a bid from Heidelberg Materials Northeast LLC for a base bid of \$825,560.00. Mr. Bartal recommends that we move forward with accepting the base bid from H&K. Brendon Carroll makes a motion to accept H&K 2023 road paving in the amount of \$784,380.92, David Carbone seconds. Heidi Pickard asks which roads are being paved. John Kerrick states the roads. An unnamed gentleman asks when they are going to address Route 940. Mr. Kerrick states that Route 940 is a State Road. Vote: all in favor, motion carries.
8. Mayr May 1, 2023, Bill Pack: \$87,851.28: Brendon Carroll makes a motion to approve the May 1, 2023, bill pack in the amount of \$87,851.28, Joseph Coyler seconds. Vote: all in favor.

9. Board of Supervisors Report/Comment:

Rachel Schickling states that the dog bags were put at the Bike & Hike Trail and that the trail is very nice, and everyone should take a walk around it. Ms. Schickling wanted to thank DPW and wanted to thank the volunteer fire departments for their continued service in the Township.

Crystal Butler states that the next Board of Supervisors Meeting will be Monday, May 15, 2023, at 9:30 am. The 4th grade elementary students will be joining us.

10. Public Comment:

Heino Fette asks what the Township can do to start the remediation process against 339 Sullivan Trail.

Bill Mullenoff asks if there is anything that can be done with remediation against 339 Sullivan Trail. Harry Coleman states that the Monroe County Conservation District was going out to the property and since there has been no comment, he will follow up with them for a status report. Mr. Mullenoff asks how the residents are notified of a burn ban. Robert Bartal states that there are posted signs at the entrances to the Township, it was advertised in the newspaper, and posted on the Township website and Facebook. Mr. Mullenoff states that the last posting of the meeting minutes was 10/3/2022. Crystal Butler states that she will look into this.

Joan Lippi asks if the Board had any update on the Blakeslee Community Center. Rachel Schickling states that she would have to speak with the Blakeslee Community Center.

Bob Geddis asks if anyone can speculate as to when the dispute between 41 and the Township might be resolved. Harry Coleman states that on 5/5 the Township and TTVFC must submit their Post-Hearing Findings & Conclusions of Law to Judge Higgins. Once Judge Higgins has these filings, he can decide thereafter.

Bob Christianson asks where the new fire company is located and how much closer that is to what we had. Dave Carbone states that it is located at the Township. Mr. Christianson asked when they were going to address 940 to Blakeslee. Joseph Colyer states that it is up to PennDOT.

Jack Pollen asks if any members of the Board are members of the new fire department. David Carbone states that he would have to email the fire company to get that information. Mr. Pollen asks if 44 has to operate under this Ordinance. David Carbone states yes.

Fran Onick (?) asks if they can explain the delinquency of service. Harry Coleman states that the delinquency of service means that if a fire company is financially struggling to the point of bankruptcy, their numbers are dwindling and they cannot find volunteers, then the Board can appoint a Fire Commission to help that particular fire company get back on its feet.

Chris Bannon asks David Carbone if he operated that fire truck and what are his qualifications. David Carbone stated that he did operate the fire truck and any information regarding his qualifications are to be addressed to the fire department.

Heidi Pickard asks if there was an update on Gertz Pocono Hotel. It looks like it is ready to fall over. John Kerrick states they will look into this.

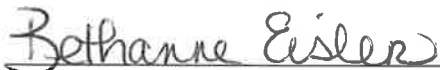
Ed Tutrone asks if the Board of Supervisors will sit down with TTVFC and try to work this out. Harry Coleman states that he will contact Mr. Buck. Ed Tutrone asks how the new fire company is able to operate when they do not meet the ordinance. Harry Coleman states that

he will bring that issue up when he speaks with Mr. Buck. Ed Tutrone asks if the new fire department has sent their list of officers and the officers' training qualifications to the Board. David Carbone states that they have not received all of the information and to email the fire department with any questions.

Lance Mirkin asks if the Board of Supervisors fired TTVFC or did they take themselves out-of-service. Joseph Colyer states that they took themselves out-of-service.

11. Adjournment: Meeting adjourned at 7:13PM.

Minutes recorded by Bethanne Eisler


Bethanne Eisler, Township Secretary