TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
AUGUST 18, 2025

The August 2025 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on August 18, 2025, 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 Manager Robert Bartal, Assistant Manager Crystal Butler and Solicitor, Harry Coleman, Esquire.

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: July 21, 2025, Regular Business Meeting: Joseph Colyer makes the motion, Ted Wolski seconds. Vote: all in favor; motion carries.
5. Solicitors' Report: Harry Coleman states that there is nothing to report this evening.
6. Manager's Report:
   a. Penn Strategies Report: Robert Bartal states that there is nothing of great significance in the Penn Strategies Report. Mr. Bartal states that there has been no awarding of the fire grant; however, it does need to be awarded by September 30, 2025.
   b. Zoning and Septic Reports: Robert Bartal reviews the July 2024 and July 2025 zoning and septic reports.
   c. PMREMS Regional Roundup – August 21, 2025, from 5:30PM-9:00PM: Robert Bartal states that the Pocono Mountain Regional EMS Regional Roundup is August 21, 2025, from5:30PM to 9:00PM. Mr. Bartal asks the Supervisors to let him know if they plan to attend and if not, we usually have staff that will attend.

6. Committee Reports:
   a. PMRPC: Rachel Schickling states that there is nothing new to report. Ms. Schickling states that they are over 300 hours; however, they do not seem to be too concerned about this at all. Ms. Schickling states that all the vehicles are in and have been outfitted.
   b. PMREMS: AJ Schrader gives his report. Mr. Schrader provided a copy of the audit for review along with liability insurance with the Township listed as a policy holder and the completed Lease for the ESB Building for the year.
   c. TTBF: Tia Fritz states that she has emailed their report. Ms. Fritz states that it was discussed but no vote was taken regarding donation of the hose. Joseph Colyer makes a motion to donate the hose. Edward Tutrones seconds. Tyler Rispoli asks if this was the hose that they loaned TTBF. Joseph Coyer states that this was the NY thread hose for the mini pumper. Vote: all in favor; motion carries.

d. PSVFC: Tyler Rispoli gives their report.

e. TTVFC: BJ Muzzy gives their report.

f. Thornhurst VFC: No one is here.

g. NID: Crystal Butler states that there is no new update. They are still looking to possibly schedule another meeting either later this year or earlier next year.

h. PM COG: Crystal Butler states that they received the request for bid quantities. Ms. Butler states that both Bob, Jimmy and herself have been working and discussing as to what our needs are for the next year to submit those out to bid.

i. MCATO: Crystal Butler states that they are looking to capture a meeting in which to discuss the Resolution Committee and other items to include member fees.

j. Library: John Ryan presents their monthly report. Mr. Ryan thanks the Township for National Night Out and was very impressed by the staff and thought it was a great success. Rachel Schickling thanks the library for being such a center of the community.

k. DPW/Vehicle Report: James Rafferty gives his report. Mr. Rafferty states that he would like to add Tanglewood to paving this year. Mr. Rafferty states that he would like to widen the road by 2 feet where the stone shoulder is if he has everyone's blessings. Mr. Rafferty discusses the changes he would like to make to Joseph Buno's property. He states that he would like to flatten the existing gravel, put filter paper down and fill it with dirt and keep the 2-foot stone shoulder so that when the water comes down, it will go across the road and down to the pond. A discussion was held.

l. STR: Crystal Butler states that as of August 15, 2025, there are 788 permits. Ms. Butler states that we continue to show a plateau.

m. Warehouse: Crystal Butler asks the Supervisors if they could give this to the Planning Commission for informal comments and to work through some of the details with a new set of eyes. The Supervisors advise that they are fine with this.

7. Action Items:

   a. Consider Approval of Remanded Land Development Plan for Mackes Road Project: Harry Coleman states that the Mackes Road project was fully vetted before this Board at their January meeting. Mr. Coleman states that Mr. McHale, the Township Engineer, had written his review on December 5, 2023, and the Monroe County Planning Commission also issued a review letter on June 30, 2023. Mr. Coleman stated that their prior application was denied by this Board. He states that the previous applicant had filed an appeal, the matter was briefed, and Judge Arthur Zulick overturned the ruling of this Board and remanded one unique municipal issue back to this Board for reconsideration, that being the issue of ingress and egress from Mackes Road to the legislative route.

   George Asimos, Esquire, counsel for Newland Real Estate Equities, LLC; Rocio Budetta and Matthew Frank from Newland Capital Group are here to present. Mr. Asimos states that this property is currently owned by Mar Jim, Inc. Mr. Asimos states that the proposal that his clients' bring tonight is to officially recognize Real Estate Equities as the successor applicant so that they can move forward and approve the plans as they were presented to the Board and reviewed by Mr. McHale with the caveat that his letter will be complied with as a condition of final approval and the final plans would be brought to the Board for final signatures. Mr. Asimos states that the one change that had come up during discussions with the solicitor and Mr. McHale's was to address how to make sure that the intersection was as functional as possible. He states that it has to do with a signaling device which they think will be helpful and to make one change to the plan for the Board to consider and approve the plan as remanded.

Matthew Frank of Newland Capital Group, the purchaser of the property, states that they looked closely at the issue that was raised by Mr. McHale and throughout their discussions, Mr. McHale had noted concern regarding the queuing of trucks on Mackes Road and 115 and the impact this might have. Mr. Frank states that even though PennDOT has approved the improvements previously shown as of the application in terms of the right-of-way extension and shoulder, he believes that one suggestion would be to install a sensor loop, much like a traffic signal, that would sense when a trailer was waiting to exit from Mackes Road to 115. A discussion was held.

John Kerrick reads a statement regarding the remand Order from the Court of Common Pleas of Monroe County. Mr. Kerrick entertains amotion to approve the Preliminary and Final Land Development and direct our solicitor to prepare the Development Agreement and Stormwater Management Agreement. Rachel Schickling makes that motion, Ed Tutrone seconds.

Joan Lippi, Blakeslee, asks if a turning lane off Route 115 into Mackes Road is part of that modification. A discussion was held.

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

b. Consider Authorization to Advertise Pension Ordinance Amendment: John Vargo of Conrad Segal discusses pension amendment. A discussion was held. Joseph Colyer makes a motion to advertise pension ordinance amendment, Rachel Schickling seconds. Edward Tutrone asks Harry Coleman if he should abstain as he is part of the pension. Robert Bartal states that he is not really in it because he is not at retirement age. Harry Coleman states that because of that he sees no conflict. Vote: all in favor; motion carries.

c. Consider Well Isolation Waiver of 134 Altemose Road: Ted Wolski makes a motion to consider well isolation waiver of 134 Altemose Road, Edward Tutrone seconds. Vote: all in favor; motion carries.

d. Consider Authorization to Advertise 2026 Tree Trimming Bids: Rachel Schickling makes a motion to advertise 2026 Tree Trimming Bids, Ted Wolski seconds. Vote: all in favor; motion carries.

e. Consider Purchase of Cylinder and Valve Assembly Quote for Fire Companies: Joseph Colyer states that the tanks are going to expire at the end of the year. Mr. Colyer states that they have a grant out but cannot wait for the grant. He states that he is hoping to get this approved and will make calls to see when the last date is to order the cylinders. Mr. Colyer states that they need to get these tanks because there will not be any certified tanks to go to a fire. Joseph Colyer makes a motion to approve $30,217,.53 for 21 4500 PSI 15 years 45 min cylinders, Rachel Schickling seconds. Robert Bartal asks if the motion is approved, he would like the Board to direct where they would like the money to come from. A discussion was held. Joseph Colyer rescinds his motion.

Joseph Colyer makes a motion to either get it for the adaptors so they can take them off and use the quick connects and find out what packs were quoted in this quote. Joseph Colyer rescinds his motion. A discussion was held.

Edward Tutrone makes a motion to advertise for a special meeting. Ted Wolski seconds. Vote: all in favor; motion carries.

8. Discussion Items:

   a. Presentations: SFM Consulting/DCED Zoning Update:

      Jonas Krass and Bella Hume with DCED make their presentation. A discussion was held.

      Judy Acosta with SFM Consulting makes her presentation. A discussion was held.

      Joseph Colyer makes a motion to go with SFM Consulting. Rachel Schickling seconds. Ms. Schickling stated that the Planning Commission had spent a lot of time on the definitions and there also was a joint meeting with the Supervisors and these would be great tools to use to speed up the process and keep costs down. A discussion was held. Vote: all in favor; motion carries.

   b. Discuss Policy Determination: (1) Is the Board willing to reallocate or take away EDUs from property owners to accommodate Evergreen Development in the Blakeslee area. John Kerrick states that after reviewing Vince Pompo's letter, he doesn't think this is a good idea. Joseph Colyer states that for us to reallocate, we are opening a door where people will come and ask to reallocate for them.

      Mark Bahnick of Van Cleef Engineering states that they have had conversations with special counsel Vince Pompo on this issue and he understands the concept of not wanting to take sewer service from a certain property. Mr. Bahnick states that the fact of the matter is that at this point the wastewater facility is at pack capacity and has been for many years. He states that there is no vehicle in place at this point to hook up all the people that have been given an allocation. Mr. Bahnick states that this is going to limit land development in an active development area and these projects cannot be done because every lot has one EDU assigned to them. Mr. Bahnick states that they are looking at the big picture to find a way to use that capacity in the plan and in a way that the Board would want it to be used for development. A discussion was held.

      Crystal Butler asks if they have touched base with DEP and if there was any feedback as to the reallocation of EDUs. Mr. Bahnick states that they have not, because they need permission to have that conversation and they have not contacted DEP. Vince Pompo states that there isn't much synchro(?) as to how DEP is going to address the unsewered areas. Mr. Pompo states that DEP will most likely view the situation as a requirement to prove a negative and to prove essentially a need that was previously identified no longer exists. Mr. Pompo states that the question then becomes how one proves that negative. A discussion was held.

Joseph Colyer asks if they tested the property for a septic system for the use they are doing. Mr. Bahnick states that they did.

Joseph Colyer makes a motion that they deny reallocating the people's sewer, Edward Tutrone seconds.

Ted Wolski asks if Bob McHale has weighed in on this. Crystal Butler states that he will not provide any feedback or comment regarding the portion of EDU reallocation. Ms. Butler states that he has questions as to what it would look like for both the number of EDUs for the property as well as how that blends with what we already allow for zoning. A discussion was held. Vote: all in favor; motion carries.

c. Discuss Stormwater Certificate of Completion Form: Crystal Butler states that it has been discovered that currently the zoning officer is unable to provide for the final inspection of stormwater BPMs to account for stormwater on a parcel. Ms. Butler states that both Bob McHale and she had discussed this at length and determined that the best way to go about this while still providing for compliance with the Stormwater Ordinance is that they have the owners of the property provide a Certificate of Completion as part of the request for final inspection for their Certificate of Occupancy. A discussion was held. Edward Tutrone makes the motion. Joseph Colyer seconds. Vote: all in favor; motion carries.

d. Discuss Fire Trucks and Leases: Edward Tutrone states that he wanted this on the agenda tonight as they were renewed last year in September. Mr. Tutrone states that he feels that they need to do the Lease on the building; but does not believe one should be done on the vehicles. He states that he doesn't believe in anything that ties the hands of the vehicles to the Township. A discussion was held. Joseph Colyer, Edward Tutrone and Harry Coleman will work on the Lease, and this will be placed on the September Agenda.

Mr. Tutrone states that the second part to this is regarding the radios for trucks because of the truck identification issues. A discussion was held.

9. Treasurer's Report: July's Treasurer's Report: Ted Wolski makes a motion to approve July's Treasurer's Report, Joseph Colyer seconds. Vote: all in favor, motion carries.

10. Consider August 18, 2025, Bill Pack: $360,171.81: Ted Wolski makes a motion to accept. Joseph Colyer seconds. Vote: all in favor; motion carries.

11. Board of Supervisors Report/Comment: None.

12. Public Comment: None

13. Adjournment: Meeting adjourned at 8:01PM.

Minutes recorded by Bethanne Eisler

Bethanne Eisler

Bethanne Eisler, Township Secretary

CONFLICT OF INTEREST ABSTENTION MEMORANDUM

I, Joseph C Colyer hereby declare that I am required to abstain regarding the following issue/motion: Remanded Land Development Plan of Mackes Road Project

My conflict/reason for abstaining is a follows: I Have A Personal Relationship with the curent Property Owner

By: [signature]

Dated: 8/18/25

Received this 18th day of August, 2025.

Bethanne Eisler
Township Secretary