AGENDA
Board of Supervisors
Regular Business Meeting
January 3, 2012

1. Call Meeting to Order: John E. Kerrick, Chair

2. Pledge of Allegiance

3. Announcements:

4. Consider the Minutes of:

5. Consider the Treasurer's Report: $120,977.64

6. Solicitor Report:

7. New Business:

   A. Keswick Pointe PRD Letter of Credit Reduction

   B. Lot Joinder-Henry J & Mary C Lux Lot 71 Road PP and Lot 72 Road PP & LL Phase 1C Wild Pines

   C. IH Liquidating Trust Minor Subdivision Plan time waiver request

   D. Consider Zoning Hearing Board appointment

   E. Personnel Policy updated

8. Public Questions and Comment

ADJOURNMENT

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, January 3, 2012, beginning at 4:46 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ALSO PRESENT: PHYLLIS HAASE, Zoning Officer

--- **ORIGINAL**

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

MR. KERRICK: Call the business meeting to order January 3, 2012.

Announcements, do you have any, Heidi?

MS. PICKARD: No.

MR. KERRICK: Consider the minutes. We don't have any minutes?

MS. PICKARD: No, we just got them.

MR. KERRICK: Consider the treasurer's report. Total amount for board approval, $120,977.64.

MS. PICKARD: I make a motion that we approve the bill pack dated January 3, 2012 in the amount of $120,977.64.

MR. HOLAHAN: Second.

MR. KERRICK: Motion and second.

Questions or comments from the board on the motion?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Donny?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: Motion carried.

Next item, solicitor's report.

MR. ARMSTRONG: I have nothing to report right now. Thank you, Mr. Chairman.

MR. KERRICK: New business.

First item, Keswick Pointe PRD letter of credit reduction. I believe it would be appropriate to have Pat put a motion together for us pending Bob McHale's review.

MR. ARMSTRONG: Yeah, if the board would want to -- it's my understanding that Keswick Pointe has submitted a request for reduction of their letter of credit based upon the amount of work and improvements that are completed to date. Bob's already taken a look at it. I think he had a few more comments to make, but if the board is willing to entertain a motion to approve a letter of credit in an amount to be acceptable and approved by Bob McHale, the township engineer, subsequent to the full investigation in

review of the request of Keswick Pointe.

MR. MOYER: So moved.

MR. KERRICK: Second. Nice, Donny, nice one.

MS. PICKARD: Can we make that to an amount not to exceed $86,384.34?

MR. ARMSTRONG: You can.

MR. KERRICK: So --

MS. PICKARD: You okay with that?

MR. ARMSTRONG: The reduction shall not exceed that.

MR. KERRICK: Do you amend your motion, Donny?

MR. MOYER: Yes, I amend my motion.

MR. KERRICK: Who seconded it?

MS. PICKARD: Contingent upon Bob McHale's review. Then I will second it.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, lot joinder, Henry J. and Mary C. Lux, Lot 71, Road PP and Lot 72, Road PP and LL. I guess they didn't change their names yet. Phase 1C, Wild Pines.

MS. PICKARD: I believe that Phyllis has reviewed this and everything is found. I had brought some stuff in that they didn't have. I think they had the questions about the phasing in Pine Crest, but this is an approved phase?

MR. ARMSTRONG: It's my understanding that Phase 1C, Wild Pines, is a -- they've already received their final approval as part of that phase with PRD. So I don't necessarily see a problem. If you do have a

concern, it would be most likely with respect to the trust, if they have any private restrictions for those lots in that phase of the PRD.

So if you do have any reservations, you can always make your motion approving a lot consolidation conditional upon the applicant complying and receiving any approvals they need from the Pine Crest Trust or whoever the --

MR. KERRICK: Pine Crest Trust.

MR. ARMSTRONG: -- Pine Crest Trust over in that development.

MS. LAMBERTON: Is it Wild Pines or Pine Crest?

MR. ARMSTRONG: I mean, I read it off the agenda and it looks like Wild Pines.

MS. PICKARD: It's Wild Pines which is part of Pine Crest.

MS. LAMBERTON: It says Pine Crest on the -- isn't that town homes?

MS. PICKARD: No.

MR. KERRICK: Pine Crest is the town, I thought Wild Pines is the other side?

MS. LAMBERTON: Yeah.

MS. PICKARD: It's on the other

side.

MS. LAMBERTON: So, how can you join --

MR. KERRICK: Wouldn't that be Wild Pines?

MS. LAMBERTON: -- a town home?

MR. KERRICK: I said Pine Crest, I think I'm wrong.

MS. PICKARD: It's still part of the Pine Crest Community Trust, part of the Pine Crest Development and then Pine Crest PRD.

MS. LAMBERTON: No. It says on the application right here, guys, it says Pine Crest, the deeds that the people filled out.

MR. KERRICK: Okay. So you make the motion.

MS. HAASE: It is Pine Crest Trust.

MS. LAMBERTON: I understand Pine Crest Trust, but is it in where the town homes are or over by the golf course?

MS. PICKARD: It's over by the golf --

MR. KERRICK: By the golf course.

MS. LAMBERTON: That answers my question.

MR. ARMSTRONG: It is on the corner of Road PP and Road NN.

MR. KERRICK: I thought it was PP and LL, Phase 1C, Wild Pines.

You want me to get the map?

MS. LAMBERTON: No, I'm good.

MS. PICKARD: No, it's right here, it does say NN here so maybe they renamed it LL.

MS. LAMBERTON: I just couldn't understand on the application.

MS. HAASE: It has to go through readdressing.

MR. KERRICK: They had one call in to put signs up so they may have to rename it. So --

MS. LAMBERTON: I'm fine with that.

MR. HOLAHAN: So we're just looking for?

MR. KERRICK: We're looking for a motion to approve.

MR. HOLAHAN: I make that

1 motion.
2 MS. PICKARD: I'll second that
3 and contingent upon, as Pat had stated, that the
4 approval and accepting and complying with all the
5 rules and regulations of the Pine Crest
6 Development.
7 MR. KERRICK: Motion and
8 second.
9 Questions or comments?
10 Questions or comments from the
11 public?
12 Call the vote. John?
13 MR. HOLAHAN: I vote in favor.
14 MR. KERRICK: Anne?
15 MS. LAMBERTON: I vote in
16 favor.
17 MR. KERRICK: Donny?
18 MR. MOYER: I vote in favor.
19 MR. KERRICK: Heidi?
20 MS. PICKARD: I vote in favor.
21 MR. KERRICK: I'll vote in
22 favor.
23 Next item on our agenda could be
24 handled at the PC level, so that's off our agenda.
25 Consider zoning hearing board

appointment. We have an opening on the zoning hearing board.

Do you want to take action tonight?

MR. HOLAHAN: I do. I want to appoint John Briggs on the zoning hearing board. That's the form of a motion.

MR. KERRICK: We have a motion on the floor. Do we have a second?

MS. LAMBERTON: I'll second it.

MR. KERRICK: Questions or comments?

MR. ARMSTRONG: That is John Briggs?

MR. HOLAHAN: Yes.

MR. KERRICK: Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll vote in favor.

MR. KERRICK: I'll vote in favor.

Next item on our agenda, personnel policy update. Have some housekeeping items.

MR. HOLAHAN: It was interesting reading.

MS. PICKARD: Bits and pieces, so this will be embedded -- did you get a full -- did you get the --

MR. HOLAHAN: I did.

MS. PICKARD: This will be incorporated in our news thing? But some of the highlights in here, we went through this with our labor attorney Vicki Beatty. In 404 she just thought that if somebody was on furlough they do not -- they shouldn't really be accruing seniority so we deleted that. We added Section 407, Fair Labor Standards Act, Safe Harbor. This protects us on the status of exempt employees. The rest are right here; if there wasn't, and it went back and forth, we have township manager slash township secretary.

1 MR. HOLAHAN: I see -- but on
2 407 it's all -- it's all addition, there's no
3 strike through on anything?
4 MS. PICKARD: Yeah, that's all
5 addition. That's new FSLA?
6 MR. ARMSTRONG: Yeah, it's a
7 new provision in the statute.
8 MR. HOLAHAN: Right.
9 MS. PICKARD: The disability
10 leave and the sections for our insurance benefits,
11 or rather healthcare benefits, which are no longer
12 insurance, were requested from **Benecon** , our new
13 self-insured risk pool.
14 MR. HOLAHAN: Okay.
15 MS. PICKARD: So a lot of
16 things, we had to remove the word insurance and
17 replace it with healthcare benefits, and they
18 wanted some clarification on how we manage
19 disability leaves and how long employees would stay
20 on the program.
21 MR. HOLAHAN: Right.
22 MS. PICKARD: There is no COBRA
23 with our self-insurance. So we had to really make
24 sure we had clarification on that, because the
25 state -- Pennsylvania has mini COBRA because we

1 don't go under federal COBRA laws.
2 MR. HOLAHAN: Right.
3 MS. PICKARD: So if somebody's
4 on leave, it needed to be spelled out a little bit
5 more clearly here. We pretty much done that. She
6 got rid of some conflicts and redundancy in that
7 one section on disability leave and mostly replaced
8 healthcare benefits and healthcare coverage in that
9 Section 900.
10 She updated our mobile
11 communication policy to include new devices. Then
12 ADA is now ADAA. It's the Amendment Act, so there
13 was a lot of changes to that, that we had to
14 update. And then, of course, now disability's been
15 replaced with illness and impacting our ability to
16 work. They think disability is no longer good
17 enough.
18 MR. KERRICK: Make a motion?
19 MS. PICKARD: The last section
20 is Article 1400, which is new, computer hardware,
21 software, email, internet and social media policy
22 which is pretty self-explanatory.
23 With that I would like to make a
24 motion to update our personnel policy as indicated.
25 MR. KERRICK: From our labor

1 attorney.
2 MS. PICKARD: By our labor
3 attorney.
4 MR. KERRICK: Do we have a
5 second?
6 MS. PICKARD: Is there any
7 questions you had on any of that?
8 MR. KERRICK: Got to get them
9 to second first, Heidi.
10 MS. PICKARD: Okay.
11 MR. HOLAHAN: I'll second.
12 MR. KERRICK: Now, any
13 questions?
14 MR. HOLAHAN: Looks pretty
15 straightforward.
16 MR. KERRICK: Any questions
17 from the board?
18 MR. MOYER: I have none.
19 MR. HOLAHAN: Did you ask me a
20 question?
21 MR. KERRICK: No, I'm waiting
22 for Anne. She's reading there.
23 MS. LAMBERTON: I was, I'm
24 sorry. I didn't see this before.
25 MR. KERRICK: Do you have any

1 questions?
2 MS. LAMBERTON: No, not yet.
3 MR. KERRICK: Does the public
4 have any questions?
5 MR. HOLAHAN: I guess I should
6 stop my Twitter feeds here, right?
7 MS. LAMBERTON: That's what I
8 was reading, the media one.
9 MR. HOLAHAN: I kid. I'm not
10 Twittering.
11 MR. ARMSTRONG: The social
12 media aspect has been very hot.
13 MS. LAMBERTON: Oh, I would
14 think it would have to be.
15 MS. PICKARD: I've had some
16 issues in some other places.
17 MR. KERRICK: Any questions?
18 MS. LAMBERTON: No, I'm good.
19 Thank you very much for asking.
20 MR. KERRICK: Questions from
21 the public?
22 Call the vote. John?
23 MR. HOLAHAN: I vote in favor.
24 MR. KERRICK: Anne?
25 MS. LAMBERTON: I vote in

1 favor.

2 MR. KERRICK: Donny?

3 MR. MOYER: I vote in favor.

4 MR. KERRICK: Heidi?

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I'll vote in

7 favor.

8 Do we have anything else we wish

9 to discuss?

10 Does the public have anything?

11 Any questions?

12 It's a pretty painful meeting,

13 the first one.

14 Wendy, do you have anything?

15 MS. WENDI FREEMAN: No.

16 MR. KERRICK: Phyllis?

17 MS. HAASE: No, sir.

18 MR. KERRICK: Pat? Last

19 chance.

20 MR. ARMSTRONG: No.

21 MR. KERRICK: Thank you for

22 attending. We're adjourned.

23 (Meeting concluded at 4:58 p.m.)

24 ---

25

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

AGENDA

TOWNSHIP OF TOBYHANNA
BOARD OF SUPERVISORS
REORGANIZATION MEETING

TUESDAY, JANUARY 3, 2012

1. Call meeting to order: - Interim Chair.

2. Pledge of Allegiance.

3. Nominate _____ to serve as Chair of the Board of Supervisors.

4. Nominate _____ to serve as Vice-Chair of the Board of Supervisors.

5. Appoint _____ to serve as Township Secretary.

6. Appoint _____ to serve as Asst. Township Secretary; to assist and perform duties of Township Secretary in absence of or disability of Township Secretary.

7. Appoint _____ to serve as Township Treasurer.

8. Appoint _____ to serve as Asst. Township Treasurer.

9. Appoint _____ to serve as Chief Administrator of the Township Non-uniformed Pension Plan.

10. Appoint _____ to serve as Township Emergency Management Coordinator.

11. Appoint _____ to serve as Township Emergency Management Deputy.

12. Appoint_____, Township Supervisor, to serve as Township Representative to the Pocono Mountain Regional Police Commission.

13. Appoint _____, Township Supervisor, to serve as Township Representative to the Pocono Mountain Regional Police Commission.

14. Appoint_____, Township of Tobyhanna resident/taxpayer, to serve as Township Representative to the Pocono Mountain Regional Police Commission.

15. Appoint _____, member of the Board of Supervisors, to serve as the Township representative to the Pocono Mountain Council of Governments.

16. Appoint_____, Township Supervisor, to serve as a representative to Pocono Mountain Regional Emergency Services Commission.

17. Appoint _____, Township Supervisor, to serve as a representative to Top of the Mountain Open Space Advisory Committee.

18. Appoint_____, Township Supervisor, to serve as a representative to Regional Comprehensive Plan Committee.

19. Appoint _____ to serve as Open Records Officer in accordance with the Pennsylvania Right-To-Know Law.

20. Appoint _____, Township Supervisor, to serve as a representative to Monroe County Tax Collection Committee.

21. Appoint _____ to serve as Chair of the Vacancy Board.

22. Appoint _____ as recording secretary to the Board of Supervisors.

23. Appoint_____, to act as Township Solicitor at $____per hour and $_____per meeting.

24. Appoint _____ to act as Township Planning Commission Solicitor at $_____per hour and $_____per meeting.

25. Entertain a motion establishing the payment of employee salaries and wages on a bi-weekly basis.

26. Entertain a motion establishing the 2012 Holiday Schedule for the Township Employees.

27. Entertain a motion establishing the Tax Assessor's bond at $40,000. per annum.

28. Entertain a motion establishing the 2012 mileage rate.

29. CERTIFY the five (5) Township Board of Supervisors, Township Engineer and Township Solicitor as delegates to the Pennsylvania Township Supervisors 2012 Annual Convention.

30. CERTIFY_____to serve as the voting delegate to the Pennsylvania State Association of Township Supervisors 2012 Annual Convention.

31. Approve Agreement to retain Brian Oram, PG for the year 2012 as the professional soil scientist for the Township at the rates set forth in the agreement.

32. Approve L & V Engineering Proposal for Traffic Engineering Services on an as-needed basis for the year 2012.

33. Appoint _____ as Alternate Sewage Enforcement Officer for the year 2012.

34. Appoint_____ as Sewage Hearing Board for the year 2012.

35. Consider for enactment Resolution No. 2012-001; setting the dates, times and place for Township Public Meetings to be held.

36. Consider for enactment Resolution No. 2012-002; designating certain financial institutions as depositories for Township monies.

37. Consider for enactment Resolution No. 2012-003; appointing _____ as the public accounting firm to the Township, replacing the elected/appointed Township auditors.

38. Consider for enactment Resolution No. 2012-004; establishing tax rates for the calendar year 2012.

39. Consider for enactment Resolution No. 2012-005; appointing _____ to serve as Special Counsel to the Board on any legal matter that becomes a conflict with the Township Solicitor at $_____ per hour, $_____per meeting.

40. Consider for enactment Resolution No. 2012-006 setting a fee schedule for Subdivision and Land Development, Planned Residential Development, Zoning Hearing Board, Board of Supervisors, and other miscellaneous fees.

41. Consider for enactment Resolution No. 2012-007 amending the Emergency Notification List to the Township's Emergency Operations Plan.

Adjournment.

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Reorganization Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, January 3, 2012, beginning at 3:45 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ALSO PRESENT: PHYLLIS HAASE, Zoning Officer

--- ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

MR. ARMSTRONG: Time is now 3:45, approximately, on January 3, 2012. My name is Patrick Armstrong, the Tobyhanna Township current solicitor. I will call this reorganization meeting of the Tobyhanna Township Board of Supervisors to order.

With that, is there a motion from the board to appoint a temporary chairman to conduct the operations and action during the reorganization meeting? Just for this reorganization.

MR. HOLAHAN: Yeah, I'll make that motion that we appoint John Kerrick as the temporary for this meeting, for this part of the meeting.

MS. PICKARD: I'll second that.

MR. ARMSTRONG: Motion and second.

All those in favor say aye?

MS. LAMBERTON: Aye.

MR. HOLAHAN: Aye.

MR. MOYER: Aye.

MS. PICKARD: Aye.

MR. ARMSTRONG: Motion carries. It's yours, John.

MR. KERRICK: Okay. First thing, open with the pledge of allegiance, please.

(Pledge of allegiance was recited.)

MR. KERRICK: You threw me a little curve there tonight, a little different than you usually do, but that's fine.

MR. ARMSTRONG: You want --

MR. KERRICK: No, no, fine.

First item of business, nominate obviously one of the supervisors to serve as chair of the board of supervisors.

MS. PICKARD: I make a motion that we appoint John Kerrick as chairman of the board of supervisors.

MS. LAMBERTON: I second.

MR. KERRICK: Motion and second.

Questions or comments?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in

1 favor.
2 MR. KERRICK: Donny?
3 MR. MOYER: I vote in favor.
4 MR. KERRICK: Heidi?
5 MS. PICKARD: I'll vote in
6 favor.
7 MR. KERRICK: I'll abstain.
8 I'd like to take one second and
9 thank the board for their confidence for the
10 chairmanship.
11 Next item, nominate a candidate
12 to serve as vice-chair of the board of supervisors.
13 MS. LAMBERTON: I will nominate
14 Heidi Pickard.
15 MR. HOLAHAN: I'll second that.
16 MR. KERRICK: Motion and
17 second.
18 Questions or comments?
19 MR. HOLAHAN: You said
20 candidate, is that what we are? Is that what we
21 all are?
22 MR. KERRICK: I don't know, I
23 guess.
24 MR. HOLAHAN: Is it just
25 vernacular, it doesn't matter?

MR. KERRICK: I could say supervisor.

MR. HOLAHAN: That's fine.

MR. KERRICK: I guess that would probably be better because some aren't supervisors --

MR. HOLAHAN: Okay.

MR. KERRICK: -- as I go forward.

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll abstain.

MR. KERRICK: I'll vote in favor.

Next item, appoint a candidate to serve as township secretary.

MS. LAMBERTON: I'd like to appoint Heidi Pickard to serve as township secretary.

MR. KERRICK: Motion. Do we have a second?

MR. MOYER: Second.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll abstain.

MR. KERRICK: I'll vote in favor. Motion carried.

Next, appoint a candidate to serve as assistant township secretary: to assist and perform duties as the township secretary in the absence or the disability of the township secretary.

MS. PICKARD: I make a motion we appoint Margie Argot.

MR. HOLAHAN: Yeah, I'll second that.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor.

Next we have township treasurer, appoint a candidate for that.

MS. PICKARD: I make a motion we appoint Theresa Dougherty to serve as township treasurer.

MS. LAMBERTON: Second.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, appoint a candidate to serve as assistant township treasurer.

MR. HOLAHAN: I make a motion that we appoint Heidi Pickard.

MS. LAMBERTON: I'll second.

MR. KERRICK: Motion and second.

Questions or comments from the board or public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll abstain.

MR. KERRICK: I'll vote in favor.

Next item -- I'll just keep it simple -- appoint a candidate to serve as chief administrator to the Township Nonuniform Pension Plan.

MS. LAMBERTON: I'd like to nominate John Kerrick.

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll abstain.

Next item, appoint a candidate to serve as township emergency management coordinator.

MS. LAMBERTON: I'd like to nominate John Kerrick.

MR. KERRICK: I would like to abstain.

MS. PICKARD: Like to abstain?

MR. KERRICK: I mean, I'm saying I would like to not do that. I would like to nominate --

MS. LAMBERTON: You would not like to.

MR. HOLAHAN: Can we force him to do this anyway?

MS. LAMBERTON: I say we appoint John Kerrick.

MR. HOLAHAN: That was an area of contention for you last year. I was looking through the minutes and you did say you would do it on a temporary basis, so --

MR. KERRICK: I think, you know, that we need some people that -- and also some people that work here because there's quite a bit of time involved in training. I think Phyllis Haase would be a good candidate. Maybe Donny would want to get involved.

MS. LAMBERTON: I would like to

1 nominate Phyllis Haase. If you'll accept, I've had
2 one rejection so far.
3 MR. KERRICK: That's the word I
4 was looking for before, but I couldn't get it out,
5 was rejection.
6 MR. HOLAHAN: I'll second
7 Phyllis. Sorry, Phyllis.
8 MS. LAMBERTON: Yeah, it's like,
9 phew, sorry.
10 MS. PICKARD: I just want to
11 say that Phyllis has done a remarkable job working
12 with FEMA.
13 MS. LAMBERTON: Oh, my gosh,
14 yes.
15 MR. KERRICK: Do we have a
16 second? I apologize. Motion and --
17 MR. MOYER: Second.
18 MR. KERRICK: Motion and
19 second.
20 Questions or comments?
21 MR. HOLAHAN: We'll assist
22 because I've been going through those as well. So
23 won't let you hanging out there taking care of all
24 it, okay?
25 MS. LAMBERTON: Would you like

1 to be the assistant?
2 MS. PICKARD: There's a deputy.
3 MR. HOLAHAN: I'll campaign for
4 assistant then.
5 MR. KERRICK: Let's call the
6 vote. John?
7 MR. HOLAHAN: I vote in favor.
8 MR. KERRICK: Anne?
9 MS. LAMBERTON: I vote in favor.
10 MR. KERRICK: Donny?
11 MR. MOYER: I vote in favor.
12 MR. KERRICK: Heidi?
13 MS. PICKARD: I vote in favor.
14 MR. KERRICK: I vote in favor.
15 Motion carried.
16 Sorry, Phyllis.
17 MS. LAMBERTON: Everybody
18 apologizes.
19 MR. KERRICK: Next, appoint a
20 candidate to serve as township emergency management
21 deputy.
22 MS. LAMBERTON: I would like to
23 nominate John Holahan.
24 MR. MOYER: Second.
25 MR. KERRICK: Motion and

1 second.

2 Questions or comments?

3 MR. HOLAHAN: Actually I wasn't

4 going to be that much help.

5 MS. HAASE: You already

6 volunteered.

7 MR. HOLAHAN: It's too late, I

8 know. I'm okay with that.

9 MR. KERRICK: Any more

10 questions or comments?

11 Call the vote. John?

12 MR. HOLAHAN: I'll abstain.

13 MR. KERRICK: Anne?

14 MS. LAMBERTON: I vote in

15 favor.

16 MR. KERRICK: Donny?

17 MR. MOYER: I vote in favor.

18 MR. KERRICK: Heidi?

19 MS. PICKARD: I vote in favor.

20 MR. KERRICK: I'll vote in

21 favor. Motion carried.

22 MS. PICKARD: I just wanted to

23 make a comment that we're going to be scheduling

24 that 300 level class through the county hopefully

25 soon.

MR. HOLAHAN: Okay.

MR. KERRICK: Next item on the agenda, we have to appoint a township supervisor to serve as township representative to the Pocono Mountain Regional Police Commission.

MS. PICKARD: I make a motion we appoint John Kerrick to serve as representative to the Pocono Mountain Regional Police Commission.

MR. HOLAHAN: I'll second that.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor -- or I'll abstain. Sorry.

Next item, we have another township supervisor to serve as a second

representative to Pocono Mountain Regional Police Commission.

MR. HOLAHAN: I make a motion that we appoint Anne Lamberton.

MR. MOYER: Second.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

We need a candidate to serve Tobyhanna Township resident/taxpayer to serve as a township representative to the Pocono Mountain Regional Police Commission.

MS. PICKARD: I make a motion we appoint Dave Moyer.

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll vote in favor.

MR. KERRICK: I'll vote in favor.

Appoint the township supervisor to serve as a representative to Pocono Mountain Council of Governments.

MR. HOLAHAN: Could we have discussion now?

MS. LAMBERTON: Yeah.

MR. KERRICK: Sure.

MR. HOLAHAN: Are you still interested in doing it?

MS. LAMBERTON: It's yours if you want it. I mean, I don't mind, I go every

month.

MR. HOLAHAN: You better stick with it.

MS. LAMBERTON: It's up to you, Donny, are you interested?

MR. MOYER: No.

MS. LAMBERTON: You're not going to do it?

MR. MOYER: No, I don't want to do that.

MR. HOLAHAN: I make a motion that we appoint Anne Lamberton.

MR. KERRICK: Do we have a second?

MS. PICKARD: Can we do an alternate or do you want to do two? We usually have an alternate.

MR. KERRICK: We can do an alternate. Do have it on the paper? Yeah.

MS. PICKARD: I don't know, last year we did both and just put them in the same motion.

MR. KERRICK: We'll do it in the same motion again, if you --

MS. PICKARD: Would you do

alternate?

MR. MOYER: Yeah, I'll do that.

MR. KERRICK: Donny's the alternate? Or that's the motion, I'm sorry.

MS. PICKARD: Is that the motion?

MR. HOLAHAN: That's the motion.

MR. KERRICK: You'll amend your motion, John?

MR. HOLAHAN: I will make that motion Annie and Donny as the alternate.

MS. PICKARD: I'll second that motion.

MR. KERRICK: Second.

Questions or comments from the board?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Donny?

MR. MOYER: I'll abstain.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Appoint a township supervisor to serve as representative to the Top of the Mountain Open Space Advisory Committee.

MS. PICKARD: John, you skipped one.

MR. MOYER: There's 16.

MS. LAMBERTON: EMS.

MS. PICKARD: Tisk, tisk, tisk.

MR. MOYER: 16, there's no alternate spot for --

MR. KERRICK: Oh, I was using that as an alternate, I apologize. I didn't read the whole thing.

Appoint a township supervisor to serve as representative to the Pocono Mountain Regional Emergency Services Commission.

MS. LAMBERTON: I'd like to nominate Heidi Pickard, if you want it.

MR. HOLAHAN: I'll second that.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll abstain.

MR. KERRICK: I'll vote in favor.

Next is township supervisor to serve as representative to Top of the Mountain Open Space Advisory Committee.

MR. HOLAHAN: Heidi, when you were doing this last year, were you doing it the year before and the year before?

MS. PICKARD: It doesn't really matter. I was just really the only one that goes -- would go to the meetings when they had them and it was good coordination for me here when things needed to be done, so, I don't need to be the representative. I may or may not go depending on what's going on.

MR. HOLAHAN: Not that I'm expressing an interest in it. This is a little

1 cumbersome in that I haven't done this before. So
2 I -- you know, we have to talk about it while we're
3 doing it type of thing. I would just to know that
4 the names that we're putting in here, people want
5 to do that and not just feel that you're being
6 compelled to fill another --
7 MS. PICKARD: I don't mind
8 doing it at all and sometimes it's easier for me to
9 do some stuff. And they usually meet at 6 or 6:30
10 after we're here anyway, but if somebody has an
11 interest I'd love for them to do that. But I may
12 or may not do it anyway just to be coordinating
13 with them. I think a lot of stuff they're doing
14 now, there -- they want to be doing some permits or
15 they're looking for permission. I mean, they're
16 pretty self-sufficient.
17 MR. KERRICK: How do we do the
18 citizens on the open space? Do they have term
19 limits or did we just -- appointed them years ago
20 and they're still there?
21 MS. PICKARD: Exactly.
22 MR. KERRICK: Until they decide
23 to get off?
24 MS. PICKARD: They made a joke
25 about that, that they kind of morphed into more of

a park and rec board, as well as open space, initially.

MR. KERRICK: So they have enough people? Is this something we need to look at?

MS. PICKARD: They're more of an active, out in the field kind of group. They've been doing a lot of hard work on the trails and doing things and moving things forward for us.

MR. HOLAHAN: I think there's got to be something, the continuity of the same people understanding what's been going on with it, if it's working.

MS. PICKARD: The other side is with Tunk, and Tunk hadn't been to a lot of meetings and truthfully they didn't have a lot of meetings last year because they were out working on the property doing things. But when they do have stuff, there's coordination between what Tunk's doing and what the township is doing, so that's a consideration with maintenance.

But they started giving us those reports, to let us both -- you know, but the township -- on the township side we need to be keeping a little bit better track of who's doing

what as far as the townships go so we can reconcile with Tunkhannock Township as far as Austin T. Blakeslee.

MR. HOLAHAN: I'd like to see some of those reports at these meetings so we understand what's going on with that.

MS. PICKARD: Like I said, there's been like two meetings this year because they've just been really working out in the field, but --

MR. HOLAHAN: I'll make a motion we appoint Heidi Pickard, township supervisor rep to the Top of the Mountain Open Space.

MS. LAMBERTON: I'll second it.

MR. KERRICK: Motion and second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll abstain.

MR. KERRICK: I'll vote in favor.

Next item, township supervisor to serve as representative to the Regional Comprehensive Plan Committee.

MS. PICKARD: I'll just make the comment that Jamie and I were attending those meetings, and they were meeting here. I did the original grant work with DCED. We were going through the ordinance which we'll probably have to have a conversation about later on.

Now, the planning commission started reviewing the ordinance so we never really finished it. So I'm not sure how much work has to be done on the Regional Comprehensive Plan Committee at this point in time. We're all updating the ordinances and then we'll be closing out the grant.

We had an administrative meeting last week with Carson about how we're going to move forward with the grant fund relative to reimbursement for solicitor and engineering expense. I don't know whether the committee is -- what the purpose is now. We've done the

1 implementation, so I don't think there's going to
2 be a whole lot moving forward.
3 MR. HOLAHAN: Well, you make it
4 sound tempting.
5 MS. PICKARD: I would want
6 somebody else to be on that because I -- usually
7 Phyllis and myself and Jamie and Mark Sincavage
8 from the planning commission and Robby Baxter would
9 attend those meetings. So we had two -- you know,
10 and that was kind of what we were doing especially
11 with the ordinance, we had two supervisors, two
12 planning commission and then the zoning officer
13 when we're going through the ordinances.
14 MR. HOLAHAN: Well, do we --
15 can't you just do this?
16 MS. PICKARD: Hmm?
17 MR. HOLAHAN: Can you do this
18 again?
19 MR. KERRICK: I think she was
20 trying to talk you into it, John. That's what I
21 got out of it.
22 MR. HOLAHAN: I tried resisting.
23 I don't want -- I just --
24 MR. KERRICK: Heidi's there
25 anyway by the sounds of it.

MS. PICKARD: I'm there anyway and like I said, I don't think there's that much going forward. If it becomes something more, then we should look at it again.

MR. HOLAHAN: Okay.

MS. PICKARD: So, you know --

MR. HOLAHAN: If --

MS. PICKARD: We've been meeting here so that's --

MR. HOLAHAN: If elected, I will serve.

MS. PICKARD: Well, I'll make a motion that we appoint John Holahan to serve as representative to the Regional Comprehensive Plan Commission. I think that your experience on the Blakeslee Visioning could really help with that in that way.

MR. HOLAHAN: Good.

MS. PICKARD: Would be another crossover for you.

MR. KERRICK: Do we have a second?

MS. LAMBERTON: Second.

MR. MOYER: Second. All right.

MR. KERRICK: Any questions?

1 Call the vote. John?
2 MR. HOLAHAN: I abstain.
3 MR. KERRICK: Anne?
4 MS. LAMBERTON: I vote in
5 favor.
6 MR. KERRICK: Donny?
7 MR. MOYER: I vote in favor.
8 MR. KERRICK: Heidi?
9 MS. PICKARD: I'll vote in
10 favor.
11 MR. KERRICK: I'll vote in
12 favor. Motion carried.
13 Appoint a candidate to serve as
14 open records officer in accordance with the
15 Pennsylvania Right to Know Law. Presently we have
16 Heidi.
17 MR. HOLAHAN: I see no --
18 I make a motion that we appoint
19 Heidi Pickard to serve as the open records officer.
20 MR. KERRICK: Do we have a
21 second?
22 MS. LAMBERTON: Second.
23 MR. KERRICK: Motion and
24 second.
25 Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll abstain.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, appoint a township supervisor to serve as representative to the Monroe County Tax Collection Committee.

MS. PICKARD: Anne and I were on the committee initially, when we got started. Now it's pretty much been administrative tasks that occurs during the day.

MR. KERRICK: So you're saying you'll take of it?

MS. PICKARD: I could take care of it if that was the desire of the --

MR. KERRICK: Do we have a motion?

MR. MOYER: So moved.

MS. LAMBERTON: Second.

1 MR. KERRICK: Is there a
2 second?
3 MS. LAMBERTON: Second.
4 MR. KERRICK: Questions or
5 comments?
6 Call the vote. John?
7 MR. HOLAHAN: I vote in favor.
8 MR. KERRICK: Anne?
9 MS. LAMBERTON: I vote in favor.
10 MR. KERRICK: Donny?
11 MR. MOYER: I vote in favor.
12 MR. KERRICK: Heidi?
13 MS. PICKARD: I'll abstain.
14 MR. KERRICK: I'll vote in
15 favor.
16 Appoint a candidate to serve as
17 chair of the vacancy board.
18 MS. PICKARD: I make a motion
19 we appoint Mark Argot.
20 MR. KERRICK: Is there a
21 second?
22 MS. LAMBERTON: I'll second.
23 MR. KERRICK: Motion and
24 second.
25 Questions or comments?

1 Call the vote. John?
2 MR. HOLAHAN: I vote in favor.
3 MR. KERRICK: Anne?
4 MS. LAMBERTON: I vote in
5 favor.
6 MR. KERRICK: Donny?
7 MR. MOYER: I vote in favor.
8 MR. KERRICK: Heidi?
9 MS. PICKARD: I'll vote in
10 favor.
11 MR. KERRICK: I'll vote in
12 favor. Motion carried.
13 Appoint a firm to act as
14 recording secretary to the board of supervisors.
15 MS. PICKARD: I make a motion
16 we appoint Panko Reporting as recording secretary.
17 MR. HOLAHAN: I'll second.
18 MR. KERRICK: Motion and
19 second.
20 Questions or comments?
21 Call the vote. John?
22 MR. HOLAHAN: I vote in favor.
23 MR. KERRICK: Anne?
24 MS. LAMBERTON: I vote in
25 favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next, we need to nominate and elect a township solicitor and set the rate.

MS. PICKARD: I make a motion that we appoint the firm Grim, Biehn and Thatcher, and Patrick Armstrong to act as township solicitor at a rate of $150 per hour.

MR. KERRICK: Anything for the meeting?

MS. PICKARD: We don't have a permanent meeting rate, but there's also other rates that --

MR. KERRICK: Does that go with their proposal?

MS. PICKARD: Yeah, with their proposal. They're the same as last year. I think it's for litigation and real estate.

MR. MOYER: 175 or something?

MS. PICKARD: Yeah.

MR. KERRICK: Donny, is that

1 part of your motion?
2 MR. MOYER: Yeah.
3 MR. ARMSTRONG: Yeah, the
4 December 7th letter from my office, the general
5 legal services would be $150 per hour, litigation
6 would be $170 and real estate would be $175 per
7 hour.
8 MS. PICKARD: That's my motion.
9 MR. HOLAHAN: I'll second.
10 MR. KERRICK: Real estate was
11 175?
12 MR. ARMSTRONG: 175.
13 MS. PICKARD: 175.
14 MR. KERRICK: Motion and
15 second.
16 Questions or comments?
17 Call the vote. John?
18 MR. HOLAHAN: I vote in favor.
19 MR. KERRICK: Anne?
20 MS. LAMBERTON: I vote in favor.
21 MR. KERRICK: Donny?
22 MR. MOYER: I vote in favor.
23 MR. KERRICK: Heidi?
24 MS. PICKARD: I'll vote in
25 favor.

MR. KERRICK: I'll vote in favor.

MR. ARMSTRONG: Thank you, guys, I appreciate that.

MR. KERRICK: Appoint a firm to act as planning commission -- township planning commission solicitor at the rate and the meeting rate -- per meeting rate.

MS. PICKARD: I make a motion that we appoint Grim, Biehn and Thatcher, and Patrick Armstrong at the rate of 150 an hour, 170 for litigation and 175 for real estate, which I don't think is all that relevant for that, but --

MR. KERRICK: We have a motion on the floor. Do we have a second?

MR. HOLAHAN: Second.

MR. KERRICK: Second.

Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

1 MR. KERRICK: Heidi?
2 MS. PICKARD: I vote in favor.
3 MR. KERRICK: I'll vote in
4 favor.
5 MR. ARMSTRONG: Thank you
6 again.
7 MR. KERRICK: I'll entertain a
8 motion establishing the payment of employee
9 salaries and wages on a biweekly basis.
10 MS. PICKARD: So moved.
11 MR. KERRICK: Do we have a
12 second?
13 MR. MOYER: Second.
14 MR. KERRICK: Call the vote.
15 John?
16 MR. HOLAHAN: I vote in favor.
17 MR. KERRICK: Anne?
18 MS. LAMBERTON: I vote in favor.
19 MR. KERRICK: Donny?
20 MR. MOYER: I vote in favor.
21 MR. KERRICK: Heidi?
22 MS. PICKARD: I vote in favor.
23 MR. KERRICK: I'll vote in
24 favor. Motion carried.
25 Entertain a motion establishing

1 the 2012 holiday schedule for township employees.
2 MS. PICKARD: I make a motion
3 we approve the 2012 holiday schedule as indicated.
4 MR. MOYER: Second.
5 MR. KERRICK: Motion and
6 second.
7 Call the vote. John?
8 MR. HOLAHAN: I vote in favor.
9 MR. KERRICK: Anne?
10 MS. LAMBERTON: I vote in favor.
11 MR. KERRICK: Donny?
12 MR. MOYER: I vote in favor.
13 MR. KERRICK: Heidi?
14 MS. PICKARD: I vote in favor.
15 MR. KERRICK: I'll vote in
16 favor.
17 Entertain a motion establishing
18 the tax assessor's bond at 40,000.
19 MS. PICKARD: So moved.
20 MR. KERRICK: Do we have a
21 second?
22 MR. HOLAHAN: Second.
23 MR. KERRICK: Questions or
24 comments?
25 Call the vote. John?

1 MR. HOLAHAN: I vote in favor.
2 MR. KERRICK: Anne?
3 MS. LAMBERTON: I vote in
4 favor.
5 MR. KERRICK: Donny?
6 MR. MOYER: I vote in favor.
7 MR. KERRICK: Heidi?
8 MS. PICKARD: I vote in favor.
9 MR. KERRICK: I'll vote in
10 favor.
11 Entertain a motion establishing
12 the 2012 mileage rate.
13 MR. HOLAHAN: It's currently
14 55.5, IRS, is that correct?
15 MS. PICKARD: That is correct
16 and we usually approve that to be the then current
17 IRS mileage rate.
18 MR. HOLAHAN: All right. I'll
19 make that motion.
20 MS. LAMBERTON: Second.
21 MR. KERRICK: Motion and second
22 that we follow the IRS?
23 MS. PICKARD: Umm-hmm.
24 MR. HOLAHAN: Yes.
25 MR. KERRICK: Questions or

comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Certify the five township board of supervisors, township engineer and township solicitor as delegates to the Pennsylvania Township Supervisors 2012 Annual Convention.

MS. PICKARD: So moved.

MR. KERRICK: Do we have a second?

MR. MOYER: Second.

MR. KERRICK: Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in

1 favor.
2 MR. KERRICK: Donny?
3 MR. MOYER: I vote in favor.
4 MR. KERRICK: Heidi?
5 MS. PICKARD: I vote in favor.
6 MR. KERRICK: I'll vote in
7 favor. Motion carried.
8 Certify one of the board of
9 supervisors to serve as a voting delegate to the
10 Pennsylvania State Association Township Supervisors
11 2012 Annual Convention.
12 MS. PICKARD: I'll make a
13 motion that we appoint Anne Lamberton and John
14 Holahan as alternate to be our voting delegates at
15 the PSATS convention.
16 MR. MOYER: Second.
17 MR. KERRICK: Motion and
18 second.
19 Questions?
20 Call the vote. John?
21 MR. HOLAHAN: I'll abstain.
22 MR. KERRICK: Anne?
23 MS. LAMBERTON: I'll abstain.
24 MR. KERRICK: Donny?
25 MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll vote in favor.

MR. KERRICK: I'll vote in favor.

Approve the agreement to retain Brian Oram, PG, for the year 2012 as the professional soil scientist for the township at the rate set forth in his agreement.

MS. PICKARD: I make that motion.

MR. KERRICK: Do we have a second?

MR. HOLAHAN: Second.

MR. KERRICK: Questions or comments?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Approve L and V Engineering proposal for traffic engineering service on an as-needed basis for the year 2012.

MR. ARMSTRONG: The only thing I would mention about that is, if you do appoint it, it would be engineering. They submitted that general addendum to the contract as they did last year. I would just make it conditional upon the appointment not including that general agreement or at least conditional upon terms acceptable to the township. It's a general agreement that they send to all their actual clients when they actually do construction-type or design-type work.

MR. HOLAHAN: In the minutes from January's meeting last year you instruct that language as well.

I'll make it conditional -- I'll make a motion that we appoint on submission of conditional terms that we have to agree upon as township supervisors.

Is that clear enough?

MR. ARMSTRONG: That's perfect.

MS. PICKARD: I'll second the

1 motion.
2 MR. KERRICK: Motion and
3 second.
4 Call the vote. John?
5 MR. HOLAHAN: I vote in favor.
6 MR. KERRICK: Anne?
7 MS. LAMBERTON: I vote in
8 favor.
9 MR. KERRICK: Donny?
10 MR. MOYER: I vote in favor.
11 MR. KERRICK: Heidi?
12 MS. PICKARD: I vote in favor.
13 MR. KERRICK: I'll vote in
14 favor.
15 You seconded it?
16 MS. PICKARD: I did.
17 MR. KERRICK: Appoint an
18 alternate sewage enforcement officer for the year
19 2012.
20 MS. PICKARD: I make a motion
21 we appoint Jeryl Rinehart at $35 an hour plus
22 expenses including mileage.
23 MS. LAMBERTON: I'll second.
24 MR. KERRICK: Motion and
25 second.

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor.

Next, appoint a candidate to serve as sewage hearing board for the year 2012. In the past we had George Ewald and last year, where there was a little concern because we do some -- we are -- John is our sewage enforcement officer and the sewage enforcement officer in Tunk.

Is that any kind of conflict?

MR. ARMSTRONG: I think we're approaching that differently now. Yeah, there was an issue.

MR. KERRICK: We don't need this.

MR. ARMSTRONG: Well, as an aside, it's not a bad idea to have one. But as an

aside, John and I dealt with enforcement matters a month or so ago and I assume it resolved, but -- the avenue that we took, rather than actually having a hearing before the sewage hearing board. But it is good to have someone appointed. And if you don't have a name today, you know, you can revisit it.

MR. KERRICK: We have a question with George?

MR. ARMSTRONG: I don't necessarily -- the concern you have with respect to conflict of interest is that you act as the sewage enforcement officer for Tunk --

MR. KERRICK: Tunkhannock Township.

MR. ARMSTRONG: I don't necessarily see a direct conflict. If for purposes of immediacy, if you want to appoint George Ewald as the alternative.

MR. KERRICK: It's up to the board. We can wait, I don't think it's urgent.

MR. ARMSTRONG: These hearings, I don't know when the last time you actually had a hearing.

MR. KERRICK: A few years ago

we had a hearing.

MR. ARMSTRONG: It's always a good idea to have someone in those positions in the event that you have one, but if you're not sure if you want to appoint George and if you don't know of anyone else today, you can, you know, wait or you can appoint him as the alternate or temporary until you find someone that you're more comfortable with.

MR. MOYER: Was he a supervisor when he was appointed last time?

MR. KERRICK: No.

MS. PICKARD: No.

MR. MOYER: Does that matter?

MR. KERRICK: That's what we're -- we want to make sure that there's not a conflict.

MS. PICKARD: It didn't matter until John was doing some work. I still contend that if we had a problem here that he being a neighboring supervisor doesn't really pose -- unless he's doing something in Tunk, in which case Tunk would have their own hearing officer.

MR. ARMSTRONG: Right.

MR. MOYER: Right.

MR. ARMSTRONG: I don't

1 necessarily see a conflict at this point, but, you
2 know, if you want to consider other potential
3 candidates, then you can do that.
4 MS. PICKARD: We really were
5 unable to find somebody to fill that position.
6 MR. ARMSTRONG: It's just like
7 the UCC Board of Appeals. It's hard for townships
8 to find candidates that are qualified. And if he's
9 the only qualified candidate at this point --
10 MR. KERRICK: We have Terry
11 Martin, is also SEO, but I wouldn't appoint him
12 unless we'd ask him before we -- and I don't know
13 if he'd be interested.
14 MS. PICKARD: He does a lot of
15 work in here too, does that --
16 MR. KERRICK: So did George at
17 the time.
18 MR. ARMSTRONG: That's where
19 you could have George as the alternate if --
20 MR. KERRICK: Let's put it on
21 the table. Is that okay with you guys? You want
22 to table it or you want to go ahead?
23 MS. PICKARD: That's fine, we
24 didn't have one last year.
25 MR. KERRICK: Well, that's

because we said we would deal with it in February and we forgot.

MS. PICKARD: That's why I didn't want to.

MR. KERRICK: Quite honestly, it got buried.

MR. HOLAHAN: If we don't -- if we appoint George, then we're not going to look at it again, frankly. So let's table it to the next meeting.

MR. KERRICK: Put it on your agenda for next meeting.

MR. KERRICK: So that one's tabled, 34.

35, consider the enactment of Resolution No. 2012 dash 001, setting the dates, times and place for township public meetings to be held.

MS. PICKARD: I make a motion we approve Resolution 2012 dash 001, setting up times, dates and places for township meetings to be held.

MR. KERRICK: Do we have a second?

MS. LAMBERTON: Second.

MR. KERRICK: Questions?
Call the vote. John?
MR. HOLAHAN: I vote in favor.
MR. KERRICK: Anne?
MS. LAMBERTON: I vote in favor.
MR. KERRICK: Donny?
MR. MOYER: I vote in favor.
MR. KERRICK: Heidi?
MS. PICKARD: I vote in favor.
MR. KERRICK: I'll vote in favor. Motion carried.

Consider the enactment of Resolution No. 2012 dash 002, designating certain financial institutions as depositories for township monies.

MS. PICKARD: I make a motion we approve Resolution 2012 dash 002.
MR. HOLAHAN: I'll second.
MR. KERRICK: Motion and second.

Questions?
Call the vote. John?
MR. HOLAHAN: I vote in favor.
MR. KERRICK: Anne?
MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor.

Consider the enactment of Resolution No. 2012 dash 003, appointing a firm as the public accounting firm to the township replacing the elected slash appointed township auditors.

MS. PICKARD: I make a motion we approve Gneiding, DeSanctis, Blizard and Company, LLP, at the rate of $8500.

MR. KERRICK: Who was that?

(Inaudible discussion.)

MR. HOLAHAN: Same people we're presently using, correct?

MS. PICKARD: Correct.

MR. KERRICK: Correct.

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second.

Call the vote. John?

MR. HOLAHAN: I had a question on it though.

MR. KERRICK: Go ahead.

MS. PICKARD: Go ahead.

MR. HOLAHAN: Last year the agreement was at 55 and this year 85. I think it was 55 last year.

MS. PICKARD: It wasn't, it was 85 last year. It's been 85 for the last several years. So I don't know if that was a typo.

MR. HOLAHAN: Miswritten then. I'm cool.

MR. KERRICK: Maybe it was a mistake in the minutes, maybe we didn't pick it up. It's been 85 for quite a while.

MR. HOLAHAN: Okay.

MR. KERRICK: All right. Any other questions?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor.

Next item, consider the enactment of Resolution No. 2012 dash 004, establishing tax rates for the calendar year 2012.

MS. PICKARD: I make a motion we approve Resolution No. 2012 dash 004.

MR. KERRICK: Do we have a second?

MS. LAMBERTON: I second.

MR. KERRICK: Did you second, Anne?

MS. LAMBERTON: Yes.

MR. KERRICK: Questions?

MR. HOLAHAN: Yeah, is there any way to -- never mind.

MR. KERRICK: Go ahead.

MR. HOLAHAN: I know there is -- the fact that you guys held the rate and didn't have to increase it was doing pretty darn good.

MS. PICKARD: That's true.

MR. KERRICK: Any other questions?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

1 MR. KERRICK: Anne?
2 MS. LAMBERTON: I vote in favor.
3 MR. KERRICK: Donny?
4 MR. MOYER: I vote in favor.
5 MR. KERRICK: Heidi?
6 MS. PICKARD: I vote in favor.
7 MR. KERRICK: I'll vote in
8 favor.
9 Next item, consider the
10 enactment of Resolution No. 2012 dash 005,
11 appointing a firm to serve as special counsel to
12 the board on any legal matter that becomes a
13 conflict with the township solicitor and set that
14 rate.
15 MS. PICKARD: I'll make a
16 motion that we appoint William J. Bolla of
17 McNamara, Bolla, Williams and Panzer, at a flat fee
18 of $100 per travel and an hourly rate of $185.
19 MR. KERRICK: That was 100
20 travel flat?
21 MS. PICKARD: Umm-hmm.
22 MR. KERRICK: Plus 185?
23 MS. PICKARD: Per hour.
24 MR. KERRICK: Motion on the
25 floor. Do we have a second?

MR. HOLAHAN: Yeah, I'll second. These are the same rates as last year?

MR. KERRICK: Correct.

MS. PICKARD: Correct.

MR. KERRICK: Questions or comments?

Call the vote? John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, consider enactment Resolution No. 2012 dash 006, setting a fee schedule for subdivision and land development, planned residential development, zoning hearing board, board of supervisors and other miscellaneous fees.

MS. PICKARD: I make a motion we approve Resolution 2012 dash 006.

1 MR. KERRICK: Do we have a
2 second?
3 MS. LAMBERTON: I'll second.
4 MR. KERRICK: Questions?
5 Call the vote. John?
6 MR. HOLAHAN: I vote in favor.
7 MR. KERRICK: Anne?
8 MS. LAMBERTON: I vote in
9 favor.
10 MR. KERRICK: Donny?
11 MR. MOYER: I vote in favor.
12 MR. KERRICK: Heidi?
13 MS. PICKARD: I vote in favor.
14 MR. KERRICK: I'll vote in
15 favor. Motion carried.
16 Consider the enactment of
17 Resolution No. 2012 dash 007, amending the
18 emergency notification list to the township's
19 emergency operations plan.
20 MR. HOLAHAN: I'll make that
21 motion.
22 MR. KERRICK: Motion. Do we
23 have a second?
24 MS. LAMBERTON: Second.
25 MS. PICKARD: I just want to

say that we would need to change the emergency management coordinator.

MR. ARMSTRONG: Yeah.

MR. KERRICK: Any other things we have to change after this meeting.

Any other questions?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor.

I make a motion that we adjourn the reorganization meeting.

MR. MOYER: Second.

MR. KERRICK: We're adjourned.

(Meeting concluded at 4:22 p.m.)

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

AGENDA
Board of Supervisors
Regular Business Meeting
February 6, 2012

1. Call Meeting to Order: John E. Kerrick, Chair

2. Pledge of Allegiance

3. Announcements:

4. Consider the Minutes of: December 12, 2011 Regular Business Meeting
   December 21, 2011 Special Meeting

5. Consider the Treasurer's Report: $563,663.04

6. Solicitor Report:

7. New Business:

   A. Consider Sewage Hearing Board appointment

   B. Consider Lot Joinder-Locust Lake Village POA, 319,320 & 321 Fawn Road, LLV

   C. Consider Lot Joinder-Daniel Seip, 43& 44 Arrowhead Drive, Arrowhead Lakes

   D. Consider Wagner Forest Park, Section H Sewage Facilities Planning Module Amendment

   E. Consider Randy Hoffman Minor Subdivision/Fam Bros. Construction, Inc. Lot Consolidation

8. Public Questions and Comment

ADJOURNMENT

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, February 6, 2012, beginning at 5:05 p.m.

PRESENT:

JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

1 MR. KERRICK: Call the meeting
2 to order of the board of supervisors, February 6.
3 Could we open the meeting with
4 the pledge of allegiance, please?
5 (Pledge of allegiance was
6 recited.)
7 MR. KERRICK: Any annoucements,
8 Heidi?
9 MS. PICKARD: No.
10 MR. KERRICK: Consider the
11 minutes of the meeting of December 12, 2011,
12 regular business meeting, and December 21, 2011,
13 special meeting.
14 What's the board's pleasure?
15 MR. HOLAHAN: Make a motion to
16 approve.
17 MS. PICKARD: I had a couple of
18 minor edits. On the December 12 minutes, Page 25,
19 Line 21, should be "go" instead of "got"; and
20 December 21 minutes, Page 16, Line 12, this point,
21 T-H-I-S; and Page 18, Line 16, Haase, H-A-A-S-E.
22 That was it.
23 MR. KERRICK: Do you amend your
24 motion, John?
25 MR. HOLAHAN: Yes.

MS. LAMBERTON: Second.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Consider the treasurer's report in the amount of $563,663.04.

What's the board's pleasure?

MS. PICKARD: I make a motion that we approve the treasurer's report in the amount of $563,663.04.

MR. KERRICK: Do we have a second?

MR. MOYER: I second.

MR. KERRICK: Questions or comments from the board?

MR. MOYER: I don't have any.

MS. LAMBERTON: No.

MR. KERRICK: John, do you have any questions?

MR. HOLAHAN: No.

MR. KERRICK: Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I abstain.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor. Motion carried.

Solicitor's report.

MR. ARMSTRONG: I just ask for a brief session regarding litigation after the meeting.

MR. KERRICK: Sure.

New business. Consider sewage

hearing board appointment.

MS. PICKARD: I appoint George Ewald as the sewage hearing board officer.

MR. HOLAHAN: I'll second.

MR. KERRICK: Late that he found out.

MS. LAMBERTON: Does he know?

MR. KERRICK: Yes, he knows.

Motion and second on the George Ewald sewage hearing board appointment.

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor.

Consider lot joinder, Locust Lake Village POA, 319, 320 and 321 Fawn Road, Locust Lake Village.

1 MR. RONALD GATTI: These three
2 lots were purchased at a tax sale and we wish to
3 combine them to the common area. I believe
4 everything was submitted unless you have any
5 questions. It's pretty straightforward.
6 THE REPORTER: Could you just
7 state and spell your name for me, please?
8 MR. RONALD GATTI: G-A-T-T-I,
9 Ronald, R-O-N-A-L-D, community manager of Locust
10 Lake Village.
11 MR. KERRICK: Does the board
12 have any questions?
13 MR. HOLAHAN: It has gone
14 through the process, is everything gold?
15 MR. KERRICK: I believe
16 everything was --
17 MR. ARMSTRONG: For lot lines
18 to be extinguished, in subdividing separate lots,
19 they have to come back before the municipalities
20 for approval.
21 In looking at the existing deed,
22 it seems that those lots are declared to be in the
23 green area?
24 MR. RONALD GATTI: Yes. It's
25 the common area of the association.

MR. HOLAHAN: I make a motion that we approve the lot joinder.

MS. LAMBERTON: I'll second it.

MR. KERRICK: Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor. Motion carried.

MR. RONALD GATTI: Thank you.

MR. KERRICK: Consider lot joinder, Daniel Seip, Lots 43 and 44, Arrowhead Drive, Arrowhead Lakes.

Anyone here?

MS. PICKARD: Arrowhead is on the last page of the packet. The map shows where

the lots are. Same thing, everything has been through the process.

MR. KERRICK: What's the board's pleasure?

MR. HOLAHAN: Approve the lot joinder.

MS. PICKARD: I'll second the motion.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Consider Wagner Forest Park, Section H sewage facilities planning module amendment.

I will recuse myself at this point.

MS. PICKARD: Just, I've talked to Brogan. I really don't know if you could give us more information from the DEP. Terry Martin is here.

I understand that there are fewer lots in this planning module than there was prior to that. That's as far as my knowledge goes.

MR. TERRY MARTIN: The plan of the township, when it was originally approved, had a greater number of lots. Some of the lots are being combined now because of some test results that were recently performed that showed a couple of the lots were not adequate for on-site sewage disposal. What happened is that the number of lots in the original proposal is less than the original.

MR. HOLAHAN: I'll make a motion that we approve the Wagner Forest Park, Section H sewage facilities module.

MR. ARMSTRONG: I spoke to John Brogan before the meeting and viewed which

1 would be the latest planning module that was
2 filed -- John is the SEO -- as well as the December
3 7, 2011 plan for that planning module.
4 MR. HOLAHAN: I'll make a
5 motion as an amendment to that -- or condition.
6 MR. MOYER: I'll second.
7 Are you going to do the vote?
8 MR. KERRICK: I can do the
9 vote, I'm going to abstain any way.
10 Questions or comments from the
11 board?
12 Questions or comments from the
13 public?
14 Call the vote. John?
15 MR. HOLAHAN: I vote in favor.
16 MR. KERRICK: Anne?
17 MS. LAMBERTON: I vote in
18 favor.
19 MR. KERRICK: Donny?
20 MR. MOYER: I vote in favor.
21 MR. KERRICK: Heidi?
22 MS. PICKARD: I vote in favor.
23 MR. KERRICK: I'll abstain.
24 MR. ARMSTRONG: Just for
25 clarification, Heidi Pickard will issue a letter

1 indicating such to the appropriate agency.
2 MR. KERRICK: Consider Randy
3 Hoffman minor subdivision, Fam Brothers
4 Construction, Inc., lot consolidation.
5 MR. TERRY MARTIN: We prepared a
6 plan. I don't know if you folks had a chance to
7 look at it before the meeting or not. It's a
8 proposed line for lands of Randy Hoffman. A lot
9 consolidation for existing lands of Fam Brothers
10 and proposed lands of Fam Brothers Construction
11 located on State Route 940 at the entrance into the
12 FedEx complex.
13 The purpose of a subdivision is
14 because of the existing encroachment of the on-site
15 sewer of the Fam Brothers Construction building is
16 encroaching lands on to Randy Hoffman. We prepared
17 a plan cutting out a portion of that and remaining
18 lands of Hoffman, Parcel A. That parcel was
19 subdivided off of Hoffman and enjoined in separable
20 parts of Fam Brothers Construction when the
21 planning commission reviewed it.
22 Both the township and the county
23 planning commission recommended approval with the
24 condition that we submit a deed that shows that
25 part of the existing lands and Parcel A are

combined into one tract.

MR. ARMSTRONG: They are owned by the same property owner?

MR. TERRY MARTIN: Owned by the same property owner.

MR. ARMSTRONG: One other thing. The other declaration order -- basically the concern is, if you look at the subdivision, you're not making a straight line to the adjacent property. That's the purpose of this recommendation. So procedurally speaking, that's the way we would consider the minor subdivision by default in order to prevent the creation of nonconforming lots. This resulting subdivision would have been the declaration requiring them to immediately consolidate that property. It was created to the adjacent property to minimize the encroachment.

MS. LAMBERTON: Which was the intention anyway.

MR. TERRY MARTIN: Right.

MR. ARMSTRONG: -- whether or not the applicant should make it a straight line or make it a right angle, which would be cleaner, rather than the zig-zag representing the

neighboring property owner.

MS. LAMBERTON: Would they not agree or --

MR. TERRY MARTIN: Mr. Hoffman wanted the least amount of encroachment.

MS. LAMBERTON: Right.

MS. PICKARD: Wasn't there an issue with the parking lots?

MR. TERRY MARTIN: That part is not in this consolidation.

MS. PICKARD: How are they handling that part?

MR. KERRICK: They're not or --

MS. LAMBERTON: It has improved. Actually they have removed some of the garbage back there.

MR. ARMSTRONG: Also ultimately part of the recommendation was to require them to remove that encroaching parking lot area. I believe the recommendation was made because it was looked upon as private.

MS. LAMBERTON: Private, yep.

MR. KERRICK: Okay. What's the board's pleasure? You want to entertain a motion?

MS. LAMBERTON: I'll make a motion to approve.

MR. MOYER: I'll second.

MR. ARMSTRONG: Just for clarification, make it conditional upon the February 1, 2012 letter together with the applicant's appropriate deeds to be recorded, showing Fam brothers will be conveyed, the created subdivided lots are consolidated currently with Fam Brothers, and also executing the requisite location to be consolidated.

MS. LAMBERTON: I would propose -- I would say with what he said.

MR. TERRY MARTIN: There are some modifications that we requested that should be part of the motion.

MR. ARMSTRONG: If the board would entertain the conditions of that motion together with waiving the SALDO requirements, and it's SALDO 135.12.D(2); Section 135-15.A(15); SALDO Section 135-17.L and M; 135-18.B(13) and (15).

MS. LAMBERTON: I will make that motion. I'll amend my motion.

MR. MOYER: I'll second.

MR. KERRICK: So you amend your

1 motion and amend your second?
2 MS. LAMBERTON: Yes.
3 MR. MOYER: Yes.
4 MR. KERRICK: Any questions
5 from the board?
6 Questions from the public?
7 Call the vote. John?
8 MR. HOLAHAN: I vote in favor.
9 MR. KERRICK: Anne?
10 MS. LAMBERTON: I vote in
11 favor.
12 MR. KERRICK: Donny?
13 MR. MOYER: I vote in favor.
14 MR. KERRICK: Heidi?
15 MS. PICKARD: I vote in favor.
16 MR. KERRICK: I vote in favor.
17 Motion carried.
18 MR. TERRY MARTIN: Thank you.
19 Good night.
20 MR. KERRICK: Does the board
21 have anything else they would like to address?
22 MR. MOYER: No.
23 MR. KERRICK: Anyone from the
24 public?
25 We are adjourned.

1 (Meeting concluded at 5:20 p.m.)

2 ---

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

A G E N D A
Board of Supervisors
Regular Business Meeting
March 5, 2012

1. Call Meeting to Order: John E. Kerrick, Chair

2. Pledge of Allegiance

3. Announcements:

4. Consider the Minutes of: January 3, 2012 Reorganization Meeting
   January 3, 2012 Regular Business Meeting
   February 6, 2012 Regular Business Meeting

5. Consider the Treasurer's Report: $136,044.31

6. Solicitor Report:

7. New Business:

   A. Consider Planning Commission appointment

   B. Consider Resolution 2012-008 Prevailing Wage Reform

8. Public Questions and Comment

ADJOURNMENT

Tobyhanna Township Board of Supervisors
March 5, 2012
Regular Meeting Minutes

The regular meeting of the Tobyhanna Township Board of Supervisors was held at 5:00 p.m. on March 5, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member
	Anne M. Lamberton	Member
	Patrick Armstrong	Township Solicitor
	Robert McHale	Township Engineer
	Phyllis Haase	Township Zoning Officer
	John Brogan	Township Sewage Enforcement Officer

The meeting was called to order at 5:00 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

Approval of Minutes

A Pickard/Holahan motion was made to approve the minutes from the January 3, 2012 Board of Supervisors' reorganization meeting. The motion passed 4-0.

A Pickard/Holahan motion was made to approve the minutes from the January 3, 2012 Board of Supervisors' regular meeting, with the revision of the name "Benecon" on Page 12, Line 12. The motion passed 4-0.

A Pickard/Holahan motion was made to approve the minutes from the February 6, 2012 Board of Supervisors' regular meeting. The motion passed 4-0.

Treasurer's Report

A Pickard/Holahan motion was made to approve the bill packet in the amount of $136,044.31. The motion passed 4-0.

Solicitor Report

The Solicitor announced that there would be a brief executive session following the meeting to discuss pending litigation matters.

The Solicitor also announced that Chairman Kerrick executed the requisite Section 147(f) Approval following the public hearing held by the Tobyhanna Township Volunteer Fire Company relating to the purchase of the new aerial ladder fire truck.

New Business

Zoning Ordinance Amendment – Monroe County Technical Review – A Holahan/Pickard motion was made to forward certain sections of the draft Zoning Ordinance Amendment to the County for a technical review in relation to the grant awarded to the Township. The motion passed 3-1. Supervisor Anne Lamberton voted against it.

Planning Commission Appointment - A Holahan/Lamberton motion was made to reappoint Robert Baxter to the Tobyhanna Township Planning Commission. The motion passed 4-0.

Resolution 2012-008 - A Pickard/Holahan motion was made to adopt Resolution 2012-008 in support of Prevailing Wage Reform. The motion passed 4-0.

Public Comment

There was some brief discussion on the status of the Township pool, but no action was taken by the Board.

Adjournment

Chairman Kerrick adjourned the meeting at 5:50 p.m.

Respectfully submitted:

Heidi A. Pickard, Township Secretary

AGENDA
BOARD OF SUPERVISORS
Work Session
March 5, 2012

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Secretary Report:
4. Solicitor Report:
5. DPW Report and Sewer Report:
6. Engineering Report:
7. Sewer Enforcement Officer Report:
8. Zoning Officer Report:
9. Committee Reports: PMREMS/PMRPC/Open Space/
   CMTPTT Regional Comprehensive Plan
10. New Business:

    Arcadia, New Ventures Park

    Ragnar Relay Pennsylvania - 2012

    Official Map

    Accounting (IT) Proposals

    RSVP

Tobyhanna Township Board of Supervisors
March 5, 2012
Work Session Meeting Minutes

The work session of the Tobyhanna Township Board of Supervisors was held at 3:30 p.m. on March 5, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member
	Anne M. Lamberton	Member
	Patrick Armstrong	Township Solicitor
	Robert McHale	Township Engineer
	Phyllis Haase	Township Zoning Officer
	John Brogan	Township Sewage Enforcement Officer

The meeting was called to order at 3:30 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

Secretary Report

No action taken.

Solicitor Report

The Solicitor announced that there would be a brief executive session following the meeting to discuss pending litigation matters.

DPW Report and Sewer Report

No action taken.

Engineering Report

The Township Engineer informed the Board that he has been reviewing the current lighting on the Township's properties and recommended the Board consider switching to a lower wattage LED light bulb in order to save costs and extend the lifespan of the bulbs. The Board will take it under advisement.

Sewage Enforcement Officer Report

No Report.

Zoning Officer Report

The Zoning Officer requested that the Board consider implementing a building code inspection process for certain types of uses to ensure the structures are kept in an acceptable and safe condition. The Board will take it under advisement.

Committee Reports

PMREMS – None.

PMRPC – None

Open Space – None

BNA Report – None

CMTPTT Regional Comprehensive Plan – None

New Business

Arcadia, New Ventures Park – The Applicant provided the Board with a brief update on the HOP improvement maintenance agreements and proposed a possible resolution to the remaining issue of how to handle a default without the filing of a municipal lien against Arcadia's property. The applicant will forward the proposed language to the Township for the Township's review and consideration.

The Applicant also briefly discussed the pending traffic mitigation contribution issue, but no substantive terms were presented to the Board.

Ragnar Relay Pennsylvania – 2012 – The Board reviewed the proposed race within the Township and did not have an objection to it so long as all the requisite documentation and requirements were met by the applicant.

Official Map – The Board reviewed the latest version of the Official Map from the County and expressed a concern about some of the locations identified on the map, particularly the area around the wetlands near the Fern Ridge area. The Township will be asking the County to make revisions to the Official Map before authorizing it to be advertised and/or adopted.

Accounting (IT) Proposals – The Board reviewed the proposals for a new accounting system and agreed that it was needed.

RSVP – The Board reviewed the proposed Retired and Senior Volunteer Program ("RSVP") Memorandum of Understanding and did not have an objection to it so long as the requisite documentation was provided and/or executed by RSVP and/or the volunteer involved.

Public Comment

None.

Adjournment

Chairman Kerrick adjourned the meeting at 5:00 p.m.

Respectfully submitted:

Heidi A. Pickard, Township Secretary

A G E N D A
Board of Supervisors
Regular Business Meeting
April 9 2012

1. Call Meeting to Order: John E. Kerrick, Chair

2. Pledge of Allegiance

3. Announcements: Spring Clean Up April 23 to April 28 2012
   May 14 2012 work session/Business Mtg. -T.E.C. @ 9:30 AM

4. Consider the Minutes of:

5. Consider the Treasurer's Report: $525,131.31

6. Solicitor Report:

7. New Business:

   A. Consider Planning Commission appointment

   B. Consider Line Painting Bids

   C. Consider Resolution 2012-009 Price Adjustment of bituminous materials for small quantities (Quarry Stone and Road Construction Materials)

   D. Consider Quarry Stone and Road Construction Materials Bids

   E. Consider Resolution 2012-010 Price Adjustment of bituminous materials for small quantities (Bituminous Seal Coat)

   F. Consider Bituminous Seal Coat Bids

   G. 2012 Pool Fees

   H. Locust Lake Village Fireworks - September 2 2012

   I. Pocono Summit Volunteer Fire Company - June 22 & 23 festival and parade

   J. SIDE Corporation KOZ Property

8. Public Questions and Comment

ADJOURNMENT

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, April 9, 2012 beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

MR. KERRICK: Could we open the meeting with the pledge of allegiance?

(Pledge of allegiance was recited.)

MR. KERRICK: First item of business, announcements.

Heidi?

MS. PICKARD: Okay. First off, we have spring cleanup, that's April 23 to the 28th. The detailed information's on our website or posted out in the lobby. That will be at our transfer station on Sullivan Trail and our next month meeting will be May 14, it's a work -- combination work session and business meeting. That will be at T.E.C. at 9:30 in the morning. It would be best, if you were interested in coming, we could get your name to T.E.C. so they know you're coming.

We received this afternoon -- I did send it out, but in case you haven't looked at it, we received an invitation to the Pocono Mountain West Little League to attend their opening day activities at Blanche Price Park on April 15, at 1 p.m. They're doing the dugout dedication ceremony and having a cookout. So they would like

1 to know if anybody's interested in attending. You
2 can let me know and I'll let them know.
3 MR. KERRICK: What time? I'm
4 sorry.
5 MS. PICKARD: One to --
6 MR. KERRICK: 1 p.m.?
7 MS. PICKARD: 1 p.m.
8 MR. KERRICK: That's the
9 dedication?
10 MS. PICKARD: Well, later on.
11 Starting at 1 p.m.
12 MR. KERRICK: Sorry.
13 MS. PICKARD: There's a rain
14 date, the 22nd and the 29th.
15 MR. KERRICK: Wow, they must
16 expect rain.
17 MS. PICKARD: Exactly.
18 MS. LAMBERTON: Baseball
19 season --
20 MS. PICKARD: And they --
21 MR. KERRICK: Any other
22 announcements?
23 MS. PICKARD: No.
24 MR. KERRICK: Thank you.
25 We don't have any minutes to

approve, correct?

MS. PICKARD: No, we do not have any minutes to approve.

MR. KERRICK: Next item of business, consider the treasurer's report, bill pack dated April 9, 2012, total amount for board approval, $525,131.31. Bills are up front if anybody wants to take a look.

MS. PICKARD: I'll make the motion that we approve the bill pack dated April 9, 2012, in the amount of $525,131.31.

MR. KERRICK: Motion on the floor. Do we have a second?

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, solicitor's report.

MR. ARMSTRONG: The only thing I have under my report is, I forwarded you all the draft zoning ordinance amendment, as well as the planning commission members. That was -- it's a long document. The planning commission is going to be talking about it this Thursday again. I'm not sure if they're going to recommend it this Thursday night or not, depending upon what they -- what additional comments or revisions they may have. I have some items that I just need to confirm with the planning commission before it goes forward, but just so you guys are all aware.

Did everyone receive it?

MR. HOLAHAN: I did, yeah.

MR. ARMSTRONG: I would start just taking a look through it so when it is recommended to this board for action, you know, you're acclimated with it. That's all I have.

MR. KERRICK: I read it yesterday for Easter. Just kidding.

MS. PICKARD: So we can move

1 this for --

2 MS. WENDI FREEMAN: Is that

3 open for public review?

4 MR. ARMSTRONG: Right now it's

5 a draft ordinance, it's not a public record until

6 the board of supervisors actively authorizes it for

7 advertisement for a public hearing. That's not to

8 say that there may come a time before the authoriz

9 -- for advertisement that they may provide it to

10 the public for review, but as of this point in

11 time, it's not a public document for purposes of

12 that definition.

13 MS. WENDI FREEMAN: Thank you.

14 MS. PICKARD: So if we

15 authorize that for advertising in May we would be

16 able to take that up in June for our meeting? Is

17 that 30 days or is that longer for that?

18 MR. ARMSTRONG: The

19 Municipalities' Planning Code, there is a -- it's a

20 30 day time clock. So if you would authorize it

21 for advertisement in May, it would be up for a

22 public hearing in June. If you'd authorize it in

23 June, it would be up in July.

24 MR. KERRICK: What's our

25 deadline?

MS. PICKARD: As long as we have the ordinance forwarded to DCED by the -- by June, I think we're okay.

MR. KERRICK: We don't have to vote on it at that point?

MS. PICKARD: No.

MR. KERRICK: Just --

MS. PICKARD: But it has to be pretty shortly after.

MR. ARMSTRONG: What I presume what will happen is when you do authorize it for advertisement for a public hearing, that letter with the public notice in the draft document will be copied to DCED, Monroe County, everyone that's involved in the process.

MR. KERRICK: Anything else?

MR. ARMSTRONG: That's all I have for now.

MR. KERRICK: Do we need an executive session afterwards?

MR. ARMSTRONG: No new litigation. Litigation is, since your work session last week, is pretty much the same. Nothing significant has changed.

MR. KERRICK: Okay. Thank you.

Next item on our agenda, new business. Consider planning commission appointment.

What's the board's pleasure? Joe Miller, he's been there for many years, has -- his term has expired.

What's the board's pleasure?

I'm sorry?

MS. LAMBERTON: Is he interested in continuing?

MS. PICKARD: Yeah.

MR. KERRICK: Yes.

MS. LAMBERTON: I'd make the motion. Go ahead.

MR. HOLAHAN: You want to make the motion?

MS. LAMBERTON: I'll make a motion to have Joe reappointed.

MR. HOLAHAN: I'll second that.

MR. KERRICK: Motion on the floor and second to reappoint Joe Miller.

Any discussion from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON. I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, consider line painting bids, Section B in your book. We had two bidders, Interstate Road Management and Alpha Space Control. As you can see, they're very close. Like tenth of a cent or something.

MS. PICKARD: This was for all four --

MR. KERRICK: Four municipalities. It was Tobyhanna Township, we were the bidder, and Coolbaugh piggy-backed, Tunkhannock and Mount Pocono Borough.

MS. LAMBERTON: Who was the -- can I ask a question?

MR. KERRICK: Sure.

MS. LAMBERTON: Who was the company that had issues last year, they ran out of paint?

MR. KERRICK: They were from Maryland, but we've had --

MS. LAMBERTON: Neither one of these?

MR. KERRICK: In the past we've had some issues was Alpha. Our recommendation -- Bob and my recommendation would be to Interstate, which is low bid.

MS. LAMBERTON: Perfect.

MR. HOLAHAN: Yeah.

MS. PICKARD: Just as an aside we did get --

MR. KERRICK: You reviewed the --

MR. ARMSTRONG: Yeah, they're the low --

MS. PICKARD: -- a bid in after the fact, which was not opened, that's available. That came a day after the bids were required to be in. I don't know who that was from.

MR. KERRICK: Do you just return it?

MS. PICKARD: I guess we return it. Margie has it op --

MR. ARMSTRONG: Oh, you had a

bidder submit something after the bid date?

MS. PICKARD: Yeah.

MR. KERRICK: Just send it back.

MR. ARMSTRONG: Just send it back.

MR. KERRICK: I'll entertain a motion.

MR. HOLAHAN: So moved.

MS. PICKARD: Okay. For --

MR. KERRICK: For Interstate Line --

MR. HOLAHAN: For Interstate.

MR. KERRICK: -- Road Management?

We have a motion. Do we have a second?

MS. LAMBERTON: I'll second.

MR. KERRICK: Questions or comments from the board on the motion?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Consider Resolution 2012 dash 009, price adjustment of bituminous material for small quantities. Basically that's the asphalt index as it goes up and down. We either get the reduction or -- not usually a reduction, usually an increase.

Do we have a motion to adopt Resolution 2012?

MS. PICKARD: I'll make a motion that we adopt Resolution 2012 dash 009.

MR. KERRICK: Do we have a second?

MR. HOLAHAN: I'll second.

MR. KERRICK: We have a motion and second. Escalation, that's the word I was trying to think of.

MS. LAMBERTON: Escalation clause.

MR. KERRICK: Clause.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, consider quarry stone and road construction materials bid, Section D.

If you take a look at the top chart, we had four bidders. We had E.R. Linde Construction, Eureka Stone Quarry, Locust Ridge Quarry and Tarheel Quarry, LLC. After review, Bob and I have come to the conclusion that Locust Ridge would be the lower bidder. And at the bottom, all the way at the bottom you'll see the miles to the quarry, but we did -- we used a centroid of the four municipalities and I think we did that in

error. We should do the center of Tobyhanna Township, but it still would work out to Locust Ridge would be the closest.

MR. HOLAHAN: Yes.

MR. KERRICK: The only thing that we'd recommend is not to accept any of the antiskid bids, but really don't have to deal with Locust Ridge if we use those -- if we elect to award the bid to Locust Ridge.

MR. ARMSTRONG: Locust Ridge was the only one who bid on the bottom portion, right?

MR. KERRICK: Yeah. We don't have to do that separate. If you look at the bottom Locust Ridge bid on all the items on our list and also all the superpave items and the cold patch.

MR. HOLAHAN: Right.

MR. KERRICK: So I guess our recommendation would be to do the aggregate and the asphalt, award that to Locust Ridge.

MS. PICKARD: Less the --

MR. KERRICK: Less the antiskid.

MS. PICKARD: -- antiskid which

is --

MR. KERRICK: Type 2 antiskid.

MS. PICKARD: Is that fifty-six seven hundred?

MR. KERRICK: 56,700, correct. And as far as the aggregate and the pave, I believe, Locust Ridge piggy-backed -- or gave us some quantities. I think Coolbaugh and Mount Pocono Borough just gave us numbers on line painting, if I'm correct. They still have the option to piggy-back if they'd like, but it's hard to --

MS. PICKARD: Say that again.

MR. KERRICK: I think Tunkhannock is the only one that gave us numbers for aggregate and asphalt.

MS. PICKARD: Oh, okay.

MR. KERRICK: As well as oiling --

MS. PICKARD: That makes it easier for the distance because they're way far, you know.

MR. KERRICK: But the way Pat explained it to me, it's our bid so we need to take the centroid of our township.

MS. PICKARD: We should have done the centroid for just Tunk and Toby for these items --

MR. KERRICK: Correct.

MS. PICKARD: -- because -- all right. If I subtract from the aggregate the fifty-six seven hundred, I'm coming up with forty-one nine twenty-seven.

MR. KERRICK: For the --

MS. PICKARD: For the ag --

MR. KERRICK: -- aggregate.

MS. PICKARD: -- aggregate and then we have the one thirty-eight six six six twenty-five.

MR. KERRICK: Is this a motion?

MS. PICKARD: Well, I'm going to get to that and then I'm going to ask Pat to -- I'm getting that to be a total of one eighty-five ninety-three and seventy-five cents. I can recheck those figures. I don't how I can make the --

MR. ARMSTRONG: That would be --

MS. PICKARD: -- motion we --

MR. ARMSTRONG: That would be for Locust Ridge for Item Nos. 1 through 8, plus 10

through 14?

MR. KERRICK: Correct.

MR. ARMSTRONG: So basically minus the PennDOT antiskid materials Type 2?

MR. KERRICK: Right.

MR. ARMSTRONG: Based upon the fact that they bid on all the material, plus the fact that they're closest to Tobyhanna Township?

MR. KERRICK: Correct.

MR. ARMSTRONG: Taking mileage and gas and all the above into consideration.

MR. KERRICK: Exactly.

MS. PICKARD: So I make that motion and then that total would be 180,593 and 75 cents.

MR. HOLAHAN: I'll second.

MR. KERRICK: Heidi and John. Motion and second.

That motion okay, Pat?

MR. ARMSTRONG: Umm-hmm.

MR. KERRICK: Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, Item E, consider Resolution 2012 dash 012 (sic), price adjustment for bituminous materials for small quantities, bituminous seal coat.

MS. PICKARD: I'll make --

MR. KERRICK: This will be the oil and chip versus the other one was your hot mix asphalt.

MS. PICKARD: I'll make a motion we approve 2012 dash 010.

MR. KERRICK: Motion. Do we have a second?

MR. HOLAHAN: Yeah, I'll second it, John?

MR. KERRICK: Motion and second.

Questions or comments from the

board?

MS. PICKARD: Did we vote on the last one?

MR. KERRICK: Yeah, I think we voted on it.

MR. ARMSTRONG: On the price adjustment resolution?

MR. KERRICK: Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

MS. PICKARD: We all voted on the stone quarry one?

MR. KERRICK: I think we did.

MS. LAMBERTON: Yeah, we did.

MR. KERRICK: Wow, easy.

MR. ARMSTRONG: If there's any confusion -- you know, my recollection is you made

a motion to award the bid to Locust Ridge Quarry based on the fact they bid on all the items requested by the township, combined with the fact that the -- you know, the gas and mileage difference between the quarries in play would add up to a lower cost to the township.

MR. KERRICK: Next item on our agenda, consider bituminous seal coat bids, Item F. Open your packet to F.

We had a bid from Pocono Spray Patching, Asphalt Maintenance Solution LLC; Midland Asphalt Materials Inc.; Dosch King, Inc.; Pennsy Supply, Inc.; and Wayco. The low bid was Dosch King, Inc. Tunk gave us some numbers for oil and chip, as well as ours.

MS. PICKARD: So your recommendation is?

MR. KERRICK: Recommendation would be Dosch King as low bid.

MS. PICKARD: I'll make that motion we approve the bid from Dosch King Company, Inc., in the amount of $263,587.52 for bituminous seal coat.

MS. LAMBERTON: I'll second.

MR. KERRICK: Motion and

second.

Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, 2012 pool fees. Not all at once.

MS. PICKARD: I did some research. I had -- did a spreadsheet to send you on what our actual cost was for the fees. And I had put in here for where it would be with a 25 percent increase and that's what we budgeted. We came in somewhat under budget last year, we may do that this year. With that, right now we do have an agreement and collected funding from the YMCA Camp. I do have five of the lifeguards that I asked to

1 come back.
2 I compared our rates with Stroud
3 Regional. They didn't do any increases this year.
4 I looked at our rates and compared them. I can
5 make another suggestion that we raise the seasonal
6 family memberships up to 150 for Toby and 300 for a
7 Tunk resident. The other thing that I found with
8 dealing -- speaking with the Stroud Open Area was
9 that they do limit their -- they have a definition
10 of the family and they limit that to parents and/or
11 adults, up to four children under eighteen living
12 in the same household. I think that might not be a
13 bad idea. They do a lot of that to bring
14 grandparents and whatnot, but they do make any
15 larger groups pay the individual rate as well.
16 I don't know. I haven't spoke
17 with YMCA, but I'm sure they've already advertised
18 their camp. When we had our meeting last week, we
19 had all discussed moving forward. It's my
20 recommendation that with those changes I just
21 suggested on the seasonal family rate, other than
22 what's in your packet, that we adopt those rates.
23 MR. KERRICK: I have a
24 question. How many families did we have last year
25 from Tobyhanna Township? You know I was going to

ask that, I'm sorry.

MS. PICKARD: I know and I had that. I was -- I just got back today and I don't have that packet of information. I can try to --

MR. KERRICK: My point is -- does anybody want to go first?

MR. HOLAHAN: No. Go ahead.

MS. PICKARD: I thought Margie would have put it in here, but --

MR. KERRICK: Thanks. We don't have a huge amount of attendance at the pool. So it's a small portion of Tobyhanna Township that utilizes it, compared to all the taxpayers. I don't think -- if we're going to open it this year, I don't think that's enough of an increase.

MS. LAMBERTON: What does Stroud charge?

MR. KERRICK: I think if the people want to use it, unfortunately, it's a tremendous expense that we have to raise.

MS. LAMBERTON: What does Stroud charge?

MR. KERRICK: They don't charge much, but they have several pools and a lot more people.

1 MS. PICKARD: They have a
2 single pool pass and a dual pass. So their single
3 pass is a hundred dollars a family, their dual pass
4 is a hundred and fifty. So I was looking at -- you
5 know, looking at those to be consistent with their
6 dual pass. It would be pretty much close, but by
7 raising to 150 and 300 we're going up from 100 so
8 it's like a 50 percent increase.
9 MR. KERRICK: I understand that.
10 MR. HOLAHAN: It's just not
11 going to generate a heck of lot more revenue.
12 MR. PICKARD: If we raise it
13 too much more, we're not going to get anybody to be
14 able to afford, that's the other thing, if we tip
15 the scale to --
16 MR. KERRICK: Is it fair to the
17 other taxpayers to subsidize the thing for two
18 people?
19 MS. PICKARD: We, you know, can
20 --
21 MR. KERRICK: I mean, when
22 times were different --
23 MS. PICKARD: I know that, but
24 we did --
25 MR. KERRICK: I understand.

I'm trying to talk here.

MS. PICKARD: I'm a not opposed to whether we open or close it, but we did budget it. I already have kids that -- it's hard to find a job, that now think they're coming back and I had the YMCA that's advertising the camp and everything already. So it's hard at this stage of the game --

MR. KERRICK: Something could still break that you couldn't open the pool anyway. So that doesn't bother me, but --

MS. PICKARD: I understand that, I understand that.

MR. KERRICK: If you look at the numbers, you know, we took in say 13 versus 49.

MS. PICKARD: But there's no pool anywhere that really is going to --

MR. KERRICK: I know, but we are struggling to stay afloat.

MS. PICKARD: Okay.

MR. KERRICK: So I just think it's a discussion that we need to have here.

MS. PICKARD: I understand that and I wish we would have had it at budget time, but --

MR. KERRICK: We've been --

well, at budget time really --

MS. PICKARD: I thought when we talked earlier, you thought that we could limp through and that was our conversation.

MR. KERRICK: My point, I'm not saying to close the pool, I'm saying that we need to raise this more.

MS. PICKARD: Well, I think a 50 percent increase --

MR. KERRICK: If they come, they come; if they don't, they don't.

MS. PICKARD: -- is pretty steep.

MR. KERRICK: I know it is, but look at the numbers what it cost to operate and what we take in.

MS. LAMBERTON: It should at least cover itself.

MR. KERRICK: It's never going to cover itself.

MR. HOLAHAN: Yeah, that's you're right.

MR. KERRICK: It's never going to cover itself.

MR. HOLAHAN: It's tripled

you'll have to quadruple.

MS. PICKARD: And just to -- not to compare apples to oranges, but, you know, the baseball we don't get anything and we pay, you know, a good portion of the money to upkeep the park or to do the main lodge. And it's not that those things shouldn't be discussed, but we take in $6,000 for the main lodge. I don't know if we cover the cleaning -- and barely the cleaning and electric, but the ball fields and the amount of time and extra help we've put in the summer to the parks don't have any revenue, basically. That's just something that local governments do to benefit the community.

MS. LAMBERTON: Oh, and I respect that. I think, how many kids play ball.

MS. PICKARD: I get that and I think that sufficient discussion needs to happen going forward.

MR. KERRICK: Look at what we spend on the open space at the Austin T. Blakeslee to maintain it. You know, it was supposed to be open space. Now we got a pavilion, we got garbage, you know, it just becomes more -- the monster becomes bigger that we have to take care of.

MS. LAMBERTON: I think it's unfortunate because we're taking less in that something's going to have to give.

MS. PICKARD: But I think at the end of the day it's, you know -- if we were --

MR. KERRICK: Two things we have to decide. A, are we going to open it and if we are, what are we going to charge? Then we move on.

MR. HOLAHAN: Well, what's an acceptable amount for -- what years past has it cost? There is going to be a cost to parks and recreation.

MR. KERRICK: I think -- it cost for the pool?

MR. HOLAHAN: Right.

MR. KERRICK: The membership was like $75 for many years, wasn't it, Heidi?

MS. PICKARD: It was 40 when I first came.

MR. HOLAHAN: No, I'm sorry. What was the cost to -- I see from 2011 that it cost the township $37,000 after revenues and expenses.

MS. PICKARD: It's been more. I

1 think we've really --
2 MR. KERRICK: It depends if you
3 have any of the mechanical things fail, but last
4 summer we had a warm summer. So if you look at the
5 propane, I was way under budget on the propane.
6 You know, that's an option --
7 MS. LAMBERTON: We also have
8 the expense to --
9 MR. KERRICK: -- not that I
10 want this on the record. This is an option, you
11 can turn the heat down a little bit.
12 Don't put that on the record.
13 MS. PICKARD: The other thing is
14 I have camp restoration down at the Life Church on
15 Sullivan Road that's been calling me and I have --
16 I keep missing her, thankfully, but I did call her
17 today. She has 58 kids that she wants to bring up
18 here and I told her it would be about $3 a kid for
19 each of their visits if they want to come, but I
20 wasn't sure where we were at.
21 So I do have some of these
22 groups that they have 58 kids and maybe she could
23 split them up because that's a lot of kids. They
24 usually -- we limit them from 11 to 1 or something,
25 that would be like $174 a pop. I don't know how

long their camp is, but if it's like six weeks and we did them once a week that would be another thousand dollars.

MR. HOLAHAN: Right. So instead of projecting a $46,000 loss, it would be a $45,000 loss.

MS. PICKARD: Well, and that's, you know -- like I said, if -- you know, that's what we have budgeted. Again, I don't know if it'll actually come in --

MR. KERRICK: A point well taken that Heidi had with the parks. And we do spend a lot of money on the ball fields, to upkeep those. And it kind of was expected, I guess, of municipalities to have some passive recreation for your residents, but with the times that we're in, we have to pick and choose. We need to do road work and if I knew that we had a stream there -- I mean, I've preached this for two years and we still don't have a funding source for the roads.

MS. LAMBERTON: I think it's going to get slimmer too.

MR. KERRICK: Well, there's a lot of variables that could come into play.

MS. PICKARD: Well, and one of

1 the things if we'd look at adjusting the budget
2 down the road is -- that there is, you can have a
3 millage for parks and rec. So that we could have
4 two-thirds of a mill to cover this part of the
5 budget and then free up that money, if we chose to
6 raise taxes.
7 MR. KERRICK: The problem that
8 I see by -- I know what I said here. People are
9 struggling now to pay their taxes and then you
10 raise the prices too much, they can't come.
11 MS. PICKARD: They can't come
12 and then we'll have fewer people.
13 MR. KERRICK: It's like a
14 double-edged sword here.
15 MR. HOLAHAN: If you raise
16 taxes, then you're going to be assessing everybody
17 to keep the pool open.
18 MS. PICKARD: Not for the pool,
19 the pool and the parks.
20 MR. HOLAHAN: As a township
21 those are some of the things we're supposed to be
22 doing, is providing for the health, welfare and
23 safety of our people. And if that includes -- does
24 that include supplying a pool for them? Certainly
25 recreation.

MR. KERRICK: When we started to -- prices started to skyrocket on operating these, we opened it up to Tunkhannock Township and we thought we would get a considerable amount of people from Tunkhannock and we really don't, do we?

MS. PICKARD: We get a few families, but we have some people that come on a daily rate basis, but not to the, you know --

MR. KERRICK: The pool doesn't --

MR. HOLAHAN: We're dealing in a little more unique situation in that all of our communities, they either have pools or lakes and then the beaches and things like that like. So there's -- I could see if we were some place where that wasn't available. There's no wonder that we don't get a lot of attendance if associations are providing that for their residents already. Why spend $175 to come here when you can go to the lake at Locust or --

MS. PICKARD: Yeah, but we do get a lot Locust Lake residents and a lot of Greenwood Acres and a lot of Camelot and Wagner's residents that join the pool because they don't have the pool available. So -- and we do --

1 MR. KERRICK: Unfort --
2 MS. PICKARD: -- actually get
3 some Lake Naomi people.
4 MR. KERRICK: In my opinion a
5 lot more people could come, it's underused.
6 Don't you think, Heidi,
7 seriously? You see it every day.
8 MS. PICKARD: On a hot day the
9 place is packed.
10 MR. KERRICK: For an hour or so
11 it's hot, on a hot day and then they're gone.
12 MS. PICKARD: We didn't have
13 that very good summer last year.
14 MR. KERRICK: Some days there's
15 hardly anybody there.
16 MS. PICKARD: We have increased
17 because we had $12,000, which was about 25 percent
18 higher than we had the year before. We usually
19 took in, you know, the last couple of years nine or
20 ten.
21 MR. KERRICK: Let's make a
22 decision. A, we open or close. Let's do that
23 first.
24 What's everybody's pleasure?
25 MR. HOLAHAN: I'll make a

motion that we close the pool.

MR. KERRICK: Do we have a second?

MS. LAMBERTON: I'd have to second it.

MR. KERRICK: Motion and second on the floor.

Any discussion?

MR. HOLAHAN: That was a heck of a thing to have to do, but with compared to what our budget is -- the only other thing that I'm thinking of is we'd have to open the budget back open -- back up again and look at a tax increase. Where inner cap --

MS. PICKARD: We can't -- we can't have a tax increase.

MR. HOLAHAN: What would we get, an assessment for parks and rec?

MS. PICKARD: We can't do that this year --

MR. KERRICK: We can't do that midstream, we'd have to do that next year.

MS. PICKARD: -- the tax bills are out. We'd have to do it next year.

MR. HOLAHAN: We don't want to

do that. I don't have any other discussion.

MR. KERRICK: Questions or comments from the public?

MR. HOLAHAN: I have one other thing. When doing something like this, is this something that we should actually advertise ahead of time? I know we're running close here, but we don't have anybody here that would be -- that's going to be affected by this and if word got out --

MS. PICKARD: It's really too late to make a decision. If we say no now, we can't wait a month and then --

MR. HOLAHAN: Understood.

MS. PICKARD: -- move forward and have John get the pool ready and find lifeguards, because I have to tell everybody tomorrow to try to find another job.

MR. ARMSTRONG: Contracturally the employees --

MS. PICKARD: The YMCA and I signed an agreement and we took money. So we can refund the money, but I don't --

MR. ARMSTRONG: There's no contracts with the incoming employees. There is a memorandum of understanding with Tunk, but I

1 believe there's a provision in there that allows
2 Tobyhanna Township to, you know, act as appropriate
3 for Tobyhanna Township. Any monies collected to
4 date would have to be returned to that end, if you
5 guys decide to move forward with closing it this
6 evening.
7 MR. KERRICK: What your point
8 is, John, that you'd want to hear from the public a
9 little more before you made this --
10 MR. HOLAHAN: Oh, I think we
11 will, but just based --
12 MS. PICKARD: Oh, you will.
13 MR. HOLAHAN: -- on this --
14 MR. ARMSTRONG: There is -- you
15 haven't really discussed it previously, but there
16 is -- like you said, you can you assign a millage,
17 a certain millage for park and rec, if you were to
18 do that at the end of this year when that
19 discussion comes up again. You could -- I'd have
20 to look at the process. You may be able to pose
21 that question and -- I don't now how serious you
22 are about that possibility, but you can always go
23 that route.
24 MS. LAMBERTON: We're looking
25 at a substantial upgrade that's needed as well.

1 There's work that needs to be done on it. We've
2 got ADA compliance that's going to be required. I
3 mean, it's not even that we might want to do it, we
4 have to do it. I mean, there's just other expenses
5 on top of this, that's what I'm afraid of.
6 MR. HOLAHAN: Those expenses
7 aren't figured in here?
8 MS. LAMBERTON: Correct.
9 MS. PICKARD: Well, there was
10 room in the budget for the ADA -- for the lift
11 and --
12 MR. HOLAHAN: And capital
13 improvements?
14 MS. LAMBERTON: We don't how
15 many --
16 MS. PICKARD: No. I had that
17 in rec supplies, at that we were looking at. It
18 wasn't that much.
19 MS. LAMBERTON: We don't have
20 an amount of how many actual members out of all of
21 the taxpayers.
22 MS. PICKARD: I can -- if you
23 want to just break for a minute, I can try to
24 locate that.
25 MS. LAMBERTON: I'd like to hear

that. We have 8,000 township residents and there's 40 families that join.

MR. KERRICK: Why don't we --

MR. HOLAHAN: Can we come back to this?

MR. KERRICK: Well, there's a motion -- there's a motion and a second on the floor.

MS. PICKARD: Well, we can table the motion, do the rest and come back and I can --

MR. KERRICK: I can come back and we can -- I can continue on and then we can get the research and come back.

MR. HOLAHAN: Okay. Let's do that, we'll table it.

MR. KERRICK: So do I need a motion to table it?

MR. HOLAHAN: Motion to table my own motion.

MR. KERRICK: Well, you could rescind -- you could rescind your motion.

MR. ARMSTRONG: You could rescind and let it die and --

MR. KERRICK: Rescind your

motion, rescind your second, it could die.

MR. HOLAHAN: I'll do that.

MR. KERRICK: And then we'll start over.

So you're rescinding your motion, you rescind your second?

MS. LAMBERTON: Sure.

MR. KERRICK: We'll come back to that, table it.

Locust Lake Village fireworks.

Anyone here from Locust Lake? September 2, 2012. We just have to approve and then they get the permit at the time with the --

MS. PICKARD: They get the permit as soon as Phyllis and --

MR. KERRICK: Entertain a motion?

MR. HOLAHAN: So moved.

MR. KERRICK: Do we have a second?

MS. PICKARD: I'll second it.

MR. KERRICK: Questions or comments from the board?

Questions or comments from the public?

Call the motion. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, Pocono Summit Volunteer Fire Company, June 22, 23, festival and parade.

MS. PICKARD: They're looking for a waiver for their permit fee and we've generally done that every year.

MR. KERRICK: Motion to approve the waiver?

MS. PICKARD: So moved. I make that motion.

MR. KERRICK: Do we have a second?

MR. HOLAHAN: Second.

MR. KERRICK: Questions or comments from the board?

Questions or comments from the

public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor.

Next item, S.I.D.E. --

MS. PICKARD: Well, wait. We just -- they also want to have the parade and they're --

MR. KERRICK: It's not in Tobyhanna Township. It's not -- it has nothing to do with us.

MS. PICKARD: All right.

The parade is not in Tobyhanna Township, I'm sorry. Correct? They're talking about 940, that's all in Coolbaugh Township. They really need to go to Coolbaugh not to Toby.

MS. PICKARD: They go down Summit Avenue to Hummingbird Road?

MR. KERRICK: Only a portion of

1 that, only a small portion, which is our road, we
2 don't have a problem with it. They need to do that
3 for PennDOT --
4 MS. PICKARD: Okay. All right,
5 but we're okay with --
6 MR. KERRICK: -- and that is
7 not --
8 MS. PICKARD: But we're okay --
9 MR. KERRICK: -- with our
10 portion.
11 MS. PICKARD: With our portion,
12 okay.
13 MR. KERRICK: I'm sorry.
14 Next item, S.I.D.E. Corporation,
15 KOZ property.
16 MS. PICKARD: I just wanted --
17 I got this -- this came in today, but Mr. Sincavage
18 had notified us that there was a reduction in the
19 assessment from the '09 on our KOZ agreement,
20 because they have moved the house to a location on
21 Streams Edge where it's being assessed there at
22 full rate. So he was asking for an amendment to
23 the KOZ agreement to change the assessed value as
24 it is currently, in the county, to the 2010 value,
25 which is $750,880. It was a $39,000 change that

they just moved the house across the street.

MR. KERRICK: I'm a little upset that this came in at the last minute and was put on here.

MS. PICKARD: I know.

MR. KERRICK: And we didn't have Pat review it, we didn't have a chance to review it. I don't see why it can't wait till next month.

MS. PICKARD: Okay. Well, they had sent in and requested this a month ago and he just said he just changed it and --

MR. KERRICK: I never saw it a month ago.

MS. PICKARD: I spoke to -- it was copied.

MR. KERRICK: Did you guys see it a month ago?

MS. LAMBERTON: I saw it today for the first time.

MR. KERRICK: First time I heard it was tonight and we have a cut off date for our agenda and I'm just shocked.

MS. PICKARD: I had copied that. We talked about it, but I know. Well, I

1 just made a decision to put it on here. If not --
2 because we didn't meet till May 14, but we can put
3 it on the May agenda.
4 MR. KERRICK: From this day
5 forward I'd like to review all agenda items before.
6 I don't like surprises.
7 MS. PICKARD: That's fine, and
8 I apologize because I was out of town.
9 MR. KERRICK: Wait till next
10 month?
11 MS. PICKARD: We can put it on
12 the May agenda.
13 MR. ARMSTRONG: Yeah, it's a
14 decision for the board. You have an agreement with
15 S.I.D.E. under that KOZ requiring to pay X amount
16 for the next so many years and that X amount is
17 based upon 2009 assessed value. It's -- you know,
18 they received a decreased value because it's in the
19 KOZ zone, but it looks like the value of that
20 property decreased a little bit when they moved
21 this building from the property.
22 So if the board is in favor in
23 devising it, that's fine. If you want to wait
24 until May, that's fine. It's a decision of the
25 board.

MS. LAMBERTON: How many more years is that KOZ valid for even?

MR. ARMSTRONG: It's not anywhere near --

MS. PICKARD: I knew the answer for that, 2020, I think.

MS. LAMBERTON: Is it that long?

MS. PICKARD: Yeah.

MR. ARMSTRONG: They have some time left.

MS. PICKARD: Generally it was -- it locked in so that if they built the building for Arcadia, it wouldn't increase the value, but this was a weird thing where they moved the building to that --

MR. ARMSTRONG: It's a double-edged sword, it protects them, but it also protected the township in this case to a certain extent, but if you want to, you know, change the amount --

MS. PICKARD: We can put it on the May agenda, but I just wanted to give us, you know, the option if we wanted to --

MS. LAMBERTON: Let me ask a

question. In two years if it's reassessed again?

MR. ARMSTRONG: If it's reassessed and the value goes up, he's not going to come back to you and --

MS. LAMBERTON: If it goes down?

MR. ARMSTRONG: If it goes down, he may be back in front of you. I mean, it's a decision for the board. You have an agreement, the value is what it is, but you know, the board needs to --

MS. LAMBERTON: On the upside of this, you should also know, it's stated in here that they actually are paying more of a tax on the property that it's being moved to. So the township's actually doing okay.

MR. HOLAHAN: It's being moved out of the KOZ?

MS. LAMBERTON: Correct.

MS. PICKARD: We were only getting 25 --

MR. HOLAHAN: It's already been moved out of the KOZ.

MS. PICKARD: And we're only getting 25 percent when it was staying in. Now

it's moved and we're getting the full value --

MS. LAMBERTON: Taxation.

MS. PICKARD: -- of it outside of the KOZ.

MR. HOLAHAN: Okay. So it's 50 mills from 38,000 assessed value in a month?

MS. LAMBERTON: You want that off the top of my head, John?

MS. PICKARD: The KOZ agreement is only getting 25 percent of that anyway.

MS. LAMBERTON: So it's not a terrible loss.

MR. ARMSTRONG: All that would need to be done if the board is --

MS. PICKARD: We'll put it on the May agenda.

MR. ARMSTRONG: If you want to move forward with that in that direction in May, we just do a quick addendum to that agreement saying that the new value is X.

MS. PICKARD: Do you want me to see if I can grab that?

MR. KERRICK: While you're doing that, does anyone from the public have any comment or questions for the board?

1 MR. ARMSTRONG: Seeing none,
2 can you -- I'm second guessing myself. Can you
3 read -- can you go back to when that motion was
4 made to see -- to make sure that they voted on it?
5 (Discussion off the record.)
6 (Meeting recessed at 7:40 p.m.
7 and resumed at 7:50 p.m.)
8 MS. PICKARD: These were the
9 Tunkhannock's?
10 MR. KERRICK: You don't have to
11 count those, do you?
12 MS. PICKARD: Well, I just want
13 to see how many families they have.
14 MR. HOLAHAN: I'll make a
15 motion that we do not reopen the pool this year.
16 MR. KERRICK: Do we have a
17 second?
18 MS. LAMBERTON: I will second
19 that.
20 MR. KERRICK: Motion and
21 second. Questions or comments?
22 MR. HOLAHAN: Now, is there --
23 we got into this any further and we found out we
24 could find some bread somewhere, we could elect to
25 open it? I know that we're going to be sending --

we got to send notices out to people that are looking for it, but I'm just saying this is -- we could change our mind. Be cumbersome.

MR. ARMSTRONG: Yeah. Yeah, you could always change your mind. I think it's going to put a wrench in the system of the memberships and the YMCA and --

MS. PICKARD: It will be hard to find lifeguards and it will not be, you know, real feasible.

MR. HOLAHAN: I don't have any more --

MS. PICKARD: I have the camps that now I'm telling -- I have to cancel with YMCA, they're going to have to pull all their advertising and things that they've already done and gone forward in advertising price according to having the pool available. And then I have this other group that they'll be looking for someplace else to, you know -- she was asking me if you don't open it, where there were other alternatives then. And we've had Wee Ones and some of the other day cares also come in and bring groups.

MR. ARMSTRONG: The only thing I'll check with MOU with Tunkhannock, but I'm

1 positive there's a provision that gives Tobyhanna
2 Township full reigns of whether or not it opens or
3 not.
4 MR. KERRICK: Any other
5 discussion?
6 MR. HOLAHAN: No.
7 MR. KERRICK: Donny's not going
8 to make it. Call the vote. John?
9 MR. HOLAHAN: I vote in favor.
10 MR. KERRICK: Anne?
11 MS. LAMBERTON: I vote in favor.
12 MR. KERRICK: Heidi?
13 MS. PICKARD: I vote against.
14 MR. KERRICK: I vote against.
15 MS. PICKARD: Tell Donny to --
16 MR. KERRICK: He can't come.
17 What do we do now? Vote again?
18 MR. ARMSTRONG: It's a tie
19 vote.
20 MS. LAMBERTON: So no action to
21 be taken.
22 MR. HOLAHAN: We move on from
23 here then.
24 MS. PICKARD: Well, where do we
25 move on to because I need to --

1 MR. HOLAHAN: There's no
2 action.
3 MR. KERRICK: There's no
4 action.
5 MR. HOLAHAN: Did we vote on
6 raising the fees?
7 MR. KERRICK: No.
8 MR. HOLAHAN: Then we should
9 vote on that.
10 Pat, if there's no action --
11 MR. ARMSTRONG: Two to two
12 vote. There was no --
13 MR. HOLAHAN: We have not closed
14 the pool at this point and we're not -- there's no
15 action to be taken, so we're assuming that the
16 pool's opening?
17 MR. ARMSTRONG: Correct.
18 MR. HOLAHAN: Right.
19 MR. ARMSTRONG: So if the pool
20 is opening, if you want to raise the fees, you may
21 want to have that discussion and make another
22 motion.
23 MS. PICKARD: I think we --
24 MR. HOLAHAN: I'll make a motion
25 that we raise the fees. And you have it by 25

1 percent?

2 MS. PICKARD: I did by 25, but

3 I was also -- what I had in here, I was looking at

4 increasing the seasonal memberships even more, to

5 150 for a family and 300 for a Tunk family. And

6 also limiting the family to be, you know, two

7 adults and four children living in the same

8 household under 18, children.

9 MR. HOLAHAN: Is there any

10 thought that the price might be a deterrent? How

11 about if we lower the price and then we get more

12 people? We're having a sale. You don't like that

13 idea?

14 MS. LAMBERTON: Keep your pool

15 open, everybody's in.

16 MR. ARMSTRONG: Those who sign

17 up on or before --

18 MR. HOLAHAN: A discount rate,

19 sure, early bird special. Seriously, I think if

20 the word got out that this came down to almost

21 closing the pool because of budget --

22 MS. LAMBERTON: Lack of

23 membership.

24 MR. HOLAHAN: -- and the number

25 of people there, the people that really want it are

1 going to come out and maybe you'll see some more
2 support on it.
3 MS. LAMBERTON: It's certainly
4 worth an effort.
5 MR. HOLAHAN: So I would say
6 that they don't -- Heidi, if you take a look at --
7 you're thinking 150 and 300, 175 and 300?
8 MS. PICKARD: I was just --
9 because John on the other hand was saying that the
10 rates were too low, I had the 125 --
11 MR. KERRICK: I was trying to
12 generate more revenue, but point well taken, that
13 people maybe can't afford.
14 MS. PICKARD: Yeah. Well,
15 that's --
16 MR. KERRICK: Is there any way
17 that we cut some of these expenses down? We have
18 bare minimum lifeguards now? We can't get rid of
19 one lifeguard?
20 MS. PICKARD: I only have five
21 coming back.
22 MR. KERRICK: This number here
23 reflects more?
24 MS. PICKARD: Yeah, but I think
25 last year we ended up closing the last week with

1 the holidays and we had some closed days because of
2 weather. I think we had a rainy --
3 MR. KERRICK: We didn't open
4 that last week because the weather was --
5 MS. PICKARD: The other thing
6 we could do is, we could -- I know -- I think
7 Emerald Lakes has their pool closed a couple days a
8 week.
9 MS. LAMBERTON: We'll just use
10 yours.
11 MR. HOLAHAN: On the days yours
12 are closed we'll rent theirs.
13 MS. PICKARD: I talked to
14 Stroud about subbing the whole thing out, but they
15 said they didn't have enough money.
16 MR. KERRICK: So what are we
17 doing? Fees stay the same or are going to raise?
18 What was your motion?
19 MR. HOLAHAN: I would like to
20 raise the fees, but offer a discount. The fees
21 could remain the same if they're signed up by a
22 certain date.
23 Do we have to work that stuff
24 out?
25 MR. ARMSTRONG: That's

1 administrative. If you want to put it in your
2 motion, you can or you could just leave a general
3 and let Heidi and staff review --
4 MS. PICKARD: Early bird
5 special on the 2011 rates.
6 MR. HOLAHAN: I don't think we
7 should be doing board action on figuring out our
8 fees. You all take care of that, you know, Heidi,
9 the office and then let's -- so it's -- because
10 it's not board action, then we could just come in
11 and sit down and talk about fees and how to do
12 that, correct?
13 MR. ARMSTRONG: Umm-hmm. Well,
14 wait, wait, wait.
15 MS. PICKARD: I'm not sure I
16 understand.
17 MR. HOLAHAN: Yeah, I would
18 suggest that maybe you take a look and say, okay
19 let's take a look at raising the fees, but what
20 we'll do is -- if you could pick a date and say if
21 you signed up by this date and give plenty of
22 opportunity for people to be able to do that, take
23 advantage of that, that they get it for the old
24 rate; otherwise they'll have to pay the new
25 increased fee.

1 MS. PICKARD: Leave it at that
2 25 percent rate? At the 125, 250, what I had
3 written on your paper?
4 MR. HOLAHAN: Right.
5 MR. ARMSTRONG: If they sign up
6 by a certain date.
7 MR. HOLAHAN: Right.
8 MR. ARMSTRONG: If they don't,
9 it'll go up however much.
10 MS. PICKARD: I thought you
11 meant last year's rates? No?
12 MR. HOLAHAN: I'm sorry, last
13 year's rate.
14 MS. PICKARD: Yeah. So you're
15 saying leave it at last year's rate until like June
16 10 or something?
17 MR. HOLAHAN: If they sign up
18 by then; otherwise they pay --
19 MS. PICKARD: They sign up by
20 that date, after that --
21 MR. HOLAHAN: -- a pretty good
22 increase and I think we need to put it out there
23 and let people know that this was --
24 MR. ARMSTRONG: Your next
25 month's meeting is at the elementary school.

MS. PICKARD: We did that. We usually send fliers out, maybe we can bring fliers with us.

MR. HOLAHAN: Just make an announcement at that point then, that would work certainly.

MS. PICKARD: And Jeanine can help with that.

MS. JEANINE HOFBAUER: Do you know what deadline date you're thinking of? It would help --

MR. KERRICK: June 1.

MS. LAMBERTON: Memorial Day.

MR. KERRICK: I said June 1, same thing, Memorial Day.

MS. JEANINE HOFBAUER: Put in like a lock-in on last year's rates type of thing.

MS. LAMBERTON: Or like the Friday before so it doesn't affect the township being called --

MS. PICKARD: We usually didn't have signup dates until June. So we'd have to logistically figure that out and I don't think --

MR. KERRICK: Don't forget the kids get out of school the 7th or something versus

1 last year was the middle of --
2 MS. LAMBERTON: End of June.
3 MR. KERRICK: We didn't open
4 till the end of June, the pool last year.
5 MR. HOLAHAN: We're just look
6 for a call of action at this point so people will
7 come and make their commitments if they're willing
8 to do this or not. At least we'll some idea what
9 we're going to have for the season.
10 MS. PICKARD: June 1 is a
11 Friday.
12 MR. KERRICK: That's it, June 1.
13 MR. HOLAHAN: Okay.
14 MS. LAMBERTON: There you have
15 it.
16 MS. PICKARD: Okay. When's the
17 paper going to print?
18 MR. KERRICK: Anyone from the
19 public have anything else?
20 MR. JEANINE HOFBAUER: I'll
21 submit my --
22 MR. KERRICK: Yes, sir. Mr.
23 Gill?
24 MR. GILBERT WERNER: Gilbert
25 Werner, Emerald Lakes outgoing general manager.

The new general manger is here, Allen Roth, and I just wanted to comment about the pool. We've been involved with that problem. As I said earlier, we had our pool shut down three days, almost four days, the outdoor pool, last year because of cost.

I'll work with or -- Mr. Roth will work with the board to get a blurb out in our newsletter or an email blurb for that, to try to generate some of our people to use the township pool. I know last year some of the renters -- some of the homeowners that rent their house during the summer wouldn't quagmire because we had shut down the pool. So I'll certainly work with the board to get that word out to our non full-time residents that rent their property. Maybe that would help you.

MR. KERRICK: Thank you. Been a pleasure working with you.

MR. GILBERT WERNER: My pleasure.

MR. KERRICK: Anyone else?

MR. HOLAHAN: Did you all spend this much time talking about it or -- about the pool?

MR. GILBERT WERNER: More.

1 MS. LAMBERTON: Your homeowners
2 pay for yours, absolutely.
3 MR. GILBERT WERNER: No
4 additional fees.
5 MS. PICKARD: So you're closing
6 yours three days --
7 MR. GILBERT WERNER: We've
8 changed it this time. Mr. Roth is going to have it
9 only closed two days, but it's still during the
10 time that perhaps the people that rent their houses
11 would be in that mix, so they would get involved.
12 Last year we sent quite a few over.
13 MR. KERRICK: Thank you.
14 Anything else from the board?
15 We're adjourned.
16 (Meeting concluded at 8:05 p.m.)
17 ---
18
19
20
21
22
23
24
25

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

TOBYHANNA TOWNSHIP
PUBLIC NOTICE

The Township of Tobyhanna Board of Supervisors has scheduled a Special Meeting on Monday, April 16 2012 at 7:00 PM to discuss the Township Pool at the Government Center Building located at 105 Government Center Way, Pocono Pines, Monroe County, Pennsylvania.

By Order of the
Township of Tobyhanna
Board of Supervisors

Tobyhanna Township Board of Supervisors
April 16, 2012
Special Meeting Minutes

The Special Meeting of the Tobyhanna Township Board of Supervisors was held at 7:00 p.m. on April 16, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member
	Anne M. Lamberton	Member
	Donald J. Moyer	Member

The meeting was called to order at 7:05 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

The purpose of the special meeting was to discuss whether to open the Township pool for the 2012 season. Various residents voiced their concerns over the possible closing of the facility. Matt Rumph, representing the YMCA and Carmen Brodnax of the Pocono River Otters expressed their willingness to work with the Township and offer swim programs at no cost to the Township in order to continue their use of the facilities. Sophia Estrella representing Camp Restoration in Pocono Pines expressed the Camp's desire to utilize the facilities for their campers also, many of who are underprivileged and have no alternative facilities. Many of the local residents and pool users expressed the need for the pool, the importance of the facility for the kids and their desire to volunteer in promoting and maintaining access to the facilities. The Board expressed their concerns over the costs and various needed repairs, including a new ADA requirement to provide an ADA approved lift assist this year. Many items, including the water filters, may need to be replaced and are not in the budget this year. The pool needs painting. The pool is in dire need of extensive rehab which could cost in excess of $500,000. There was discussion of possible application of grants and the competitiveness and lack of funding with the current economic climate. There was a recommendation of applying for the Local Share grants providing by the gaming revenue later this year. The residents were asked if they would be in favor of a recreation tax in the future to help cover the costs of the facility going forward and they agreed. There was further discussion of whether non-users of the facility would support subsidizing the pool they were not using. The Board gave the residents one week to come up with some ideas and form a committee to address the situation. Any closing of the pool facility would be done at a subsequent public meeting.

New Business

Official Map – Ms. Pickard made a motion to authorize the advertising of the Township's Official Map. The motion was seconded by Ms. Lamberton. The Board unanimously voted to authorize the advertising of the Official Map.

Adjournment

Chairman Kerrick adjourned the meeting at 8:35 p.m.

Respectfully submitted:

Heidi A. Pickard, Township Secretary

TOBYHANNA TOWNSHIP
PUBLIC NOTICE

The Township of Tobyhanna Board of Supervisors has scheduled a Special Meeting on Monday, April 30 2012 at 7:00 PM to discuss the Township Pool and any other business that may come before them at the Government Center Building located at 105 Government Center Way, Pocono Pines, Monroe County, Pennsylvania.

By Order of the
Township of Tobyhanna
Board of Supervisors

Tobyhanna Township Board of Supervisors
April 30, 2012
Special Meeting Minutes

The Special Meeting of the Tobyhanna Township Board of Supervisors was held at 7:00 p.m. on April 30, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member
	Anne M. Lamberton	Member
	Donald J. Moyer	Member

The meeting was called to order at 7:05 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

The purpose of the special meeting was to continue discussion from the April 16, 2012 Special Meeting whether to open the Township pool for the 2012 season. The residents interested in keeping the pool open will form a committee. The committee will help with pool operating costs through fundraising, publicity and volunteers. This group of residents also offered suggestions, such as extended pool hours, chair rental, and non-residents being allowed to use the facility on a daily basis.

John Kerrick told the residents the largest pool expense is labor at about $20,000.00 annually. He also reiterated that beyond the operating costs, major repairs or pool upgrades would cost about $100,000.00 to $150,000.00. John Holahan made reference to place a referendum on the November ballot to impose a parks and recreation tax. This allocation could help fund the pool.

New Business

Township Pool – John Holahan made a motion to open the Township Pool for the Summer 2012. The motion was seconded by Ms. Pickard. The Board unanimously voted to open the Township Pool for the Summer 2012.

Adjournment

Chairman Kerrick adjourned the meeting at 8:15 p.m.

Respectfully submitted:

Heidi A. Pickard, Township Secretary

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Elementary Center
398 Old Route 940
Pocono Pines, Pennsylvania 18350
Monday, May 14, 2012, beginning at 9:43 a.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

MR. KERRICK: I'd like to welcome everyone here this morning. Normally we have the pledge of allegiance, but since you already did that, we'll skip over that.

First item, announcements.

Heidi?

MS. PICKARD: Okay. A few announcements. We are shooting to have the pool open either June 15 or June 22, so we'll let you know for sure as soon as that has been determined. And we want to announce that Community Day will be Saturday, July 14, 2012, and that will take place at the Blanche Price Park over by our township building in Pocono Pine.

Also the Pocono Summit Volunteer Fire Company is having their festival and parade June 22 and June 23, and the Tobyhanna Township Volunteer Fire Department -- Fire Company is having their carnival this year, which is the first year in a long time, July 4 through the 7th, and that will be over at Blakeslee.

Also I just wanted to announce that the Pocono Environmental Council will be planting some trees this weekend at our Blakeslee

Natural Area.

That's all.

MR. KERRICK: That's all? Thank you.

Next item, consider the minutes from March 5, 2012 work session; March 5, 2012 regular business meeting; April 9, 2012 regular business meeting; April 16, 2012 special meeting; and April 30 special meeting.

What's the board's pleasure?

MS. PICKARD: Ill make a --

MR. HOLAHAN: I'll -- oh, I'm sorry. I'll make a motion that we accept the minutes of those meetings as mentioned.

MR. KERRICK: Motion on the floor. Do we have a second?

MS. PICKARD: I'll second.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, we have to pay our current obligations, bill pack dated, May 14. Total amount for board approval, $493,050.10.

MS. PICKARD: I make a motion that we approve the May 14, 2012 bill pack in the amount of $493,050.10.

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Heidi?

MS. PICKARD: I'll vote in

favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, solicitor's report.

MR. ARMSTRONG: Thank you, Mr. Chairman. The only items I have in my report, the first one is, as you know, the planning commission has been working on the proposed zoning ordinance and SALDO amendments. I anticipate a recommendation to the board sometime before the end of the month, they're going to be talking about at their meeting next week.

You already have a draft form of those two -- you have a draft of the zoning ordinance, you don't have a draft of SALDO yet, because that has not been discussed extensively by the PC yet, but you do have the zoning ordinance in draft form. There will be some minor revisions to that before it's formerly recommended to you by the planning commission. And like I said, I expect that recommendation to take place sometime later this month.

For members of the audience, a zoning ordinance and a SALDO ordinance for the

township, it basically tells residents like you and your parents what you can and cannot do with respect to your property. Meaning, what you can build, where you can build it and certain things that you can do on your property. And the board will be discussing that in the next month or so.

The only other two things I have for the board is, one, I have a brief executive session with respect to litigation after the meeting and there's also the board -- you may have seen the letter that we received from Arcadia with respect to that land development and subdivision application. They proposed a certain amount to be paid towards the township with respect to the traffic improvements in those improvement requirements from PennDOT.

I don't know if you want to discuss it today at your meeting, if you want to wait, discuss it a later -- at a later meeting, but eventually we're going to have to be responding to

them. Either, you know, accept what they provided, take it under advisement or if you have other recommendations or options with respect to that particular issue, we can discuss them.

MR. KERRICK: What's the board

pleasure on the last item?

MR. HOLAHAN: I think we need to have a venue where we could discuss it a little longer, a little more at length. So I'd like to postpone.

MR. KERRICK: Just table it at this point?

MR. HOLAHAN: Please, yes.

MR. KERRICK: You okay with that, Anne?

MS. LAMBERTON: I'm good.

MR. KERRICK: Heidi, you all right with that?

MS. PICKARD: That's fine. Should we put it on the work session agenda for June?

MR. ARMSTRONG: That would probably be a good idea if you want to put it on the work session.

MR. KERRICK: Do we want to have Arcadia in attendance or do we want to discuss it amongst ourselves first? So we get up to speed. I mean, there's lots of things that we have to dis --

MR. HOLAHAN: Yeah, we need --

we need to get a better grasp of it, at least I do, before I can have that conversation with them.

MR. KERRICK: So we'll just discuss it with our engineer then?

MR. HOLAHAN: Right.

MR. KERRICK: Thank you. Anything else, Pat?

MR. ARMSTRONG: That's all I have for my report. Thank you, Mr. Chairman.

MR. KERRICK: Thank you.

MS. PICKARD: Just as a reminder we do have the June meeting. We will have the official map on the agenda also.

MR. ARMSTRONG: Yes. As you recall you reco -- or you authorized the official map for the township be advertised for a public hearing for approval in June. It's already been forwarded to your neighboring municipalities, as

19 well as the school district and the county planning
20 commission.
21 We have not received any
22 comments back. I don't know if we will, but that
23 public hearing to adopt that ordinance and that map
24 will take place at your June meeting -- your June
25 regular business meeting.

1 MR. KERRICK: Next item, new
2 business.
3 First item, Todd Bushta, our CPA
4 with our audit.
5 MR. TODD BUSHTA: Thank you, Mr.
6 Chairman.
7 Good morning, Supervisors. This
8 looks like a fun place to present financial
9 statements. You all have them in front of you.
10 What I'll do is, like during the previous years,
11 just kind of walk you through the report explaining
12 the workings of it and then you can go ahead and
13 review it and study it on your own. If you have
14 any questions, I can help you after you've gone
15 back to the meeting and discuss those sustaining
16 issues.
17 First, if you look at the table
18 of contents, the report first is going to be the
19 auditors' report and report on internal control on
20 compliance required by government auditing
21 standards. The next, the main section of the
22 report is the MD and A, Management's Discussion and
23 Analysis, which is the executive summary of the
24 financial statements.
25 You're looking at the township

1 as an operating entity only following business
2 matters. The governmentwide financial statements
3 differ from the financials you're used to looking
4 at, in that they capitalize fixed assets,
5 depreciate those fixed assets, long-term debt is
6 shown as liability, repayment of that debt is shown
7 as a reduction of liability rather than
8 expenditure, like we see in the regular fund based
9 financial statements and also your monthly
10 financial statements.
11 The fund based financial
12 statements are next and they're stated individually
13 by fund. The notes of the financial statements, of
14 course, are primarily definitional. We also have
15 some budgetary statements from the general fund,
16 budget to actual and some combining schedules for

17 the special revenue funds. Special revenue funds
18 include the fire tax, the library tax, as well as
19 the liquid fuels fund.
20 The auditor report's next on
21 Page 2. The first paragraph, of course, tells you
22 collectively what we audited. We audited Tobyhanna
23 Township for 2011. The second paragraph explains
24 the rules we follow, as well as a little bit of
25 what an audit includes. The last paragraph we're

1 indicating that the township financial statements
2 have appropriately been prepared on the cash and
3 modified cash basis of accounting.
4 At the top of Page 3 what you'll
5 find in the first paragraph expression of opinion,
6 unqualified opinion. The next two paragraphs on
7 Page 3 simply discuss the other various items that
8 I already mentioned in the table of contents, which
9 are included in this report.
10 On Page 4 we discuss the
11 internal control over financial reporting, as well
12 as compliance. We look at internal control, of
13 course, as auditors to help us determine the
14 nature, extent and time of our audit tests and also
15 where we see the -- key the operations of the
16 internal control policies and procedures and how
17 they're functioning and whether or not they're
18 adequate. The words were already used for fund --
19 the last paragraph on Page 4 discussing internal
20 control deficiencies, as well as any significant
21 deficiencies.
22 At the top of Page 5 we indicate
23 that, of course, the township does have a small
24 financial staff. So there are inherent issues with
25 regards to segregation of use and things like that.

1 However, there are no material weaknesses
2 identified in the internal controls in the
3 township.
4 With respect to compliance, we
5 test compliance, just like we test internal
6 control, looking at compliance with laws and
7 regulations, statutes, grant agreements and the
8 like. And we indicate in the last sentence there
9 that we did not identify any issues with
10 noncompliance.
11 Next section of the report is,
12 MD and A, or Management's Discussion and Analysis.
13 And this is a really good read as far as looking at
14 the higher level financial information of the

15 township. Of course, these are highly aggregated
16 numbers, so they are discussing all the funds
17 combined together.
18 Your financial highlights first,
19 as well as the brief explanation of the flow of
20 this report. There's also six years of trend
21 information throughout these tables. And indeed
22 this trend information is geared off of
23 governmentwide financial statements, that first set
24 of combined financial statements.
25 Moving past the MD and A, we get

1 to the governmentwide financial statements. Now,
2 these financial statements, as I indicated, are all
3 of the township's funds combined together in the
4 government activities column. The business-type
5 activities column represents the sewer fund. And
6 again, unlike the fund based financial statements,
7 these financial statements capitalize fixed assets,
8 depreciate those fixed assets. We're also showing
9 long-term debt as a liability and retain the debt
10 as a reduction for liability.
11 On this, basically the county,
12 looking at the statement net assets, the township
13 has nine million three, almost nine million and
14 four in governmental fund net assets; a million
15 five in sewer fund net assets.
16 On Page 17 we have a statement
17 of activities and this is a good -- good financial
18 statement in that the expenses are shown first by
19 their functional category of government; general
20 government, public safety, public works,
21 recreation. And then we show those expenses being
22 offset by various charges for service, as well as
23 the intergovernmental revenues, which we see as the
24 operating grants and contributions. Rendering a
25 net almost $4 million in expenses, which your tax

1 revenues below are applied against that net
2 expenditure. And on this basically the county --
3 the township actually had a loss, if you will, of
4 $9,500. So you pretty much break even.
5 The next two pages describe the
6 differences between this governmental reporting
7 model, governmentwide model and the traditional
8 fund based financial statements that we will look
9 at next and also you see on a monthly basis, which
10 begin on Page 20.
11 The general fund, of course, has
12 a million five in unassigned fund balances or funds

13 available for future appropriation. We also have
14 $910,000 in capital projects funds, which are
15 reserved for that specified purpose. The special
16 revenue fund was $340,000 there. Remember that is
17 the combination of the fire tax, the library tax,
18 as well as liquid fuels tax. And we see at the
19 very end of the report where all those individual
20 funds are identified.
21 On Page 21 we have our statement
22 of revenues and expenditures. The general fund had
23 four million six, almost four million seven in
24 revenues; four million two in expenditures. We
25 also had some transfers out of the general fund to

1 pay for debt service. So the general fund added to
2 its fund balance, $289,000, on this cash basis
3 (inaudible).
4 In the capital finance fund we
5 had some revenues, $5,900, as well as almost 80,000
6 in expenses for capital projects. And again, we'll
7 skip over special revenue, it will make more sense
8 when we look at those as individual funds at the
9 end of the report.
10 The next page is the -- Page 32
11 (sic) balance sheet for the sewer fund. We see
12 cash of $276,000; net fixed assets are 6 million.
13 There's also outstanding debt, $4.9 million notes
14 payable and a million five (inaudible) balance.
15 The operating results of the sewer fund are on Page
16 23 and this year the sewer had a loss of $42,000.
17 Some of that's a function of depreciation.
18 On Page 24, we're presenting the
19 pension funds, $700,000 for pension funds available
20 and the pension transactions are on Page 25.
21 You'll notice that because of the condition of the
22 financial markets there is an unrealized loss
23 recognized in the connection with the pension fund.
24 The notes to the financial
25 statements are next and they are primarily

1 definitional, but we'll focus on a couple of them.
2 First on Page 33, we have our capital asset note
3 showing that we had some capital outlay of 700 --
4 or $77,000 for the year. Below that, Note 6, we
5 have a debt disclosure where we're into -- where
6 we're demonstrating that refinancing that occurred
7 in 2011 and the current outstanding debt. The
8 series A97 and '97 notes have been refunded and we
9 issued the new series 2011 notes (inaudible).
10 On Page 34 we have a picture of

debt service to maturity, where you're seeing the debt finaled and being repaid over time. The general fund debt is the pro rata share of the township's obligation to the police department, a debt that's outstanding, the regional police department. The business-type activity debt, of course, is the sewer fund note of 2011.

On Page 37, we got a budget to actual for the general fund; Page 37 is revenues. And on Page 38 we have the departmental budget to actual for the general fund expenditures, you got the variance column.

And now on Page 39 we see those special revenue funds where we're combining those funds together, the library fund, the fire fund,

the highway aid fund. The fire fund has $300,000 in it, funds available for purchase of fire apparatus and (inaudible). The library fund is really in and out. Township collects the tax and pays it back to the library, $143,000 there. And liquid fuels we have -- on the liquid fuels allocation $185,000 and there was some road work for $194,000.

During the years the township implemented some new financial software modernizing the new financial software on those. That implementation has occurred and we're working out to budget that. Once we're comfortable with that in the next couple of weeks, we're going to visit the policies and procedures, the usage methodology, the reporting methodology and review internal controls and get a bunch of policy computers in place to best utilize that new software.

So that's our perspective plan, I guess for the current month.

If there are no questions? As I indicated, if you do have any substantive questions, I'd be glad to go back over and answer those.

MR. KERRICK: Thank you.

MR. TODD BUSHTA: Thank you, sir.

MS. PICKARD: Thank you.

MR. KERRICK: Next item on our agenda, consider SIDE Corporation, KOZ agreement amendment.

Any questions for Mark?

MS. PICKARD: Mark, did you

9 want to explain --

10 MR. MARK SINCAVAGE: My name is

11 Mark Sincavage, I'm the president of the SIDE

12 Corporation. I'll just give a real brief history

13 here.

14 We entered into an agreement

15 with the township concerning a Keystone Opportunity

16 Zone for New Ventures Commercial Park located in

17 Blakeslee back in 2009, I believe it was, with the

18 township. At that time, the agreement with the

19 township stated the assessed value of Lot No. 100

20 in the park of $789,430.

21 In that same -- in 2010 we moved

22 a house from that lot and moved it on to the

23 adjoining property with a screened veg; so

24 therefore, the assessed value of Lot 100 was

25 reduced by Monroe County Assessment Office to

1 $750,880, while the assessed value of the house was

2 moved on to Parcel No. 1998569. So we're

3 respectfully asking the township board of

4 supervisors to modify our agreement and lower the

5 assessed value of Lot 110 -- I'm sorry, Lot 100 to

6 the 750,880.

7 I gave you documentation from

8 Monroe County Assessment Office showing those

9 changes and we are also requesting that that be

10 effective for this current tax year of 2012.

11 If you have any questions, I'll

12 be happy to answer them.

13 (Discussion off the record.)

14 MR. KERRICK: My question to

15 Heidi was, why do we have to get involved, but I

16 understand because it's the agreement that we had

17 with you. I don't understand, if the county

18 reassessed it, why we had to get involved, but I

19 understand now.

20 MR. MARK SINCAVAGE: Right.

21 According -- the way I understand it from your

22 solicitor is that the amount was set in the

23 agreement, whereas with our other government

24 bodies, such as the school district, what -- the

25 amount flows according to what the assessed value

1 of the property is.

2 MR. ARMSTRONG: Yeah, the agree

3 -- the agreement between the township and SIDE

4 Corporation specifically sets 25 percent of the tax

5 base for the year 2009.

6 MR. MARK SINCAVAGE: Right.

7 MR. ARMSTRONG: And that's a
8 flat -- that's a way to protect both parties in the
9 event of fluctuation in prices. What SIDE
10 Corporation's requesting is based upon the -- I
11 guess they moved the actual structure from the
12 property in 2009 to currently, so that structure's
13 no longer there. So they're asking for an
14 adjustment in the assessment price set forth in the
15 agreement.
16 What it would be if the board
17 would be agreeable to it, it would just be a very
18 short addendum to the agreement setting forth the
19 new rate.
20 MR. MARK SINCAVAGE: And just
21 to further clarify, the township is still
22 collecting the tax on that house, it just was moved
23 to an adjoining property so now you're collecting
24 the full value --
25 MS. PICKARD: The full.

1 MR. MARK SINCAVAGE: -- of that
2 house as opposed to the 25 percent, which was
3 agreed to in the --
4 MR. PICKARD: I think the intent
5 of the agreement, my understanding was, to hold
6 that assessment flat so that if there were any
7 improvements made, we wouldn't paying on those
8 improvements during the period in the agreement.
9 But this is kind of a reverse situation where
10 something was moved off and is being taxed
11 elsewhere.
12 MR. MARK SINCAVAGE: Yes.
13 MR. KERRICK: What's the
14 board's pleasure?
15 MR. HOLAHAN: Mr. Armstrong,
16 what do have to do here today? Do we make a motion
17 to amend the agreement?
18 MR. ARMSTRONG: Yeah, you would
19 just make a motion to amend the existing
20 highlighted agreement with SIDE Corporation to
21 reflect the change in the assessment based upon
22 SIDE's letter dated April 5, 2012.
23 MR. HOLAHAN: I'll make that
24 amendment -- that motion.
25 MS. LAMBERTON: I'll second it.

1 MR. KERRICK: Motion and second
2 to amend the agreement.
3 Any questions from the board?
4 Questions from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

MR. MARK SINCAVAGE: Thank you very much.

MR. KERRICK: Thank you.

Next item on our agenda, consider Tobyhanna/Tunkhannock pool, MOU renewal.

You want to explain to that?

MS. PICKARD: This is an agreement that we have entered into for the past several years with Tunkhannock Township so they can utilize our pool. So this just spells out, there's no changes except the date. It just spells out the liability and issues of who's responsible for what

at the pool.

So with that, I'll make a motion that we approve the 2012 memorandum of understanding with Tobyhanna Township and Tunkhannock Township respective to the pool.

MR. KERRICK: Motion.

Do we have a second?

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, consider lot joinder, Hector and Judith Giumetti, Lots 604 and 605, Wagner Way, Locust Lake Village.

Anyone here? No.

Pretty straightforward.

MS. PICKARD: It's pretty straightforward. We have all the necessary documentation and fees.

And with that, I'll make a motion that we approve the lot joinder for Hector and Judith Giumetti, Lots 604 and 605, Wagner Way, Locust Lake Village.

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second.

Questions or comments from the board on the motion?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, consider lot joinder, John Connors, Lots 4 and 5, Arrowhead Drive, Arrowhead Lake.

Anyone here?

Pretty much straightforward again, Heidi?

MS. PICKARD: Yes, it is. We have all the documentation and fees have been paid; and with that, I'll make a motion that we approve the lot joinder for John Connors, Lots 4 and 5, Arrowhead Drive, Arrowhead Lake.

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second on the floor.

Questions or comments from the board on the motion?

MR. HOLAHAN: Yes. Could you explain what exactly we're doing here with these properties?

MS. LAMBERTON: Just so they know.

MR. KERRICK: Okay.

MS. PICKARD: They're taking two lots and they're forming one lot and erasing the lot line, so they'll just have one lot instead

of two separate lots. Lots of times people will do that to help with their taxes. Sometimes it will be a little cheaper for them taxwise and also in the communities they would only have to pay one dues for those properties.

MS. LAMBERTON: Thank you.

MR. HOLAHAN: So now, Lot No. 4 already has a house on it and they own the lot right next door to them. And they want to make it one big lot so they have a huge yard and we're going to vote on to grant it, I believe.

MR. KERRICK: Any other questions?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Now it's one big lot.

Does the board have any questions or comments?

MR. HOLAHAN: I do not.

MS. LAMBERTON: I do not.

MR. KERRICK: Pat, do you have anything else?

MR. ARMSTRONG: Just my brief executive session on litigation.

MR. KERRICK: Does the public have any comment or questions before we go to the --

We're ready to field some questions from the fourth graders.

FEMALE VOICE: Does anybody have a question that they want to direct to one of the supervisors?

THE REPORTER: Do you want this on the record?

MS. LAMBERTON: Did you want this -- are we off the record? She wants to know.

MR. KERRICK: Yeah, we're off the record. Thank you.

Motion to close the meeting?

MS. LAMBERTON: I'll make the motion.

MS. PICKARD: I'll second that.

(Meeting concluded at 10:08 a.m.)

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

AGENDA
BOARD OF SUPERVISORS
Work Session
June 4 2012

1. Call Meeting to Order: John E. Kerrick, Chair

2. Pledge of Allegiance

3. Secretary Report:

4. Solicitor Report: Official Map

5. DPW Report and Sewer Report:

6. Engineering Report:

7. Sewer Enforcement Officer Report:

8. Zoning Officer Report:

9. Committee Reports: PMREMS/PMRPC/Open Space/
   CMTPTT Regional Comprehensive Plan

10. New Business:

    Henning Property defacto subdivision created when PennDOT ran Route 940 through the property

    Pocono River Otters discussion-installing a bubble over the pool

    Draft of June 11 2012 Regular Business Meeting Agenda

    Zoning Ordinance Review

Tobyhanna Township Board of Supervisors
June 4, 2012
Work Session Meeting Minutes

The work session of the Tobyhanna Township Board of Supervisors was held at 3:30 p.m. on June 4, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member
	Anne M. Lamberton	Member
	Donald J. Moyer	Member
	Patrick Armstrong	Township Solicitor
	Robert McHale	Township Engineer
	Phyllis Haase	Township Zoning Officer

The meeting was called to order at 3:30 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

Secretary Report

Discuss the possible donation of a soccer goal by the Knights of Columbus, waiting for additional information.

Discuss the Police MMO for 2011, Board agreed to pay the balance MMO from Twp. funds due to the increase in State Aid received last year.

Solicitor Report

Discussed pending changes to the Official Map to correct private landowners (Pocono Lake Preserve) private easement with the Wildlands Conservancy. George Basilla to prepare a corrected map. Also added the definition of "designated reserve area" within the Ordinance to clarify the potential conservation and traffic considerations listed on the map.

DPW Report and Sewer Report

No action taken.

Engineering Report

Provided BOS with new gas log for underground storage tanks

Advised BOS of Arcadia's request to correct their Wetland Crossing profile to reduce their total fill and gabion wall height by approx. three feet. The Board was in agreement with Bob's recommendation to adjust.

Discussed the 423/940 traffic signal replacement to be completed by Telco @ the estimated cost of $18,140.

Sewage Enforcement Officer Report

No Report.

Zoning Officer Report

Zoning Ordinance Review – See below

Committee Reports

PMREMS – None.

PMRPC – None

Open Space – None

BNA Report – None

CMTPTT Regional Comprehensive Plan – None

Clymer Library – was in attendance and discussed some repair/maintenance items including basement moisture and tree removal to be discussed further with the Director of DPW.

New Business

1. Terry Martin discussed the Henning Property defacto subdivision created when PA DOT ran Route 940 through the property and provided the condemnation documents from PA Dot and previous conveyances.
2. The Pocono River Otters discussed with the BOS the possibility of installing a bubble over the pool and allowing the pool to run year round. They will follow up with more specific cost analysis and business plan and bring back to the Board.
3. The BOS approved the draft agenda for Monday, June 11, 2012 Regular Business Mtg.
4. The Board will schedule a special work session meeting to review the proposed zoning ordinance.

Public Comment

None.

Adjournment

Chairman Kerrick adjourned the meeting at 5:30 p.m.

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

AGENDA
Board of Supervisors
Regular Business Meeting
June 11 2012

1. Call Meeting to Order: John E. Kerrick, Chair

2. Pledge of Allegiance

3. Announcements: Pool Opening June 15 2012
   Community Day July 14 2012
   PSVFC Festival and Parade June 22 and 23 2012
   TTVFC Carnival July 4 - 7 2012

4. Consider the Minutes of: May 14 2012 Regular Business Meeting

5. Consider the Treasurer's Report: $417,978.87

6. Solicitor Report: Public Hearing -Official Map

7. New Business:

   A. Consider adopting Official Map

   B. Consider Moose Crossing Phasing Amendment

   C. Consider Life Church request for waiver of Land Development

   D. Consider Resolution 2012-011 Budget Adjustment

8. Public Questions and Comment

ADJOURNMENT

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, June 11, 2012, beginning at 7:03 p.m.

PRESENT:

JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

MR. KERRICK: Call the meeting to order of the board of supervisors June 11, 2012. Pledge of allegiance, please.

(Pledge of allegiance was recited.)

MR. KERRICK: First order of business, announcements.

MS. PICKARD: I have our tentative pool opening date as June 15. I think we're going to start filling it tomorrow and we're shooting for the 15th. Community Day is scheduled for Saturday, July 14. Pocono Summit Volunteer Fire Company Festival and Parade is June 22 and 23 and the Tobyhanna Township Volunteer Firemen's Carnival will be in Blakeslee July 4 through the 7th. That's all I have.

MR. KERRICK: That's all you have? Thank you.

Next item, consider the minutes of May 14, 2012, regular business meeting.

MS. PICKARD: I'll make a motion that we approve the May 14th minutes.

MR. MOYER: Second.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, consider the treasurer's report. Total amount for board approval is $417,978.87.

MS. PICKARD: I make a motion that we approve the June 11, 2012 bill pack in the amount of $417,978.87.

MR. HOLAHAN: John?

MR. KERRICK: Is that a second?

MR. HOLAHAN: Yeah, I'll second.

MR. KERRICK: Motion and second.

Questions or comments from the

board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, solicitor's report.

MR. ARMSTRONG: Thank you, Mr. Chairman. The one item under my report this evening is the public hearing for the official map. As the board may recall, the planning commission has previously recommended the adoption of the official map. The official map is up on the wall up there, it's dated June 2012. In addition with that official map, there's an ordinance for the township to consider adopting -- that would adopt that as the official map of Tobyhanna Township.

You authorized the advertisement of this public hearing to consider the official map ordinance, as well as the adoption of the official

1 map dated June 2012, prepared, actually, by Monroe
2 County's Planning Commission. This has been
3 advertised for a public hearing this evening. It
4 was advertised in the Pocono Record on May 28 and
5 June 4 of 2012 for a public hearing. The ordinance
6 and the official map was available at the township,
7 as well as the Pocono Record, as well as the Monroe
8 County Law Library for public inspection.
9 The proposed ordinance and the
10 official map was forwarded to all of the
11 neighboring municipalities of Tobyhanna Township,
12 as well as Monroe County, as well as the school
13 district. We only received two responses -- two
14 comment letters back in response to all of those
15 forwarding of the ordinance and the map. One was
16 from Mount Pocono Borough, they did not have any
17 comments with respect to the proposed ordinance and
18 official map. And the other one's from the Monroe
19 County Planning Commission, they had some minor
20 comments and they also recommended the township
21 adopt the official map and ordinance.
22 One thing that had come up on
23 the map is a property owner to the lake -- Pocono
24 Lake Preserve identified inaccurate labeling on the
25 official map as it was prepared. The Pocono Lake

1 Preserve since then has contacted and has been in
2 discussions with Monroe County. Monroe County
3 revised the map to correct those labelings on the
4 map and that's why it's dated, actually, June 2012.
5 The ordinance was also minorly
6 clarified with respect to the mislabeling of those
7 areas on the map and it clarified the fact that the
8 only land of interest or purposes of the official
9 map are those designated reserve areas identified
10 as potential conservation considerations, potential
11 trail considerations or proposed trails and
12 potential PennDOT improvements that are labeled on
13 the key on the top right-hand corner of the
14 official map.
15 With that being said, I think
16 the board is well aware as to what this official
17 map is proposing and the purpose of it. The
18 purpose of it is to identify certain areas within
19 the township that the township wanted to -- or
20 wants to preserve -- potentially preserve down the
21 road and acquire down the road. And what this
22 proposed ordinance and the official map will do is,
23 it sets a specific reserve time frame of six months
24 for anyone owning that property.
25 If they wanted to build, put

1 improvements on those properties identified on the
2 official map, they will have to notify the township
3 and the township will then have a six-month time
4 frame to decide whether or not the township does
5 want to acquire those lands or if it does not. The
6 official map and the proposed ordinance will be in
7 effect for 25 years, unless you have one of those
8 property owners notify you of their intent to do
9 something on those identified lands and in that
10 case the six-month time frame will start.
11 With that being said, this is a
12 public hearing. At this time I think we can open
13 up the public hearing.
14 Are there any questions or
15 comments from the board at this time?
16 MR. KERRICK: What properties
17 did we identify?
18 MR. HOLAHAN: Looks like just
19 Minsi.
20 MS. PICKARD: Well, Camp Minsi.
21 MR. KERRICK: That was the only
22 parcel we identified?
23 MS. PICKARD: The other side of
24 the stream from the Blakeslee Natural Area were the
25 potential considerations. The trail -- most of the

1 trail is running along 423 or it's in state
2 gamelands. And then we had the asterisk where we
3 had potential PennDOT improvements at those
4 intersections.
5 MR. KERRICK: Where? Oh, okay.
6 MR. ARMSTRONG: I think the
7 intent of the planning --
8 MS. HEIDI: On this lane, Stony
9 Hollow, Caughbaugh, 115 and all our Blakeslee
10 Corners and 940, 423. We also put one by the
11 junction there on 940.
12 MR. HOLAHAN: Now, Pat, are we
13 just putting this out there that we're going to
14 forewarn people of the possibility that we may be
15 interested in this property?
16 MR. ARMSTRONG: Yes. You're not
17 -- yes, exactly. You're not -- this is not a
18 taking of the property. It's an identification
19 tool for the township to identify certain lands
20 that you're interested in for purposes of the
21 future. You're not taking any land by way of this
22 map, you're just identifying it.
23 Like you said, it's a
24 notification tool to property owners that if their
25 properties are one of those properties identified

on that official map, that they should be aware that if they want to do anything with it, they're going to have to come to the township and notify you and give you the six-month time frame to decide whether or not you want to move forward with whatever the public services or public lands that, you know, foresee in the future doing on their property or if you don't, and that's the six-month time frame.

MS. PICKARD: Can we reduce that to three months?

MR. ARMSTRONG: You could or the way it's -- the state has a 12-month reserve time frame. The planning comission recommended six months and that's what's in the ordinance right now. You could have three months if you wanted, that would have to obviously be a revision to the ordinance, but the way it's written right now it's a six-month time frame.

And what that means is, if someone with one of those properties comes in and they want to put up a shed or they want to put up a structure on that property, they notify the township. Now, the township, if you know right off the bat, you can just say okay, go for it; or the

1 only time that six-month time frame is really going
2 to come into play is if someone notifies you and
3 the township really does want to move forward with
4 taking that property because I don't foresee you
5 holding someone up for the entire six months if
6 there's no inclination of the board to move forward
7 with taking that property.
8 You can -- once notified you
9 can, you know, unilaterally as a board say okay,
10 we're not interested in taking your property, move
11 forward with your permit or do whatever you want to
12 do.
13 MR. HOLAHAN: Can this
14 ordinance be changed afterwards?
15 MR. ARMSTRONG: Yes, yes. You
16 can -- you can amend the ordinance you can amend
17 the map.
18 MR. HOLAHAN: I guess one of my
19 concerns is that it's not just this board, but
20 future boards, but it doesn't seem like anything's
21 really that firm that this couldn't get changed
22 next year, the year after, two months.
23 MS. PICKARD: Another board
24 could come in and do an official map themselves and
25 make everything a potential -- if we --

MR. KERRICK: If we're not interested, then why are we even doing it?

MS. PICKARD: Well --

MR. KERRICK: We don't have the money.

MS. PICKARD: We don't have the money today, but this is in the future. The thing with the Camp Minsi was when we started this, that was when they had gotten the money for the dam from the state and they were in the process of entering a conservation easement with DCNR and the County Open Space Fund. And that seemed to have stalled right now, but that was all potentially working on an easement at that time.

MR. KERRICK: If we close the hearing, do we have to vote on it at this meeting?

MR. ARMSTRONG: It's been advertised for a public hearing this evening. If you don't act on it, you should either continue the hearing to another date or you're going to have to -- you're going to have to readvertise it for another public hearing, if the board wants to move forward.

MR. KERRICK: I think all the board members should be here personally, I think.

MS. PICKARD: If we wanted to change to lessen --

MR. KERRICK: That's only my opinion.

MS. PICKARD: If we wanted to lessen that time --

MR. ARMSTRONG: If you wanted to lessen the time --

MS. PICKARD: -- as being less restrictive, do we need to readvertise that?

MR. ARMSTRONG: If that's -- if you're going to lessen the time from six months to three months, I would -- I would recommend readvertising it for a new public -- public hearing. I mean, is it a substantive change, probably not, but with something like that I always suggest to readvertise it. If, you know, that's the -- you know, the will of the board.

MR. HOLAHAN: Well, have we had anybody other than the preserve make comment?

MS. PICKARD: No, just the county --

MR. MOYER: That was not even a comment so much as that is just something was labeled --

MS. PICKARD: That was a correction of a mistake from the county.

MR. MOYER: -- yeah, was labeled wrong.

MR. ARMSTRONG: Yeah, we only got -- out of all of the letters we sent to the neighboring municipalities, we only got one back from Mount Pocono Borough and the other one was from the county planning commission.

MS. PICKARD: Did you want to continue this to July?

MR. KERRICK: I just -- it would be nice if all of us were here --

MS. PICKARD: That's what I'm saying.

MR. KERRICK: -- but it's up to everyone else.

MR. MOYER: Yeah, we can wait for Annie. I mean, we can keep the hearing open, right?

MR. ARMSTRONG: Yeah. What I would suggest is to continue the hearing. If that's what you guys want to do, you would continue the public hearing until -- set it on the record the date and the time when your July meeting would

be and that's when the continued hearing would be.

MR. HOLAHAN: Make that in form of a motion?

MR. ARMSTRONG: Yes. Yes, and if you're going to do that, I would suggest deciding tonight if you want to decrease it from six months to three months.

MR. HOLAHAN: Then I'll make a motion that we continue the hearing to next month decreasing the time from six months to three months.

MR. ARMSTRONG: What was the date and time?

MS. PICKARD: July 9, 7 p.m.

MR. HOLAHAN: Okay.

MS. PICKARD: So if that was his motion, I'll second that.

MR. KERRICK: Motion and second on the floor.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Anything else, Pat?

MR. ARMSTRONG: The only other thing I have, it's not under my report, but as you're aware the planning comission recommended the zoning ordinance. I believe you have scheduled a special meeting for next week, the 19th --

MS. PICKARD: At 5:30.

MR. ARMSTRONG: -- at 5:30. Do you want to wait to start discussing the zoning ordinance till next week or do you want to -- I mean, that's up to the board.

MR. HOLAHAN: I prefer to wait.

MR. ARMSTRONG: Everyone else?

MR. KERRICK: I just have one question on that.

Do we want to take sections? Heidi had suggested that maybe we each take a section or sections and go through that and then report back before the 19th so we're a little more

organized.

MR. HOLAHAN: Agreed.

MR. KERRICK: Do -- how do you want to do that?

MS. PICKARD: I was talking to Pat that Section 4 and Section 8 are the meat about what's allowed in each district.

MR. KERRICK: So we should just --

MS. PICKARD: It seems like we should start --

MR. KERRICK: -- we should all go through four and eight?

MR. HOLAHAN: Yeah.

MR. KERRICK: Or do you want someone else to go through other sections?

MS. PICKARD: Eight is the specific uses that --

MR. HOLAHAN: Is going to be the most cumbersome?

MR. ARMSTRONG: The most detail oriented section, yeah. What the specific uses section is, is they'll give you a specific use and then they'll set forth the specific requirements or regulations that they have to comply with.

MR. HOLAHAN: Do we have homework then?

MS. PICKARD: Yes.

MR. KERRICK: Yes.

MS. PICKARD: Chapter 4 will be just the uses in each district and whether it's special exception or conditional use, setback --

MR. ARMSTRONG: Just one other item is, the planning commission also on Thursday night made another recommendation to this board for the SALDO. They did push it on to you subject to a couple revisions that I have to get with Bob McHale on, the township engineer, with regard to roads. Once I do that, I'll forward that document on to you as well for consideration. I'm assuming you don't want to tackle that on the same night that you do the zoning?

MS. PICKARD: No.

MR. ARMSTRONG: So just an FYI, it is coming down the pike.

MR. KERRICK: How did they -- did they talk at all about roads?

MR. ARMSTRONG: Briefly what Bob and I are going to talk about is a way to incorporate the PennDOT and AASHTO standards into

your ordinance.

MR. KERRICK: That's fine, but there's some small -- it was a real tiny subdivision where some of us break into two or three lots. That would get quite expensive for someone to put -- you know, I mean, we have to be careful what -- I feel we have to be careful what we do --

MR. ARMSTRONG: That's why --

MR. KERRICK: -- and I know we're probably not prepared to talk about it tonight, but I didn't want to see it turn into a PennDOT 408 huge highway for two lots.

MR. ARMSTRONG: I'm not -- I'm not the one to talk -- it's Bob.

MR. KERRICK: Should we do that at our work session then?

MR. ARMSTRONG: Bob explained it to the PC that -- it's too bad Anne isn't here, but Bob explained it to the PC that it might actually work to the benefit of the applicant at certain situations, but I'm not -- I wouldn't -- I wouldn't -- I'm not versed -- well versed in PennDOT publications for roadway standards and subbases and where -- that's Bob. And I'm hoping

when this board considers the SALDO, that Bob's able to -- maybe it'll be in a work session that we'll be able to do it, I'm not sure.

MS. PICKARD: I think Bob and Phyllis were --

MR. KERRICK: Let's make it in the work session.

MR. ARMSTRONG: That's up to the board.

MS. PICKARD: Yeah.

MR. KERRICK: Okay?

MS. PICKARD: They did ask Bob and Phyllis to come on the 19th, unless you don't want them there?

MR. KERRICK: No, why wouldn't I want them there?

MR. ARMSTRONG: But that was --

MR. KERRICK: At our next work session we'll talk about the SALDO?

MS. PICKARD: I think it's July 2.

MR. ARMSTRONG: That was a specific concern of the planning comission as well. That's all I have for my report this evening.

Thank you, Mr. Chairman.

1 MR. KERRICK: Thank you.
2 Next item, new business.
3 Official map is off. Consider Moose Crossing
4 phasing amendment.
5 MR. HENRY GEARHART: Hi, my
6 name is Henry Gearhart. It's H-E-N-R-Y
7 G-E-A-R-H-A-R-T. I'm requesting amendment to the
8 phasing schedule for the land development plan,
9 Phase 3 of Gearhart Properties and Moose Crossing.
10 I would like to extend the anticipated date of
11 completion from June 30, 2012 to June 30, 2014.
12 Phase 3 is the relocation of the
13 temporary office, office and retail space, one
14 residential apartment, install 17 parking spaces,
15 completion of basement too, and install the
16 remaining wearing course. Also before the drainage
17 plan was approved as part of the land development
18 plan, the drainage plan shall remain valid until
19 June 30, 2014.
20 Upon approval, we agree that we
21 will record the amendment in the Recorder's Office
22 of Monroe County and bring a copy of the recording
23 receipt to the township. And this is strictly
24 based on the economy, is the reason why I'm asking
25 for this extension on it.

MR. KERRICK: Do we have a motion?

MR. HOLAHAN: I'll make the motion that we approve the extension for Moose Crossings.

MR. KERRICK: Do we have second?

MR. MOYER: Second.

MR. KERRICK: Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

MR. HENRY GEARHART: Thank you very much.

MR. KERRICK: Thank you. Good luck.

MR. ARMSTRONG: Mr. Gearhart?

MR. HENRY GEARHART: Yes.

MR. ARMSTRONG: You'll be -- once the board executes this, you'll be recording that like you've done the other extensions?

MR. HENRY GEARHART: That's why it's -- yep. Absolutely.

MR. ARMSTRONG: You'll send the township copies of that recorded document?

MR. HENRY GEARHART: Right. I think that you have the letter that I already signed, had notarized. That should be in your possession. Once you sign that and I get that, I will take it to the recorder's, come back with the receipt and give it to you. Okay?

MR. ARMSTRONG: Thank you.

MR. KERRICK: Thank you.

MR. HENRY GEARHART: Thank you.

MR. KERRICK: Next item on our agenda, consider Life Church request for waiver of land development.

Is anyone here from Life Church? No?

Pretty self-explanatory?

MS. PICKARD: That was the --

MR. KERRICK: Pavilion?

MS. PICKARD: -- pavilion.

MR. KERRICK: We talked about it earlier?

MS. PICKARD: Yeah. It's on the existing asphalt.

MR. KERRICK: What's the board's pleasure?

MS. PICKARD: I'll make a motion that we waive the land development plan for Life Church for the installation of a 24 by 34 foot steel frame pavilion on their existing asphalt court.

MR. KERRICK: Motion. Do we have a second?

MR. MOYER: Second.

MR. KERRICK: There's no fees involved with that?

MS. PICKARD: No.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

1 MR. HOLAHAN: I vote in favor.
2 MR. KERRICK: Donny?
3 MR. MOYER: I vote in favor.
4 MR. KERRICK: Heidi?
5 MS. PICKARD: I vote in favor.
6 MR. KERRICK: I'll vote in
7 favor. Motion carried.
8 Next item on our agenda,
9 consider Resolution 2012 dash 00 -- or 011, excuse
10 me, budget adjustment.
11 Heidi, you want to issue that
12 one?
13 MS. PICKARD: I had two items on
14 -- that we were increasing our budget. One was for
15 the 140,000, which is the estimate of what we're
16 receiving from FEMA for the Lee and Irene events.
17 And also -- and we're putting that to road
18 construction and reconstruction and the
19 twenty-three two eighty-one, eighty-eight, which is
20 for the insurance proceeds for the traffic pole at
21 4 -- Route 423 and 940, which is going to the
22 traffic signal repair. We're just increasing the
23 revenue and expenditures for those two accounts.
24 I make a motion that we approve
25 Resolution 2012 dash 011.

1 MR. KERRICK: We have a motion.
2 Do we have a second?
3 MR. HOLAHAN: I'll second.
4 MR. KERRICK: Motion and
5 second.
6 Questions or comments from the
7 board?
8 Question --
9 Do you have a question?
10 MR. MOYER: Uh-uh.
11 MR. KERRICK: Questions or
12 comments from the public?
13 Call the vote. John?
14 MR. HOLAHAN: I vote in favor.
15 MR. KERRICK: Donny?
16 MR. MOYER: I vote in favor.
17 MR. KERRICK: Heidi?
18 MS. PICKARD: I vote in favor.
19 MR. KERRICK: I'll vote in
20 favor. Motion carried.
21 Do you have anything else? No?
22 Does anyone from the board have
23 any --
24 Anything you'd like to discuss?
25 MR. MOYER: I don't.

1 MR. KERRICK: This time we'll
2 open it to the public for comment or question.
3 Anyone? You look like you're
4 getting ready.
5 MR. HOLAHAN: Your pencil came
6 out.
7 MR. KERRICK: Pencil came out
8 of your mouth. Nothing?
9 FEMALE VOICE: I'm good. Thank
10 you.
11 MR. KERRICK: Anyone?
12 I guess we're ready for
13 adjournment.
14 MS. PICKARD: Well, a couple of
15 minutes early.
16 MR. KERRICK: You want me to
17 wait?
18 MS. PICKARD: No.
19 Thank you for attending. We're
20 adjourned.
21 (Meeting concluded at 7:25 p.m.)
22 ---
23
24
25

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

AGENDA
BOARD OF SUPERVISORS
Work Session
July 2 2012

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Secretary Report:
4. Solicitor Report: Official Map
5. DPW Report and Sewer Report:
6. Engineering Report:
7. Sewer Enforcement Officer Report:
8. Zoning Officer Report:
9. Committee Reports: PMREMS/PMRPC/Open Space/
   CMTPTT Regional Comprehensive Plan
10. New Business:

    TTVFC Carnival-request waiver of permit fee

    Draft of July 9 2012 Regular Business Meeting Agenda (note: this meeting was cancelled)

    Arcadia Fair Share Contribution-537 Plan

    Zoning Ordinance Review

    Consider Resolution 2012-012 Disposition of specific records

    Consider Lot Joinder - Rachel & Sophia Tarantul, Lots 37 & 38 Pueblo Place, Arrowhead Lake

Tobyhanna Township Board of Supervisors
July 2, 2012
Work Session Meeting Minutes

The work session of the Tobyhanna Township Board of Supervisors was held at 3:30 p.m. on July 2, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member
	Anne M. Lamberton	Member
	Donald J. Moyer	Member
	Patrick Armstrong	Township Solicitor
	Robert McHale	Township Engineer
	Phyllis Haase	Township Zoning Officer

The meeting was called to order at 3:30 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

Secretary Report

Announced the dates for the TTVFC Carnival @ the Blakeslee Village Plaza July 4-7, 2012

Announced/Reminder of Community Day to be held @ Blanche Price Park on July 14, 2012 from 2-7 PM

The Draft Zoning Ordinance, SALDO and Official Map Ordinances were forwarded to DCED as per Grant Agreement closed June 30, 2012.

Solicitor Report

The public hearing for the Official Map Ordinance was rescheduled for the Board's August 13, 2012 meeting.

DPW and Engineer's Report

Bridge Inspection Report was received from PennDOT for Old Route 940. The Township should receive the report for Millers Drive Bridge next week.

Ann Lamberton will record the Centani Drainage Easement Agreement which is now fully executed.

Bob McHale discussed the receipt of a Model Flood Plain Ordinance from Kalie @ DCED, and will discuss the ordinance with Trish Attardo from MCCD with whom we've been working on amending our Chapter 77 stand alone ordinance.

John Kerrick brought up getting a revised proposal from RKR Hess for the 537 Plan.

John Kerrick advised the Board that the Tar and Chip bid was delayed until August which would be preferable. Wendy Freeman from the Lake Naomi Club had expressed that they would be happier if it was done after Labor Day.

Sewage Enforcement Officer Report

No Report.

Zoning Officer Report

Zoning Ordinance Review – See below

Committee Reports

PMREMS – Scott Topping has been hired as the new Managing Director

PMRPC – None

Open Space – None

BNA Report – None

CMTPTT Regional Comprehensive Plan – SMS Grant closeout to be completed by the end of July, Heidi A. Pickard is working with Carson Helfrich to get the requisite information from the other municipalities.

New Business-Work Session Items:

1. TTFVC submitted a waiver request for their bazaar permit fee. Motion by Pickard, Second by John Holahan, to waive the permit fee. Motion approved unanimously.
2. Arcadia Fair Contribution – Bob McHale spoke with Melissa Maupin from PennDOT regarding contribution and new electronic "e-permitting" requirements which go into effect on July 11, 2012. The Board discussed and recommended the amount of the fair share contribution to the intersection of 115/940 to be $50,000. As per recommendation by John Kerrick, not to require payment of contribution until time of construction when the building permits from the Township are pulled. Letter from Solicitor to be sent to Arcadia's attorney. Motion subject to the execution of the pending agreements for Drainage and Traffic Signal of which the Township is permittee. Motion made by Anne Lamberton, Seconded by Heidi A. Pickard. Motion passed unanimously.
3. The Board decided to cancel their July 9, 2012 Regular Business Meeting and August 6, 2012 Work Session and reschedule the Official Map Ordinance continuance Hearing for their August 13, 2012 Regular Meeting/Work Session to be held at 3:30 PM

Regular Business Meeting Items:

A. Official Map to be rescheduled and advertised for Monday, August 13th @ 3:30 PM.

B. Consider Resolution 2012-012 Disposition of specific records. Motion by Heidi A. Pickard, Seconded by Donald Moyer, to approve Resolution 2012-012. Motion approved unanimously.

C. Consider Lot Joinder – Rachel & Sophia Tarantul, Lots 37 & 38 Pueblo Place, Arrowhead Lake. Motion by Heidi A. Pickard, Second by John Holahan, to approve the lot joinder application. Motion approved unanimously.

D. The Board discussed and revised the Zoning Ordinance, Articles XI, XII & XIV. The Board will schedule a future meeting to complete its review of the Parking and SALDO provisions.

Public Comment

None.

The meeting was adjorned at 5:50 PM.

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, August 13, 2012 beginning at 3:30 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

JOHN B. RICE, ESQUIRE, Solicitor

ALSO
PRESENT: PHYLLIS HAASE, Zoning Officer
ROBERT J. McHALE, Township Engineer

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

MR. KERRICK: Call the supervisors meeting to order with the pledge of allegiance, please.

(Pledge of allegiance was recited.)

MR. KERRICK: First item, announcements.

Are you ready, Heidi?

MS. PICKARD: I'll come back to that if I can.

MR. KERRICK: Sure.

Next item on our agenda, consider the minutes of June 4, 2012; work session, June 11, 2012 regular business meeting; and July 2, 2012 work session.

What's the board's pleasure?

MS. PICKARD: I had a correction to the June 11 on Page 2, it should read June 11, 2012 and with that, I'll make a motion that we approve the June -- 4th of June, 11th and July 2nd.

MR. KERRICK: We have a motion. Do we have a second?

MR. HOLAHAN: I'll second.

MR. KERRICK: Questions or comments from the board on the motion?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor. Motion carried.

Next item on our agenda, consider the bill pack for --

Is that for July and August?

MS. PICKARD: Yeah.

MR. KERRICK: For July and August. August is $371,312.18 and July is 346,107.76. Bills are up front if anybody wants to take a look.

MS. PICKARD: I'll make a motion that we approve the July 12 and the August 13 minutes for 20 -- bill pack for 2012 in the amount of 346,107.76 for July and $371,312.18 for

August.

MR. KERRICK: Motion on the floor. Do we have a second?

MY MOYER: Second.

MR. KERRICK: Questions or comments on the motion from the board?

From the public, any questions?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor. Motion carried.

At this time we'll turn it over to our solicitor.

MR. RICE: There has been advertised for today a continuation of a hearing on your ordinance, which would adopt the official map for Tobyhanna Township. This was -- this hearing's been continued from June 11, it's been advertised in the local newspaper and is up for discussion,

public comment and possible adoption.

An official map is a planning tool that's authorized under the Municipalities' Planning Code that permits a township to lay out public lanes, and essentially to give notice to the public to anybody that would be interested in property, certain elements that you would typically find in the comp plan. Public grounds would be township properties and other types of properties, conservation properties. There's a map that goes

with this, which I believe the Monroe County Planning Commission has prepared and it's got a date of April 2012 on it.

So this a public hearing for the board to further consider this ordinance.

MS. HAASE: Mr. Chairman, I'd like to give something out to the board prior to you discussing this. Mark Sincavage, the chairman of the planning commission, has asked to have the master plan put on the agenda for the planning commission for next month. When I was reviewing that going to the Village of Blakeslee's master plan, I came across a section that speaks to the official map and it speaks to that there's certain areas that should be denoted on that.

I just wanted to make certain that the board was aware of that prior to considering the adoption of. The road system that they're referencing in master plan of state, private and township roads, the existing roads would be Mackes, Redwood, Chestnut, 115 and 940.

The first page -- all three pages are out of the master plan for Blakeslee. Their first plan is a blowup of that area, the second speaks to the official map where I've highlighted where it's recommended the master plan be referenced. And then the third page is a breakdown of the area. I just wanted to make certain you had that information.

MR. KERRICK: Can we make comment on -- this kind of has to do with the master plan and also the official map.

MR. RICE: Either.

MR. KERRICK: Well, it's kind of a combination thing. I don't know how the rest of the board feels. We've gone over the Blakeslee area for the master plan, I think it's a great idea, but a lot of the areas already there and it's crafted. We talked about Pocono Pines being another area and Pocono Summit.

My opinion, possibly we should look at Pocono Summit area if in fact things are going to change in Pocono Summit. There we have raw land, it can be crafted a lot easier than we can here, while it's still in the drawing board. I don't know how everybody feels about that, it's just my thoughts.

MR. HOLAHAN: So you just want to add that to this, to the master plan?

MR. KERRICK: Okay. On my second part of my comment is, I'm not really a big fan of the official map. I think it's another layer of government; that if we need something, we can use other means if we really would need a piece of property or something for a road. I'm just not really in favor of the official map.

17 MS. LAMBERTON: We can achieve
18 --
19 MR. KERRICK: That's only my
20 opinion.
21 MS. LAMBERTON: We can achieve
22 the master plan by just creating a village
23 commercial district. We don't need an official
24 map.
25 MR. KERRICK: Correct, I think.

1 MS. LAMBERTON: Maybe that's a
2 question.
3 MS. HAASE: I'm just bringing
4 that to your attention because the master plan
5 speaks to it being a county official plan.
6 MS. LAMBERTON: When we go to
7 do a zoning overlay that is created at that time,
8 that's what we're doing, in fact. We don't need an
9 official map to dictate that.
10 MS. HAASE: I would say that's
11 correct.
12 MS. LAMBERTON: Right, John?
13 MR. RICE: Correct. Is this
14 Blakeslee master plan, has this been incorporated
15 into your comp plan?
16 MS. LAMBERTON: No, not yet.
17 This is very preliminary.
18 MR. RICE: It's very
19 preliminary.
20 MS. LAMBERTON: Yeah.
21 MS. PICKARD: Yeah.
22 MS. LAMBERTON: That's just a
23 concept right now.
24 MR. KERRICK: It's not
25 identified on the official map as -- no correcting

1 it? It's not identified --
2 MS. HEIDI: No, but whether we
3 did or not, we could always amend the official map
4 to incorporate this or other village concepts as we
5 move forward, if we so desire.
6 Is that correct?
7 MR. RICE: Yes.
8 MR. KERRICK: I'm missing
9 something somewhere, I don't see the need for that
10 personally, but that's my opinion.
11 MR. HOLAHAN: A need for the
12 official map?
13 MR. KERRICK: For the official
14 map. It's another layer of --
15 MR. HOLAHAN: I know, but the
16 way it's been explained to us, it's almost like a
17 paper tiger, it's something they want us to adopt,
18 yet we can change it at any time --
19 MS. LAMBERTON: So why adopt
20 it?
21 MR. HOLAHAN: -- for pretty
22 much any reason. Yeah, so why adopt it then if
23 it's that --

MR. KERRICK: Does it really mean anything?

MS. LAMBERTON: Right.

MR. KERRICK: Who's they? The county?

MS. LAMBERTON: The planning commission.

MR. HOLAHAN: The planning commission, right, for the county?

MS. PICKARD: Yeah. I do want to mention, this is part of our grant that we did submit the closeout for and we're supposed to forward the adoption, not the map, that was part of the money from the DCED grant. So I don't know whether --

MR. HOLAHAN: They kind of divided this up so there's -- so much comes for -- what are they going to give us, $200 or $300, if we adopt the map?

MS. PICKARD: Well, that was -- well, that's the county FAP money, that we get back, up to $10,000, which I don't think we're going to get, but the other side of the DCED, we've sent all the draft ordinances and that was part of our whole budget, was with them.

MR. HOLAHAN: My understanding is nobody else has done -- well, there's only been

only a couple municipalities that have passed an official map at this point.

MR. KERRICK: I don't want to be held hostage just for a grant. Your point is well taken, but --

MS. PICKARD: I understand --

MR. KERRICK: If it's not what we want and we've taken everything off the map, I can't see the point. That's only my opinion.

MR. McHALE: If the master plans, for Pocono Summit, Pocono Lake, Pocono Pines and Blakeslee were further developed, and you knew that possibly you wanted to have bypass streets, roads, or whatever, that you were going actually engage in obtaining right-of-way for, then it would seem that the official map could be a tool that you could overlay to alert the public that hey, these are going into place; but it just seems a little premature at this point because these aren't completely developed or you're not a hundred percent sure that you want to do this yet to move ahead.

Is that right, John, for the most part?

MR. RICE: Let me just read

what the ordinance says because a lot of

2 municipalities don't have official maps. We have
3 one other township that did an official map in a
4 part of the township because they had a main road
5 that they wanted to develop in the commercial
6 district, but they wanted to have rear access, they
7 didn't want curb cuts out onto the road.
8 So they did this segment and let
9 everybody know going forward that if you were going
10 to develop along this main highway, that you had to
11 build your leg of the road in the rear the
12 property. So there's a Weis Market, is the first
13 one that's come in. They're going to build a Weis
14 Market on the one corner, but -- so you can do part
15 of your township, you can do all your township, but
16 this --
17 The effect of the official map
18 Section 9810 says: Any streets, rights-of-way,
19 easements, public lands, easements or other
20 designated areas shall not constitute or be deemed
21 the opening or establishment of any street or
22 public lane or the taking of land or shall obligate
23 Tobyhanna Township to acquire that or maintain or
24 improve it.
25 So sort of a notice document,

1 it's a planning tool, but it's a notice document.
2 I've seen townships have similar things in their
3 comp plan where they'll have a -- you know, an
4 overlay zone. You'll have something like Blakeslee
5 and then you enact the zoning amendments that would
6 match an overlay zone. So I mean that's -- but it
7 gives notice to people in an area that the township
8 sees this as a road system that makes sense.
9 And I've seen it mainly for
10 roads more than anything, not so much for other
11 types of utilities. And then people that own that
12 land, or might want to buy that land they know that
13 the township has this plan and it brings it to, you
14 know, their attention, so -- but that's the kind of
15 planning tool it is.
16 MS. LAMBERTON: Wouldn't we be
17 doing the same thing, John, if we go and create a
18 village commercial district and then write your
19 ordinance to meet what is desired by the township
20 at that time? It's an overlay? It's the same
21 principle.
22 MR. RICE: Right.
23 MS. LAMBERTON: And it only
24 pertains to that particular location. We could do
25 that as we progress.

1 MS. PICKARD: I think my
2 understanding too, from what I've see from a couple
3 of surrounding areas was, it was a tool to acquire
4 open space and we really don't have too much on
5 here. We just had the one that the county was
6 already working on, what the -- Camp Minsi and that
7 conservation easement and that strip across from
8 our park on --

MR. RICE: Walking trails, those types of things, you know, if you have large tracts of ground that you want to -- you have a plan that's laid out or trail system or even --

MS. PICKARD: The railroads.

MR. RICE: -- you know, like a biking route --

MS. PICKARD: The rails to the trails.

MR. RICE: But it's just notice, it's -- I mean, doesn't have a whole lot of legal effect otherwise and you can change it at any time.

So, John, you said it's like a paper tiger, it sort of has that, you know -- it doesn't have any kind of rule of law over it, you know. If someone wants to do something, they're

not bound by what's on the official map. Your zoning is more binding than the official map.

MR. HOLAHAN: I suppose, John, I wouldn't want have to go through this --

MR. KERRICK: Which John?

MR. HOLAHAN: You, John, big John, John Kerrick. I don't know that I'd want to continually have to go through this, if we were to adopt an official map and then continually have to change it, especially with the things that are coming up for the township now. I could speak against adopting the official map. I'm not in favor of the resolution.

MR. KERRICK: That's kind of my thoughts, but -- do we --

Anybody from the public have any comments?

Do we want to close the hearing and move forward, John, or --

MR. RICE: Yeah, if there's no further public comment, no one wants to make a motion to approve this or deny this, I guess the next step would be, if someone wants to make a motion to approve it or deny it, you could do that or you could just table it for future

consideration, you know, upon closing of the hearing.

So, I mean, I don't know -- I don't know the history of this, but Monroe County put this together for you?

MR. KERRICK: Yes.

MR. RICE: I mean, they basically did this? Is there any -- does the township have any other obligation other than to consider this and adopt it or not adopt it? I mean, is that --

MS. PICKARD: Well, just it was part of our regional grant for us to do the zoning, SALDO and official map. So I'm not sure whether --

15 MR. RICE: I think --

16 MS. LAMBERTON: We're not

17 getting much back anyway, John, so it doesn't

18 matter.

19 MR. RICE: Yeah, I guess you

20 probably want to --

21 MS. PICKARD: Well, it's from

22 the other, we already got the money back.

23 MR. RICE: -- you want to just

24 continue this then for future, you know, take it

25 under advisement and continue it; and if there's a

1 reason to deal with it down the road, you have it

2 here. The one thing I would add though is that,

3 you know, once you have an official map any plans

4 that get approved after that become amendments to

5 the official map.

6 So it's not like you're going to

7 amend the official map, you have a subdivision plan

8 or something -- subdivision or land development,

9 they become like automatically amendments to your

10 official map because now you have the actual

11 streets, you have the actual easements that are

12 laid out. So --

13 MR. KERRICK: So your

14 recommendation would be to close the hearing and

15 just --

16 MR. MOYER: Table it?

17 MR. KERRICK: -- table it?

18 MS. LAMBERTON: Or we could

19 make a motion to vote on it.

20 MR. RICE: Unless you want to

21 --

22 MS. LAMBERTON: Let's get it

23 over with.

24 MR. RICE: Yeah, unless you

25 want to --

1 MR. KERRICK: What's the

2 board's pleasure?

3 MR. RICE: Someone wants to,

4 you know, make a motion or call for a vote?

5 MR. KERRICK: Well, first we

6 got to have a motion to close the hearing. Do we

7 have a motion to close the hearing?

8 MS. PICKARD: So moved.

9 MR. KERRICK: Do we have a

10 second?

11 MS. LAMBERTON: Second.

12 MR. KERRICK: Questions or

13 comments from the board?

14 Questions or comments from the

15 public?

16 Call the vote. John?

17 MR. HOLAHAN: I vote in favor.

18 MR. KERRICK: Anne?

19 MS. LAMBERTON: I vote in

20 favor.

21 MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in

favor.

Now, what's the board's pleasure on --

MS. LAMBERTON: I'd like to make a motion to approve or deny.

MR. KERRICK: Well, make your motion.

MS. LAMBERTON: I'd like to make a motion to approve the official map.

MR. KERRICK: Do we have a second? Come on, somebody second it --

MR. MOYER: Second. I'll second it.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I oppose.

MR. KERRICK: Anne?

MS. LAMBERTON: I oppose.

MR. MOYER: I oppose.

MR. KERRICK: Donald?

MR. MOYER: I oppose.

MR. KERRICK: Heidi?

MS. PICKARD: I'll vote in favor.

MR. KERRICK: I'll be opposed. Motion does not pass.

Do you have anything else, John, under solicitor's report?

MR. RICE: Nothing else.

MR. KERRICK: Do you have anything -- do you want to go back, Heidi, or should I go into new business?

MS. PICKARD: Go into new business.

MR. KERRICK: A's done. Consider lot joinder -- and if anybody can pronounce that better than I am, so I'm just going to use the number -- Lots 5326 and 5327, Clearview Road in Emerald Lakes.

What's the board's -- do you have any comment on that, Phyllis?

MS. HAASE: No, sir.

MS. PICKARD: I make a motion to approve the lot joinder for Lots 5326 and 5327, Clearview Road, Emerald Lakes.

MR. HOLAHAN: I'll second that

that.

MR. KERRICK: Motion and second.

Questions or comments from the board on the motion?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, another lot joinder, Lots 5747 and 5748, Island Drive, Emerald Lakes.

MR. HOLAHAN: I'll make a motion that we approve the lot joinder for Jason and Michelle Gonzalez, Lots 5747, 5748.

MS. LAMBERTON: Second.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, consider Red Cross agreement.

MS. LAMBERTON: John, can I make a comment?

MR. KERRICK: Sure. I'm sorry.

MS. LAMBERTON: Didn't we discuss whether or not the lot joinders could just be handled in-house?

MR. KERRICK: I thought so, but I think we have to restart the vote on it.

MS. PICKARD: We talked about that we wanted it on the record, then that was --

MS. LAMBERTON: I mean, you guys preview everything and you know that --

MS. HAASE: Previously it was approved by the zoning officer and then a few years back, I believe it was Clark Connor, planning commission solicitor at the time, had recommended that it go on the board's agenda.

MS. LAMBERTON: I just feel like we're holding these folks up for a monthly meeting that we really don't need to. Is that reasonable or unreasonable?

MR. RICE: You're taking two existing lots, correct?

MS. LAMBERTON: Right.

MR. RICE: When you call the lot joinder, they're not filing a subdivision plan, right?

MS. HAASE: Correct.

MR. RICE: It's land development, it's two existing lots.

MR. McHALE: Extinguishing --

MR. MOYER: No lines.

MR. McHALE: You're extinguishing the property boundary.

MR. RICE: If you have a provision in your zoning ordinance to do it administratively, you can certainly do it that way. I mean, it's not a formal -- nothing's getting re -- they're going to file a consolidated deed so -- they'll transfer one side to the other.

MS. PICKARD: They've actually filed the deed prior to us --

MR. RICE: Yeah, there's no -- I mean, you don't have any requirement to do this.

MR. KERRICK: What's wrong with that picture?

MR. HOLAHAN: Yes, but we deny and they've already done the deed work?

MR. MOYER: Right.

MS. PICKARD: Well, it passed so we really don't have the right to deny it. I think it was just a matter administratively that we did it so that it was on the record.

MR. KERRICK: I'm okay with administratively if they handle it at the zoning level.

MS. LAMBERTON: I'm just saying -- absolutely.

MR. MOYER: Do we need to make a rec -- a motion?

MR. KERRICK: It just holds people up.

MS. LAMBERTON: So at that point do we need to amend something in our zoning ordinance that --

MS. PICKARD: We just have to revise our policy?

MR. RICE: Yeah, I would look

at it so you have a, you know --

MS. LAMBERTON: It's clear.

MR. RICE: You ought to at least file that with the township so you have a record.

MS. LAMBERTON: Be nice if they came in and said okay, this is what we do and they're on their way and they can go do what they need to do.

MR. KERRICK: That would be -- that's fine and then they could review it and -- yeah, we'll check that.

MS. LAMBERTON: Streamline it.

MR. KERRICK: We're at the Red Cross agreement.

Would that be you, Phyllis?

MS. HAASE: Yes, sir. I met with the Red Cross last week, actually on two different dates. We went to the shelter, the emergency service building. Initially it was for 67 people. They're going to most likely reduce that amount that could be housed there because there is not air condition in the bays. So they will be able to use that for three seasons, if need be, for shelter in the bay, which would increase the housing. However, during the summer months, it will be decreased because there's only air conditioning in the main building.

It most likely will be used for a cooling station. If someone -- if there's a disaster in the area or say a large apartment fire and we need to house people or send them over for showers, for food, for those types of services, that most likely what that will be used for. Otherwise we have the school, TEC, and also the junior high school and senior high school. It was stated that the agreement would need to be changed because the contact information has been changed on

that. So that is why it's in front of you today.

MS. LAMBERTON: That's all they need, is updating contact information?

MS. HAASE: Umm-hmm. It is the same agreement, I believe, that was signed in 2008, just the emergency management coordinator is different, a different individual.

MS. LAMBERTON: That's the only change?

MS. HAASE: Correct.

MR. KERRICK: Do we have a motion?

MS. PICKARD: So moved.

MS. LAMBERTON: Second.

MR. KERRICK: Motion and second.

Questions or comments from the board on the agreement?

From the public on the

agreement?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor.

Next item on our agenda, consider to renew Transfer Station lease agreement. There was a provision in our current agreement. I'm sure you've all read it. They're -- propose an agreement, if we would extend it for another year. I personally would recommend that because I think that Panther Waste has done a great job with managing the facility and also the cleanliness and the upkeep.

MR. HOLAHAN: Do we need to make that in formal motion then?

MR. KERRICK: I don't know, I'd have to ask John.

MR. RICE: Yeah, I would, just so it's in the minutes.

MR. HOLAHAN: Then I move to renew the Transfer Station lease.

MS. LAMBERTON: Second.

MS. PICKARD: And that's for

one year?

MR. HOLAHAN: For one year.

MR. KERRICK: Who seconded it?

MS. LAMBERTON: I did.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, consider Resolution 2012 dash 013, budget appropriations.

MS. PICKARD: I had sent you

the backup materials out by e-mail. I don't know if anybody had any questions. The budget appropriations are coming from the liquid fuels fund, from the increase in liquid fuels, may put to road repairs and to line painting. The appropriate supplemental appropriations in the general fund are coming from increased revenues and we're getting reimbursement for a little over 25,000 for the SMS grant for legal so that was going to the zoning and legal fund, Pat's been doing that ordinance.

MS. LAMBERTON: Excellent.

MS. PICKARD: The other things are moving around and we have from funds balance, we had to denote the MMO that we paid over from last year's MMO for prior year expense. The auditor wanted that out of funds balance.

The 61,000 that's down there for funds balance is really just a transfer from the escrow account to denote for the SMS grant funds that we had in escrow, that were not listed in the budget, that's prior year revenues, and then the 175 was for the road projects.

We also were moving transfer from capital into road projects so that we have the money to complete -- getting roads ready and the

tar and chipping.

MR. KERRICK: What's the board's pleasure?

MR. HOLAHAN: I'll make a motion that we pass Resolution 2012-13, budget appropriations or reappropriations.

MS. PICKARD: It's the supplemental and our reappropriation. I'll second the motion.

MR. KERRICK: Did you want to correct your motion, John, to --

I'm sorry, Heidi, what was it?

MR. MOYER: Supplemental appropriations.

MR. HOLAHAN: Yes.

MR. KERRICK: You second it, Heidi?

MS. PICKARD: Yes.

MR. KERRICK: Questions or comments from the board on the motion?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor.

Motion carried.

Next item, consider resolution 2012 dash 014, local share account grant.

MS. PICKARD: The Coolbaugh Township is going to take the lead on applying for a gaming share grant for two ambulances. The board of Pocono Mountain Regional EMS has asked that all the municipalities would join in on that grant application. It's going to be put in through Coolbaugh. So this is just the motion saying that we agree to join in that grant application if it is the board's desire.

MS. LAMBERTON: Is it a hundred percent grant?

MS. PICKARD: It is, but they'll always call up and ask if we put money forward, so --

MR. KERRICK: Good faith money?

With this resolution is that sufficient or would they want a letter?

MS. PICKARD: Well, they would want a letter of support also.

MR. KERRICK: Or is that premature at this time for the letter of support? Does it go now or --

MS. PICKARD: It doesn't matter, I'd like a letter of support. So we can do it now. The grant has to go in the end of September. Usually they ask for the letters of support. Right after we put it in, it wouldn't hurt to have it go in with the grant application.

MR. KERRICK: What's the board's pleasure?

MS. LAMBERTON: Is it going to cost us any money?

MR. KERRICK: I'm sorry?

MS. LAMBERTON: Is it going to cost us any money?

MS. PICKARD: No. It'll cost the ambulance probably the application fee.

MR. KERRICK: There's no such thing as free money.

MS. LAMBERTON: That's what I

just said.

MR. KERRICK: No such thing as free money, might say grant --

MS. LAMBERTON: You echoed me off of the wall.

MS. PICKARD: They charge a hundred dollar application fee now. If it is put in through the industrial authority, I think they charge $500, I'm not sure whether it's going to go in --

11 MS. LAMBERTON: I'm just saying
12 once the grant is initiated it's nice to know that
13 it's a hundred percent.
14 MS. PICKARD: So I'll make that
15 motion then.
16 MR. KERRICK: Now, your motion
17 is --
18 MS. PICKARD: To approve
19 resolution --
20 MR. KERRICK: -- just for the
21 resolution or also authorize the letter?
22 MS. PICKARD: I'll add that in
23 also, authorize the letter of support.
24 MR. KERRICK: We have a motion.
25 Do we have a second?

1 MS. LAMBERTON: I'll second it.
2 MR. KERRICK: Motion and
3 second.
4 Questions or comments from the
5 board?
6 Questions or comments from the
7 public?
8 Call the vote. John?
9 MR. HOLAHAN: I vote in favor.
10 MR. KERRICK: Anne?
11 MS. LAMBERTON: I vote in
12 favor.
13 MR. KERRICK: Donald?
14 MR. MOYER: I vote in favor.
15 MR. KERRICK: Heidi?
16 MS. PICKARD: I vote in favor.
17 MR. KERRICK: I'll vote in
18 favor. Motion carried.
19 MS. PICKARD: I did have a
20 couple of other things that kind of crossed over
21 from the work session on that electricity. I
22 didn't know, before we close this, or do we want to
23 --
24 MR. KERRICK: I think you
25 should probably talk about it now.

1 MS. PICKARD: I've been on and
2 off, I had given you the quotes that I had from
3 Constellation Energy and PSATS through Cheryl Heft,
4 I guess, that's On Demand. I was trying to
5 coordinate -- usually they'll send me quotes and
6 they're only good for like 24 hours. So I had them
7 send me quotes today and just wanted to talk about
8 it. We can wait.
9 It seems to me that the old one
10 that I had from Cheryl actually was starting --
11 creeped up slightly and I was trying to get them --
12 the one from Constellation didn't include the gross
13 receipts tax, but he did put the quote in here to
14 include the gross receipts tax. Constellation's
15 view is that the other quotes charge a premium for
16 the gross receipts tax and he said this year it
17 actually went down and nobody got a refund. So he,

18 you know, did quote it as a comparison basis, but
19 the contract won't include the gross receipts tax.
20 So theirs is far lower right now
21 than the On Demand through PSATS. This was the
22 original contract that we're in now which is why we
23 quotes out the future energy cost reduction because
24 he has the contract. Now we're paying about nine
25 cents including the GRT, 9.2 per kilowatt hour.

1 This is if we do a 12-month, it's at 6.8 and then
2 it goes up to about 7 cents for the 24 and the 29
3 month rate.
4 So let's get some direction, you
5 know, what you thought you wanted us to do. Our
6 current rate is held till December or the end of
7 November, whenever our meter reading is in December
8 it switches over.
9 MR. KERRICK: Can I ask a
10 question? If we would enter into this now, what
11 happens to the balance of our existing contract?
12 MS. PICKARD: We have to --
13 MR. KERRICK: We have to honor
14 that till the end?
15 MS. PICKARD: We have to honor
16 it to the end.
17 MR. KERRICK: They would hold
18 this price, whatever it changed?
19 MS. PICKARD: Exactly, and it
20 would begin in December for the 12-month.
21 MR. MOYER: Well, what's the
22 rate now?
23 MS. PICKARD: It's on the top
24 here.
25 MR. KERRICK: Nine cents.

1 MS. PICKARD: .092 is the rate
2 with the gross receipts tax.
3 MR. KERRICK: If you do it one
4 year, it's six, eight?
5 MS. PICKARD: Yeah.
6 MS. LAMBERTON: I don't
7 understand that.
8 MR. HOLAHAN: Do you know what
9 the rate is on the gross receipt tax?
10 MS. PICKARD: No. I don't have
11 the exact figure now. And it varies and, like I
12 said, they --
13 MR. HOLAHAN: It's going to be
14 proportionate to what we're looking at here
15 anyways.
16 MS. PICKARD: This is quoted
17 with it -- with it in.
18 MR. HOLAHAN: So you checked
19 with -- Constellation came back to you and said
20 this is what's going to happen, right? Did you
21 check with anybody else, Dominion or Energy
22 Resources or any of those people as well?
23 MS. LAMBERTON: There's usually

like a list of five of them that always send out.

MS. PICKARD: Yeah. I just did

the two that were with the PCLM and the PSATS one and the PSATS is just on your own you go.

MR. HOLAHAN: I guess I'm just kind of wondering if their fallen rate -- if I knew that the other people were falling right around this rate, then I wouldn't have a problem with doing -- locking that in.

MS. PICKARD: Well, she's about seven and a half cents, you know, the other rate, which is behind that -- yeah.

MR. HOLAHAN: Right.

MR. KERRICK: What happened with COG? Didn't they talk about this one time and it never got off the ground?

MS. PICKARD: They never got off the ground and they don't have a secretary or the support, but the one that they were going to go through, PSATS, that you're on your own, whatever you quote. They have a group price for anybody who's in PSATS and that's the quote that we have.

MR. KERRICK: Do you remember what the regional police -- they just did one this year, wasn't it? I don't remember who it was --

MS. PICKARD: I mean, I can, you know, get them quoted again for next month and

find out who the police is.

MS. LAMBERTON: We can certainly look at that. Why don't you do that and then get multiple ones?

MR. HOLAHAN: Right.

MS. LAMBERTON: That way we'll feel better.

MR. HOLAHAN: Because there's a couple other things with -- I got a e-mail from Rick Bodenshatz (phonetic) from the trustees, library trustees, and they're shopping for oil and they want to check with us on where we're getting our oil and, you know, maybe there's somethings that we can do.

MR. KERRICK: I think they can piggyback off our price.

MR. HOLAHAN: I think that's what they were looking to do with it.

MR. KERRICK: I think I mentioned to --

MR. HOLAHAN: Well, Rick's going to give -- call Heidi. So if we could just take -- I mean, we've got a little bit of time --

MS. PICKARD: Yeah. There's a little bit --

MR. HOLAHAN: -- we're locked in till November.

MS. PICKARD: -- of a concern I've seen through other places about who's entitled to have the tax-free oil rate that we pay. I'm not sure whether the library's entitled to get that.

Do you know, John?

MS. LAMBERTON: They're tax exempt, right?

MR. KERRICK: It's our building.

MR. MOYER: That gross receipt tax --

MS. PICKARD: Well, it's our building.

MR. KERRICK: It's our building, but they pay for the oil.

MS. LAMBERTON: I need a crash course on this.

MR. RICE: Yeah, you're going to pay the year, they're just going to piggyback off yours.

MS. PICKARD: So there's no --

MR. KERRICK: We bid a certain amount with COG for the, you know, for the year.

MR. RICE: Right.

MR. KERRICK: It was 50 some thousand gallons of gasoline, et cetera, et cetera, but that is our building.

MR. RICE: They are tenants?

MR. KERRICK: They're our tenant.

MS. PICKARD: As long as --

MR. KERRICK: I don't see where that would be --

MS. PICKARD: As long as it's still our building --

MR. KERRICK: Actually they're doing that now. COG is bidding that now for the next year, but we still have -- I have the current price sheet in there now.

MS. PICKARD: I'm sure if they called the oil company they would just give them a good rate.

MR. KERRICK: It's superior. So we'll just table this.

MS. PICKARD: So if you want to table this and --

MR. MOYER: We'll get a look at the other ones.

MS. PICKARD: If you want to send me whatever information you have or if we can find out from the police, I can call Cathy, I guess.

MR. KERRICK: Do you have anything else, Heidi?

MS. PICKARD: The only other thing I just want to really make reference to, was

that the Pocono Summit Fire Company had put in a request for their apparatus funds. They're buying some gear, $35,000 worth of gear. They're taking their money out so I just wanted to let everybody know. They are up-to-date on their audits.

That was it.

MR. KERRICK: I'm not quite sure, I guess that would be -- that is equipment obviously. I was involved in the '80s when that referendum was on the ballot and at the time it was for equipment apparatus, no so much personal gear, because that could come out of relief money; but I can't tell them, as long as we agreed, how to spend their money.

MS. PICKARD: And we -- yeah.

MR. KERRICK: I don't know why they'd want to use that.

MS. PICKARD: In May of 2011 they bought the same gear that we --

MS. LAMBERTON: Are they looking for something specific that they needed?

MR. KERRICK: No. They must not have any money in their relief.

MS. PICKARD: Their gear, I don't know, he said it expires.

MS. LAMBERTON: Well, there is a shelf life --

MS. PICKARD: John could speak to that.

MS. LAMBERTON: -- for a lot of that stuff.

MS. PICKARD: Is it good for ten years and then it doesn't --

MR. KERRICK: Could you hold up on the -- it's a joke. It's just a money maker. Like they say this expires and --

MS. LAMBERTON: Job security.

MR. KERRICK: Yeah, it costs a ton of money to outfit a fireman.

MS. PICKARD: Stimulus.

MR. KERRICK: Yeah, stimulus, okay. Sorry. So do we need a motion then, I

guess, for that or no?

MS. PICKARD: Well, we can have a motion if we --

MR. HOLAHAN: What's the action?

MR. KERRICK: They want to take some of their tax fund money --

MS. PICKARD: For fire equipment.

MR. KERRICK: -- Pocono Summit Fire Company is requesting.

MR. RICE: Money that you've already given them?

MR. KERRICK: No, no. We have it, we hold it until they -- the way it's written

--

MS. PICKARD: It's a millage, it's real estate millage that's set aside.

MR. RICE: Right, but you have it here designated?

MR. KERRICK: Right. They send in a request and they also send us their current financials and then we usually --

Do we have a motion for that?

MS. PICKARD: I'll make the

motion.

MR. KERRICK: Do we have a second?

MS. LAMBERTON: I'll second it.

MR. KERRICK: Questions or comments?

Questions for comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Do you have anything else, Heidi?

MS. PICKARD: No, I just had an announcement that Pocono Summit, I just got this today, they're having a fire prevention open house October 20 from 12 to 5, meet your fire company,

car extrication demonstration, fire extinguisher demonstration, fire truck rides, operate a hose line --

MR. KERRICK: Check with your insurance company before they authorize the fire company.

MS. PICKARD: -- and be a firefighter for a day. And they're having a bike run that we got a letter regarding and Phyllis said that they didn't need any permits or anything to waiver. They're having a first annual motorcycle ride on September 15, 8:30 a.m., the ride starts at 11 and ends at the VFW and that's to support the wounded warriors and Pocono Summit Volunteer Fire Company.

MR. KERRICK: I don't know if you heard me, that we need -- since we carry the insurance, we need to check with the insurance company before we --

MS. PICKARD: On this?

MR. KERRICK: -- authorize

their fire truck rides.

Anything else? Anything for announcements?

MS. PICKARD: No, that was --

MR. KERRICK: Open it up to the public, anyone have anything they wish to address the board?

Yes, Wendi? Since you're the only one here.

MS. WENDI FREEMAN: I just got an e-mail today from a Mrs. Fund, F-U-N-D, wondering if we could move the sign to Deer Trail Road, which is off of 423, left side. If we can move it out. I know the township has already moved it from one side to the other, but you still can't see it, it needs to come out further. I don't know if that's too close or not, but maybe could somebody take a look?

MR. KERRICK: What road?

MS. WENDI FREEMAN: Deer Trail Road the Old Gross Drive West.

MR. KERRICK: Can't see it?

MS. WENDI FREEMAN: She said you can't see it when you're coming up 423. It could be just tree covered, but we've already -- we cut it back and you guys, the township also cut it back for us and I believe once it -- after it was moved from the other side of the road.

MR. KERRICK: Okay. I'll check

it out.

MS. WENDI FREEMAN: All right. Thank you so much.

MR. KERRICK: You're welcome.

MS. WENDI FREEMAN: That's all I have.

MR. KERRICK: Anyone else? We are adjourned from our regular meeting.

(Meeting concluded at 4:20 p.m.)

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

Tobyhanna Township Board of Supervisors
September 4, 2012
Work Session & Regular Business Meeting Minutes

The work session of the Tobyhanna Township Board of Supervisors was held at 3:30 p.m. on September 4, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member – arrived 4:12 pm
	Anne M. Lamberton	Member
	Patrick Armstrong	Township Solicitor
	Robert McHale	Township Engineer
	Phyllis Haase	Township Zoning Officer
	John Brogan	Sewage Enforcement Officer

The meeting was called to order at 3:45 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

Introduction of New Managing Director – Pocono Mountain Regional EMS: Scott Topping, the new Managing Director of the Regional EMS presented Tobyhanna Township statistics and the benefits of the subscription program to the residents at an annual donation of $65.00.

Public Comment

Barb Hijazi, of Lake Naomi, presented her concerns and suggestions for safety improvements at Miller Drive and Tanglewood. Discussions included visual enhancements, clearing the site triangle of vegetation in the ROW, and reflectors. She also raised concerns regarding the handling of debris removed from roadways in several areas including Red Spruce, Redwood Terrace and Clear Pond which will be handled by the Director of DPW.

Secretary Report

Supervisor Pickard announced the dates for Township Cleanup to be held at the Sullivan Trail Transfer Station from October 6-13, 2012. Detailed information will be posted at the Township office and on the Township website.

Committee Reports

PMREMS – There will be a Chinese Auction on November 3, 2012; Paradise Township donated Toughbooks; and, Locust Lakes Village donated $1,249 from their Chinese Auction.

PMRPC – The Regional Police Foundation Golf Tournament will be at Wild Pines the weekend of September 8th and 9th.

Open Space/ BNA Report – There was a Maintenance Report for July/August presented by the Open Space Committee.

CMTPTT Regional Comprehensive Plan – None.

Solicitor Report

The Solicitor reminded the Board that they need to review and consider the proposed rezoning ordinance at their regular business meeting.

DPW and Engineer's Report

The Township Engineer distributed the DPW/Engineer Projects Report (updated 9/4/12) and reported on the updated items. The Township Engineer also updated the Board regarding the August Fuel Inventory report and recommended looking into new software to help accommodate new regulations and reporting requirements. The Engineer also provided the Board with information regarding recent certifications for underground storage tanks obtained by himself and John Kerrick to meet new requirements.

Sewage Enforcement Officer Report

No Report.

Zoning Officer Report

The Zoning Officer provided an Emergency Operation Plan Update including needed revisions to the Dam plans and the need to advertise/solicit for those having special needs during and emergency (i.e. language barriers, physical disabilities, etc.).

The Zoning Officer presented information for the Zoning change request from the Zaremba Group.

New Business-Work Session Items:

1. Pinecrest Phasing Schedule- The Board determined that the phasing schedule amendment received from Pinecrest Development Corporation shall fall under the Permit Extension Act and therefore the prior phasing schedule from 2010 would control subject to the Permit Extension Act. A letter will be sent to Pinecrest to inform them that the 2010 Phasing Schedule will remain in effect subject to those provisions of the Act.

Regular Business Meeting:

Treasurer's Report:

Motion made by Heidi Pickard and seconded by John Holahan to approve the September 4, 2012 bill pack totaling $297,556.41. Motion passed unanimously.

Solicitor's Report:

The Township Solicitor announced there would be an executive session at the end of the meeting to discuss litigation matters.

The Board discussed the proposed transfer of the Clymer Library Building and real property to the Clymer Library at the price of $1.00 with the condition that it remain a public library.
Motion made by John Holahan and seconded by Anne Lamberton to move forward with

transferring the property to the Library. Motion passed unanimously. Pat Armstrong will reach out to the Library to discuss the matter and then draw up the requisite documents.

New Business:

A. The Board considered acknowledging the Fiscal Year 2013 Minimum Municipal Obligation to the Township of Tobyhanna Non-Uniformed Employees Pension Plan. Secretary Heidi A. Pickard announced the MMO to be $42,253.30. **Motion made by John Holahan and seconded by Anne Lamberton to acknowledge the 2013 MMO. Motion passed unanimously.**

B. Dollar General/Zaremba Zoning Change Request. The Board discussed authorizing the advertising of the extension of the commercial zoning line adjustment to be consistent with the easterly zoning line as per the submitted zoning change application. Discussion was made to continue the zoning district line to the western property which is currently owned by First Northern Bank in order to maintain consistent zoning lines and proper planning. It was suggested that the bank be contacted and made aware to see if they would want the line adjusted through their property as well. **Motion made by John Holahan and seconded by Anne Lamberton to authorize the Township Solicitor to work with the applicant to obtain the necessary information and advertise the zoning change request, which included both the Zaremba Group and Bank properties. The Board passed the motion unanimously.**

The meeting was adjorned at 5:00 PM. At which time the Board went into Executive Session to discuss pending litigation until 5:20.

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

AGENDA
Board of Supervisors
Regular Business Meeting
October 15, 2012

1. Call Meeting to Order: John E. Kerrick, Chair

2. Pledge of Allegiance

3. Announcements: Trick or Treat - Wednesday, October 31 6PM-8PM

4. Consider the Minutes of: August 13 2012 Regular Business Meeting
   September 4 2012 Work Session/RBM

5. Consider the Treasurer's Report: $519,552.40

6. Solicitor Report:

7. New Business:

   A. Consider Resolution 2012-015 Joe Irizarry

   B. Consider Resolution 2012-016 Juliet Dunham

   C. Consider Resolution 2012-017 Appropriations

   D. TEC PTO Halloween Parade - donation request

   E. Harvest Corners Produce & Materials, LLC -LDP waiver request

8. Public Questions and Comment

ADJOURNMENT

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, October 15, 2012 beginning at 4:30 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

MR. KERRICK: Call the meeting to order of the board of supervisors, October 15, 2012. Pledge of allegiance, please.

(Pledge of allegiance was recited.)

MR. KERRICK: First item of business, announcements.

MS. PICKARD: Trick or treat has been scheduled for Wednesday, October 31 from 6 to 8 p.m.

MR. KERRICK: Do you have any other announcements?

MS. PICKARD: No. That's it.

MR. KERRICK: Next item on our agenda, consider the minutes of August 13, 2012, regular business meeting; and September 4, 2012, work session.

MS. PICKARD: I had a couple of corrections for the August 13 regular business meeting minutes; on Page 10, Line 19, that should be county FAP money, F-A-P, not FAT money. And then on Page 38 the number there should be .092. That was with reference to the electricity rate.

With that, I'd make a motion to approve the August 13, 2012 regular business meting

minutes and the September 4 work session regular business meeting minutes.

MR. HOLAHAN: I'll second.

MR. KERRICK: Motion and second on the floor. Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on the agenda is bill pack dated --

Is it today's date?

MS. PICKARD: October 15.

MR. KERRICK: -- October 15. Total amount for board approval is $519,552.40.

MS. PICKARD: I just wanted to

make one comment on the escrow account, the check with Pocono Manor. We're holding that to have them withdraw the plans. They did request the monies back, but they still have that open PRD. So they were going to be sending a letter in to withdraw the PRD plan. And at that time, we would be able to refund that fourteen five eighty, but it is not included in the total amount of the bill pack.

With that being said, I'd make a motion that we approve the October 15, 2012 bill pack in the amount of $519,552.40.

MR. KERRICK: Motion on the floor. Do we have a second?

MR. HOLAHAN: I'll second.

MR. KERRICK: Questions or comments from the board on the motion?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, solicitor's report.

MR. ARMSTRONG: Now, just as stated in my work session, I do have an executive session with respect to personnel after this meeting.

MR. KERRICK: Next item, new business. Do we want to jump around a little bit?

Heidi?

MS. PICKARD: Yeah, well, Joe's here. I don't know if you want to --

MR. KERRICK: Do you want to do them together or --

MS. PICKARD: Yeah, we can do that. We can skip down, if you want, to C.

MR. KERRICK: Wait five minutes?

MR. MOYER: Is she coming?

MS. PICKARD: Yeah, Juliet's coming, she texted me today.

MR. KERRICK: Okay. Let's do the TEC PTO Halloween parade, donation request.

MS. PICKARD: He's given them $250 the last couple of years.

MR. MOYER: Keep the amount the same and --

MR. KERRICK: Yeah, two years ago we switched from 500 to 250.

MR. MOYER: Yeah, I remember it going down.

MR. KERRICK: Do I have a motion?

MR. HOLAHAN: So moved.

MR. KERRICK: Hear a second?

MR. MOYER: Second.

MR. KERRICK: Questions or comments from the board?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item on our agenda, consider Resolution 2012 dash 017, appropriations. It'd be C in your packet.

MR. MOYER: Yes.

MS. PICKARD: I just wanted to make a note there was a correction on one of the items. Margie switched that in the pack, but it wasn't the one that was mailed out. I had a -- on the engineering, the 408 engineering overtime --

MR. HOLAHAN: Right.

MS. PICKARD: -- and professional liability insurance. I just transposed a number there and put postage.

MR. HOLAHAN: Okay. That was the question that I had.

MS. PICKARD: I guess one of the bigger items there too was, we were taking that prior year of police MMO and putting it towards the current year. That amount was 65 in there.

MR. KERRICK: What's the board's pleasure?

MR. HOLAHAN: I'll make a

motion we adopt Resolution 2012 dash 017, appropriations.

MR. KERRICK: Motion on the --

MS. LAMBERTON: I'll second.

MR. KERRICK: Motion and second.

Questions or comments from the board?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donald?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

We're going to have to go with just Joe.

MS. PICKARD: I guess so.

MR. KERRICK: It's easier that

1 way. I don't know about that last name.
2 MS. PICKARD: We have
3 Resolution 2012 --
4 MS. LAMBERTON: Dash 015.
5 MS. PICKARD: -- dash 015.
6 It's a resolution of the Township of Tobyhanna
7 Board of Supervisors recognizing Joseph Irizarry
8 for his time and musical talent donation to the
9 July 14, 2012 Community Day. And it reads:
10 Whereas, Joe Irizarry is
11 guitarist Just Joe from local rock band Long Time
12 Comin' and a Tobyhanna Township resident. And
13 whereas, in 2010, after finding out that Community
14 Day would possibly be canceled due to finances,
15 Joseph stepped up forward and -- stepped forward
16 and offered his help.
17 And whereas, Joe has arranged
18 for all the live musical entertainment which
19 included his band and several other local bands, at
20 no cost to the township, entertaining the crowd for
21 the past three years. And whereas, Joseph showed
22 dedication in serving our community by his
23 involvement in Community Day.
24 The township recognizes Joe for
25 giving his time, talent and expertise once more,

1 making the July 14, 2012 Community Day a successful
2 event that was enjoyed by all. And now therefore,
3 be it resolved that the Tobyhanna Township Board of
4 Supervisors presents its resolution to Joseph
5 Irizarry in recognition of his service to the
6 Township of Tobyhanna.
7 Resolved and enacted, this 15th
8 day of October 2012.
9 You want to vote on this first
10 before we --
11 MR. KERRICK: Do we have a
12 motion?
13 MS. LAMBERTON: I'll make a
14 motion.
15 MR. KERRICK: Do we have a
16 second?
17 MR. MOYER: Second.
18 MR. KERRICK: I'm not going to
19 do questions or comments.
20 Call the vote. John?
21 MR. HOLAHAN: I vote in favor.
22 MR. KERRICK: Anne?
23 MS. LAMBERTON: I vote in
24 favor.
25 MR. KERRICK: Donald?

1 MR. MOYER: I'll vote in favor.
2 MR. KERRICK: Heidi?
3 MS. PICKARD: I vote in favor.
4 MR. KERRICK: I'll vote in
5 favor. Motion carried.
6 (Audience applauds.)
7 MR. KERRICK: Joe, as always.
8 MR. JOSEPH IRIZARRY: Oh, thank
9 you. Thank you.
10 MS. LAMBERTON: Thank you, very
11 much.
12 MS. PICKARD: Thank you so
13 much.
14 MR. JOSEPH IRIZARRY: Thank
15 you.
16 MR. MOYER: Thank you.
17 MS. LAMBERTON: Thank you so
18 much.
19 MR. HOLAHAN: What I wanted to
20 do was rename Wednesdays in Tobyhanna Township and
21 call it Joe Day.
22 (Brief interruption in the
23 record due to Joseph Irizarry being photographed.)
24 MR. KERRICK: What are we --
25 next two we have --

1 MS. PICKARD: Well, you know --
2 MS. LAMBERTON: We can make
3 mention and pass it.
4 MR. MOYER: Of what?
5 MR. KERRICK: Okay.
6 MS. PICKARD: We don't
7 necessarily need Harv -- I just told Bert that,
8 you know, if you have any questions on it --
9 MR. KERRICK: All right. We'll
10 jump down to there then.
11 Harvest Corners Produce and
12 Materials, LLC, land development waiver request.
13 MR. MOYER: They just want to
14 move that thing to the other side, correct?
15 MS. LAMBERTON: In the woods
16 where it's hidden.
17 MS. PICKARD: Yeah, there's a
18 picture of it in --
19 MS. LAMBERTON: It's a
20 no-brainer.
21 MR. KERRICK: It's really not
22 even a building, I don't know why it falls under --
23 MS. PICKARD: I know.
24 MS. LAMBERTON: Yeah, I kind of
25 wondered the same thing, John, to be honest with

you.

MR KERRICK: There's no foundation system.

MR. MOYER: Make a motion to --

MS. PICKARD: Well, it should be in the new ordinance to not require it.

MS. LAMBERTON: I think we should make note of that.

MR. KERRICK: Donny, you made a motion to waive land development?

MR. MOYER: Yes, to waive the land development on that.

MS. LAMBERTON: I will second that.

MR. KERRICK: Anne, you second it?

MS. LAMBERTON: Absolutely.

MR. KERRICK: Questions or comments from the board on the land waiver -- or this land development waiver?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

1 MS. LAMBERTON: I vote in
2 favor.
3 MR. KERRICK: Donald?
4 MR. MOYER: I vote in favor.
5 MR. KERRICK: Heidi?
6 MS. PICKARD: I vote in favor.
7 MR. KERRICK: I'll vote in
8 favor. Motion carried.
9 That got us another minute.
10 MS. LAMBERTON: We are a no
11 nonsense board.
12 MR. KERRICK: Public comment?
13 Anybody have anything for the board?
14 MS. CAROL RAY: I have a
15 question.
16 MR. KERRICK: Come on.
17 MS. LAMBERTON: Okay.
18 MS. CAROL RAY: The people of
19 --
20 THE REPORTER: Can you just
21 state --
22 MS. CAROL RAY: I'm sorry Carol
23 Ray. Do you need to know an address or something?
24 THE REPORTER: No, just spell
25 first and last name.

MS. CAROL RAY: C-A-R-O-L R-A-Y.

MR. ARMSTRONG: Actually, yeah, an address should be noted for the record.

MR. KERRICK: Are you having dinner tonight so we could find it?

MS. LAMBERTON: We'd like your current physical address, please.

MS. CAROL RAY: 144 Flintlock Trail.

MR. MOYER: Or a Mac card and pin number, please.

MS. CAROL RAY: On Kalahari, people just want to know what's happening. Partly somebody mentioned to me today the idea of maybe down the road there would be something with exotic animals. I think I read that somewhere. Are they planning some kind of zoo or whatever?

MR. MOYER: I think that's part of it. No?

MR. KERRICK: They had mentioned --

MS. LAMBERTON: They currently have that at one at their facilities.

MR. KERRICK: They currently

have one in Ohio.

MS. CAROL RAY: I guess that's where --

MS. LAMBERTON: Whether or not they get to that stage will be all economically driven. Their first phase -- they've done a couple of presentations here at the township and their first phase is going to be 100,000 square feet of convention and indoor water park.

I think if you would actually Google past articles in the Pocono Record, they've actually been extremely accurate with their reporting and the numbers, economic numbers that follow, they've been spot-on so that's a really good place to start as well; but I think that would be five, six years down the road if -- if at all.

MS. CAROL RAY: I was thinking that too.

MR. KERRICK: They're only here in season. They winter in Florida.

MS. LAMBERTON: Yeah, they're seasonal.

MR. KERRICK: In Ohio.

MS. PICKARD: The animals wouldn't be here.

1 MS. LAMBERTON: The animals
2 winter in Florida.
3 MR. KERRICK: The animals winter
4 in Florida.
5 MR. MOYER: They go on
6 vacation.
7 MS. CAROL RAY: 'Cause that's
8 one of the questions.
9 MS. LAMBERTON: They have it in
10 Ohio, in the same climate as we have here, so --
11 MS. CAROL RAY: Well, New
12 Jersey probably does with Great Adventure.
13 MS. LAMBERTON: Exactly,
14 exactly.
15 MS. PICKARD: I think it's more
16 a -- to like a petting zoo. I mean, I don't think
17 there's --
18 MS. LAMBERTON: You're talking
19 a giraffe normal --
20 MR. KERRICK: No, they have
21 tigers, the one in Ohio.
22 MR. MOYER: They have a nice
23 retirement community down there.
24 MR. KERRICK: They change it
25 every three months so it doesn't get too large.

MS. LAMBERTON: For the animals?

MR. MOYER: Yeah.

MS. CAROL RAY: So as far as the township is concerned, they're gonna go -- Kalahari -- it's okay for Kalahari to go ahead with their plans to --

MR. KERRICK: They have not submitted plans at this point.

MS. LAMBERTON: We're still waiting to see their plans.

MR. KERRICK: We're still waiting to see the plans. So we haven't even seen them.

MS. LAMBERTON: There's a lot of engineering that's involved.

MR. ARMSTRONG: The only thing they've submitted is a sketch plan to the planning commission. And all that is, is an informal review of what they're thinking about submitting for purposes of land development.

MR. MOYER: Do they have a website --

MS. LAMBERTON: Free admission.

MR. MOYER: Do they have a

website for the Sandusky one?

MR. ARMSTRONG: But they haven't submitted a land development plan.

MS. LAMBERTON: Yeah, actually --

MR. MOYER: Let her know --

MS. LAMBERTON: Yeah, actually we went on their website, kalahariresorts.com, it's K-A-L-A-H-A-R-I resorts dot com. That's where I got a lot of my information from.

MR. MOYER: It'll give you an idea. It'll let you know what they're about.

MS. CAROL RAY: If this all takes place, will there be an exit from 380?

MS. LAMBERTON: Unfortunately the Federal Highway Administration is not extremely partial to that idea, but PennDOT has sat down with them as well. So they'll be an exit adjoining 940, not a separate exit, but they'll widen the lanes coming off 940, right onto 314.

MR. MOYER: They're going to make a turning lane.

MS. LAMBERTON: So it'll be their own lanes going right into 314. Their plan, as their sketch plan was submitted to the planning

commission here, was a four lane boulevard going in so it doesn't affect local traffic.

MS. CAROL RAY: Okay.

MS. LAMBERTON: So it's nicely planned, that's why they want it to be on a highway, not far from an exit. It's like the location lended itself very naturally to what their design was.

MS. CAROL RAY: One other quick question about this short lane. I've seen the traffic lights that are in front of it now. So is that bridge going to be finally repaired?

MR. KERRICK: We can't answer that. I can't answer that at this time, I don't know.

MS. CAROL RAY: Oh, okay.

MR. KERRICK: It's under contract --

MS. LAMBERTON: It was planned to.

MS. CAROL RAY: I mean, the planning started about a year or two ago, didn't it?

MR. KERRICK: More like two or three years ago.

MS. CAROL RAY: I remember that conversation.

MS. LAMBERTON: Pennsylvania Department of Transportation, look at their website.

MR. KERRICK: We did -- as Bob stated in his report earlier, we asked him to update us on the traffic lights because we wanted a battery backup.

MS. CAROL RAY: Sure. I'm thinking that was the same one.

MR. KERRICK: That happened at the Lehigh River Bridge. The power went out several times during construction and we ended up going over with generators and we didn't want to be tied into that, if possible. I can't really answer that question.

MS. CAROL RAY: So when that happens, will there be something in the newspaper, whatever, so people will know about it?

MR. KERRICK: Yes.

MS. CAROL RAY: Okay. Great.

MS. LAMBERTON: We could also post that on our website --

MR. KERRICK: Sure.

MS. PICKARD: Yeah.

MS. LAMBERTON: -- as information comes available. Pardon?

MS. WENDI FREEMAN: Lake Naomi will post it.

MR. KERRICK: Anything else?

MS. CAROL RAY: That's it, thanks.

MR. MOYER: Just Joe? Anybody on that end?

MS. LAMBERTON: You guys have to have something to say. Talk about Joe a little bit.

MR. KEITH NAYLOR: I think he's a wonderful man.

MS. CAROL RAY: We're here in support of him.

MS. LAMBERTON: Are we waiting for somebody?

MS. PICKARD: Yes.

MR. MOYER: Juliet.

MR. KEITH NAYLOR: Could I ask one informational question? I know I talked to Donny about it.

MS. LAMBERTON: Please do.

MR. KEITH NAYLOR: The status of Stony Hollow Road -- I hate to bring it up -- they chipped and oiled it across this past month or two ago. Do we have any plans -- I don't pretend to know the state of our budget or anything. I mean, it's fine and sealed certainly, but it's still a bumpy road.

MR. KERRICK: It's --

MS. PICKARD: Hi, Juliet.

MR. KERRICK: I think Bob reported that we paved -- or oil and chipped seven and a half miles of road and we would've -- and that would've cost us like three and half times more to pave. It's scheduled to be paved whenever we can afford it. And we realize that it's not the smoothest road in the world, but we'll do as -- that's high priority, Stony Hollow.

MR. KEITH NAYLOR: I appreciate that.

MR. KERRICK: As far as when, I can't say.

MS. PICKARD: She just pulled in.

MR. KERRICK: Perfect.

MS. LAMBERTON: That's why we

encourage projects like Kalahari so we have a tax base that we can generate some income in the future.

MR. MOYER: Yeah, that would be a big help.

MS. LAMBERTON: It'd be a great shot in our arm. It would help all of us tremendously.

MR. MOYER: This Kalahari project that we're talking about --

MR. KERRICK: Their payroll in Ohio is 18 million.

MR. MOYER: It would be a big infusion.

MS. LAMBERTON: So it would be a nice local taxable entity that we can earn a couple of bucks off of and fix some things that we -- you know, without going back and saying, gosh, folks that live here for 50 years we need to raise taxes. It'd be nice not to have to do that and have money to repair things that we want to.

MR. KERRICK: Patti, the good news is you're finished, land development granted. We took care of it before you got here, but you could stay, please.

MR. HOLAHAN: Oh, and it's no longer Wednesday, it's Just Joe Day.

MS. LAMBERTON: Yeah, sorry girls.

MR. HOLAHAN: Monday, Tuesday, Just Joe Day.

MR. KERRICK: Okay, Heidi.

MS. PICKARD: Well, we have a resolution here. Do we want to pass the resolution and then I'll read it or do you want me to read it and then again --

MR. KERRICK: Sure. We have a motion for Resolution 2012 dash 016.

MR. MOYER: So moved.

MS. PICKARD: All right, Donny. I'll second it.

MR. KERRICK: Donny did that?

MS. PICKARD: Yeah. You want to vote or we --

MR. MOYER: Yeah.

MR. KERRICK: Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in

1 favor.

2 MR. KERRICK: Donald?

3 MR. MOYER: I vote in favor.

4 MR. KERRICK: Heidi?

5 MS. PICKARD: I vote in favor.

6 MR. KERRICK: I'll vote in

7 favor. Motion carried.

8 MS. PICKARD: So with that, we

9 have Resolution 2012 dash 016. Resolution of the

10 Township of Tobyhanna Board of Supervisors

11 recognizing Juliet Dunham for her volunteer work

12 with the township pool registration and the July

13 14, 2012 Community Day.

14 Whereas, Juliet Dunham is a

15 Tobyhanna Township resident and a township pool

16 committee member. And whereas, in the spring of

17 2012, after finding out that the township pool

18 would possibly not open due to finances, Juliet

19 Dunham stepped forward and offered her help. And

20 whereas, during the month of June Juliet Dunham,

21 with great enthusiasm, volunteered approximately 24

22 hours to help with pool registration.

23 And whereas, just as another

24 annual township summer event was about to take

25 place, Juliet once again eagerly assisted with the

1 organization of Community Day festivities. And
2 whereas, Juliet Dunham showed dedication in serving
3 our community by her involvement in the 2012 pool
4 season, as well as Community Day.
5 The township recognizes Juliet
6 for giving her time and her expertise with pool
7 registration in making the July 14, 2012 Community
8 Day a successful event that was enjoyed by all.
9 And now therefore, be it resolved that the township
10 board of supervisors presents this resolution to
11 Juliet Dunham in recognition of her time and
12 service to the Township of Tobyhanna. Resolved and
13 enacted, this 15th day of October 2012.
14 (Audience applauds.)
15 MR. KERRICK: Thank you. Come
16 on up.
17 MS. JULIET DUNHAM: Thank you.
18 Absolutely my pleasure and I look forward to the
19 2013 season for pool registrations and Community
20 Day.
21 MR. KERRICK: Thank you.
22 MS. JULIET DUNHAM: Thank you.
23 MS. PICKARD: Thank you.
24 MS. JULIET DUNHAM: Thank you.
25 MR. MOYER: Thank you.

MS. JULIET DUNHAM: Thank you.

MS. LAMBERTON: Thanks for helping.

MS. JULIET DUNHAM: Thank you, my pleasure.

MR. HOLAHAN: Appreciate it.

MS. JULIET DUNHAM: Thank you.

(Brief interruption in the record while Juliet Dunham was being photographed.)

MR. KERRICK: Thank you.

One more time, anyone from the public have anything they'd like to address the board?

MR. MOYER: Come on, there's more questions.

MR. KERRICK: Thank you for attending. We're adjourned.

(Meeting concluded at 5:00 p.m.)

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

Tobyhanna Township Board of Supervisors
October 24, 2012
Special Meeting Minutes

The work session of the Tobyhanna Township Board of Supervisors was held at 7:30 a.m. on October 24, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member
	Anne M. Lamberton	Member
	Donald Moyer	Member

The meeting was called to order at 7:30 a.m. by Mr. John Kerrick.

The sealed bids for surplus items for sale advertised in the Pocono Record October 12, 2012 and bids received no later than 12 pm on October 23, 2012 opened on October 23, 2012 at 12:05 were reviewed for completeness. After a motion made by John Holahan and seconded by Anne Lamberton the amounts for the individual items were discussed and the bids were awarded to the highest bidders as follows:

1995 Dump Truck to Steve Bacik in the amount of $2,300.01

2000 Dump Truck to Robert Tutrone in the amount of $6,552.00

Aeriol Tar Buggy Model #KEB-170 to Mike Bartell in the amount of $652.00

1987 Asplundh Wisper Chipper to Stout Enterprises in the amount of $2,150.00

#AF-24D Spreader to Steve Bacik in the amount of $1,102.00

#AF-PS Spreader to Steve Bacik in the amount of $761.00

The motion to sell the items was approved unanimously.

The Board discussed the proposed 2013 budget.

The meeting was adjourned @ 9:45.

Respectfully submitted:

Heidi A. Pickard

HEIDI A. PICKARD, TOWNSHIP SECRETARY

AGENDA
Board of Supervisors
Regular Business Meeting
November 12 2012

1. Call Meeting to Order: John E. Kerrick, Chair

2. Pledge of Allegiance

3. Announcements:

4. Consider the Minutes of:

5. Consider the Treasurer's Report: $543,218.16

6. Solicitor Report: Public Hearing - Ordinance 498 amending zoning map (Alfred Natale property and 3 Twins Realty Partners LP property)

7. New Business:

   A. Declaration of Disaster-Hurricane Sandy

   B. Consider Resolution 2012-018 authorizing conveyance of Clymer Library property

   C. Ratify the refund of Halliwell Zoning building fees

   D. Consider Audit Proposals

   E. 2013 Budget

8. Public Questions and Comment

ADJOURNMENT

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, November 12, 2012 beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
DONALD MOYER, Board Member
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

Panko Reporting
537 Sarah Street, 2nd Floor
Stroudsburg, Pennsylvania 18360
(570) 421-3620

MR. KERRICK: Call the regular business meeting of the board of supervisors to order with the pledge of allegiance, please.

(Pledge of allegiance was recited.)

MR. KERRICK: First item on our agenda, announcements.

Do you have any, Heidi?

MS. PICKARD: No.

MR. KERRICK: Do we have any minutes?

MS. PICKARD: No, we just got them.

MR. KERRICK: First item on our agenda that would be, consider the bill pack dated December (sic) 12, 2012. Total amount for board approval $543,218.16.

What's the board's pleasure?

MS. PICKARD: I make a motion that we approve the November 12, 2012 bill pack in the amount of $543,218.16.

MR. KERRICK: Do we have a second?

MR. MOYER: I'll second.

MR. KERRICK: Questions or

comments from the board?

MR. HOLAHAN: Yes, I have a question. On the -- when we're approving the bill pack, there're bills that are -- if we didn't approve it, what would happen?

MR. ARMSTRONG: Are you asking me?

MR. HOLAHAN: Yeah, yeah. Patrick, I'm sorry.

MS. PICKARD: Then I might have to pull the bill, but there were some bills that were paid at the end of the month that have already been paid or already been mailed out.

MR. HOLAHAN: Okay. I guess my question here is, we're looking through the bill pack and things are being paid prior to us approving them.

MS. PICKARD: In general there's bills that have to be paid or they'll be late, that she pays at the end of the month, that are the beginning of the month bills. So she usually pays bills generally twice a month.

MR. HOLAHAN: Should we be approving those bills earlier, is my question?

MS. PICKARD: We don't have the

bills all the time.

MR. HOLAHAN: We don't have the bills yet?

MS. PICKARD: Umm-hmm.

MR. HOLAHAN: But then we pay them before we approve them.

MS. PICKARD: They come in between now and the end of the month and have to be paid by the beginning of the month.

MR. HOLAHAN: Patrick?

MR. ARMSTRONG: Bills being like utility --

MS. PICKARD: The copier bill --

MR. ARMSTRONG: What kind of bills are we talking?

MS. PICKARD: -- the telephone bill.

MR. ARMSTRONG: What I would suggest is look at the -- if there could be -- if it means, you know, timing, if it's timing, whether or not this board --

Are they received in time for the work session?

MS. PICKARD: No.

1 MR. ARMSTRONG: No? So you're
2 getting --
3 MS. PICKARD: They have to be
4 paid prior the work session. They're due at the
5 end of the month or the beginning of the month.
6 Everything else gets waited until the bill pack.
7 MR. HOLAHAN: I suppose if they
8 were just utility bills that they're recurring --
9 MS. PICKARD: And there's
10 sometimes point of sale bills --
11 MR. HOLAHAN: -- I could
12 understand that.
13 MS. PICKARD: -- that are, you
14 know, for milk or, you know --
15 MR. MOYER: Do you have
16 something specific or is there --
17 MR. HOLAHAN: Well, yeah, I was
18 -- actually it's going to be Item No. C of the
19 Halliwell building permits.
20 MS. PICKARD: Well, in that I
21 had asked everybody and I put ratify on that.
22 That's why I asked because she was looking for that
23 check sooner. That's why I asked everybody and got
24 everybody's approval and put it on the bill pack to
25 ratify that.

MR. HOLAHAN: Individually?

MS. PICKARD: Umm-hmm.

MR. HOLAHAN: And that's okay, Patrick?

MR. ARMSTRONG: Yeah, I mean, if the board -- you're talking about what's on the agenda under Item C --

MR. HOLAHAN: Right.

MR. ARMSTRONG: -- refunded the Halliwell zoning building fees? It looks like the applicant -- there must have been a reason to refund the fees with respect to that application. And it looks like there was a request to make that payment before tonight's meeting?

MS. PICKARD: Umm-hmm.

MR. ARMSTRONG: There was a poll of the supervisors and no one had --

MS. PICKARD: I initially sent out an email and then if I didn't hear back, I went to everyone individually and everybody unanimously said it was okay. So Terry just cut the check and we mailed it in.

MR. ARMSTRONG: What you're doing tonight is ratifying that decision. This should probably not -- it sounds -- this isn't

1 something that happens a lot.
2 MS. PICKARD: This is not a
3 normal thing. I don't think we've refunded
4 anything.
5 MS. LAMBERTON: I don't know
6 that I had all the information regarding that. I
7 think there were circumstances that, a foundation
8 was in place and things like that, that I was
9 unaware of, that I would prefer next time to be
10 made aware of before I'm just kind of questioned
11 whether or not I'll approve.
12 MS. PICKARD: We didn't rescind
13 the zoning permit, we just refunded her money
14 because of the circumstances.
15 MS. LAMBERTON: There were
16 circumstances that I was not aware of, that I would
17 prefer to be made aware of, next time I make a
18 decision.
19 MS. PICKARD: That's fine.
20 We'll do it that way. I just asked that request
21 and sent the email and most people were fine with
22 that so I didn't see it --
23 MR. HOLAHAN: I'm okay, John.
24 MR. KERRICK: Any other
25 questions or comments?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Donny?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

At this time, we'll turn it over to our solicitor.

MR. ARMSTRONG: Thank you, Mr. Chairman. The one item under my report is the proposed zoning map amendment ordinance. If you recall previously, a property owner petitioned the Township of Tobyhanna to consider rezoning a portion of their property from R-1, residential, to C, commercial.

The board and the planning commission looked at the request. In considering the neighboring zoning districts and property and the uses of the properties, it was determined that

the township was not opposed to the rezoning as we -- not only the property that had petitioned the township, but also the neighboring property immediately adjacent to that property so that the zoning line would continue in a straight fashion to the road. The Tobyhanna Township Planning Commission has reviewed the proposed ordinance amending that zoning district. They are in favor of it.

What the ordinance will be doing is rezoning a portion of Tax Map Parcel No. 1915122 dash 27 and Tax Map Parcel No. 19117180 from R-1, residential, to C, commercial. The exhibit to the proposed ordinance indicates the proposed zoning amendment lot line. As can you see, it's the two properties on the corner of Route 940 and Hemlock Road, the back portions of those properties, just pushing that zoning district line back, it looks like, approximately -- actually it looks like -- the initial petitioner is in the audience tonight. I'm not exactly sure how far back it's proposed, but it's shown on that exhibit plan, I'm just not finding the correct --

MR. HOLAHAN: Prints it 175.

MR. ARMSTRONG: Is it 175?

1 MR. KERRICK: 158 on this side.
2 MR. ARMSTRONG: So it's pushing
3 that zoning district line back. It's been
4 advertised for a public hearing this evening in the
5 Pocono Record. It was advertised on October 29 and
6 November 5 for a public hearing this evening. The
7 Monroe County Planning Commission has reviewed the
8 proposed ordinance. You have the review letter
9 from the county planning commission dated October
10 21, 2012 with their comments with respect to the
11 proposed rezoning, as well as the township planning
12 commission's recommendation from their September
13 20, 2012 meeting.
14 With that being said, are there
15 any questions or comments from the board of
16 supervisors before we open it up for a public
17 hearing?
18 MR. HOLAHAN: I have none.
19 MS. LAMBERTON: I have none.
20 MR. ARMSTRONG: With that, this
21 is a proposed ordinance and we will open it up --
22 the public hearing up for any public comment or
23 concerns with respect to the proposed ordinance at
24 this time.
25 MS. JOAN EMSWILER: Are there

1 going to be any right of ways --
2 MR. ARMSTRONG: Just identify
3 yourself and your --
4 MS. JOAN EMSWILER: Joan
5 Emswiler, Old Farm Estates, Blakeslee.
6 THE REPORTER: Can you spell
7 your last name, please?
8 MS. JOAN EMSWILER:
9 E-M-S-W-I-L-E-R.
10 THE REPORTER: Thank you.
11 MS. JOAN EMSWILER: Are there
12 going to be any right of ways from this property
13 onto either Anna or what had been Hemlock, which is
14 now Old Farm Road, or is everything going to be
15 coming in and out of 940?
16 MR. ARMSTRONG: No. This is an
17 ordinance rezoning a portion of those two
18 properties. It's not a land development plan
19 before the board tonight. This is a zoning
20 ordinance amendment, which will be -- the
21 properties as they abut 940, the front portions of
22 those properties are currently commercial, zoned
23 commercial.
24 MS. JOAN EMSWILER: Right,
25 right.

MR. ARMSTRONG: And the back portions of those properties are currently zoned R-1, residential. What this ordinance is proposing is bumping that zoning district line back approximately, I think -- it's shown on the exhibit plan -- approximately 150 feet to extend the commercial zoning district part of that property. There is no land development plan.

So the answer to your question is, with respect to the proposed ordinance before this board this evening, there is no right of way --

MS. JOAN EMSWILER: At this time.

MR. ARMSTRONG: -- at this time. Now, the property owner I do believe is -- they will have a land development plan coming before the township, but that land development is not before the board of supervisors this evening.

The only thing before this board of supervisors this evening is the proposed rezoning ordinance, which is changing the zoning for those two properties from R-1, residential, to C, commercial.

Yes, identify --

MS. HELEN RACHT: I'm Helen Racht, R-A-C-H-T, also in Old Farm Estates.

Now, if this is -- if this goes through, what are they planning to build there eventually? You would probably know, huh? Because last time we --

MR. ARMSTRONG: Yeah.

MS. HELEN RACHT: -- we were all against it.

MR. ARMSTRONG: The applicant is in the audience and if they have any comment on -- they're welcome to provide it as well, but, again, this it just the ordinance. My understanding is that there is currently a land development plan that has been filed with the township for a Dollar General Store on one of the properties.

MS. HELEN RACHT: You know, we got the dollar store there.

MR. ARMSTRONG: That land development plan is not before the board tonight. What's before the board is the ordinance changing the zoning.

MS. HELEN RACHT: You know what I'm against too is then they go cut all the trees

down and that is terrible. They put a building in there.

MR. ARMSTRONG: But you understand that what's before the board --

MS. JOAN EMSWILER: Yeah, I know.

MR. ARMSTRONG: -- is the zoning ordinance amendment.

MS. JOAN EMSWILER: I mean, you approve it and then the next thing comes and then you approve it and we are sitting there, you know?

MR. ARMSTRONG: Is there anyone else? Identify your --

MR. SEAN McDERMOTT: Sean McDermott, Zaremba Group, 14600 Detroit Avenue, Cleveland, Ohio. We are working with the land owner, Mr. Natale. When we submitted for the petition to rezone, the township came back and asked that the zoning should be expanded to continue the commercial line to the west over to Old Farm Estates, formerly Hemlock.

What we're talking about here is approximately 1.8 acres --

MR. ARMSTRONG: Just -- it's -- I think the board has that exhibit --

MS. LAMBERTON: Yeah, if you want to show --

MR. SEAN McDERMOTT: If they don't mind --

MR. ARMSTRONG: Show it to the audience.

MS. LAMBERTON: Yeah, absolutely. No, that's fine. I think they'd feel better.

MR. SEAN McDERMOTT: What we're talking about is 1.8 acres. I don't know who --

MS. LAMBERTON: Put your back to us.

MR. KERRICK: You can put your back to us.

MS. LAMBERTON: That's fine absolutely, sir.

MR. ARMSTRONG: Should we get the easel?

MS. PICKARD: Yeah, the easel is over in the corner.

MR. MOYER: He got it.

MS. LAMBERTON: Yeah, he's a human easel, that's perfect.

MR. SEAN McDERMOTT: So we've

1 got 1.8 acres that we're proposing to be rezoned
2 from residential to commercial. That still leaves
3 a very large buffer of residential on the southern
4 portions of the property. Right now the plan is to
5 leave this southern portion of the property in its
6 wooded state. We're gonna have to cut a swale
7 through here. Understand that's not before the
8 supervisors tonight. We'll get there -- to the
9 land development process, but tonight we're just
10 considering the rezoning of 1.8 acres; .9 of it on
11 Natale's property and .9 of it onto Twins'
12 property, where the bank is existing.
13 MS. JOAN EMSWILER: This was
14 the same application several years ago, right?
15 MR. SEAN McDERMOTT: No, this
16 is modified --
17 MS. JOAN EMSWILER: Isn't that
18 the name -- the same name Natale?
19 MR. SEAN McDERMOTT: Same
20 owner. The same owner still owns it today, but I
21 believe that proposal had additional commercial
22 land. It might have shown the entire -- the entire
23 parcel being developed, that's not our intention.
24 MS. LAMBERTON: Thank you.
25 MR. ARMSTRONG: Are there any

other --

MR. SEAN McDERMOTT: If you guys have any questions, I'd be happy to answer them.

MR. ARMSTRONG: Are there any other comments from the public at this time?

Do you have a copy of the exhibit? It looks like you have a copy of the exhibit showing the proposed rezoning portion?

MS. JOAN EMSWILER: Yeah.

MR. ARMSTRONG: Do you have any questions with respect to that?

MS. JOAN EMSWILER: No, because it doesn't reall -- that doesn't affect us. What I'm worried about is eventually that they cut the trees down and then you get all that noise from 940 and once they go, then they want to go in the road, you know? We have -- we pay taxes in the township and yet the township does nothing for us, don't plow the roads, don't fix the road. We have to pay for that and others driving through and don't pay. That's what I object.

MR. ARMSTRONG: Well, right now they're not proposing to remove any trees. What I would --

MS. JOAN EMSWILER: I know they're not, but they will eventually do that.

MR. ARMSTRONG: What I would recommend -- what I would recommend is, there is currently a plan -- a land development plan submitted with the township. You'd probably want to attend the planning commission or board of supervisors meeting when they consider that plan.

MS. JOAN EMSWILER: Yeah.

MR. ARMSTRONG: Okay?

MS. JOAN EMSWILER: Yeah, okay. Thank you.

MR. ARMSTRONG: Any other comments from the public? Seeing none, we can close the public hearing.

Any other -- well, before we do that, any other comments from the board at this time.

That being said, we can close the public hearing.

MS. PICKARD: Motion to close.

MR. MOYER: Second.

MR. KERRICK: Motion and second to close the hearing.

All in favor, John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor. Do you want to continue on?

MR. ARMSTRONG: Yeah, well, that motion, from my understanding, was to close the hearing.

MR. KERRICK: Close the hearing.

MR. ARMSTRONG: Does the board want to entertain a motion with respect to approving or disproving this proposed ordinance?

MR. HOLAHAN: I'll make a motion that we approve the ordinance.

MS. LAMBERTON: I'll second.

MR. KERRICK: Motion and second on the floor to approve Ordinance 498 to amend the zoning map.

Questions or comments from the

board?

Any other questions or comments form the public on the motion?

Seeing none. Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Pat, do you want to --

MR. ARMSTRONG: Thank you, Mr. Chairman.

MR. KERRICK: Anything else?

MR. ARMSTRONG: There are no other items under my report for this evening. I do have a brief executive session regarding personnel following the meeting.

MR. KERRICK: Next item on our agenda is new business, declaration of disaster,

Hurricane Sandy.

That's something we have to just go over?

MS. HEIDI: I guess we're ratifying that.

MR. KERRICK: Just to ratify?

MR. MOYER: Yeah.

MR. KERRICK: Do we have a motion to ratify the declaration of disaster?

MR. MOYER: So moved.

MS. PICKARD: I'll second.

MR. KERRICK: Questions or comments from the board?

Questions or comments from the public on the motion?

MS. CAROL RAY: What is it?

MR. KERRICK: What is it? It's a declaration for the disaster for hurricane. So we're compiling all expenses and submitting them to FEMA for reimbursement.

MS. CAROL RAY: Expenses to the township?

MR. KERRICK: Yes, correct, for trees down, cleanup, et cetera, et cetera.

THE REPORTER: Can I just have

your name, please?

MS. CAROL RAY: Carol Ray, R-A-Y.

MR. KERRICK: Any other questions?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Donny?

MR. MOYER: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, consider Resolution 2012 dash 018, authorizing conveyance of Clymer Library property.

Pat?

MR. ARMSTRONG: Thank you. Members of the board, if you recall, probably about two months ago now, you made a motion to move forward with conveying the township property where the Clymer Library is located upon, to convey that

1 property to -- and actually what the public
2 library's proper name is Clymer Library Association
3 of Pocono Pines.
4 You made a motion before with
5 conveying that property, that real property, to the
6 library association, subject to, in the event of
7 the future, it would ever not be used for a public
8 library for purposes of Tobyhanna Township
9 residents in the future, it would convey back to --
10 it would revert back to Tobyhanna Township.
11 What this resolution is saying,
12 it's authorizing either the chairman, the vice
13 chairman or myself to execute any and all documents
14 necessary to implement the conveyance, meaning the
15 deed, agreement of sale, with the library so that
16 the property, the real property can be conveyed to
17 the library appropriately.
18 And again, this would all be
19 subject to a clause in the deed stating clearly
20 that the property would revert to Tobyhanna
21 Township in the event that the property is no
22 longer -- would no longer be used for a public
23 library down the road in the future.
24 MR. HOLAHAN: I'll make a
25 motion that we approve Resolution of 2012 dash 018,

1 authorizing conveyance of the Clymer Library
2 property.
3 MS. LAMBERTON: I'll second.
4 MR. KERRICK: Was that you,
5 Anne?
6 MS. LAMBERTON: Yes, it was.
7 MR. KERRICK: Motion and second
8 on the floor for Resolution 2012 dash 018.
9 Do we have any questions from
10 the board?
11 Questions or comments from the
12 public on the motion?
13 With none, call the vote. John?
14 MR. HOLAHAN: I vote in favor.
15 MR. KERRICK: Anne?
16 MS. LAMBERTON: I vote in
17 favor.
18 MR. KERRICK: Don?
19 MR. MOYER: I vote in favor.
20 MR. KERRICK: Heidi?
21 MS. PICKARD: I vote in favor.
22 MR. KERRICK: I'll vote in
23 favor. Motion carried.
24 Next item on the agenda, ratify
25 the refund Hattiwell (phonetic), Halliwell --

MS. PICKARD: Halliwell.

MR. KERRICK: -- zoning building fees.

MS. PICKARD: I'll make the motion to approve to ratify.

MR. KERRICK: Motion.

Do we have a second?

MR. MOYER: I'll second.

MR. KERRICK: Questions or comments?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I'll abstain.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Donny?

MR. MOYER: I'll vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I'll vote in favor.

MR. KERRICK: I'll vote in favor.

Our next item, consider audit proposals for 2013.

MS. PICKARD: Yes. You received two audits, I had handed them out at the work session. One was from Riley and Associates, they were for three years, both of them; Bushta's was 7500 and Riley was 7600.

MR. KERRICK: They were for three year?

MS. PICKARD: Yeah, they did offer a three year.

MR. KERRICK: Did they ha -- I don't have it in front of me.

Did they offer a single year or just a three year?

MS. PICKARD: I think we could take it for a single year if that would be the board's pleasure, but, you know, they both did a three-year proposal, we could lock it in and get a lower rate.

MR. HOLAHAN: Heidi, do you recall last year's, what we paid?

MS. PICKARD: 8,000.

MS. LAMBERTON: Is was for one year?

MS. PICKARD: One year. We talked about doing it for three years when we --

MR. HOLAHAN: Are we required to take the lowest bid?

MR. KERRICK: You don't have to bid, it's just operated poorly so --

MR. HOLAHAN: With that you're going to have --

MR. KERRICK: No, no, no.

MS. PICKARD: No, we're not. That's professional services. My recommendation is to stay with Bushta because this year we had that changeover, the accounting system, it would be a lot easier to stay with the current auditor. He's been doing all the work on the transfer and all the update from one computer system to the other. I just think it would be easier that way this year.

MR. KERRICK: Do we have to make a decision tonight?

MS. PICKARD: No, we don't, but we did have both of the proposals and --

MR. KERRICK: I just asked the question.

MS. PICKARD: They were both asking what we were doing.

MR. KERRICK: I'm not real keen on a three-year deal, if you want to know the

truth, but that's only my opinion.

MS. LAMBERTON: Do we normally get two or three proposals?

MS. PICKARD: We haven't gotten one in a while. Riley wanted to do the proposal and --

MR. KERRICK: I don't think we advertised for --

MS. PICKARD: No.

MR. MOYER: Yeah --

MR. KERRICK: We didn't advertise.

MS. PICKARD: We did a couple years ago.

MS. LAMBERTON: I remember getting a couple once before.

MS. PICKARD: Yeah, we did a couple years ago.

MR. MOYER: Yeah, we did.

MR. ARMSTRONG: The answer to your question, John, is you do not. This is a special consultant that you'd be employing.

MS. PICKARD: I'll make a motion that we go with Todd Bushta for the one year.

MR. KERRICK: We have a motion

on the floor. Do we have a second?

MR. MOYER: Are we doing this now or is that for --

MS. PICKARD: Well, I just made a motion.

MS. LAMBERTON: I'd like to get a third proposal.

MR. KERRICK: Well, we got a motion on the fl -- well, we don't have a second. It's going to die if we don't get a second.

Do we have a second? Motion died.

Next item -- you want to continue with this or go on?

MS. LAMBERTON: No, I'd just like to see a third.

MR. KERRICK: You want to get another proposal for next month?

MS. LAMBERTON: I'd like to.

MR. KERRICK: Okay.

MS. LAMBERTON: I know I'm not the only person here deciding, but I just -- a lot of people looking for work right now. Why not?

MR. KERRICK: That's fine.

MR. HOLAHAN: Where is the

Bushta from? Where's he located?

MR. HOLAHAN: He just -- he was individual out of Stroudsburg, now he's with a firm down in the Allentown area.

MR. KERRICK: Anything else on that? We'll put it on the agenda for next month with another proposal.

Next item, 2013 budget.

MS. PICKARD: I did make copies out of what was currently on this year's.

MR. KERRICK: Did we want to go through this at this time or continue with the meeting?

MS. PICKARD: Well, you know, what we could -- this is all we have left on the meeting. And if we would be able to get this together tonight, we would be able to authorize the advertising and adopt it in December at our meeting. Otherwise we'll have to schedule another meeting around Thanksgiving and then come in right before Christmas. We need 20 days to have it advertised.

MS. LAMBERTON: I personally would like to schedule another meeting.

MS. PICKARD: One of the main

1 things that we shaped and we discussed at the work
2 session, I got -- took the numbers that Phyllis
3 gave me for emergency management we'll be getting
4 for the disaster and added those and, uhm -- I put
5 the whole thing in, but I have the majority of it
6 going to -- being transferred to capital reserve.
7 MR. KERRICK: That's still not
8 a guarantee at this time though, correct?
9 MS. PICKARD: No, no, but if --
10 we'll get something back. I think that we had 70
11 in there. I have 66 going to capital reserve, uhm,
12 if we didn't get it.
13 MR. KERRICK: The proposed
14 budget has no tax increase?
15 MS. PICKARD: There is no tax
16 increase in this.
17 MR. HOLAHAN: John, I'd like
18 some more time to take a look at this, even if we
19 have to schedule another meeting.
20 MR. KERRICK: All right. So do
21 you want to schedule a meeting now?
22 MS. LAMBERTON: Yeah, while
23 we're all here we could.
24 MS. PICKARD: Do you want to do
25 that --

MR. KERRICK: Do you want a work session or do you want a a night meeting, during the day or do you want a work session, then a public meeting or what do you have in -- we'll have to do a public meeting to advertise it.

MS. LAMBERTON: In the morning?

MR. KERRICK: To authorize it to advertise.

Right, Pat?

MR. ARMSTRONG: Umm-hmm.

MS. LAMBERTON: Why don't we try next Wednesday morning?

MR. KERRICK: For a work session?

MR. HOLAHAN: Right.

MS. LAMBERTON: Whatever works, yeah.

MS. PICKARD: Well, work session slash special meeting. We'd need to adopt -- to authorize the advertising.

MR. KERRICK: The only thing is then they don't -- well, the public wouldn't comment anyway probably till they reviewed it.

MR. HOLAHAN: Right.

MR. KERRICK: If you'd have the

1 morning meeting, it's very likely that you won't
2 have any comment from the public.
3 MR. MOYER: Yeah. It's
4 probably sooner the better because if we need 20
5 days --
6 MS. PICKARD: So you want to
7 make it Wednesday, the 21st?
8 MR. HOLAHAN: Yes.
9 MS. PICKARD: That's the day
10 before Thanksgiving, nobody's going away?
11 MS. LAMBERTON: I'm good, I'm
12 cooking.
13 MR. HOLAHAN: I'm good.
14 MR. KERRICK: I'll Skype you.
15 MR. MOYER: That's the day
16 before?
17 MS. LAMBERTON: Are you going
18 to be away?
19 MR. KERRICK: No. I'm just --
20 if I'm not -- at what time? 7:30?
21 MS. LAMBERTON: Is that --
22 MR. MOYER: No, that's fine.
23 Yeah, yeah, yeah, that's good.
24 MR. KERRICK: Can you make that
25 meeting, Pat?

MR. ARMSTRONG: Well, I was just going to ask, do you want me to attend? I don't know if you necessarily need me to attend.

MR. KERRICK: No. I want to see him get in the budget. I want to see him come up from Allentown.

MS. LAMBERTON: We can't afford you.

MR. KERRICK: You can call us if we need you.

MR. HOLAHAN: We'll figure this all out.

MR. KERRICK: Do we have anything else the board wishes to address?

MS. LAMBERTON: No, I'm good.

MR. KERRICK: Public comments and questions?

MR. HOLAHAN: We've got all these people from the library here.

MR. KERRICK: Do you have any questions for us?

MR. DONALD PITZER: I don't think so. There was some discussion that this probably could happen by year end? Is that --

MR. ARMSTRONG: You're from the

library?

MR. DONALD PITZER: Yes.

MR. ARMSTRONG: Yeah. What happened tonight is the board approved the resolution authorizing the execution -- the preparation, the execution of all the documents that are going to be needed to convey the property. So, yeah, I don't see any procedural issue with getting it done before the end of the year.

MR. KERRICK: You okay with that?

MR. DONALD PITZER: Absolutely, yeah.

MR. KERRICK: Fantastic.

MR. HOLAHAN: They look excited about it.

MS. LAURA LASPEE: Will someone from the township be at our board meeting? Is that necessary?

MR. ARMSTRONG: What I will probably do is, I spoke with representatives from -- did I speak with any of you?

MR. DONALD PITZER: Tieszan and Laura were at the --

MR. ARMSTRONG: Okay. Perfect.

1 I'll probably reach out to you again to make sure
2 we can coordinate all the documents and get them
3 signed in a timely fashion. I'm sorry, I've never
4 seen -- we've spoken on the phone, but --
5 MR. MARK TIESZSEN: The only
6 question that I would have that -- I don't know if
7 you're the right body to be asking or if you can
8 give us a good answer to this. I guess one of the
9 only real concerns I have is, what are the
10 implications on the taxation of the property if it
11 changes from municipality ownership to a 5013C
12 nonprofit corporation? Is there any possible
13 implication that we may lose our tax deferred
14 status with the county or --
15 MR. ARMSTRONG: That I don't
16 know, but I can find out for you.
17 MR. MARK TIESZEN: I know it
18 was just something that was rolling around in the
19 back of my head, but I thought you could maybe
20 answer.
21 MR. ARMSTRONG: I don't see why
22 it would, but if that's a concern of the library,
23 whether you should, you know --
24 MR. MARK TIESZAN: Yeah, it's
25 something we'll have to be looking into, but I

1 didn't -- is the county where we go to find or to
2 get an opinion on that?
3 MS. PICKARD: Yeah.
4 MR. KERRICK: Can you get that
5 answer?
6 MR. ARMSTRONG: Yeah, I could
7 get --
8 MR. KERRICK: Pat will get the
9 answer and call you with it.
10 MR. MARK TIESZEN: Okay.
11 MR. ARMSTRONG: What I'll do
12 is, I'll make sure I have the answer to that
13 question before I call you to set up all the
14 documents.
15 MR. MARK TIESZEN: That would
16 be great.
17 MS. PICKARD: One of the items
18 is that if you're performing like a government
19 function or one that would be normally carried by
20 the government, it usually would be tax exempt.
21 MR. ARMSTRONG: I don't know
22 why this conveyance would impact that at all. I
23 don't think it would.
24 MR. MARK TIESZAN: Right.
25 MR. ARMSTRONG: It would be

1 good to get --

2 MR. MARK TIESZAN: Yeah, just an

3 answer.

4 MR. ARMSTRONG: -- a confirmed

5 answer before --

6 MR. KERRICK: Any other

7 questions or comments from the public?

8 MR. HOLAHAN: Motion to

9 adjourn.

10 MR. KERRICK: Second?

11 MS. LAMBERTON: Second.

12 MR. KERRICK: We're adjourned.

13 Thank you for attending.

14 (Meeting concluded at 7:30 p.m.)

15 ---

16

17

18

19

20

21

22

23

24

25

I hereby certify that the proceedings and evidence are contained fully and accurately, to the best of my ability, in the notes taken by me at the meeting in the above matter; and that the foregoing is a true and correct transcript of the same.

TARA FIGUCCIO, C.R.

ORIGINAL

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

Tobyhanna Township Board of Supervisors
November 26, 2012
Special Budget Meeting Minutes

The work session of the Tobyhanna Township Board of Supervisors was held at 7:00 p.m. on November 26, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	John J. Holahan III	Member
	Anne M. Lamberton	Member
	Donald Moyer	Member

The meeting was called to order at 7:00 p.m. by Mr. John Kerrick.

The current proposed budget drafts were reviewed and discussed and adjusted.

Motion made by Anne Lamberton and seconded by John Holahan to authorize public inspection of the Proposed Draft 2013 Budget. The motion was approved unanimously. The Budget adoption has been advertised for adoption on December 21, 2012 at 12 p.m.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted:

HEIDI A. PICKARD, TOWNSHIP SECRETARY

Tobyhanna Township Board of Supervisors
December 3, 2012,
Work Session Meeting Minutes

The work session of the Tobyhanna Township Board of Supervisors was held at 3:30 p.m. on December 3, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	Anne M. Lamberton	Member
	Donald Moyer	Member
	Patrick Armstrong	Township Solicitor
	Robert McHale	Township Engineer
	Phyllis Haase	Township Zoning Officer

The meeting was called to order at 3:30 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

Public Comment

Joseph Hanyon, Esq. representing Monroe County CARE, discussed issues discussed at a recent Monroe County Bar Association meeting surrounding the necessity of requiring PA DOT HOP permits for various zoning permits and land development plans.

Secretary Report

Looking for input on 2013 Fee Schedule no major increases recommended. Discussed the possible need for a paving permit to be added. Main Lodge rates to remain the same. Ask to forward any recommended changes for Reorganization meeting Resolution.

Received letter from Christine Matirko regarding Zoning Hearing Board reappointment. Would prefer not to be reappointed but willing to remain on until a suitable replacement becomes available.

Expecting a letter from Patricia Rinehimer regarding desire to be reappointed to Planning Commission.

No other responses received from legal notice in the Pocono Record for these positions. Will readvertise and include recent position for Township Auditor recently vacated by the resignation of Albert L. Rinehimer.

Committee Reports

PMREMS –Breakfast with Santa December 15, 2012 from 9-12 @ EMS building

PMRPC – .none

Open Space/ BNA Report – none

MTPTT Regional Comprehensive Plan – None

TIF – Anne Lamberton reported that the Monroe County Planning Commission approved the TIF district. First official meeting of the committee will be December 17, 2012.

Solicitor Report

Updated the Board on status of Clymer Library Sale and Arcadia agreements.

Blue Ridge Cable request for blanket ROW agreement is not recommended. Engineer has contacted Mr. Kuhn on the need to submit more specific information and plot plan.

DPW and Engineer's Report

Provided Board with updated status report on various projects. Rental Bids and material bids to be advertised. Discussed received plans from Arcadia traffic plans. Williams pipeline wished to attend Board meeting regarding new line proposed through the Township but unable to coordinate for this meeting.

Sewage Enforcement Officer Report

None

Zoning Officer Report

Discussed recent variances granted by ZHB
Problems/Complaints received regarding Halliwell foundation in Arrowhead danger with anchor bolts
Safety Committee status report and DPW training
Emergency Mgt. Certificated completed to date. Meeting Wednesday evening.
Pocono Lions Club has requested to coordinate/assist in disaster relief going forward, plans to coordinate with Homeowner Associations as well.
Kalahari Meeting with Aquatics team 12/11-12 with Bureau Veritas

New Business-Work Session Items:

Holiday and Meeting Schedule for 2013 presented in packet

Resolution 2012-019 request for County Aid for 940/423 Traffic signal pole replacement project in the amount of $18,500.00 – Motion made by Pickard and seconded by Moyer, approved unanimously.

The meeting was adjourned at 5:00 PM.

Respectfully submitted:

Heidi A. Pickard

HEIDI A. PICKARD, TOWNSHIP SECRETARY

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

In Re: Regular Business Meeting

Tobyhanna Township Government Center Building
105 Government Center Way
Pocono Pines, Pennsylvania 18350
Monday, December 10, 2012, beginning at 7 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JOHN J. HOLAHAN, III, Board Member

PATRICK M. ARMSTRONG, ESQUIRE,
Solicitor

MR. KERRICK: I'd like to welcome everyone here this evening for the regular business meeting. Could we have a pledge of allegiance to start the meeting, please?

(Pledge of allegiance was recited).

MR. KERRICK: First order of business, announcements.

Do we have any, Heidi?

MS. PICKARD: Yeah. We just have our special meeting for the budget on -- to approve the budget on December 21, at noon.

MR. KERRICK: Next item on our agenda, consider the minutes of October 15, 2012, regular business meeting; October 24, 2012, budget

16 meeting; November 12, 2012, regular business

17 meeting; and November 26, 2012, budget meeting.

18 What's the board's pleasure?

19 MS. PICKARD: I did have one

20 minor correction on the October 15 regular business

21 meeting on Page 12, Line 7, that should be Bert,

22 B-E-R-T, rather than Burke, and I can make a motion

23 for all of them or do you want me to go through

24 them individually?

25 MR. HOLAHAN: Don't take them

1 all at once.

2 MS. PICKARD: Okay. I'll make

3 a motion that we approve the October 15, 2012

4 regular business meeting; the October 24 budget

5 meeting; November 12 regular business meeting; and

6 the November 26 budget meeting.

7 MR. KERRICK: Do we have a

8 second?

9 MR. HOLAHAN: I'll second.

10 MR. KERRICK: Motion and second

11 on the floor.

12 Any questions or comments from

13 the board on the motion?

14 Any questions or comments from

15 the public?

16 Call the vote. John?

17 MR. HOLAHAN: I vote in favor.

18 MR. KERRICK: Anne?

19 MS. LAMBERTON: I vote in

20 favor.

21 MR. KERRICK: Heidi?

22 MS. PICKARD: I vote in favor.

23 MR. KERRICK: I'll vote in

24 favor. Motion carried.

25 Next item on our agenda,

1 consider the treasurer's report dated December 10,

2 2012, total amount for board approval, $276,851.68.

3 MR. HOLAHAN: I'll make a motion

4 that we approve the bill packet, $276,851.68.

5 MR. KERRICK: Do I have a

6 second?

7 MS. PICKARD: I'll second it.

8 MR. KERRICK: Motion and

9 second.

10 Questions or comments from the

11 board on the motion?

12 MS. LAMBERTON: I have a

13 question. There are two professional service

14 charges, John J. Putriment.

15 MS. PICKARD: Yeah, that was --

16 he's the -- the one -- we have two IT people now.

17 He's the one that's nearby that's cheaper rates,

18 that they were doing two different things.

19 MS. LAMBERTON: Why do we have

20 two?

21 MS. PICKARD: Because Bob Wirts

22 is getting ready to retire, so John has been in

23 charge and it's a little bit cheaper amount and is

24 a little bit closer, you know, we don't have to pay

25 travel, so he can come in and do some of the work

instead of bringing Bob Wirts in from Forest City. He's going to do the installation on the printer that we got from control center.

MR. KERRICK: What was his name?

MS. PICKARD: John Putriment.

MR. KERRICK: Oh, okay. Any other questions or comments?

Questions or comments from the public?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I'll abstain.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I'll vote in favor. Motion carried.

Next item, solicitor's report.

Pat?

MR. ARMSTRONG: Thank you, Mr. Chairman.

Under my report is titled

24 Arcadia Agreements. There's actually three

25 agreements. One of them is listed further down but

1 we can address them all if you'd like.

2 As you're aware, the Arcadia New

3 Ventures Park land development plan was approved --

4 conditionally approved several years ago by this

5 board. It was preliminary plan approval. As part

6 of that application, the applicant needs an HOP

7 permit from PennDOT and the township has been

8 involved with the permit application.

9 In relation to that, there is an

10 agreement with the land development applicant

11 regarding the required drainage facilities and the

12 maintenance requirements that go along with that

13 and the traffic signal maintenance agreement with

14 respect to the proposed and applied for permit

15 application.

16 Those two agreements, as you're

17 aware, over the course of the last couple years,

18 we've gone back and forth with the applicant, but

19 they've come to terms and they've agreed as to what
20 we've proposed to be included in those agreements.
21 My understanding is that the township received
22 signed copies this morning or this afternoon from
23 the applicant, fully executed by both SIDE
24 Corporation and Arcadia Properties. You've already
25 approved these agreements, it's just a matter of

1 having them executed.
2 So at this point in time, if the
3 board wanted to entertain a motion authorizing the
4 execution of the already executed agreements on the
5 part of SIDE and Arcadia for the traffic signal
6 maintenance agreement and the surface storm water
7 drainage facilities and other drainage facilities
8 maintenance agreement.
9 MR. KERRICK: You want two
10 separate motions?
11 MR. ARMSTRONG: You can do
12 these together.
13 MR. KERRICK: What's the

14 board's pleasure?

15 MR. HOLAHAN: I'll make that in

16 the form of a motion to execute those agreements

17 that we've already approved.

18 MR. ARMSTRONG: What they are,

19 they're agreements outlining the maintenance

20 requirements and financial securities that the

21 applicant has to comply with for the required

22 drainage facilities and the traffic signal that are

23 tied to the HOP permit.

24 MR. HOLAHAN: Are those the

25 agreements that we were questioning the language?

1 MR. ARMSTRONG: Yes.

2 MR. HOLAHAN: And that's all

3 been straightened back out? We're back --

4 MR. ARMSTRONG: Yes. They were

5 very quick to agree to bring them back to the way

6 they were.

7 MS. LAMBERTON: I'll second.

8 MR. KERRICK: Motion and

9 second.

10 Questions or comments from the

11 board on the motion?

12 Questions or comments from the

13 public on the motion?

14 Call the vote. John?

15 MR. HOLAHAN: I vote in favor.

16 MR. KERRICK: Anne?

17 MS. LAMBERTON: I vote in

18 favor.

19 MR. KERRICK: Heidi?

20 MS. PICKARD: I vote in favor.

21 MR. KERRICK: I'll vote in

22 favor. Motion carried.

23 MR. ARMSTRONG: Thank you.

24 There is another agreement in

25 relation to the Arcadia New Ventures Park land

1 development application. Further down on the

2 agenda it looks like it's listed but if you'd like,

3 we can address it now.

MR. KERRICK: Sure.

MR. ARMSTRONG: Okay. It's the Arcadia agreement for the contribution in lieu of physical mitigation at the intersection of State Route 115 and 940. As you're aware, the applicant and the township and also I believe PennDOT was agreeable to the amount that was agreed to in the time frame with respect to contributing that amount towards the township, towards those potential future improvements at Route 115 and 940.

The applicant has provided the township with an executed version of the agreement that was agreed upon and this again would be, if you so choose, would be a motion to authorize the execution of that agreement.

And again, the total contribution was -- or is $50,000. It is split up between the two lots, Lot 100 and 110, and I actually don't have the agreement in front of me but --

MR. KERRICK: Do we have it in here?

MS. PICKARD: Yeah --

MR. ARMSTRONG: But it is split between the two.

MS. PICKARD: Yeah, it's 35 -- 35, 5 for Lot 100 and 14, 5 for Lot 110.

MR. ARMSTRONG: Yes. So again, if the board wanted to entertain a motion to authorize the execution of that agreement, you can do so at this time as well.

MR. KERRICK: What's the board's pleasure?

MS. PICKARD: I'll move that we execute the Arcadia agreement for contribution in lieu of physical mitigation at the intersection of State Route 115 and State Route 940.

MR. KERRICK: Do we have a second?

MR. HOLAHAN: I'll second.

MR. KERRICK: Questions or comments from the board on the motion?

Questions or comments from the

22 public on the motion?

23 Call the vote. John?

24 MR. HOLAHAN: I vote in favor.

25 MR. KERRICK: Anne?

1 MS. LAMBERTON: I vote in

2 favor.

3 MR. KERRICK: Heidi?

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: I'll vote in

6 favor.

7 Anything else, Pat?

8 MR. ARMSTRONG: Thank you. No.

9 Just FYI, I did hear back from Clymer Library and

10 they -- again, they haven't really responded

11 substantively with respect to the form deed of

12 dedication and agreement of sale. I'm not exactly

13 sure what their potential revisions would be, but

14 I'm still waiting to hear back substantively as to

15 whether or not they're okay with the draft forms.

16 MS. LAMBERTON: They did

17 question taxes also.

18 MR. ARMSTRONG: Yeah, that

19 might be what they would really be looking into at

20 this point.

21 MS. LAMBERTON: They wanted to

22 get that straightened out before they committed to

23 anything, that they didn't know what it was going

24 to cost them. I understand that.

25 MR. ARMSTRONG: But they did

1 inform me that they would get back to me as soon as

2 they're ready to move forward.

3 With that being said, I don't

4 know if you -- last week we talked a little bit

5 about the potential sewer issues. I don't know if

6 you want to talk about that tonight or if you

7 wanted to wait until a future date.

8 MR. KERRICK: As far as

9 collection?

10 MR. ARMSTRONG: Not collection

11 necessarily. It would be for the potential sump

pump collections and grease trap issues.

MR. KERRICK: I would prefer that we hold that to a work session so I'm -- I'm not prepared.

MS. LAMBERTON: Okay.

MR. KERRICK: I'd like to do some research.

MR. ARMSTRONG: That's fine.

MR. KERRICK: On the notes that we've had from past conversations before we --

MR. ARMSTRONG: Okay.

MR. KERRICK: Can we do that at the next work session?

MR. ARMSTRONG: Absolutely.

MS. PICKARD: We have that joint meeting on the 7th or reorg./work session and regular meeting, January 7 at 3:30.

MR. KERRICK: Can you put it on the agenda then for then?

MR. ARMSTRONG: January 7?

MR. KERRICK: January 7. And I'll have my information ready.

MR. ARMSTRONG: Thank you. And that's all I have. Thank you.

MR. KERRICK: Thank you.

Next item on our agenda, new business, Arlene Seeger, Lot 177 Miller Drive, Lake Naomi, request for waiver of well isolation, distance from septic system. It's pretty much self-explanatory

MS. PICKARD: It's actually further than what it was originally?

MR. KERRICK: Correct. Do we have a motion?

MS. PICKARD: I'll make a --

MR. HOLAHAN: I'll -- got that?

MS. PICKARD: Go ahead.

MR. HOLAHAN: I'll make a motion that we grant the waiver for the well

isolation for Miss Seeger's property, 177 Miller

Drive, Lake Naomi.

MR. KERRICK: Do we have a second?

MS. LAMBERTON: Second.

MR. KERRICK: Questions or comments from the board on the motion?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

MS. PICKARD: I vote in favor.

MR. KERRICK: I vote in favor. Motion carried.

The next two items, zoning hearing board appointment and planning commission. You want to table?

MS. PICKARD: I was going to suggest that we table the zoning hearing board 'cause we do have another ad going in the Journal,

25 but I didn't know -- we did receive the letter for

1 Patricia Rinehimer to be reappointed.

2 MR. KERRICK: I thought we were

3 going to readver -- I don't care, but I thought we

4 were going to readvertise for everything.

5 MS. LAMBERTON: I thought we

6 did.

7 MS. PICKARD: Okay. I was

8 putting that in, and it'll only be for a week so

9 that we could take it up on our December 21

10 meeting?

11 MR. KERRICK: That's fine. Put

12 it off to the 21st?

13 MR. HOLAHAN: Sure.

14 MR. KERRICK: 21st, right?

15 MS. PICKARD: Right.

16 MR. KERRICK: Next item,

17 consider audit proposals. Are we prepared to make

18 a decision this evening or --

19 MS. PICKARD: I don't know. I

20 still didn't hear back from the third company that
21 I've tried. I still make a recommendation that we
22 stay with Todd Bushta.
23 MR. KERRICK: Do we want to
24 wait until the 21st when we -- see if we receive
25 the third?

1 MS. LAMBERTON: Yeah, I'd like
2 to.
3 MR. KERRICK: Okay. We'll
4 table that as well.
5 Next item, consider Resolution
6 2012 dash 020, appropriations, Item E in your
7 packet, pretty much self-explanatory. If anybody
8 has any questions, I guess we can --
9 MS. PICKARD: Do you have any
10 questions?
11 MR. KERRICK: I guess you can
12 see on some of the gasoline and the diesel,
13 obviously the price was a lot higher than projected
14 so we moved some deicer money there, pretty much

15 self-explanatory.

16 MR. HOLAHAN: I'll make a

17 motion to approve Resolution 2012 dash 020, the

18 appropriations.

19 MS. PICKARD: I'll second the

20 motion.

21 MR. KERRICK: Motion and second

22 on the appropriations.

23 Questions or comments from the

24 board?

25 Questions or comments from the

1 public?

2 Call the vote. John?

3 MR. HOLAHAN: I vote in favor.

4 MR. KERRICK: Anne?

5 MS. LAMBERTON: I vote in

6 favor.

7 MR. KERRICK: Heidi?

8 MS. PICKARD: I vote in favor.

9 MR. KERRICK: I'll vote in

10 favor. Motion carried.

11 Next item on our agenda would be

12 consider Resolution 2012 dash 021, emergency

13 operations plan.

14 MS. PICKARD: Copies of papers

15 that there was some telephone number and names

16 removed from that, from the EMS, from the change of

17 staff.

18 MR. KERRICK: Do you have any

19 comments on that, John?

20 MR. HOLAHAN: No. I'm good

21 with that actually. I make a motion that we

22 approve Resolution 12 dash 021, emergency

23 operations plan.

24 MS. LAMBERTON: I'll second it.

25 MR. KERRICK: Motion and second

1 on the floor.

2 Questions or comments from the

3 board?

4 Questions or comments from the

5 public on the motion?

6 Call the vote. John?

7 MR. HOLAHAN: I vote in favor.

8 MR. KERRICK: Anne?

9 MS. LAMBERTON: I vote in

10 favor.

11 MR. KERRICK: Heidi?

12 MS. PICKARD: I vote in favor.

13 MR. KERRICK: I'll vote in

14 favor. Motion carried.

15 Next item on our agenda,

16 Tobyhanna Township Volunteer Fire Company requests

17 funds from the fire apparatus fund. Is that for

18 2012?

19 MR. HOLAHAN: Due 2013.

20 MR. KERRICK: Due 2013, but

21 it's --

22 MS. PICKARD: It's due in

23 January but it's -- they have the money there. The

24 -- it's 92,000.

25 MR. KERRICK: We received a --

MS. PICKARD: This is for their new truck, they have five payments of 92,000. They just wanted to get it in. And we did just receive their financial statements for 2011 as well, so we everything from them.

MR. KERRICK: Do we have a motion?

MS. PICKARD: I'll make that motion.

MR. KERRICK: Do we have a second?

MS. LAMBERTON: I'll second it.

MR. KERRICK: Questions or comments from the board on the motion?

Questions or comments from the public on the motion?

Call the vote. John?

MR. HOLAHAN: I vote in favor.

MR. KERRICK: Anne?

MS. LAMBERTON: I vote in favor.

MR. KERRICK: Heidi?

23 MS. PICKARD: I vote in favor.

24 MR. KERRICK: I'll vote in

25 favor. Motion carried.

1 Record time here. We're down to

2 public comments. Does anybody from the board have

3 anything before I --

4 Anyone from the public wish to

5 address the board?

6 Yes, sir.

7 MR. RICHARD CROCONO: Regarding

8 the pool --

9 THE REPORTER: Can you state

10 your name, please?

11 MR. RICHARD CROCONO: Richard

12 Crocono, C-R-O-C-O-N-O.

13 Why was it created?

14 MR. KERRICK: You're asking me?

15 MR. RICHARD CROCONO: Yes.

16 MR. KERRICK: Why the pool was

17 created?

18 MR. RICHARD CROCONO: Yeah, why

19 was it created?

20 MR. KERRICK: For recreation, I

21 would assume.

22 MR. RICHARD CROCONO: Does

23 anybody know the history of that? Why the pool was

24 actually --

25 MR. KERRICK: The actual pool

1 was from the old camp that was here. This was a

2 camp at one time, girl's camp.

3 MR. RICHARD CROCONO: It was

4 refurbished in the late '70s and --

5 MR. KERRICK: No. It was

6 refurbished in the '80s.

7 MR. RICHARD CROCONO: Okay.

8 What was the purpose of refurbishing and giving it

9 to the public? What was the reason for it?

10 MR. KERRICK: Where are you

11 going with this? What are you asking?

12 MR. RICHARD CROCONO: What am I

13 asking?

14 MR. KERRICK: I don't understand

15 your question.

16 MR. RICHARD CROCONO: Looking

17 to close an asset to the community that was never

18 meant to make money but the money issue is always

19 brought up. This was supposed to be somewhere

20 where people can go and mingle together and get

21 exercise, et cetera, et cetera. This was supposed

22 to be an asset to the community.

23 When it was first built, there

24 were very few communities in this area that had

25 pools. Now a lot of them do. And most of these

1 pools are very restricted with who can join, their

2 cost are very high. They're open to the public,

3 open to everybody. So people in this community who

4 want to have a place to go in the summertime, where

5 there's so little to do up here, now have no place

6 to go.

7 And I don't think that the board

8 is sticking to the purpose for which it was
9 intended. I understand you have lots of other
10 things on your mind and I understand the financial
11 problems, et cetera, et cetera, I'm not saying --
12 I'm not making any comments about anything else
13 that the board does, I'm only talking about the
14 pool. Okay.
15 I also feel we're being
16 short-changed as a community and I also feel it's
17 going to lead to possible problems with people who
18 don't have a good way to spend their time without
19 looking for trouble.
20 MR. KERRICK: I appreciate your
21 comments. I don't think any one of us wanted to
22 close it and we didn't say we were going to close
23 it permanently. Unfortunately, we do not have
24 enough money this year --
25 MR. RICHARD CROCONO: I

1 understand.
2 MR. KERRICK: -- to do the

3 repairs and still operate the pool.

4 MR. RICHARD CROCONO: Okay. We

5 can't afford to do the repairs this year. My

6 question is -- I'm thinking in terms of perhaps

7 when we had the money in the years when we weren't

8 so lean, we could have done a better job

9 maintaining it, maybe protecting its assets, et

10 cetera, et cetera. It still is one of the most

11 hidden assets of this whole area. Most people that

12 we ask don't know about the pool. Okay.

13 Another thing is, if the pool is

14 not gonna open this year, we don't expect our

15 finances to turn around in the next few years,

16 let's be realistic. With that being the case, I

17 can't see this pool getting that kind of funds

18 coming in the near future. As far as I'm

19 concerned, the day you say that pool is closed and

20 it will not open again unless there's major

21 revamping and that ain't gonna happen in the near

22 future.

23 That's my opinion.

24 MR. KERRICK: We appreciate

25 your comments.

Anyone else from the public?

MS. MIDGE SKOV: I have a question --

MR. RICHARD CROCONO: Can I just state one last thing?

MR. KERRICK: You have the floor, you can --

MR. RICHARD CROCONO: Just one more thing. I'm sorry. Why was -- why is it that we were not notified as pool members what's going on. For instance, there's an article in the newspaper that says December 21 and there's a meeting last Monday, there's a meeting this Monday. If we don't make the call, we don't know about it.

MR. KERRICK: I didn't write the article in the newspaper. And as far as I'm concerned, if that's all they had to write about our budget, when we didn't raise taxes and held the line on a lot of things, I think it's a pretty poor article personally, that they had to pick one thing

21 and talk about the pool. I understand your feeling
22 about the pool and I feel bad as well. We just
23 don't have enough money to go around. Our revenues
24 down and our expenses are up.
25 MR. RICHARD CROCONO: Well,

1 just maybe he felt the same way I do.
2 THE REPORTER: Can you state
3 your name, please?
4 MS. MIDGE SKOV: I don't
5 understand why all through the years we never kept
6 this pool up.
7 THE REPORTER: Can you state
8 your name, please?
9 MS. MIDGE SKOV: Midge Skov,
10 S-K-O-V. Why are we always having this problem?
11 Why wasn't the pool kept up since 1980 when
12 everybody started using it?
13 MR. KERRICK: We all haven't
14 been here that long. We were only given the tool
15 to work with. We did the best we could for what we

16 had.

17 MS. MIDGE SKOV: And then

18 there's lights on 940, when (sic) did you put those

19 up for? I know the bridge has to be fixed.

20 MR. KERRICK: That has nothing

21 to do with us, ma'am.

22 MS. MIDGE SKOV: I know --

23 MR. KERRICK: That has nothing

24 to do with us, ma'am. That's PennDOT, that's your

25 state dollar, that really has nothing to do --

1 MS. MIDGE SKOV: I apologize

2 for that, but this has been in existence for so

3 long that when you took over, couldn't you have

4 seen that maybe every year we do something, we do

5 something?

6 MR. KERRICK: We've done a lot

7 of improvements and a lot of repairs, but

8 unfortunately it needs some repairs now that we

9 just can't afford this year so we decided that we

10 would close it for one year.

11 MR. RICHARD CROCONO: You're
12 never gonna open it again.
13 MR. KERRICK: Well, I hope
14 you're wrong.
15 MS. MIDGE SKOV: You want Pine
16 Crest to get all the money? Because that's where
17 everyone's gonna go.
18 MR. KERRICK: I don't know why
19 you're -- I can't speak for Pine Crest or for these
20 people.
21 MS. MIDGE SKOV: And you've got
22 a half a dozen people on the beach over at the lake
23 who came over this year because the lake is no good
24 to go swimming in. You're gonna lose all those
25 people plus more this summer that would have come

1 over here because they can't use the lake. I mean,
2 I know this is like talking about Tinker Bell but,
3 you know, it's just every year we go through this.
4 MS. PICKARD: I think that
5 answers some of the question that there hasn't been

6 enough money in the last several years in the
7 budget to be making these repairs, which now are
8 totalling close to a quarter million dollars or so?
9 MR. KERRICK: It doesn't need
10 all that at one time. But, yes, there's a huge
11 amount of repairs slated over the next five years.
12 MS. MIDGE SKOV: If you close
13 it, you know you're never gonna open it. You're
14 gonna lose everybody who's now interested from the
15 lake.
16 MR. KERRICK: I appreciate your
17 comments, but I don't want you to think that we
18 didn't think long and hard about this and just come
19 up with let's close the pool, that wasn't the first
20 thing on the -- that wasn't the first thing on the
21 chopping block, but our expenses went up
22 considerable; insurance, health insurance, taxes
23 are down, revenue is down, interest is down.
24 MS. MIDGE SKOV: What about us
25 taking money out of the taxes? We all had to fill

1 out the sheet and I'm sure most of us said put it
2 in the taxes.
3 MS. PICKARD: Well, we did some
4 surveys, but there weren't very many people that
5 were interested in having their taxes raised.
6 MR. KERRICK: We're one of the
7 few communities that do have a pool and I agree
8 with you, it's very nice. Unfortunately only about
9 two percent of the population of this township use
10 that pool.
11 MS. MIDGE SKOV: Now that the
12 lake's going, you'll get a whole lot more.
13 MR. KERRICK: You guys can jump
14 in at any time.
15 MR. HOLAHAN: No, you're doing
16 well, John.
17 MS. LAMBERTON: It's a matter
18 of finance and it's unfortunate.
19 MR. KERRICK: It's just a
20 matter of finance.
21 MS. LAMBERTON: We actually had
22 the same situation with the police department. We
23 are not able to hire more officers. They are down

24 four men. I mean, if you can't -- that's safety,

25 that's our first concern here as township

1 supervisors, we can't even afford to do that right

2 now.

3 So we've tried to put everything

4 in perspective and unfortunately we lost money on

5 reassessments, $7,000 in one shot, and that's a big

6 amount of money to us. We're a small township so

7 unfortunately we have to look at the whole picture.

8 We don't want to see it closed. I'm not so sure it

9 won't ever reopen. I can't honestly say that I

10 agree with you on that, so I hope you're wrong.

11 MS. MIDGE SKOV: It's just that

12 we've been going through this for so many years.

13 MS. LAMBERTON: I understand.

14 I looked at this last year and said we need to do

15 something serious.

16 MS. MIDGE SKOV: Finally can't

17 we come up with some little solution? It's not

18 like this is a brand new thing, I mean, it's been

19 going on now for how many years?

20 MR. KERRICK: It really hasn't

21 gone on that many years, we've talked about not

22 opening it, seriously.

23 MS. MIDGE SKOV: Well, every

24 meeting we're fighting for it.

25 MR. KERRICK: That was last

1 year, possibly the year before.

2 MS. MIDGE SKOV: The year

3 before, the year before that.

4 MR. KERRICK: No, not the year

5 before that. It doesn't matter.

6 MS. MIDGE SKOV: (Inaudible

7 comment.)

8 MR. KERRICK: I listen to your

9 comments, I understand what you're saying, but I

10 don't know what else to say.

11 Anyone else?

12 Yes, ma'am.

13 MS. ANNETTE CROCONO: Hi,

14 Annette Crocono. I was under the impression that
15 there was going to be a question on the ballot
16 regarding this and that the people from the town
17 were going to give their vote as to whether or not
18 they wanted to pay a little bit more in taxes in
19 order to keep the pool open and where did that go?
20 We didn't see -- that was never on the ballot. I
21 thought it was gonna be a referendum?
22 MS. LAMBERTON: I don't recall
23 anybody putting anything on a ballot.
24 MR. KERRICK: Did we talk about
25 that?

1 MS. PICKARD: No. We just
2 talked about different possibilities and really
3 most of the people from the pool committee that
4 were involved, really once the pool was opened, we
5 really didn't see or hear too much from them except
6 maybe on Community Day and that was -- we had a
7 couple people come.
8 MR. KERRICK: We had some

9 proposals where a gentleman came in and talked to

10 us about different ideas that he would have for the

11 pool and try to renovate what's there but --

12 MS. PICKARD: The River Otters
13 (phonetic) Group.

14 MR. KERRICK: I couldn't think

15 of the name. River Otters?

16 MS. LAMBERTON: But then he

17 would also be taking it over and would take the

18 control out of our citizens' hands too, as far as

19 the hours it would be available.

20 MS. PICKARD: He still plans to

21 come and talk to the township later -- or early

22 next year, but we don't have any proposals from him

23 at this point.

24 MS. ANNETTE CROCONO: It's just

25 so sad because, like you said, there's only two

1 percent of the people in this town that go there

2 and we're the two percent that live in communities

3 that --

4 MR. KERRICK: Faithfully,
5 every corner -- every day you're in that corner. I
6 know you're there. Every day.
7 MR. RICHARD CROCONO: She has a
8 print over there.
9 MS. ANNETTE CROCONO: Oh yeah.
10 I didn't -- I'm sorry.
11 MR. KERRICK: No, I see you
12 there every day. So I know you utilize the pool
13 MS. ANNETTE CROCONO: We love
14 that pool. We really -- and the one thing that
15 keeps me living here, because we moved here from
16 New Jersey and I was never really that happy, but
17 we joined the pool and I thought oh, this is
18 wonderful, I love it. And we're now in the process
19 of looking for another home elsewhere because this
20 made up my mind and I have wonderful neighbors, I
21 love my neighbors, but I love my neighbors in New
22 Jersey too, we have --
23 MR. RICHARD CROCONO: And she
24 doesn't even swim.
25 MS. ANNETTE CROCONO: I don't

even swim, but it was a place for community, a place where you met people, a place for the kids. They stayed out of trouble and it was just -- we enjoyed it, we really did. And I -- this is not a note or a complaint against anybody at the board because I've -- we saw Heidi, we spoke many, many times. This is just my -- my feelings and I really -- I feel awful because we loved that pool.

MR. RICHARD CROCONO: How many years have we've been members of the town pool in --

MS. ANNETTE CROCONO: Oh, back in Jersey we were members for like 28 years from its inception. And one of the saddest things for me was moving from that pool in New Jersey, so when we found out there was one here, it was -- it was good. And I think I speak for a lot of other people that feel the same way.

MR. RICHARD CROCONO: I think there's a main reason a lot of people are not here tonight. It's the holidays, it's bad timing, very

22 little notification, we had no time to band
23 together and try to get anything going. A lot of
24 people have other commitments that they just can't
25 break. I know one person had a very good comment

1 to make here tonight but she could not make it.
2 She was ill and she couldn't make it. And I know
3 (inaudible) something very informative towards what
4 we had to pursue, but I can't speak for her because
5 I forgot what her thrust was.
6 MR. KERRICK: You don't have to
7 speak for her. We all feel the same thing you do,
8 but we just don't know how to make it work.
9 There's not enough funds there. If the funds were
10 there, it would be open.
11 MS. MIDGE SKOV: We have to win
12 the lottery, people.
13 MR. KERRICK: And I certainly
14 didn't want to make you or think of you moving that
15 -- I'm sorry, I'm sorry you feel that way. I hope
16 the community has more than just the pool to offer

17 that you'd want to stay here.

18 MS. ANNETTE CROCONO: There's

19 nothing. Believe me, there's nothing. In order

20 to find anything, if you want to go dancing, you

21 have to go to --

22 MR. RICHARD CROCONO:

23 Stroudsburg.

24 MS. ANNETTE CROCONO: Down in

25 Stroudsburg, 30, 40 miles one way and we're not

1 casino people so that doesn't -- that doesn't do it

2 for me.

3 MR. RICHARD CROCONO: Not into

4 playing cards and stuff like that, that doesn't

5 appeal to us so --

6 MS. ANNETTE CROCONO: Couldn't

7 we float a bond where everybody would give so much

8 and you would hold that money and when that person

9 was moving, then a person coming in would pick that

10 up and the person moving would get his money back

11 from the bond and the next person who moved in

12 would put that money up for the bond? Could we do
13 something like that or are there not enough people?
14 Do you know what I'm talking
15 about?
16 MS. PICKARD: Communities have
17 that, the private communities have that, but I
18 don't know that we have the authority to do that
19 kind of a thing. Just a park and rec impact fee
20 would be the only thing that --
21 MR. HOLAHAN: But that's
22 raising taxes. How much does a mill get us?
23 MS. PICKARD: About 183,000.
24 MR. HOLAHAN: How much does a
25 mill cost the average homeowner in this township?

1 35 bucks, something like that?
2 MS. PICKARD: Something like
3 that.
4 MR. HOLAHAN: Yeah, 35, 40
5 bucks.
6 MR. RICHARD CROCONO: What was

7 the number that you just stated for the -- how much
8 does it cost the average person for a household?
9 MR. HOLAHAN: For one -- for us
10 to raise one mill -- now, how much room do we have
11 left in our millage before we hit the cap?
12 MR. KERRICK: We don't have --
13 we don't even have a mill left.
14 MS. PICKARD: 1-2-9.
15 MR. HOLAHAN: 1-2-9? So we
16 couldn't raise taxes high enough to be able to
17 cover it because we hit our cap.
18 MS. ANNETTE CROCONO: No, I
19 wasn't talking about taxes. I was talking about
20 assess each family that wants the pool, that wants
21 to be members, say a thousand dollars --
22 MR. RICHARD CROCONO: Like a
23 bond to join.
24 MS. ANNETTE CROCONO: -- and
25 that's your bond, you put up a thousand dollars

1 plus you pay -- plus you pay your membership fee

2 every year, $100. You put up a thousand dollars --

3 MS. LAMBERTON: That's not

4 enough money. It's unfortunate, you only have 270

5 some members.

6 MS. ANNETTE CROCONO: So that

7 doesn't do it?

8 MS. LAMBERTON: Yeah, you're

9 talking 27,000 --

10 MS. ANNETTE CROCONO: It was a

11 good idea.

12 MS. LAMBERTON: No, it's a

13 great -- it's a valid argument, I agree with you.

14 It's just unfortunate, the numbers of members

15 aren't great enough to generate enough money to pay

16 for that amount of repair that needs to be done.

17 MR. RICHARD CROCONO: Excuse me.

18 You mentioned something about one mill generates

19 $183,000, but how much would it cost the average

20 household?

21 MR. HOLAHAN: I think it's $35,

22 somewhere around there.

23 MS. LAMBERTON: But we don't

24 have a mill left that we can raise it. We're at

25 our max. We're governed by the amount we can

1 charge.

2 MR. RICHARD CROCONO: Who

3 determines that?

4 MR. HOLAHAN: The state.

5 MS. LAMBERTON: The state

6 level.

7 MR. ARMSTRONG: That's state

8 code.

9 MS. ANNETTE CROCONO: We're

10 gonna have a lot of sad people this summer.

11 MR. HOLAHAN: It's unfortunate,

12 but we've been working on the budget for a while.

13 MS. ANNETTE CROCONO: We

14 realize that.

15 MR. HOLAHAN: And you take a

16 look at, what aren't we gonna do, what roads aren't

17 we gonna do this year, what aren't we gonna

18 replace? You have to go through a lot of things to

19 do it. It is difficult. When you sit back --

before I became a supervisor, I thought you can come in here and change this, you can find ways.

It's difficult because you have to take a look at, you're going to pull from where? And there's a lot of people that have the projects that are near and dear to them, but nothing was

sacred. We went through and had to cut things. It's unfortunate.

MS. ANNETTE CROCONO: It is.

MR. HOLAHAN: But that's the economy right now and we did not want to raise taxes. We couldn't put even $35 a year, even $35 a year.

MS. ANNETTE CROCONO: We appreciate that.

MR. KERRICK: Any other questions or comments or concerns to the board?

With that, we're adjourned. Thank you for attending.

(Meeting concluded at 7:34

15 p.m.)

16 ---

17

18

19

20

21

22

23

24

25

1

2

3

4

5

6

7 I hereby certify that the

8 proceedings and evidence are contained fully and

9 accurately, to the best of my ability, in the notes

10 taken by me at the meeting in the above matter; and

11 that the foregoing is a true and correct transcript

12 of the same.

13

14

15 _____

16 COURTNEY L. ROGERS

17

18

19

20

21

22

23

24

25

Tobyhanna Township Board of Supervisors
December 21, 2012,
Special Meeting Minutes

The special meeting of the Tobyhanna Township Board of Supervisors was held at 12:00 p.m. on December 21, 2012 at the Tobyhanna Township Government Center, Pocono Pines, PA.

Present:	John E. Kerrick	Chair
	Heidi A. Pickard	Vice Chair
	Anne M. Lamberton	Member
	John Holohan, III	Member
	Patrick Armstrong	Township Solicitor

The meeting was called to order at 12:00 p.m. by Mr. John Kerrick with the Pledge of Allegiance.

Secretary Report – Announcements - None

Solicitor Report

New Business:

A. Motion by Pickard, seconded by Holohan to approve Resolution 2012-022 Disposition of Specific Records. Approved unanimously.
B. Motion by Lamberton , seconded by Holohan to accept auditing proposal by Reilly & Company for three years at $7,600.00 per year for audit years 2012-2014. Approved unanimously.
C. Motion by Lamberton, seconded by Holohan to re-appoint Patricia Rinehimer to the Planning Commission. Approved unanimously.
D. Motion by Holohan, seconded by Lamberton to appoint Albert L. Rinehimer to the Zoning Hearing Board. Approved unanimously.
E. Township Auditor appointment tabled due to lack of responses.

The Chair called for an Executive Session at 12:27 to discuss personnel.
The Board reconvened the meeting at 12:39

F. Motion by Holohan, seconded by Lamberton to approve Resolution 2012-023 2013 Budget. Approved unanimously.

Public Comment: None

Meeting adjourned at 12:40

Respectfully submitted:

Heidi A. Pickard

HEIDI A. PICKARD, TOWNSHIP SECRETARY