

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

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The May 2024 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on May 20, 2024, at the Tobyhanna Township Government Center Building located at 105 Government Center Way, Pocono Pines, PA 18350.

Present are Supervisors John Kerrick, Joseph Colyer, Edward Tutrone and Ted Wolski. Also present are Solicitor, Harry Coleman, Esquire, and Assistant Manager Crystal Butler. Rachel Schickling and Manager Robert Bartal were not present.

1. John Kerrick calls the meeting to order at 9:30AM; a quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements: John Kerrick states there was an executive session on May 13, 2024, from 5:15pm to 5:45pm for legal matters.
4. Consider Minutes: Joseph Colyer motions to approve the minutes of the April 15, 2024, Regular Business Meeting; Ted Wolski seconds. Vote: all in favor; motion carries.
5. Solicitors Report: Harry Coleman states there are 2 matters he wants to bring to the attention of the Board. Mr. Coleman states that they are monitoring 3 tax appeals that affect the Township and he will provide a report on these matters to the Board in the next week. Mr. Coleman states that at the request of Supervisor Edward Tutrone, he will get Mr. Tutrone the requested information in due course.
6. Manager's Report:
  - a. Penn Strategies Report: Crystal Butler states that they are still waiting to hear about the award of the RACP Grant that we applied for at the beginning of the year.
  - b. Zoning and Septic Reports: Crystal Butler reviews the April 2023 and April 2024 zoning and septic reports.
  - c. Legacy Donation for Clymer Library: Crystal Butler states that Clymer Library sent their request for their brunch and house tour. Ms. Butler states that previously the Board made a \$500.00 donation for the brunch and house tour.
  - d. Francis Smith & Sons, Inc. – Fuel System Repair: Crystal Butler states that they are looking for ratifying action for the emergency repair. Ms. Butler states that are looking to do the repair in the next 2 weeks.
  - e. Memorial Day Parade 2024 – May 27, 2024: Crystal Butler announces that the Memorial Day Parade will be held on May 27, 2024. Edward Tutrone asked if someone was going to be there to present the wreath. Crystal Butler states that we have the wreath, and we will reach out to see which Supervisor would be available.

## 7. Committee Reports:

- a. PMRPC: Joseph Colyer states they are still over hours and Chief Wagner is not concerned about it.
- b. PMREMS: Joseph Colyer states there were concerns with staffing at our building. Mr. Colyer states they are back and there should not be missing shifts at our building.
- c. TTBF: No one here. Edward Tutrone states that Bureau of Fire did receive the information regarding the grant after clarification from Pete Huf.
- d. PSVFC: No one is here.
- e. NID: Crystal Butler states that the next meeting is coming up in the middle of June. Ms. Butler states there is going to be an updated annual report as they had to make changes to the new millage rate.
- f. PM COG: Crystal Butler states COG was meeting this morning. Ms. Butler states that they have been preparing for their fundraisers.
- g. MCATO: Crystal Butler states she has not heard anything further regarding Monroe County Association of Township Officials. Ms. Butler states that they are still trying to get up and running.
- h. Library: John Ryan gives an update.
- i. DPW/Vehicle Report: James Rafferty gives an update. Edward Tutrone asks what the timeline is for the park equipment. Mr. Rafferty states they were told a June 1<sup>st</sup> start date and hope to have Blanche Price Park done by July.
- j. STR: Crystal Butler states that as of this morning there are 750 permits active which include both initial and renewal applications. There are 20 applications under review. Ms. Butler states that the STR Enforcement Officer and STR Assistant are working hard to review applications, check advertising and are working through enforcement.

## 8. Discussion Items:

- a. Discuss Lake Naomi Club Pickleball HOP: Crystal Butler states that Lake Naomi has applied for their HOP permit and there are a couple of items they are requesting from them. Ms. Butler states there is nothing that the Township Engineer, Bob McHale, sees that they cannot work through.
- b. Discuss Continued Legal Representation of Labor Counsel David M. Steckel, Esquire: Crystal Butler states that at the beginning of the year the Board appointed Flamm, Walton, Heimbach as our labor attorney. David Steckel, who served the Township directly is moving to a new firm. We have 3 options: (1) we can stay with Mr. Steckel and follow him to his new firm and Flamm, Walton, Heimbach will release our files to him; (2) we can elect to stay with Flamm, Walton, Heimbach and they will reissue us new representation and (3) we can have Flamm, Walton, Heimbach return our files and we could look for another labor attorney. Mr. Bartal has reviewed this and recommends staying with Flamm, Walton, Heimbach as they are our appointed labor attorney. Edward Tutrone makes a motion that we stay with Flamm, Walton, Heimbach; Joseph Colyer seconds. Vote: all in favor; motion carries.

- c. Discuss Zoning Amendment – Apartment Buildings: Joseph Piperato, Esquire, counsel for Andrew Micklos and Mark Bahnick of Van Cleef Engineering are here to present. Mr. Piperato states that Mr. Micklos is the owner of 2 parcels of land, 49 acres on PA State Route 115. He states that this property is in the commercial zoning district in which apartments are permitted by special exception. Mr. Piperato states that they are here to request the consideration of the Board to amend Section 115.91 of the Ordinance which lays out specific criteria for apartment buildings.

Mark Bahnick states that they are going from 6 to 24 units per building with 2 or less parking spaces per unit. They will be a combination of 1- or 2-bedroom apartments. He states that they are proposing the building height to be 3 stories, 45 feet tall. Mr. Bahnick has had discussions with DEP and the private utility company regarding sewer service for this property. He states that DEP stated it is impossible or a 5-year plan. Mr. Bahnick also states that getting public sewer on this site is not encouraged at all by DEP. There is a lot of testing for a septic permit through DEP.

Crystal Butler states that both herself and the zoning officer have reviewed this, and they have questions and concerns with the height of the structure. Ms. Butler states that the way it is currently written would impact every use in the commercial district. Ms. Butler states that this amendment should go before the Planning Commission for an intense review, considering every portion of both Ordinances is going to be impacted. John Kerrick asks if they have been before the Planning Commission. A discussion was held.

Edward Tutrone asks if the 45 feet limit would affect all properties in the commercial district and how many bedrooms are going to be in each apartment. A discussion was held.

Joan Lippi asks where the location of the parcel is.

Heidi Pickard states that she chairs the Government Affairs for Association of Realtors and they are work with the County and Municipalities to try and encourage an increase in residential units.

Edward Tutrone makes a motion to refer this matter to the Planning Commission for further study; Joseph Colyer seconds. Vote: all in favor; motion carries.

#### 9. Action Items:

- a. Consider Proposals of Traffic Signal Maintenance Contractor: Crystal Butler states that Keystone Engineers has reviewed 3 companies that provide traffic signal maintenance and provided their recommendations. They have recommended Northeast Signal as their first recommendation and recommended KEC and Signal Services. Edward Tutrone states they have had experience with Northeast Signal, and they were extremely responsive. Edward Tutrone makes a motion to accept the proposal of Northeast Signal; John Kerrick seconds. Vote: all in favor; motion carries.
- b. Consider Kalahari Resort – Redd’s Piano Bar Expansion: Crystal Butler states that Kalahari is requesting a very minor modification to their phasing plan. Thomas Voglino representing Pennoni states that they have a 2800 square foot addition to the Double Cut Steakhouse. Mr. Voglino states that all the utilities are connected to the existing building, and they are coordinating the increases in sewer flow and water usage with the

utility companies. Joseph Colyer makes a motion to approve a minor modification to their approved staging plan, Edward Tutrone seconds. Vote: all in favor; John Kerrick abstains as he has worked with them in the past; motion carries.

- c. Consider Well Isolation Waiver for 113 Shawnee Drive: Edward Tutrone makes a motion to approve the Well Isolation Waiver for 113 Shawnee Drive; Ted Wolski seconds. Vote: all in favor; motion carries.
- d. Consider Five Loaf House Waiver Request of Bazaar Fee: Crystal Butler states that they are holding a bake sale at the Memorial Day Parade on the TEC grounds and are requesting the \$10.00 bazaar fee be waived. Ted Wolski makes a motion to waive the bazaar fee; Joseph Colyer seconds. Vote: all in favor; motion carries.
- e. Consider Resolution No. 2024-008 to Apply for DCED Greenways, Trails & Recreation Program Grant: Crystal Butler discusses the grant. Joseph Colyer makes a motion to approve Resolution No. 2024-008 to Apply for DCED Greenways, Trails & Recreation Program Grant; Ted Wolski seconds. John Kerrick states that we make sure there are no restrictions as Locust Ridge donated it. Vote: all in favor; motion carries.
- f. Consider Proposals for Gas Pedestal Replacement: Crystal Butler states that when they were looking into the repair of the gas tank seal, they noticed that the base of the pedestal has started to deteriorate. Robert Bartal and James Rafferty reached out to companies and have presented 3 proposals to review. Ed Tutrone asked who installed the pedestal. Joseph Colyer asks who is doing the repair work. Crystal Butler states that Francis Smith is doing the repair. Edward Tutrone asked if there is going to be any software change and Crystal stated no. Edward Tutrone makes a motion that they go with Francis Smith for the cost of \$18,686.00; Joseph Colyer seconds. Vote: Ed Tutrone – yes; Ted Wolski – no; Joseph Colyer – yes; John Kerrick – yes; motion carries.

10. Treasurer's Report:

- a. March Treasurer's Report
- b. April Treasurer's Report

Edward Tutrone makes a motion to approve the March Treasurer's Report and April Treasurer's Report; Joseph Colyer seconds. Edward Tutrone asks if we are paying for the maintenance for the fire trucks. Joseph Colyer states only the fire trucks the Township owns. Vote: all in favor; motion carries.

11. Consider May 20, 2024, Bill Pack: \$700,558.39: Edward Tutrone makes a motion to approve May 20, 2024, Bill Pack in the amount of \$700,558.39, Joseph Colyer seconds. Vote: all in favor; motion carries.

12. Board of Supervisors Report/Comment: None

13. Public Comment:

Joan Lippi, Blakeslee, asks if there was a decision on the appeal for the proposed Mackes Road Distribution Center

Kevin & Denise Korejko stated that they bought a lot in Locust Lake Village last September and started building a home in November. They want to short-term rent this property and

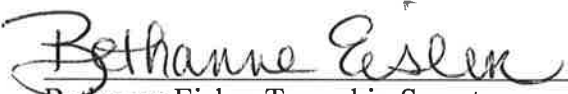
have just found out about the cap. They are asking for an exception to be added to the short-term rental list. A discussion was held.

Joseph Crandall wanted to bring to the attention of the Supervisors a segment on 60 Minutes where the CEO of AirBNB is putting pressure on all AirBNB owners to reduce their rates because people are starting to leave. Mr. Crandall asked if the report he gets shows the amount of people not renewing their permits.

14. Adjournment: Meeting adjourned at 10:39AM

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Minutes recorded by Bethanne Eisler

  
Bethanne Eisler, Township Secretary