

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
FEBRUARY 20, 2024

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The February 2024 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on February 20, 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 Edward Tutrone. Also present are Solicitor, Harry Coleman, Esquire, Manager Robert Bartal, and Assistant Manager Crystal Butler. Ted Wolski appeared virtually.

1. John Kerrick calls the meeting to order at 6:02PM; a quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements: John Kerrick states an executive session was held on January 30, 2024, from 5:00PM to 6:20PM for legal and personnel matters. Robert Bartal states that as of February 13, 2024, Laura Marasco was hired as our new fiscal specialist. Mr. Bartal states that we are looking to replace Blanca Santos, who resigned on February 9, 2024, from her position as Zoning Administrative Assistant and we are currently in the process of conducting interviews for that position.
4. Consider Minutes: Edward Tutrone motions to approve the minutes of the January 16, 2024, Regular Business Meeting; Rachel Schickling seconds. Vote: all in favor; motion carries.
5. Solicitors Report: Harry Coleman states that the minutes should reflect that there was an executive session this evening for thirty minutes regarding litigation related matters.
  - a. Public Hearing – Zoning Ordinance Amendment – Behavioral Treatment Facility. Joseph Colyer motions to open the hearing, Rachel Schickling seconds. Vote: all in favor; 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 Amendment Chapter 155 Zoning is to establish a new class within the Commercial District for Behavioral Health Treatment Facility consistent with the zoning laws of the Tobyhanna Township. The Monroe County Planning Commission has reviewed the Ordinance, and the Township Planning Commission has also reviewed the proposed amendment. Mr. Coleman states it is his judgment that the Ordinance is appropriate for consideration of the Board of Supervisors.

Rosanna Stephens states that the detox center is going to be right in front of her house.

Timothy Stephens asks what they are changing on the Zoning Ordinance. Crystal Butler states that they are adding for a conditional use in the Commercial District. Ms. Butler states that the proposed Ordinance is on the website.

Joseph Colyer motions to close the hearing, Edward Tutrone seconds. Vote: all in favor; motion carries.

Joseph Colyer motions to approve the Ordinance to include the minor changes from Tobyhanna Township Planning Commission, Edward Tutrone seconds. Vote: all in favor; motion carries.

- b. Consider Short-Term Rental Amendment: Harry Coleman states that the Short-Term Rental Amendment before the Board of Supervisors for consideration has certain aspects to it: (1) there is a change in the maximum occupancy of 2 per person plus 2; (2) a minimal change in the fines; and (3) consideration as to a CAP.

Al Kerrick asks if the amendment of 2 per bedroom plus 2 is that plus 2 to the 10.

Bridget Gollin, Greenwood Acres, states that 25% of the houses on her block are short-term rentals.

Jim Smyth, 303 Sir Bradford Road, asks if a 7-bedroom house can have 14 people and who do they call with short-term rental problems.

Michele Ciesla, Greenwood Acres, urges they approve the 10% CAP.

Wendy Ney-Manley, 220 Split Rock, asks what they are basing the 10% CAP on and would like the CAP reconsidered.

Marty Nicoll, 196 Beaver Dam Road, asks that they not allow a 10% CAP and allow permits to transfer when a house sells.

Joe Crandall states that he agrees with a 10% CAP.

Shawn Knudson, 1451 Arrowhead Drive, states that he understands the CAP and has concerns with the permit not transferring when a house is sold.

Vickie Mebus states the enforcement of short-term rentals is a problem. She also agrees with the CAP.

John Holahan, Blakeslee Estates, states he is in favor of the Ordinance and the 10% CAP. He states that he has an issue with central sewage not being tracked as to how many gallons are being used.

Todd Livziey, 210 Cranberry Drive, asks the Board to limit the short-term rentals.

Nicole Grous asks if there is a way to make the Homeowner Associations abide by these rules.

Jim Smyth asks what changed the rules to 2 per bedroom plus 2.

Brandi Hofbauer, 569 Sir Jeoffrey, asks about the qualifications of a short-term rental complaint and how they are handled.

John Kerick states that the amendment goes by septic and asks if they can put a water meter on it. A discussion was held.

Ed Tutrone makes a motion to adopt the Short-Term Rental Ordinance Amendment without the CAP language for resolution at the next meeting, Joseph Colyer seconds. Ted Wolski abstains. Vote: all in favor; motion carries.

Wendy Ney-Manley asks if the Resolution needs to be advertised. Robert Bartal states that it does not need public advertising.

Unknown Person asks when the 2 per bedroom plus 2 takes effect. Crystal Butler states 5 business days after the passing of the Ordinance it takes effect.

Wendy Ney-Manley asks if the permits will be modified.

Unknown Person asks what percentage we are at with short-term rental permits.

Bruce Freedman asks how many permits are pending.

6. Manager's Report:

- a. Penn Strategies Report: Robert Bartal states that the report is in the packets. Mr. Bartal stated that there is new news on the RCAP Grant.
- b. Zoning and Septic Reports: Robert Bartal reviews the January 2023 and January 2024 zoning and septic reports.
- c. Pocono Lions Club – Wreaths for Veterans Ceremony Donation: Robert Bartal states that we received a request for a \$500.00 donation from the Pocono Lions Club. Mr. Bartal states that we will be making a donation in the amount of \$250.00 as we have done in the past.
- d. Monroe County Request for Polling Place: Robert Bartal states that we received a request from the Office of Voter Registration & Elections to use our building as a polling place for the general primary election on April 23, 2024, and the general election on November 5, 2024. Mr. Bartal will advise them that they use the building as they have done in the past. Ed Tutrone asks if we could put more lighting out as it gets dark out there and he has received complaints. James Rafferty will take care of the lighting.

7. Committee Reports:

- a. PMRPC: No one here.
- b. PMREMS: No one here.
- c. TTBF: Pete Huf states that there is a legal matter with one of their members. Mr. Huf reports that the member has been suspended and their equipment, radio and keys have been turned in pending that outcome of the court system.

Mr. Huf states that they have a new reporting system which will detail their reports and they have given the administration rights to the Township.

Mr. Huf states that they have requested the money in the budget for training. They will be partnering with Pocono Summit for training with Bucks County Community College.

Mr. Huf states that he sent a letter to Board of Supervisor Ed Tutrone who is the president of the previous fire company asking for run totals and specifics for the previous 3 years to

do grant writing. Edward Tutrone states that this is a conflict of interest with 41 litigation and being a supervisor. Mr. Tutrone will be turning it over the Vice President, and he will stay out of the fire company and let the fire company decide what to do with it.

- d. PSVFC: Tyler Rispoli states they hosted a CO class in their building and have 7 classes scheduled throughout the year.
  - e. NID: Crystal Butler states that the NID reorganizational meeting will be scheduled for March 11, 2024.
  - f. PM COG: Crystal Butler states that at the COG meeting in January, they awarded the fuel bid to World Connect.
  - g. MCATO: Crystal Butler states that no meeting has been scheduled.
  - h. Library: No one is here.
  - i. DPW/Vehicle Report: James Rafferty thanks the Board for the purchase of the backhoe. Mr. Rafferty states that they picked up the trailer for holding the landscaping equipment. He also discusses the DPW report.
8. Discussion Items: None.
9. Action Items:
- a. Consider PMREMS Request for Quarterly Disbursement of 2024 Contribution: Rachel Schickling makes that motion; Edward Tutrone seconds. Vote: all in favor; motion carries.
  - b. Consider 2024 Tree Trimming Bid. Robert Bartal states that the Tree Trimming Bid was scheduled for last Thursday and we received no bids. Mr. Bartal recommends that we get the bid out by September. Edward Tutrone asks if we put the bid out in August.
  - c. Consider Tunkhannock Township's Request for John Buz EIT Credit for VSCP: Edward Tutrone makes a motion to approve; Joseph Colyer seconds. Vote: all in favor; motion carries.
  - d. Consider Amendment to 1996 Agreement on Pocono Mountain Regional Police dated November 19, 1996, and Subsequent Amendments: Rachel Schickling makes a motion to approve; Joseph Colyer seconds. Vote: all in favor; motion carries.
  - e. Consider Request for Holding Tanks at Locust Lake Village: Len Cornish is here representing Locust Lake Village Property Owners Associations and discusses replacement of malfunctioning holding tanks occurring at their East Lake and Pine Lake Recreation area. Robert Bartal suggest that Harry Coleman draw up an Agreement with their legal counsel as to what the parameters will be, what the testing will be, and the log being completed. Mr. Bartal states if there is a problem with that, they would have to come before the Board. Joseph Colyer makes a motion for Harry Coleman to work with counsel for Locust Lake Village and come up with an agreement to move forward, Rachel Schickling seconds. Vote: all in favor; motion carries.
10. Consider February 20, 2024, Bill Pack: Crystal Butler stated that the total amount is \$948,541.73 which does include interim billing since the last time the bill pack was

approved. Joseph Colyer makes a motion to approve the bill pack in the amount of \$948,541.73, Rachel Schickling seconds. Edward Tutrone asks if that includes payment of the aerial. Crystal Butler states that it does. Vote: all in favor; motion carries.

11. Board of Supervisors Report/Comment:

Edward Tutrone states that he asked in January and still has not received any information about Bureau of Fire officers, meeting dates, members, etc. Harry Coleman states that he will reach out to Tobyhanna Township Bureau of Fire.

12. Public Comment:

Bruce Freedman, 606 Lake View Drive, speaks up for short-term rental property owners who are responsible. He states he is in favor of the Ordinance and is not in favor of the CAP.

Joseph Crandall asks how the short-term rental system works. He also states that Jimmy and DPW are doing a fantastic job clearing snow.

Wendy Ney-Manley asks about a committee and bringing back virtual meetings.

Bridgette Myer, staff attorney with Penn Future provided the Board of Supervisors with "Living with Logistics: Logistics Use Zoning Ordinance."

Mark Edwards, 129 Lidio Road, states that he supports and endorses the suggestion on inquiring about legal positions on the LLC short-term rental ownership.

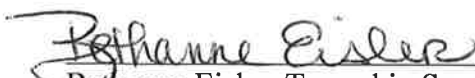
Pat Simonik thanks the Board for turning down the warehouse in Blakeslee and asks how we go about changing zoning and ordinances so that we do not have warehouses in downtown Blakeslee.

Alexis Wilkinson states that both herself and Renee are working with the Homeowners Association.

13. Adjournment: Meeting adjourned at 8:09PM.

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Minutes recorded by Bethanne Eisler

  
Bethanne Eisler, Township Secretary