

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
MARCH 17, 2025

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The March 2025 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on March 17, 2025, 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, Edward Tutrone and Ted Wolski. Also present are Manager Robert Bartal, and Assistant Manager Crystal Butler. Solicitor, Harry Coleman, Esquire attended virtually.

1. John Kerrick calls the meeting to order at 6:00PM; a quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements: There were no announcements.
4. Consider Minutes: January 14, 2025, Work Session Meeting; February 18, 2025, Regular Business Meeting: Rachel Schickling makes a motion to approve minutes, Ed Tutrone seconds. Ed Tutrone states that there is a correction to the Regular Business Meeting, under Discussion, page three, letter H regarding the Agreement between Tobyhanna Township and Stillwater Estates, Mr. Tutrone abstained. Vote: all in favor; motion carries.
5. Solicitors' Report: Harry Coleman states that there is no report this evening
6. Manager's Report:
  - a. Penn Strategies Report: Crystal Butler states that the DCED Multi Model Grant which they recently applied for and did not get. Ms. Butler states that the grant window for 2025 has opened, and they will be applying for what they didn't get awarded in last year's DCED Multi Model.
  - b. Zoning and Septic Reports: Robert Bartal reviews the February 2024 and February 2025 zoning and septic reports.
  - c. PMWLL Legacy Donation: Robert Bartal states that they set aside \$250.00, and he will be filling out an application acknowledging the Township's participation with Pocono Mountain West Little League for a sign at Blanche Price Park for little league and a sign at Keiper Field for girls' softball.
  - d. PMWLL Opening Day – Food Trucks: Robert Bartal states that Pocono Mountain West Little League is planning their opening day for the last Saturday in April. Mr. Bartal states that they are asking to solicit food trucks as they get overwhelmed in the concession stand and our water permit with DEP doesn't go into effect until May 1, 2025. Mr. Bartal states they are going to look into changing the DEP permit to start in April as little league is moving up the start time. Mr. Bartal is looking for a motion to allow food trucks to be set up in the parking lot. Edward Tutrone makes that motion, Rachel Schickling seconds. Vote: all in favor, motion carries.

Robert Bartal states that there was an Economic Development Authority meeting prior to the Board of Supervisors Meeting, and they learned that a member was stepping down due to

employment commitments and they need to appoint a new member to the Economic Development Authority. Mr. Bartal states that he spoke with Harry Coleman, and they can add this to today's Agenda. Mr. Bartal asks the Board to make a motion to add filling the Economic Development Authority vacancy to today's Agenda and make that the first action item if the Board sees fit. Rachel Schickling makes a motion to add to the Agenda, Joseph Colyer seconds. Vote: all in favor, motion carries.

7. Committee Reports:

- a. PMRPC: Rachel Schickling states that they passed a towing policy this month. Ms. Schickling states that they replaced vehicles that had high mileage. Ms. Schickling states that they were under-hours.
- b. PMREMS: Robert Bartal discusses their request for quarterly disbursement of the 2025 contribution. Edward Tutrone makes a motion to release quarterly payment to Pocono Mountain Regional EMS and bill their fuel to them once their allotment runs out, Joseph Colyer seconds. Vote: all in favor, motion carries.
- c. TTBF: No one is present.
- d. PSVFC: Their report is in the packets.
- e. NID: Crystal Butler states they had their first meeting last week and were able to go over the Annual Assessment Report that Municap provides to include changes to the property's assessment value. Ms. Butler states that their next meeting will be held in June, which is usually the second Monday in June. Ms. Butler states that once they have that date, it will be circulated to the BOS and NID members.
- f. PM COG: Crystal Butler states there is nothing to report.
- g. MCATO: Crystal states that they held their first meeting, and she was appointed as the Secretary/Assistant Treasurer. Ms. Butler states that their next meeting is in May. Ms. Butler states that it is the intention of MCATO to set up an annual conference so that they can review and prepare any Resolutions that would go to PSATS for the following years annual conference. Ms. Butler states that once she has that information, she will share it.
- h. Library: John Ryan presents their monthly report.
- i. DPW/Vehicle Report: Robert Bartal states that they had a problem with the single axle truck that was ordered to replace the Tandem axle as we couldn't order a Tandem axle. Mr. Bartal states that a problem arose with the single axle, and we can basically change that order to a double axle for the same price that they quoted earlier, \$250,000.00, which is the budgeted amount. James Rafferty states that he asked them if they could hold their number as the truck, they specked out was a 24 tandem. Mr. Rafferty states that they agreed to hold their number for 26 and he spoke with EM Kutz who also agreed to hold their number. Mr. Rafferty states they are getting a newer truck for the price of 24 and it is a Tandem. Mr. Bartal states that we would have a \$3,500.00 increase as there is a tariff assigned to all truck sales. Mr. Bartal states they can find \$3,500.00 in the budget if the Board is ok with changing the order. Joseph Colyer asks if we need a motion. Harry Coleman states no motion is necessary.

Mr. Rafferty states that they have the playground area open, the rest of the park needs work. Mr. Rafferty states that the crew will be attending a Chainsaw Safety Course on May 13, 2025. Mr. Rafferty discusses repairs to equipment and vehicles.

- j. STR: Crystal Butler states that as of today's date they have issued 769 STR permits, 8 accounts are working through their workflows and waiting approval, and 25 active accounts are currently working through their workflows.
- j. Warehouse: Crystal Butler states there is nothing additional separate from what they will be discussing later in the agenda.

8. Action Items:

- a. Consider Appointment of Assistant Township Treasurer: Crystal Butler states our Fiscal Specialist, Laura Marasco, has obtained her bond. Ms. Butler states that they were waiting for her bond to come before appointing her assistant treasurer. Rachel Schickling makes a motion to appoint Laura Marasco as Assistant Township Treasurer, Ted Wolski seconds. Vote: all in favor; motion carries.

Consider Appointment of Economic Development Authority Member: Robert Bartal states that at their Economic Development Authority Meeting tonight, they learned that one of the members which consists of five members is unable to continue their commitment which expires on December 31, 2027. Mr. Bartal states that the Board must appoint someone to take their place. Mr. Bartal states that the Economic Development Authority Board agreed that Mr. Brandon Carroll, who was a previous member when he was a supervisor and a long-term member of the Economic Development Authority. Mr. Bartal states that he feels Brendon Carroll would be a good replacement for Adam Kerrick. Ted Wolski asks if he has shown an interest in stepping up. Mr. Bartal states that he was at the Economic Development Authority Meeting and stated his interest. Ted Wolski makes the motion, Rachel Schickling seconds. Vote: all in favor, motion carries.

- b. Consider Request of Pocono Summit Volunteer Fire Company in the amount of \$996.50 for inspection of 2016 Ford-Police Interceptor: Edward Tutrone makes a motion to pay the bill, Ted Wolski seconds. Vote: all in favor; motion carries.
- c. Consider PMREMS Request for Quarterly Disbursement of 2025 Contribution: This was previously discussed.
- d. Consider Keystone Consulting Engineers Proposal for Construction Observation and Inspection Services – 2025 Paving Project: Joseph Colyer makes the motion, Rachel Schickling seconds. Vote: all in favor; motion carries.
- e. Consider Resolution No. 2025-009 – Recognition of Emerald Lakes as a Civic & Service Organization for Purposes of Small Games of Change License: Ted Wolski asks Harry Coleman if there is a conflict as he and Rachel Schickling reside in Emerald Lakes. Mr. Coleman states there is no conflict. Ted Wolski makes the motion, Edward Tutrone seconds. Vote: all in favor, motion carries. Vicki Mebus, Pocono Pines, resident of Emerald Lakes, states that she doesn't see the need for this as they have plenty of events. Ms. Mebus states that this is a private residential community and not a resort. Rachel Schickling states that it is only for the residents. Edward Tutrone states that the Board

approved this last year for Locust Lake Village. Ted Wolski states that Tunkhannock has already approved it.

- f. Consider Resolution No 2025-010 – DCNR-C2P2 – Austin T. Blakeslee Natural Area Master Site Plan: Crystal Bulter states that the DCNR-C2P2 Grant has opened up the application period. Ms. Butler states that this would be a planning grant which would be a master site plan of the Austin T. Blakeslee Preserve Park. Ms. Butler states that this is not going to be a normal grant where we will be reimbursed 100%. This grant has a 50% match. Ms. Butler states that she has reached out to Pennoni for an estimate, and it will be approximately \$60,000.00 to do the work for the master plan and if we were awarded the grant, we would have to pay approximately \$27,500.00. Ms. Butler states that she wanted to bring this to the Board to talk about pursuing this grant as it has a 50% match. A discussion was held. Edward Tutrone states that he is in favor of pursuing the grant and asks if we have approached Tunkhannock. Ms. Butler states that she had initial conversations with Tunkhannock was to repair the bridge. Ms. Butler states that there was a joint meeting with DCNR and Tunkhannock and DCNR advised that they would like to see more than just bridge repair, they would like to see trails, etc. Joseph Colyer asks if Tunkhannock could be part of the match. Ms. Butler states that they potentially could be. Edward Tutrone makes a motion that we proceed forward with it and contact Tunkhannock Township and see if they are interested in doing a joint application with us and if not, we still proceed, Joseph Colyer seconds. John Kerrick asks if we are still responsible for the half if awarded. Ms. Butler discusses the process. Heidi Pickard states that they already did a master site plan for Austin T. Blakeslee, and we should have it in the file. Vote: all in favor; motion carries.
- g. Consider Resolution No. 2025-011 to appoint a Certified Public Accountant for annual audits: Robert Bartal states that there was a law change which states that we do not have to do this every year. Mr. Bartal states that we had to wait until after a certain date in January for the law to become effective and moving forward we will not have to do every three years. Crystal Butler states that we would need to do one Resolution that will allow the Supervisors to appoint a certified public account until such time as they chode to have those duties brought back to the Board of Auditors. Ms. Butler states that annually we would appoint a certified public accountant at the Reorg Meeting. Edward Tutrone makes the motion, Joseph Colyer seconds. Vote: all in favor; motion carries.
- h. Consider Appointment of Zelenkofske Axelrod for 2024 annual audit: Joseph Colyer makes the motion, Rachel Schickling seconds. Vote: all in favor, motion carries.
- i. Consider Approval of TTBF/PSVFC Bucks County Training Program: Robert Bartal states that Michelle Gonzalez from Pocono Summit Volunteer Fire Company sent the request and was asked to get together with Station 44 as this is a joint venture. Joseph Colyer asks Michelle Gonzalez if they both paid out of their budgets last year. Michelle Gonzalez states that because the application was under Pocono Summit and there was an issue with it and Station 44 doesn't have the manpower to get their own package, she put it under the Township. Edward Tutrone states that he looked at the application and asked if it could be under the Township's name. Mr. Bartal states that it can be. Ms. Gonzalez states that Pocono Summit has furnished Bucks County with their paperwork, and they are waiting on 44. Mr. Colyer states that he will reach out to Pete Huf. Edward Tutrone makes a motion to purchase the Gold Plan from Bucks County for \$4,100.00 for the

calendar year, Ted Wolski seconds. Joseph Colyer abstains. Vote: all in favor; motion carries.

- j. Consider Well Isolation Waiver – 1142 Oakland Place: Joseph Valentine of VW Consultants and Darius Lipski, property owner of 1142 Oakland Place are here to present. Crystal Butler states that we have not received anything separate from the plan for the new system. Mr. Valentine states that he is taking the lead from Jonathan Shupp who advised that they needed to request the waiver. Robert Bartal states that per our well isolation waiver, the Board is only supposed to approve for malfunctioning systems, and this is not a malfunctioning system. This would be up to the Board to make that decision. Harry Coleman states that this is a technical issue and that he believes Jon Shupp, the Sewage Enforcement Officer, must be consulted on this and suggests that this be tabled for a month so that Mr. Shupp can weigh in on it or attend a meeting to advise the Board appropriately. Edward Tutrone states that he would not want to proceed forward with the SEO saying yes or no. A discussion was held. Mr. Tutrone states that he wants to hear Jon Schupp's opinion. Mr. Bartal states that Mr. Shupp advised him that the Board cannot override DEP regulation that it has to be a malfunction and would refer to our legal counsel. Mr. Coleman states that he is not certain that the Board has enough information in front of them to make that determination and suggests that Jon Shupp, himself as well as the applicant, schedule a conference to determine what the issues are and what the steps are to accomplish this and report back to the Board. Mr. Tutrone states that he would like to see something in writing from the SEO given to the Board with advice on which way to go. Edward Tutrone makes a motion to table, Joseph Colyer seconds. Vote: all in favor; motion carries.

9. Discussion Items:

- a. Discuss Warehouse Ordinance Amendment: Crystal Butler states that they provided the Board with what it would look like if the Ordinance were voted on and what it would look like for codification purposes. Ms. Butler states that no decision would be made tonight and if the Board wanted to move forward with an amendment, it would need to go to the Monroe County Planning Commission and the Township Planning Commission to be reviewed and provide comments before it comes back to the Board of Supervisors to be voted on at a Public Hearing. Ms. Butler states that the major point the committee discussed was removing truck terminals from special exception in the commercial district. They would be removing the definition for warehouse and adding a definition for logistic facilities. Joseph Colyer asks where the setbacks came from and why such a catastrophic change to the setbacks. Bridget Meyer states that the setbacks are mainly designed around the fact that this is a highly impactful use to the surrounding community. A discussion was held.

Ms. Meyer states that another thing that they included in draft would be splitting this use, which they have all lumped into one use and they could sub-divide that based on the size and have one set of restrictions for facility that can fit on a 3-acres lot and would not likely create outsized impacts and then have the next level up. Ms. Butler states that it is hard to compare what could potentially happen on a 3-acre lot versus a 400-acre lot. John Kerrick asks how many parcels we have. Ms. Butler states there are not many. A discussion was held.

Ms. Butler asks Harry Coleman if it is a conditional use and a conditional use hearing is held and the Board of Supervisors are allowed to provide for conditions, does there need to be setbacks or is that something that the Supervisors can allow after review of the proposed development and determine what could potentially be appropriate. Harry Coleman states that you could do that but traditionally it is not done that way. A discussion was held.

Edward Tutrone asks if they consulted with the Zoning Officer and Township Engineer. Ms. Butler states that once a rough draft was done, she met with the Zoning Officer to discuss things. Ms. Butler states that the Zoning Officer thought it was a good idea to clean up the definitions. A discussion was held.

Harry Coleman states that the Board can email their comments to the committee, which will be helpful to them as they formulate the ordinance before it comes back to the Board.

- b. Discuss Request for Access to Stoney Holly Road for Logging Project: Jim Apgar – Pocono Lake Preserve states the project will take place at the south end of their corner near Keith Naylor's property. Robert Bartal states that there are concerns with line-of-sight issues that could come into play if the Township approves this. Mr. Bartal states that he spoke with Harry about financial consideration concerns with truck traffic of the logging trucks on the road if there is damage. Mr. Bartal states there must be some consideration put into place whether it be Pocono Lake Preserve attorneys or the logging companies' attorney. Mr. Bartal also states that part of our road paving project this year is construction there and we would need to tie down that timetable so that we don't interfere with the construction. Edward Tutrone states that the big thing for him would be the line of sight. John Kerrick asks how long the project is going to last. Jim Apgar states a month at best. Joseph Colyer asks if they are going to be blocking this off permanently after the project is done. Jim Apgar states their plan is to remove it. A discussion was held.

Harry Coleman states that we should have financial consideration especially if there is damage to the roadway and he can work with the contractor and/or property owner. Jim Apgar states that they have a performance bond with Deer Park. Robert Bartal states that they should put up roadway signs to protect themselves and the Township. Mr. Bartal asks Mr. Apgar to meet with Jim Rafferty to pinpoint the actual measurement of the entrance. Mr. Coleman advises that no motion is required

- c. Discuss Short-Term Rental CAP: Ted Wolski states that he listened to what was said at the last meeting regarding nuisance houses and that none of the Board are okay with this. Mr. Wolski states that over the past year we have improved our enforcement and have seen a drop in complaints being filed.

Ted Wolski states that the Short-Term Rental CAP is a different question all together, it is a question of economics, the real estate market and ultimately a question of legality. Mr. Wolski states that we are the only second-class township that has a CAP. Mr. Wolski states that he was voted in to do right by the community as a whole and to vote in the best interest of the residents and homeowners and it is with that in mind that he makes a motion to rescind Resolution 2024-006 establishing an arbitrary 12% CAP on short-term rentals here in Tobyhanna Township, Edward Tutrone seconds. Joseph Colyer states there have not been enough research done to remove the CAP. Mr. Wolski states

that CAP actually caused more short-term rentals. A discussion was held. Brendon Carroll states that he does not have any problems selling homes nor has he lost a sale or heard any complaints about a very high-end market. Mr. Carroll states that they worked on this Ordinance for 2 ½ years to try to balance the best they could for everyone. A discussion was held. Edward Tutrone states that he might not agree with some things in the Ordinance but overall, the Ordinance is pretty faire and the enforcement is excellent. Mr. Tutrone states that once the CAP was mentioned, the office was flooded with applications and believes that they caused their own problems. A discussion was held.

Richard Metzger asks if this could be brought up to a general election as people on the Board may or may not have a financial gain for STR's. Mr. Metzger states that we are a residential community, and they should keep the CAP and anyone with financial gain should abstain.

John Kerrick states that this started in 2018, and he stated then that this should be turned over to the HOA's. A discussion was held.

Nancy Dressel, President of the HOA at Lake Naomi. She thanks the Board for the CAP and for the enforcement. She states that she would like to Board to keep the CAP.

Marty Nicholl, Founder & Board Member of VRO, discusses the impact on the market.

Vickie Oehler, full-time resident of Pocono Lake, states that she understands that we want growth in our community in a positive way and personally does not think that STR's are the way to go.

Mark Edwards, President of Greenwood Acres, states that he moved here in 2009, and it was a single-family area, and he now has 9 STR's near him. He is not totally against STR's because our economy is based on visitors and tourists. He also discussed his issues with LLC's.

Vickie Mebus, a property owner in Emerald Lakes, states that she supports CAP. She further stated that she has been to the Township several times complaining about STR's.

John Holahan states that STR's collect a 9% sales tax, 6% goes to the State and 3% goes to the County. Tobyhanna Township receives nothing from the 3% that goes to the County. A discussion was held.

Richard Metzger, Timber Trails, Pocono Pines, states that anyone with financial gain should not be on the Board and should not be able to vote.

Rich Daggett, resident of Tobyhanna Township, states that with the STR's we have lost our sense of community and does not see any need to increase it to an unlimited number.

Joan Lippi, Blakeslee, asks the Board not to make any changes and to keep the existing CAP.

Ann Hersh discusses concerns with enforcement.

Joe Crandall discusses issues with STR's in Tobyhanna Township. Mr. Crandal states that in his opinion 3 members of the Board should abstain from any vote regarding STR's due to their direct involvement financially and emotionally. He requests that they keep

the CAP and place it on the fall ballot for the citizens of the Township to truly have a voice in this issue.

Michael Camino, Emerald Lakes, states that he had a conversation with Pocono Regional and was advised that less than 3.7% of crime in Tobyhanna Township is committed by (inaudible) and short-term rentals. He states that he does believe that this should be an HOA issue as they are better equipped to deal with this as a homeowner issue rather than a business issue.

Jolene Fetty, Pocono Lake, states that she has sat through every meeting for the last 3 years listening to the back and forth. She states that there is no protection for the people who do not live in an HOA. She also states that at the beginning of COVID and the time that STR's started coming in and the over inflation of homes has made it impossible for her family to purchase a home and raise a family in Tobyhanna Township.

Vote: Ted Wolski – yes, Edward Tutrone – yes, Joseph Colyer – no, Rachel Schickling – no, John Kerrick – yes; motion carries.

10. Treasurer's Report: February's Treasurer's Report: Edward Tutrone makes the motion, Ted Wolski seconds. Vote: all in favor; motion carries.

11. Consider March 17, 2025, Bill Pack: \$514,754.12: Edward Tutrone makes the motion, Ted Wolski seconds. Rachel Schickling abstains. Vote: all in favor, motion carries.

12. Board of Supervisors Report/Comment:

Joseph Colyer would like to put on the next agenda to discuss raising our commercial industrial and commercial to catch up with the business we allow in residential areas.

Edward Tutrone asks about scheduling the second work session for the Fire Ordinance.

13. Public Comment:

Frank Girgenti, Emerald Lakes, asks the Board to push Harry Coleman to file a Motion for Sanctions against the property owner on Long Pond Road.

Unnamed Person asks for an update on the project on the off-ramp at 380. Robert Bartal states that they are in the process of obtaining rights-of-way and then it will be put out to bid for construction and they anticipate construction should begin early next year.

14. Adjournment: Meeting adjourned at 8:28PM

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Minutes recorded by Bethanne Eisler

  
Bethanne Eisler, Township Secretary