

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
JANUARY 16, 2024

The January 2024 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on January 16, 2024, at the Tobyhanna Township Government Center Building located at 105 Government Center Way, Pocono Pines, PA 18350.

Present are Supervisors John Kerrick, Rachel Schickling, Joseph Colyer, and Ted Wolski. Also present are Solicitor, Harry Coleman, Esquire, Manager Robert Bartal, and Assistant Manager Crystal Butler. Edward Tutrone appeared virtually.

1. John Kerrick calls the meeting to order at 6:01PM; a quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements: Robert Bartal states an executive session was held on January 2, 2024, from 2:50PM to 3:00PM for a personnel matter. Mr. Bartal states an executive session was held on January 16, 2024, from 5:30PM to 6:00PM for a legal matter.
4. Consider Minutes: Rachel Schickling motions to approve the minutes of the December 18, 2023, Regular Business Meeting; January 2, 2024, Reorganization Meeting as presented; Joseph Colyer seconds. Vote: all in favor; motion carries.
5. Solicitors Report: Harry Coleman states that he provided the Board with his litigation report.
 - a. Resolution No. 2024-005 – A Resolution Changing the Manner the Township Appoints the Members of the Pocono Mountain Police Commission: Mr. Coleman states that this Resolution amends Article 2, Section 2.2(d) A indicating that 3 representatives of Tobyhanna Township shall be citizens of the Township and shall be appointed at the annual reorganization meeting. Joseph Colyer makes a motion to adopt Resolution No. 2024-005, Rachael Schickling seconds. Ted Wolski asks if this currently requires 2 supervisors. Ed Tutrone asks if it can be 2 supervisors. Heidi Pickard would like to recommend having at least 1 supervisor on the Board. Vote: all in favor; motion carries.
6. Manager's Report:
 - a. Penn Strategies Report: Robert Bartal states that the report is in the packets. Mr. Bartal states that RCAP Grant has been submitted.
 - b. Zoning and Septic Reports: Robert Bartal reviews the December 2022 and December 2023 zoning and septic reports.
 - c. Penn Strategies Request to Showcase Tobyhanna Township in their Client Spotlight Section: Robert Bartal states that he received a request from Penn Strategies who are launching a new website and would like to showcase the Township in their client spotlight. Rachel Schickling makes a motion to allow Penn Strategies to showcase Tobyhanna Township in the client spotlight section, Ted Wolski seconds. Vote: all in favor; motion carries.

7. Committee Reports:

- a. PMRPC: No one is here.
- b. RMREMS: AJ Schrader states that they responded to 670 incidents in December and 130 were in the Township. Mr. Schrader states that for the year 2023 there were 7177 incidents and 1425 were in the Township. He also stated that they are 100% staffed.
- c. TTBF: Pete Huf states that they are waiting for the ruling from the judge to determine if they receive equipment back. Mr. Huf states that they have 3 pieces of apparatus in service, and they are working on adjusting the box alarms.

Robert Bartal states that he received a call on Sunday from the 911 Call Center stating that there was a large spread power outage and inquiring about a warming station in the Township. Mr. Bartal states that they were in the process of working to have Station 44 as a warming station when the power was restored. Mr. Bartal thanks Station 44 for their assistance.

- d. PSVFC: Reports are in the packets.
- e. NID: Crystal Butler states that there is a meeting in March.
- f. PM COG: Crystal Butler states that their meeting will be the last Monday of the month and is hopeful that they will be awarding the fuel bid.
- g. MCATO: Crystal Butler states they have not scheduled their reorg meeting.
- h. Library: No one is here.
- i. DPW/Vehicle Report: Reports are in the packets. Robert Bartal states there is nothing elaborate to report.

Joe Crandall asks if there is still a Short-Term Rental Committee. Crystal Butler states that there is no active committee. Ms. Butler gives an update on Short-Term Rentals. Harry Coleman also provides an update on the Short-Term Rental Amendment and states this Amendment will be on the February 20, 2024, Agenda.

{Agenda Item Taken Out of Order: Consider Conditional Land Development approval of Mackes Road Land Development Project.}

Joe Correia, a representative of J.G. Petrucci provides an overview of the J.G. Petrucci company and their dedication to community.

Mark Buchvalt, a representative of T and M Associates reviews the Mackes Road Warehouse project. He discusses the storm water mitigation. Mr. Buchvalt states that they are asking for a constructability waiver. He states that this has nothing to do with flows or volume coming out of the basins. Mr. Buchvalt discusses their request for an emergency spillway waiver. Edward Tutrone expresses his concerns with erosion in 5-10 years. Ted Wolski asks if they have done any third-party environmental studies on the impact of Tobyhanna Creek.

Tyler Krause, a representative of Bowman Associates reviews the traffic impact study of December, 2023 that was submitted to the Township and PennDOT. Mr. Krause states that they are not proposing any additional turning lanes nor traffic signals. He states that their

improvements will include the widening of the aprons for trucks to make the turn. Mr. Krause states that they feel the traffic study impact satisfies all ordinance requirements.

Rachel Schickling asks if the access road has to be approved by PennDOT for emergency vehicles.

Ted Wolski asks if this is being built to spec and if there is a tenant.

John Kerrick asks about a staging area for the trucks.

Joseph Colyer asks about the parking spots alongside the building.

Mr. Kerrick ask if they would give the Township an extension as they just received this information and they need to review it. Mr. Correia states that they will honor that request.

The Board of Supervisors go into an executive session from 7:19PM to 7:40PM.

- i. Waiver: John Kerrick entertains a motion on the waiver. Edward Tutrone makes a motion to deny the waiver, Ted Wolski seconds the motion.

Brendon Carroll states that this waiver seems to be one that the Board has approved several times in the past.

Ron Habakus asks if the waiver is for the spillway. Mr. Habakus asks about the probability of the use of the spillway.

Edward Tutrone votes in favor; Ted Wolski votes not in favor; Joseph Colyer abstains; Rachel Schickling votes not in favor; John Kerrick votes not in favor; motion denied.

Ted Wolski makes a motion to approve the waiver; Rachel Schickling seconds.

Richard Weist, Esquire, counsel for Dream Mile Club, states their concerns with the approximately of the project to the trout stream.

Joseph Colyer asks how much water goes into an in-ground retention basin.

Rachel Schickling states that the Township Engineer has recommended the waiver.

Russell Posternick, Dream Mile Club, states his concerns with damage to their property from this project.

Ted Wolski asks what the hardship is if the waiver is not granted.

Vote: Edward Tutrone votes not in favor; Ted Wolski, Rachel Schickling and John Kerrick vote in favor; Joseph Colyer abstains; motion carries.

John Kerrick asks about an extension. Joe Correia states that they will give the Township an extension until the February Board of Supervisors meeting. Edward Tutrone makes a motion for an extension to the February 20, 2024, Board of Supervisors meeting. There is no second. Motion is dead.

ii. Land Development Approval: Ted Wolski makes a motion to vote on the land development approval of the Mackes Road Land Development project. Mr. Coleman states it is conditional approval. Mr. Wolski amends his motion to deny approval, Rachel Schickling seconds.

Edward Tutrone asks if the motion is to deny the land development. Mr. Wolski states it is to deny the land development.

Heino Fette asks for clarification of allowable trucks.

Chris McLean, Esquire, attorney for applicant, asks the Board for a reason on the denial.

Pat Simonek, Blakeslee, states that he cannot believe a turning lane is not required. He also asks who owns the section of Mackes Road that would need to be widened.

Ron Habakus states his concerns with the traffic study.

Vote: All in favor. Joseph Colyer abstains. Motion carries.

8. Discussion Items:

a. Discuss Appointments:

i. Township Supervisors to Serve as Township Representatives to Pocono Mountain Regional Police Commission: Tabled until February 20, 2024 Meeting

b. Discuss Fire Ordinance: Joseph Colyer states the Fire Ordinance just needs to be cleaned up and discusses the changes to be made. John Kerrick states that a staff member will have the changes made and prepared for the next meeting. Michelle Gonzalez asks for a copy of the changes.

9. Action Items:

a. Consider 2024 Tree Trimming: Rachel Schickling makes a motion to consider 2024 tree trimming; Ted Wolski seconds. Vote: all in favor; motion carries.

b. Consider Tobyhanna Township Bureau of Fire's Request for Release of Fire Tax Fund in the amount of \$32,375.15: Rachel Schickling makes a motion to release the Fire Tax Fund in the amount of \$32,375.15, Ted Wolski seconds. Edward Tutrone asks if their financials are in. Michelle Gonzalez states that the financials for 2023 are due in August, 2024. Vote: Edward Tutrone – no; Ted Wolski, Joseph Colyer, Rachel Schickling, and John Kerrick – yes; motion carries.

c. Consider Conditional Land Development approval of Mackes Road Land Development Project. This matter was discussed earlier.


i. Waiver

ii. Land Development Approval

d. Consider Pinecrest Lake PRD Amended Phasing Schedule: Brendon Carroll states they are fulfilling their requirements for the Phasing Schedule. Rachel Schickling makes a motion to approve Pinecrest Lake PRD Amended Phasing Schedule; Joseph Colyer seconds. Vote: all in favor; motion carries.

10. Consider January 16, 2024, Bill Pack: Crystal Butler states the January 16, 2024 Bill Pack will be ratified at the next meeting.
11. Board of Supervisors Report/Comment: None.
12. Public Comment: None
13. Adjournment: Meeting adjourned at 8:34PM.

Minutes recorded by Bethanne Eisler


Bethanne Eisler, Township Secretary