

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
AUGUST 19, 2024

The August 2024 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on August 19, 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, Rachel Schickling, Edward Tutrone and Ted Wolski. Also present are Solicitor, Harry Coleman, Esquire and Assistant Manager Crystal Butler. Manager Robert Bartal was 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 there was an executive session on July 15, 2024, from 7:30 PM to 7:45 PM for real estate matters.
4. Consider Minutes: Rachel Schickling motions to approve the minutes of July 15, 2024, Regular Business Meeting; Ted Wolski seconds. Vote: all in favor; motion carries.
5. Solicitors Report: Harry Coleman states that a written report on pending matters will be provided the Supervisors within the next week. Mr. Coleman states that there are 3 issues to be addressed. (1) Mr. Coleman state that neighbors had complained about a nuisance property on Long Pond, and he has filed an injunction in Court to prohibit the property from being rented and ordering them to clean up the property within 30 days. (2) Mr. Coleman states that he filed an injunction regarding 3 properties within the Township where the owner(s) were operating without an STR permit and were advertising in excess of the STR maximum occupancy issues. They are waiting for the Court to schedule a hearing. (3) Mr. Coleman states that there is a vacancy with the EDA Board. Don Pleau from Kalahari has expressed interest and there has always been a representative from Kalahari on the EDA Board. Mr. Coleman asks the Board to entertain a motion appointing Don as a member of the EDA Board. Rachel Schickling makes the motion to appoint Don Pleau; John Kerrick seconds. Edward Tutrone asks if Kalahari is part of the EDA. Vote: all in favor; motion carries.
6. Manager's Report:
 - a. Penn Strategies Report: Crystal Butler discusses the report. Ms. Butler states that Blanche Price Park is completed and Keiper Park is almost complete. Ms. Butler states that they have not heard anything further about the RACP award.
 - b. Zoning and Septic Reports: Crystal Butler reviews the July 2023 and July 2024 zoning and septic reports.
 - c. Tobyhanna Township Fall Cleanup – Saturday, September 14, 2024, from 9:00AM to 12:00PM: Crystal Butler announces that the Tobyhanna Township Fall Clean is on Saturday, September 14th from 9:00AM to 12:00PM at Panther Waste.

- d. Challenger Sports of PA Lodge Rental Waiver: Crystal Butler states that we received a main lodge rental fee waiver request from Challenger Sports of PA. Kelly Hixon, a Board member for Challenger Sports of PA states that they are an organization that provides a sports program to all students in Monroe County with special needs. Ms. Hixon states they are starting a friendship walk and given the new playground, they would like to hold it at our facility which will include the use of the lodge. Ms. Hixon states that they are a non-profit organization that relies heavily on donations and are asking to waive the fee. Edward Tutrone makes a motion to waive the fee; Ted Wolski seconds. Vote: all in favor; motion carries.
- e. Legacy Donation for Tobyhanna Elementary Center PTO Annual Trunk or Treat & Trail of Treats – Saturday, October 26, 2024: Crystal Butler states that a legacy donation was made for the Tobyhanna Elementary Center PTO Annual Trunk or Treat which will be held on Saturday, October 26, 2024.

7. Committee Reports:

- a. PMRPC: Joseph Colyer states that there is nothing new to report. Mr. Kerrick asks about their hours. Mr. Colyer states that their hours are coming down.
- b. PMREMS: AJ Schrader states that they responded to 687 requests for service, 155 were in Tobyhanna Township. They are at 4476 incidents for the year so far, which is a 16% increase over the last year.
- c. TTBF: Pete Huf states that Chief Dickinson provided their report on the runs for the month of July. Mr. Huf states that a lot of the equipment that is being litigated was returned in the past week and they are in the process of inventorying the equipment and evaluating what repairs need to be done.
- d. PSVFC: Tyler Rispoli states that they have submitted their report.
- e. NID: Crystal Butler states that there is no new news to report, and they will be holding one last meeting sometime in September.
- f. PM COG: Crystal Butler states that there was another presentation made for the work to be done by the Delaware Water Gap and 611 area.
- g. MCATO: Crystal Butler states there is no news.
- h. Library: John Ryan gives his monthly report.
- i. DPW/Vehicle Report: James Rafferty states that Blanche Price Park has reopened and everyone is very happy. Edward Tutrone states that the park blew him away and everyone did an excellent job. Mr. Rafferty gives his report.
- j. STR: Crystal Butler states to date we have issued 782 permits with the cap being 888. There are 21 applications currently in the queue to be reviewed, 30 active accounts working through their application and have not paid their fee yet. Ms. Butler states when totaled together it gives us a total of 833.

8. Discussion Items:

- a. Discuss Budget Preparation – Truck Replacement: James Rafferty discusses truck replacement. Edward Tutrone asks if it is another tandem axle and not a single axle.
- b. Discuss Township Roads for 2025 Tree Trimming Replacement: John Kerrick asks if the tree trimming would be for 2024-2025 since there were no bids last year. James Rafferty states that he spoke with tree trimmers, and they advised that they are dead in the winter, so this is the time of year they want to trim trees. Mr. Rafferty states that there are more roads that need to be taken care of than we can afford at this point. John Kerrick entertains a motion to get tree trimming bid out. Edward Tutrone makes that motion, Joseph Colyer seconds. Vote: all in favor; motion carries. Edward Tutrone states that Gross Drive is in rough shape and if they could look at possibly milling out the shoulders.
- c. Discuss Solar Ordinance: Harry Coleman states that Lourdes Aponte has advised him that Monroe County has adopted a solar ordinance and asked if that is something the Township would want to explore. Mr. Coleman states that he will sit with Bob Bartal and Lourdes Aponte and will report next month as to whether it is necessary.
- d. Discuss Mackes Road: Harry Coleman states that his matter was remanded from the Court of Common Pleas relative to the turning issues on Mackes Road. Mr. Coleman suggests that the Board authorizes him to prepare a draft Development Agreement and Stormwater Agreement with Petrucci to start the process and hammer out any issues to get this concluded. Rachel Schickling makes that motion, Edward Tutrone seconds. Vote: Edward Tutrone – yes; Ted Wolski – no; Joseph Colyer – abstains; Rachel Schickling – yes; and John Kerrick – yes; motion carries.

9. Action Items:

- a. Consider Panther Waste Systems LLC’s Rate Increase: Crystal Butler discusses the rate increase. Rachel Schickling makes a motion to consider rate increase from Panther Waste for household trash bags from \$1.00 a bag to \$2.00 a bag, a 30-gallon bag will be raised to \$4.00 a bag and a 40-gallon contractor bag will be \$5.00; Ted Wolski seconds. Vote: all in favor; motion carries.
- b. Consider 2025 Minimum Municipal Obligation of Tobyhanna Township Non-Uniformed Employee’s Pension Plan: Rachel Schickling makes the motion to consider 2025 Minimum Municipal Obligation of Tobyhanna Township Non-Uniformed Employee’s Pension Plan; John Kerrick seconds. Edward Tutrone abstains. Vote: all in favor; motion carries.
- c. Consider Authorization to Advertise 2025 Paving and Tree Trimming Bids: This was already discussed.
- d. Consider Authorization to Execute Lake Naomi Holding Tank Agreement: William Muzzey, Maintenance Manager for Lake Naomi Club states they are looking to have the original agreement that was issued in 2019 become a permanent agreement. A discussion was held. Harry Coleman states that he will get in touch with Jon Shupp and develop an agreement that will allow them to go forward to do what they need to do and protect the Township and their inspection rights.

- e. Consider Agreement of Sale Between Dunne-Manning Realty LP & Township of Tobyhanna: Rachel Schickling makes the motion to consider the Agreement of Sale between Dunne-Manning Realty LP & Township of Tobyhanna; Ted Wolski seconds. Vote: all in favor; motion carries.
- f. Consider Agreement of Sale Between FedEx Freight, Inc. & Township of Tobyhanna: Rachel Schickling makes the motion to consider Agreement of Sale between FedEx Freight, Inc. & Township of Tobyhanna in the amount of \$5,700.00; Ted Wolski seconds. Vote: all in favor; motion carries.
- g. Consider Resolution No. 2024-011 – A Resolution of the Township of Tobyhanna Board of Supervisors, Monroe County, Authorizing the Destruction of Specific Records. Ted Wolski asks what the benefit for this is. Rachel Schickling makes a motion to consider Resolution No. 2024-011; Joseph Colyer seconds. Vote: Edward Tutrone – yes, Ted Wolski – no, Joseph Colyer – yes, Rachel Schickling – yes, John Kerrick - yes; motion carries.
- h. Consider Well Isolation Waiver for 215 Route 423: Rachel Schickling makes a motion to consider Well Isolation Waiver for 215 Route 423; Joseph Colyer seconds. Vote: all in favor; motion carries.
- i. Consider Sale of Aerial Fire Truck: Joseph Colyer makes a motion to list aerial fire truck, put it out to bid; Rachel Schickling seconds. A discussion was held. Vote: Edward Tutrone – no, Ted Wolski – yes, Joseph Colyer – yes, Rachel Schickling – yes, John Kerrick - yes; motion carries.
- j. Consider Zoning Hearing Board Alternate: Edward Tutrone states that he would like to interview and hear what they have to say. John Kerrick states that they will set that up before next month.
- k. Consider Waiver 75-6 Fireworks Bond Requirement for Locust Lake Village and Lake Naomi: Crystal Butler discusses the waiver of the Chapter 75-6 Fireworks Bond Requirement. A discussion was held. Rachel Schickling makes a motion to consider Waiver of Chapter 75-6 Fireworks Bond Requirement for Locust Lake Village and Lake Naomi, John Kerrick seconds.

Joseph Buono, retired insurance broker, states that it should be written with an aggregate.

Joseph Colyer asks to change the motion to allow them to reconvene after all their questions are answered and they feel comfortable approving this.

Sam Keiper states that he is not sure that a million dollars is adequate.

William Muzzey asks if they could do a special insurance policy for the day of that event.

Ted Harris states that since they haven't set a precedence in the past six years they could try and speed this forward.

Rachel Schickling rescinds her previous motion.

Harry Coleman suggests that they require a one-day only contractor protective policy for \$5,000,000.00 for this upcoming event only.

Rachel Schickling makes a motion to allow Lake Naomi and Locust Lake Village to get owner and contractors protective policies in the protective amount of \$5,000,000.00 for this one time, Ted Wolski seconds. Vote: all in favor; motion carries.

10. Treasurer's Report: June Treasurer's Report: Edward Tutrone makes a motion to approve June's Treasurer's Report; Joseph Colyer seconds. Vote: all in favor; motion carries.
11. Consider August 19, 2024, Bill Pack: \$608,500.74. John Kerrick entertains a motion in the amount of \$608,500.74 minus the amount of the Keiper bill. Joseph Colyer makes that motion, Edward Tutrone seconds. Vote: Edward Tutrone – yes, Ted Wolski – yes, Joseph Colyer – yes, Rachel Schickling abstains, John Kerrick – yes; motion carries. John Kerrick entertains a motion in the amount of \$608,500.74 minus the amount of the Kobalt Construction bill. Joseph Colyer makes that motion, Ted Wolski seconds. Vote: Edward Tutrone abstains, Ted Wolski – yes, Joseph Colyer – yes, Rachel Schickling – yes, John Kerrick - yes; motion carries.
12. Board of Supervisors Report/Comment: None.
13. Public Comment:

Marty Nicoll of Pocono Association of Vacation Owners compliments the solicitor for the injunction against two owners. Mr. Nicoll asks the Board to allow the STR permit to be transferred with the sale of the property.

Joan Lippi, a resident of Blakeslee, asks about the remand of Mackes Road.

Jill Siegel, a resident of Lake Naomi, asks about a supervisor on the Board being involved in the litigation of TTVFC.

John Gentile of RLE Towing asks the Board for their support to get on the towing rotation list with Pocono Mountain Regional.

Rob McGlougen(?), Manager of Locust Lake Village asks that the Board postpone the \$5,000,000.00 policy until next year.

Joseph Colyer states that he did not share any photos of the fire equipment being returned on Facebook.

14. Adjournment: Meeting adjourned at 7:41PM

Minutes recorded by Bethanne Eisler


Bethanne Eisler, Township Secretary