

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
REGULAR BUSINESS MEETING  
OCTOBER 20, 2025

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The October 2025 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on October 20, 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, Edward Tutrone and Ted Wolski. Also, present are Manager Robert Bartal, Assistant Manager Crystal Butler and Solicitor, Harry Coleman, Esquire. Supervisor Rachel Schickling 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: Crystal Butler announces that the meeting tonight is being streamed.
  - a. Crystal Butler announces that an executive session was held on September 29, 2025, from 5:30PM to 7:00PM for legal matters.
  - b. Crystal Butler announces that an executive session was held on October 6, 2025, from 11:00AM to 11:25AM for legal matters.
4. Consider Minutes:
  - a. August 18, 2025, Regular Business Meeting: Edward Tutrone makes a motion to consider the August 18<sup>th</sup> Regular Business Meeting minutes. Ted Wolski seconds. Vote: all in favor, motion carries.
  - b. August 25, 2025, Special Meeting: Edward Tutrone makes a motion to consider the August 25<sup>th</sup> Regular Business Meeting minutes. Ted Wolski seconds. Vote: all in favor, motion carries.
5. Solicitors' Report: Harry Coleman states that there are two matters to discuss. Mr. Coleman states that he attended a hearing on October 18<sup>th</sup> before the Zoning Hearing Board on a validity challenge to the zoning ordinance relative to self-storage facilities. Mr. Coleman discusses the hearing and states that the Zoning Hearing Board took this matter under advisement, and he will keep the Board informed of the outcome.

Mr. Coleman states that the other matters are enforcement matters being handled in District Court with the zoning officer.
6. Manager's Report:
  - a. Penn Strategies Report: Robert Bartal discusses the Penn Strategies report.
  - b. Zoning and Septic Reports: Robert Bartal reviews the September 2024 and September 2025 zoning and septic reports.
  - c. Halloween Trick or Treating – October 31, 2025, from 5:00PM to 8:00PM: Robert Bartal announces that Tobyhanna Township will hold Halloween Trick or Treating on October 31<sup>st</sup> from 5:00PM to 8:00PM.

- d. Pocono Lions Club Wreaths for Veterans- November 8, 2025, at 11:00AM: Robert Bartal announces that the Pocono Lions Club Wreaths for Veterans will be held on November 18<sup>th</sup> at 11:00AM at the Pocono Lake Cemetery. Ted Wolski states that he will attend.
- e. Toys for Tots Toy Drive – November 1, 2025 – December 5, 2025: Robert Bartal announces that the Township will be undertaking the Toys for Tots Toy Drive from November 1<sup>st</sup> to December 5<sup>th</sup>. Mr. Bartal states that there will be a box in the lobby and we will post this on our website and Facebook.

7. Committee Reports:

- a. PMRPC: Joseph Colyer gives their report and advises that they did get through their budget.
- b. PMREMS: No one is present.
- c. TTBF: No one is present.
- d. PSVFC: Tyler Rispoli gives their report for PSVFC. Robert Bartal states that he received an email from Greg Schmidt asking if propane tables are allowed during a burn ban. A discussion was held.
- e. TTVFC: Troy Counterman gives their report for TTVFC.
- f. Thornhurst VFC: Dan Serfoss give their report.
- g. NID: Crystal Butler states that they did receive the annual audit from ZA. Ms. Butler states that she will be reaching out to the chairwoman, Michelle Bisbing to see if Ms. Bisbing is looking to schedule a special meeting to approve the audit.
- h. PM COG: Crystal Butler states that at the last meeting they did open up the bid quantities. Ms. Butler states that they will be utilizing a different fuel company next year. She states that Suburban Propane was awarded the bid. Ms. Butler states that they did not receive any bids for anti-skids.
- i. MCATO: Crystal Butler states that they have a meeting coming up.
- j. Library: No one is present. The report is in the binders.
- k. DPW/Vehicle Report: James Rafferty gives the report for DPW. Mr. Rafferty states that they completed Hungry Hill. Mr. Rafferty also advised that they took care of the drainage issues at Joe Buono's house.
- l. STR: Crystal Butler states that as of October 17<sup>th</sup> they had issued 775 permits. Edward Tutrone states that the STR staff have been commended by PSATS for the job that they are doing and have been asked to teach classes in other Townships regarding enforcement. Mr. Tutrone states that he would like to see in the monthly report a list of how many reports come into the Township.
- m. Warehouse: Crystal Butler states that they had their first meeting with the Planning Commission and there was a very good initial discussion.

8. Discussion Items:

- a. Discuss Food Truck Ordinance: Crystal Butler states that approximately 6 to 8 months ago the Board of Supervisors asked the Planning Commission to draft a food truck ordinance. Ms. Butler states that the Planning Commission worked tirelessly to provide a stand-alone general powers ordinance. She states through discussions they felt it did not serve the Township being a part of the transient retail, peddling and soliciting ordinance. Ms. Butler stated that they pulled that out and provided a stand-alone ordinance. Edward Tutrone makes a motion to table this to next month. Ted Wolski seconds. Vote: all in favor, motion carries.
- b. Discuss Ordinance 561 – Amending Chapter 9 Fire Companies: John Kerrick asks if two or three Supervisors could get together and come back with some recommendations. Edward Tutrone states that his concern right now is that the three fire companies in the Township are not following the Ordinance. A discussion was held. Edward Tutrone and Joseph Colyer are going to meet with the fire companies to see about combining the current ordinance with the previous ordinance.
- c. Discuss Fire Leases for Buildings and Equipment Renewals for 2026: Edward Tutrone states that he is not in favor of a lease on the equipment. Mr. Tutrone states that no fire company should tie the hand of the Township. He states that the equipment is titled and registered in the name of the Township and the Township owns the equipment. A discussion was held. This will be put on the agenda for next month.
- d. Discuss New Ventures Park Lot #9 Amended Land Development Plan: Chris McDermott of Reilly Associates is here to present. Mr. McDermott states that V&M Realty is the owner of Lot 9 New Ventures Park located off New Venture Avenue. Mr. McDermott states that this is a 6 ½ acre lot. He states that the property was the subject of several approvals. Mr. McDermott states that in 2006 they obtained a special exception for a motor vehicle service station; 2007 the Board reviewed the land development plan which was approved and recorded in early 2008; 2010 they received an NPDES permit which was updated and renewed in 2015. He states that they had a renewal approved and went into effect on October 15, 2025. Mr. McDermott states that they have a valid NPDES permit and E&S Plan approval. Mr. McDermott states that when the economic bomb fell out of the market, they had to put their development plans on the shelf. Mr. McDermott states that they are here tonight to provide a status on the project and get the concurrence of the Board that this is a valid land development plan. Joseph Colyer states his concerns that the square footage doubled. Mr. McDermott states that the plans are the exact plans and that nothing has changed. A discussion was held.

Ted Wolski makes a motion that they meet with Harry Coleman and Bob McHale and sign off on plans. Edward Tutrone seconds. Vote: all in favor, motion carries.

- c. Discuss GAF Roof Claim: Robert Bartal states that we suffered damage to the shingles and there is a 40-year warranty on the shingles. Mr. Bartal states that they put out \$7,000.00 to have repairs done to the roof. Mr. Bartal states that the shingle company has offered a settlement in the amount of \$9,000.00. He states that the way he reads it, it is a once and done settlement and he didn't feel this was good. Harry Coleman states that

they gave an extended warranty to a date certain and they still have to honor it. A discussion was held.

- f. Discuss Stevens & Lee Invoice in the amount of \$111,547.64: Harry Coleman states that the Township has been contacted by Stevens & Lee regarding an outstanding invoice that dates back to when the Pocono Springs concept was an option. Mr. Coleman states that the Township through the EDA retained the services of Stevens & Lee to do the leg work for the Pocono Springs project. He states that once the work was done, they received the invoice. Mr. Coleman states that there was a dispute as to whether the developer was going to honor the bill and it was never proven. Mr. Coleman states that Stevens & Lee is requesting payment of the Township's obligation. He states that even though this is an EDA bill, he believes that the Township will ultimately be held and his recommendation is that they pay the bill. Ted Wolski asks if there is any flexibility in negotiating the bill. Mr. Bartal states that Harry Coleman did that. A discussion was held. Joseph Colyer makes a motion to pay for it. Edward Tutrone seconds. Edward Tutrone asks what recourse they have with the EDA. A discussion was held. Vote: Edward Tutrone – yes; Ted Wolski – no; Joseph Colyer – yes; John Kerrick – yes, motion carries.

9. Action Items:

- a. Consider 2025 Volunteer Fire Relief Allocation: Joseph Colyer makes a motion to split 50/50 between 41 and 33. Ted Wolski seconds. Vote: all in favor, motion carries.
- b. Consider 2025 Tree Trimming Bid: Harry Coleman states that Pennsylvania Townships have to follow competitive bidding for contracts over 12/9 and have to get written or telephonic bids and for contracts over \$23,800, they require formal bidding. Mr. Coleman states that public advertising took place relative to this bid, setting the rules for this bid. He states that the bids were opened in the public at the appointed time in front of members of Township staff. He states that this Board at its discretion should award to the lowest responsible bidder. Robert Bartal states that that a third bid was received and was not timely in the mail after the bids were opened. Mr. Bartal states that this bid was not opened, and we do not know what that bid was. Mr. Bartal states that they notified the bidder that their bid was not delivered on time. Mr. Coleman states that that Township Secretary was nice enough to reach out and have a conversation with the bidder. Edward Tutrone makes a motion to award American Outdoor Tree Service Inc. for the best bid of \$63,840.00. Ted Wolski seconds. Joseph Colyer abstains. Vote: all in favor, motion carries.

Robert Bartal asks the Board to allow James Rafferty to go through and select items that will keep them under \$80,000.00 but still close to \$80,000.00 that we have allotted for in additional items. Edward Tutrone makes a motion to have Jim work with the company to pick other options on the subsequent bid. Ted Wolski seconds. Joseph Colyer abstains. Vote: all in favor, motion carries.

- c. Consider Authorization for Letters of Interest for UCC Board of Appeals Committee: Crystal Butler states that they are looking to get authorization from the Board to receive letters of interest and have the letters to the Board at the next hearing. John Kerrick states that no motion is necessary.

- d. Consider Boy Scout Troop 94 Request to Install an 8x12 Shed at EMS Building: James Rafferty states that he would like to remove the brown shed and have this shed place there. John Kerrick states that no motion is necessary. Robert Bartal states that they had asked to waive the permit fee. Edward Tutrone makes a motion to waive the permit fee. Ted Wolski seconds. Vote: all in favor, motion carries.
- e. Consider Land Development Approval of 300 Delaware Street: Dave Lopatka of Reuther Bowen is here on behalf of 300 Delaware Street LLC Land Development Plan. Mr. Lopatka states that they went through the land development process before the Planning Commission and they recommended that they come to the Board of Supervisors meeting. He states that they have met all the conditions except for the exemption model, and he doesn't believe that the Township has received it. Robert Bartal states that the Township Engineer recommends that the preliminary/final land development be approved to the applicant's satisfactory response to the items listed in his review letter of September 11, 2025. Ted Wolski makes a motion to approve subject to the Township Engineer's letter of September 11, 2025. Edward Tutrone seconds. Vote: all in favor; motion carries.
- f. Consider Requests of Pocono Summit Volunteer Fire Company:
  - i. \$877.39 to Ed's Towing for inspection of 1995 Peterbilt-357-Caterpillar
  - ii. \$2,175.00 to Cogle's Detailing LLC for detailing 4 emergency response vehicles
  - iii. \$2,188.21 to SITC Service Tire Truck Center for tires

Joseph Colyer states that he only has an issue with the invoice for detailing as this account is getting low and they have trucks that have been or need to be fixed, and they haven't received those invoices. A discussion was held. Edward Tutrone makes a motion to pay all three invoices. John Kerrick seconds. Vote: all in favor, motion carries.

- g. Consider Change of Scope for I-380 Project Basin #1 from Pioneer in the amount of \$113,465.00: Crystal Butler discussed the Change of Scope to Basin #1. Edward Tutrone makes a motion to move forward with the proposal from Pioneer Construction. Joseph Colyer seconds. Vote: all in favor, motion carries.
- h. Data Center Ordinance for TDP District:
  - i. Consider Authorization to Send to Planning Commissions: Ralph Matergia representing Pocono Manor Investors is here to present. Mr. Matergia states that his client had made a formal Petition in the amendment of the zoning ordinance in the form of an overlay of a section of the Tourist Development Project District. Mr. Matergia states that no action was taken on that, however the Board instructed staff to address a draft amendment to allow the use as a permanent use in the Tourist Development Project District and providing for regulations. He states that both he and the staff worked on the redraft. Mr. Matergia states that his client supports the action item authorizing that this be sent to the Planning Commission for review and to advertise the Ordinance for public hearing. Joseph Colyer makes a motion to send to the Planning Commissions. Edward Tutrone seconds.

Ted Wolski asks why we are talking about the two data centers together. Harry Coleman explains both ordinances.

Ted Wolski asks how they make sure that everyone's electric bills don't go up. Harry Coleman states that the three monsters are water, electricity and noise and those regulations are within the Ordinance. A discussion was held.

Joan Lippi, Blakeslee, asks if the Ordinance is to consider a data center in the TDP District or Township wide. Joseph Colyer states it will be in the TDP District. A discussion was held.

Ellen Lott, Blakeslee, asks if there is a machine to measure the noise.

Vicki Mebus, Pocono Pines, thanks the Board of Supervisors for doing research and protecting the residents. Ms. Mebus asks who the data center is for. Ralph Matergia states there is no specific developer for this site.

Dennis Malick, Blueberry Estates, discusses his concerns with water. A discussion was held.

Brigitte Meyer, Blakeslee, asks Harry about the water source and recycling of water. Ms. Meyer also discusses noise issues with data centers. A discussion was held.

Bob (couldn't make out last name), Pocono Lake, states that they are saying that they don't have a client and states that they do have a client but are failing to give the name. Ralph Matergia states that he has a client Pocono Manor Investors. A discussion was held.

Vote: all in favor, motion carries.

ii. Consider Authorization to Advertise for Public Hearing: Joseph Colyer makes a motion to advertise for a public hearing on December 11, 2025. Edward Tutrone seconds. Vote: all in favor, motion carries.

i. Data Center Overlay at Tarheel Quarry:

i. Consider Authorization to Send to Planning Commissions: Attorney Raymond Rinaldi, representing Pennsylvania Glacial Till is here to present. Mr. Rinaldi states that the property is approximately 400 acres in the rural residential district and is currently zoned for a mining operation. Mr. Rinaldi states that the infrastructure, power lines and gas lines are in close proximity to the property. He states that they believe this property is well suited for redevelopment of a data center. Mr. Rinaldi states that the property is more than 1000 yards from a residential property. Mr. Rinaldi asks for consideration to move this matter forward.

Joseph Colyer states that he would like to see the same standards and regulations in the TDP District be included in this Ordinance and they should be a mere image. Edward Tutrone states that he wants the Ordinance to be beefed up.

Mr. Rinaldi asks that this be sent to Monroe County Planning Commission and the Township Planning Commission and to schedule a public hearing.

Joseph Colyer makes a motion to send to Monroe County Planning Commission and Tobyhanna Township Planning Commission with the caveat and regulations meeting the current draft. Edward Tutrone seconds.

Ted states that his previous comments are the same for this one as well.

Joan Lippi, Blakeslee, asks about commercial mining in a rural residential area. Ms. Lippi asks if we are going to have another hearing to potentially put a data center in rural residential area. A discussion was held.

Joseph Colyer states that he wants to make everyone aware that until they have a place permitted, anyone that walks in the door with a validity challenge will probably win. Mr. Colyer states that we have to allow this somewhere.

Ellen Lott, Blakeslee, urges the Supervisors to minimize the damage. A discussion was held.

Joseph Colyer asks the property owner about the large portions of the area that have been cleared out. A discussion was held.

Kim Briggs Olizarowicz, Pocono Pines, states that she wants to reiterate to the concerns of the residents that they don't have to approve either data center. A discussion was held.

Brigitte Meyer, Blakeslee, asks how the Township regulates power plants. A discussion was held.

Vote: all in favor, motion carries.

ii. Consider Authorization to Advertise for Public Hearing: Joseph Colyer makes a motion to advertise for public hearing on December 15, 2025. Edward Tutrone seconds. Vote: all in favor, motion carries.

10. Treasurer's Report: September's Treasurer Report: Joseph Colyer makes the motion. Ted Wolski seconds. Vote: all in favor, motion carries.

11. Consider October 20, 2025, Bill Pack: \$1,493,453.79: Edward Tutrone makes the motion. Ted Wolski seconds. Vote: all in favor, motion carries.

12. Board of Supervisors Report/Comment:

Edward Tutrone states that this is not on the agenda, so he cannot make a motion. Mr. Tutrone states that they have been going through the budget process with monies going to the fire companies. He states that they are funding a company that is not showing up for calls because of the lack of volunteers. He states that there is significant amount of money and equipment out there. Mr. Tutrone states that an email was received in which they indicated that they felt because the Township owns the equipment that they shouldn't have to put any money into it. He states that Resolution 2023-009 states that any equipment purchased for Station 44 is the property of the Township and they don't seem to feel that it is true with the email they received. Mr. Tutrone states in his opinion that this needs to be moved forward to not having them as primary and tally up whatever equipment they have. Mr. Tutrone states that he knows that no motion can be made tonight as this wasn't on the agenda, he would like to see this on the agenda for next month.

John Kerrick asks if anyone else feels that way. Joseph Colyer states that they must do something as that email is a little disturbing.

John Kerrick states that you gave them the opportunity to come in and join. Edward Tutrone states that they tried and they refused. Mr. Tutrone states that they did get some members. A discussion was held. John Kerrick states that this will be put on the agenda for next month.

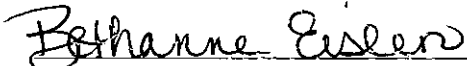
13. Public Comment:

Jim Lynch, Arrowhead Lakes, discusses his concerns with the safety and quality of life that is coming down the road with the warehouse on the other side of Dream Mile. Mr. Lynch states that they need to do something with the truck traffic and damage to Tobyhanna Creek. A discussion was held.

14. Adjournment: Meeting adjourned at 8:08PM.

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Minutes recorded by Bethanne Eisler

  
Bethanne Eisler, Township Secretary