

Before

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

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In Re: Special meeting

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Tobyhanna Township Government Center Building  
105 Government Center Way  
Pocono Pines, Pennsylvania 18350  
Thursday, June 23, 2016, beginning at 4:00 p.m.

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PRESENT: ANNE LAMBERTON, Chairperson  
DONALD J. MOYER, Vice-Chairperson  
JOHN J. HOLAHAN, III, Board Member  
HEIDI A. PICKARD, Board Member  
JOHN E. KERRICK, Board Member  
  
JONATHAN J. REISS, ESQUIRE, Solicitor  
  
ALSO PRESENT: Phyllis Haase, Township Manager

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Panko Reporting  
537 Sarah Street, Second Floor

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1 MS. LAMBERTON: Good afternoon.  
2 I'd like to call the board of supervisors special  
3 meeting of Thursday, June 23, 2016 to order. We'll  
4 start with the pledge of allegiance, please.

5 (Pledge of allegiance was  
6 recited.)

7 MS. LAMBERTON: Okay. We'll  
8 start with old business. I actually called this  
9 meeting 'cause I wanted to have some clarity.

10 It appeared that -- it was  
11 confusion with the letter that went from our  
12 solicitor to -- Joey, your -- your attorney, to see  
13 who actually had to produce an affidavit and there  
14 was multiple people offering.

15 By the end of that meeting, my  
16 impression was that, Bobby, we would just be  
17 requesting it for you.

18 So that's why --

19 MR. BOB SELIG: I would be -- I  
20 would be the only --

21 THE REPORTER: Can you state  
22 your name, please?

23 MS. LAMBERTON: I'm sorry.

24 MR. BOB SELIG: I'm Bob Selig.

25 MS. LAMBERTON: Sorry about

3

1 that.

2 THE REPORTER: It's okay.

3 MR. BOB SELIG: My impression  
4 that I was gonna be the only one. There was other  
5 people that volunteered, but it wasn't official  
6 that they were going to do anything and I don't  
7 think it's fair to ask somebody else to do an  
8 affidavit --

9 MS. LAMBERTON: And that's not  
10 our intention.

11 MR. BOB SELIG: -- under the  
12 circumstances.

13 MS. LAMBERTON: My intention.

14 MR. BOB SELIG: Joe's attorney  
15 was gonna come up with a letter. He did draft a  
16 letter and sent it to us and it was not anywhere  
17 near correct, so we're either gonna have him draft

18 a new letter or Joe and I will do the letter  
19 ourselves and give it to you, if that would be  
20 acceptable?

21 MS. LAMBERTON: I don't have an  
22 issue with that.

23 MR. BOB SELIG: Forget about  
24 the attorney.

25 MS. LAMBERTON: As long as the

4

1 items that -- or the uses of what you did on that  
2 property are explained and they make sense, that's  
3 -- that's the intension of the affidavit.

4 MR. BOB SELIG: -- attorney  
5 'cause he doesn't know either.

6 MS. LAMBERTON: Right. But  
7 it's you.

8 MR. BOB SELIG: All we're doing  
9 with him is going back and forth.

10 MS. LAMBERTON: Right. Like I  
11 don't think it has to be from an attorney, does it?

12 MR. REISS: Well, no. The  
13 reason I -- the reason why I would think it would

14 be good to come from the attorney is, he  
15 understands the zoning ordinance so he knows -- I  
16 don't want to say the key words or the key uses but  
17 he does. I mean, he knows the things that need to  
18 get in there so that the zoning officer has enough  
19 information to say, yes, this is the nonconforming  
20 use.

21 MR. BOB SELIG: Maybe we'll  
22 write it and give it to him and he can just tweak  
23 it --

24 MR. REISS: Right.

25 MR. BOB SELIG: -- so it's

5

1 legal.

2 MR. REISS: That would be fine  
3 and it -- and he has to put it in the form of an  
4 affidavit that you would sign in front of a notary.

5 MR. BOB SELIG: Okay. Yeah.  
6 No, that we understood.

7 MS. LAMBERTON: And that's the  
8 reason I called this meeting just to make it clear  
9 that that's all I really feel the township should  
10 need as a document. I don't think we need your

11 neighbors and your neighbor's wife's children first  
12 brother's uncle bringing in, so -- but we needed to  
13 formally have a meeting to clear that up so there's  
14 no issue with that. I hate to drag everybody out  
15 for that --

16 MR. BOB SELIG: If everybody's  
17 okay with that, just one letter from me.

18 MS. LAMBERTON: And is that the  
19 consensus of the board?

20 MR. MOYER: I'm fine with it.

21 MS. PICKARD: And that's fine.

22 I think it was his -- it was Joey's attorney that  
23 stated the conditions that got approved, so --

24 MR. HOLAHAN: Right. That was  
25 confusing.

6

1 MS. PICKARD: It was confusing.

2 MS. LAMBERTON: So we just  
3 wanted to clear it up.

4 MR. JOSEPH COLYER: Okay.

5 MS. LAMBERTON: So that's  
6 really the reason that we wanted to call this so it

7 didn't hold you up any longer and, Joey, then you  
8 can know that's it's just Bobby we need the  
9 information from and --

10 MS. PICKARD: And that goes --  
11 that has to go to the zoning officer and the zoning  
12 officer issues --

13 MR. REISS: Makes the  
14 determination.

15 MS. LAMBERTON: Yes.

16 MS. PICKARD: -- makes her  
17 decisions.

18 MS. HAASE: She'll make the  
19 decision.

20 MR. REISS: You'll -- you'll  
21 have --

22 MR. BOB SELIG: When that's  
23 finished, we can just get it directly to the zoning  
24 officer?

25 MR. REISS: Yes.

7

1 MR. BOB SELIG: Okay.

2 MR. REISS: It would probably  
3 make sense to make sure a copy is sent to me.

4 MR. BOB SELIG: Okay.

5 MR. JOSEPH COLYER: Yeah, we'll  
6 send it to him, he'll send it to you and we'll send  
7 it --

8 THE REPORTER: Can you state  
9 your name, please?

10 MR. JOSEPH COLYER: It's Joseph  
11 Colyer. Sorry.

12 And then --

13 MR. REISS: Okay. And then the  
14 only other thing that would be left would be for  
15 the supervisors to waive the stand-alone junk  
16 ordinance provisions.

17 MS. LAMBERTON: I'll entertain  
18 a motion to waive the stand-alone junk ordinance  
19 provisions.

20 MR. REISS: There's provisions  
21 in there --

22 MS. PICKARD: What are we  
23 actually waiving? I just want to get --

24 MR. REISS: There's provisions  
25 --

1 MS. PICKARD: I want to be  
2 specific --

3 MR. REISS: Right.

4 MS. PICKARD: -- so we don't  
5 have this question.

6 MR. REISS: There's provisions  
7 in the stand-alone ordinance, which state that in  
8 order for a junkyard -- and this fits the def --  
9 even though it's -- I know it's salvage, it still  
10 meets the definition of a junkyard.

11 In order to be able to operate  
12 and licensed in the township, it can't be located  
13 in a residential zoning district in accordance with  
14 that ordinance.

15 MS. LAMBERTON: I'll entertain  
16 a motion for a waiver.

17 MR. MOYER: So moved.

18 MS. LAMBERTON: I have a  
19 motion. Do I have second?

20 MR. KERRICK: Second.

21 MS. LAMBERTON: I have a motion  
22 and a second.

23 Any questions or comments from  
24 the board?

25

MR. HOLAHAN: Yes. We're gonna

9

1 waive an ordinance?

2 MR. REISS: Not your zoning  
3 ordinance, it's a stand-alone ordinance.

4 MR. HOLAHAN: Okay. Did we  
5 have this discussion already?

6 MR. REISS: Yes. It was --  
7 this was in my e-mail, original --

8 MS. PICKARD: One of the many  
9 discussions.

10 MR. REISS: This was in the  
11 e-mail that I sent out on May 2nd. I'll read you  
12 the sentence. Once that determination -- referring  
13 to the zoning officer's determination -- is made,  
14 the township board of supervisors will be requested  
15 by your client to waive the stand-alone junkyard  
16 ordinance provisions that prohibit the use in a  
17 residential area.

18 MR. HOLAHAN: Okay.

19 MS. LAMBERTON: Any other  
20 questions or comments from the board?

21 Questions or comments from the

22 public?

23 Brendon, Brendon Carroll.

24 MR. BRENDON CARROLL: Brendon

25 Carroll.

10

1 Just -- just for my own  
2 understanding and clarification, Mr. Selig's  
3 property is a nonconforming use. Prior to zoning  
4 in Tobyhanna Township, whether it's in a  
5 residential zone or on the moon, it's a permitted  
6 use under my interpretation of the zoning. All  
7 this is before zoning, doesn't matter where it is,  
8 what it is, it was there first. He's -- it's  
9 nonconforming use, which the zoning provides for  
10 it, that simple. No affidavit. No anything. It  
11 was there.

12 I don't -- I don't -- I'm  
13 unclear why --

14 MR. REISS: Well --

15 MR. BRENDON CARROLL: -- this  
16 continues to go on with -- with something that was  
17 prior to zoning.

18 MS. PICKARD: It was a  
19 nonconforming certificate in the file that didn't  
20 have a --

21 MR. BRENDON CARROLL: Which  
22 proved Mr. Selig was running a nonconforming use  
23 prior to zoning.

24 MS. PICKARD: But it didn't say  
25 --

11

1 MR. BRENDON CARROLL: All he  
2 did is admit that it was nonconforming.

3 MS. PICKARD: It needed  
4 clarification. It didn't say what we needed it to  
5 say.

6 MR. REISS: It didn't say the  
7 type of business that Joey's gonna run -- runs from  
8 there. That was the -- that was the question.  
9 That was the issue. And the zoning officer didn't  
10 have enough information to -- on her own to make  
11 the determination that the use of that property was  
12 beyond what was set forth in the certificate that's  
13 in the file.

14 MR. BRENDON CARROLL: Thank

15 you.

16 MS. LAMBERTON: I understand  
17 what you're saying. My mind works the same way.  
18 So we were trying to come to a way to help this  
19 move forward.

20 MR. BRENDON CARROLL: I think  
21 that's great.

22 MS. LAMBERTON: Yeah.

23 MR. BRENDON CARROLL: It just  
24 seems like we're all looking for a way that in my  
25 opinion --

12

1 MS. LAMBERTON: It's already  
2 done.

3 MR. BRENDON CARROLL: -- in my  
4 understanding, it already exists.

5 MS. LAMBERTON: I understand.

6 MR. BRENDON CARROLL: Okay.  
7 But thank you.

8 MR. HOLAHAN: The paper trail  
9 still needs to be in sync. You still have to have  
10 everything in the file that needs to be in the

11 file, right? Or we'll go through this again. I  
12 won't. I won't go through it again, but ten years  
13 or when -- when Joey retires and he sells the place  
14 and becomes a waterpark or something like that,  
15 then it will be an easy task. Cool?

16 MS. LAMBERTON: Call the vote.  
17 John?

18 MR. KERRICK: In favor.

19 MS. LAMBERTON: Heidi?

20 MS. PICKARD: In favor.

21 MS. LAMBERTON: John?

22 MR. HOLAHAN: Yes.

23 MS. LAMBERTON: Donny?

24 MR. MOYER: I vote in favor.

25 MS. LAMBERTON: I vote in

13

1 favor. Motion carries.

2 MR. BOB SELIG: Thank you.

3 MS. LAMBERTON: So get your  
4 letter to Jonathan and the zoning officer after you  
5 have it reviewed with the -- Joey's attorney and  
6 hopefully this will be resolved.

7 MR. BOB SELIG: Okay. Great.

8 MS. LAMBERTON: Okay?

9 MR. BOB SELIG: Thank you.

10 MR. JOSEPH COLYER: Thank you.

11 MS. LAMBERTON: You're very  
12 welcome. Thank you for your time. Sorry to call  
13 you out for just that, but we wanted to make sure  
14 it was clear that you didn't have any other issues.

15 MR. BOB SELIG: No, that's --  
16 that's fine. Let's get it ironed out.

17 MS. LAMBERTON: Okay. Moving  
18 on to new business or do we want to address the  
19 town -- the --

20 MS. HAASE: If we could.

21 MS. LAMBERTON: -- fire  
22 company, yeah.

23 MS. HAASE: Did you --

24 MS. LAMBERTON: Sure. This was  
25 just put in front of us on the -- to the

14

1 supervisors from the Tobyhanna Township Volunteer  
2 Fire Company. We would like to request a release  
3 of our tax fund moneys for the payment due on our

4 Pierce truck. The payment is due August 1, 2016.  
5 And they also add they will provide our 2014 tax  
6 return, as well as the additional information  
7 requested.

8 So I guess we need a motion to  
9 release --

10 MS. HAASE: For a hundred  
11 thousand.

12 MS. LAMBERTON: For a motion --  
13 I'll entertain a motion for \$100,000 to be released  
14 to the fire company so they can make their  
15 payments.

16 MS. PICKARD: So moved.  
17 Contingent upon them getting the documents.

18 MS. HAASE: They have.

19 MS. PICKARD: They have.

20 MS. HAASE: It's -- it's in our  
21 hands.

22 MR. HOLAHAN: I'll second that.

23 MS. LAMBERTON: Oh, I didn't  
24 even go past that.

25 MS. HAASE: That's okay.

1 MS. LAMBERTON: I have a motion  
2 and a second.

3 Any questions or comments from  
4 the board?

5 Any questions or comments from  
6 the public?

7 Seeing none. Call the vote.  
8 John?

9 MR. KERRICK: In favor.

10 MS. LAMBERTON: Heidi?

11 MS. PICKARD: I vote in favor.

12 MS. LAMBERTON: John?

13 MR. HOLAHAN: Yes.

14 MS. LAMBERTON: Donny?

15 MR. MOYER: I vote.

16 MS. LAMBERTON: I vote in  
17 favor. Motion carried.

18 MALE VOICE: Thank you.

19 MS. LAMBERTON: You're very  
20 welcome. Thank you.

21 Oh, it was actually brought up  
22 at the last meeting for the chair to sign the  
23 documents for the BCRA for -- no, BC -- MCCD,  
24 Monroe County Conservation District, for the dirt  
25 and gravel grant. Due to the conflict that I have,

1 it appears that my company that I work for will be  
2 doing work involved in this, so I prefer not to  
3 sign it, so authorization from the board for Donny  
4 to sign the documents.

5 MR. HOLAHAN: Yep. So moved.

6 MS. PICKARD: That's fine.

7 Can I just make a suggestion that if we do this  
8 again, that we can say the chair or vice-chair just  
9 so --

10 MS. LAMBERTON: I'm okay with  
11 any member.

12 MS. PICKARD: And it -- that's  
13 fine, whatever.

14 MS. LAMBERTON: 'Cause we're  
15 all equal.

16 MS. PICKARD: Whatever.

17 MS. LAMBERTON: Okay. Yeah,  
18 I'm fine with that as well.

19 MS. PICKARD: All right. So  
20 I'll second that motion.

21 MS. LAMBERTON: I have a motion

22 and a second.

23 Questions or comments from the

24 board?

25 Questions or comments from the

17

1 public?

2 Seeing none. Call the vote.

3 John?

4 MR. KERRICK: In favor.

5 MS. LAMBERTON: Heidi?

6 MS. PICKARD: I vote in favor.

7 MS. LAMBERTON: John?

8 MR. HOLAHAN: Yes.

9 MS. LAMBERTON: Donny?

10 MR. MOYER: I vote.

11 MS. LAMBERTON: I vote in

12 favor. Motion carries.

13 Oh, this is the bill.

14 MS. HAASE: Yeah.

15 MS. LAMBERTON: And these are

16 the documents.

17 MS. HAASE: Thank you.

18 MS. LAMBERTON: I grabbed the

19 whole packet --

20 MS. HAASE: You did.

21 MS. LAMBERTON: -- from you.

22 MS. HAASE: That's okay.

23 MS. LAMBERTON: Okay. Moving  
24 on to new business. Electronic devices discussion.

25 MS. HAASE: Yes. As I brought

18

1 up at our board's last meeting, actually I was  
2 gonna present this at the July work session, but it  
3 was my understanding you wanted to discuss that  
4 today with the electronic devices.

5 So I did put the draft together.  
6 Jonathan has reviewed this. If the board so  
7 chooses to move this forward today, I would like it  
8 conditional upon also Mr. Rodney Smith reviewing it  
9 as well.

10 MS. LAMBERTON: This -- is this  
11 a normal policy? I read it and -- I mean, that's  
12 the first and only one I've ever read, so I have  
13 nothing to compare it to. Is this standard?

14 MR. REISS: Yes. I also

15 provided Phyllis and she incorporated some of the  
16 provisions from some other model policies that  
17 other townships' cooperative insurance companies  
18 have provided for that type of policy.

19 MS. LAMBERTON: I notice in  
20 there, the manager is the person that actually  
21 monitors e-mails and things along that nature, do I  
22 read that correctly?

23 MS. HAASE: It's currently in  
24 our employee manual that way. It's just repeated.

25 MS. LAMBERTON: Any comments

19

1 from the board?

2 MR. HOLAHAN: No, I --

3 MR. KERRICK: I think that our  
4 e-mails should not be monitored by the manager. I  
5 believe if somebody -- if a resident wants to send  
6 us an e-mail, I don't want it censored or  
7 monitored. That's how I feel.

8 MS. HAASE: It's the staff  
9 that's monitored on a need basis.

10 MR. KERRICK: That's not the  
11 way I read it.

12 MS. HAASE: This is related to  
13 the staff, not to the board of supervisors. This  
14 is a staff policy.

15 MS. PICKARD: Of course then I  
16 have my one question then too 'cause I don't really  
17 care either way, but as far as, I use my personal  
18 phone sometimes right now to access board e-mail,  
19 the same e-mail for work as board, so I just want  
20 to make sure that I don't run into a conflict  
21 because I will be using my personal device for  
22 supervisor e-mails.

23 MS. LAMBERTON: Right. Yeah,  
24 you have the double edge there.

25 MS. HAASE: You're also an

20

1 exempt employee, so you wouldn't follow some of the

2 --

3 MS. PICKARD: I am. I am.  
4 Yeah, because I'm salaried, yeah.

5 MS. HAASE: -- restrictions as  
6 far as being paid; however, we just need -- we  
7 would need to make certain that the proper

8 protections are on your phone to protect our  
9 server.

10 MS. PICKARD: Okay. And we  
11 were gonna be taken care of that, I guess, with the  
12 Ipads as well, so then that would probably be a  
13 little bit, you know -- if I'm away or whatever,  
14 I'm monitoring for a couple reasons, as long as I  
15 don't -- I don't run into a --

16 MS. HAASE: Yeah. This is  
17 pertaining to the staff so we would have to maybe  
18 have something in writing for you.

19 MS. PICKARD: Okay.

20 MS. HAASE: It's a unique  
21 situation for you.

22 MS. LAMBERTON: Any other  
23 questions or comments from the board?

24 Any questions or comments from  
25 the public?

21

1 Brendon?

2 MR. BRENDON CARROLL: Do any of  
3 the supervisors use there own personal server for  
4 township business?

5 MR. HOLAHAN: Well, I was  
6 thinking about it but --

7 MR. BRENDON CARROLL: It was a  
8 joke. I'm sorry.

9 MS. LAMBERTON: I was like --  
10 thanks for lightening up the day. Thanks, I  
11 appreciate that.

12 MR. BRENDON CARROLL: You got  
13 to laugh.

14 MS. LAMBERTON: You have to.

15 MR. BRENDON CARROLL: You got  
16 to laugh.

17 MS. LAMBERTON: You have to.  
18 Any other questions or comments  
19 from the public?

20 Seeing none. Call the vote.  
21 John?

22 MR. KERRICK: There was no  
23 motion.

24 MS. LAMBERTON: Oh, geez, I'll  
25 entertain a -- do we have to? Yes, we do.

1 MR. REISS: Yes.

2 MS. LAMBERTON: I'll entertain  
3 a motion to approve the policy for the acceptable  
4 use technology policy to be put in place.

5 MR. HOLAHAN: I'll make that  
6 motion.

7 MS. LAMBERTON: I have a  
8 motion. Do I have a second?

9 MS. PICKARD: I'll make -- I'll  
10 second it, but I'm gonna abstain just because I'm  
11 not sure of my conflict is here.

12 MS. LAMBERTON: Okay. I have a  
13 motion and a second.

14 Any other questions or comments  
15 from the board?

16 Brendon, any other comments?

17 Any questions or comments from  
18 the public?

19 Seeing none. Call the vote.

20 John?

21 MR. KERRICK: I'm gonna vote  
22 nay --

23 MS. LAMBERTON: Heidi?

24 MR. KERRICK: -- at this time.  
25 I'm willing to talk about it in the future.

1 MS. LAMBERTON: Okay. Fair  
2 enough.

3 MR. HOLAHAN: Well, do we want  
4 to have discussion before we vote then?

5 MR. KERRICK: I just -- I read  
6 it but I wanted to do some research --

7 MS. LAMBERTON: You want to  
8 table it? We can table this.

9 MR. KERRICK: We already had a  
10 motion and a second on the floor, you got to --

11 MS. LAMBERTON: Okay. Let's  
12 vote it.

13 MS. PICKARD: I'm gonna  
14 abstain.

15 MS. LAMBERTON: Okay. John?

16 MR. HOLAHAN: Aye.

17 MS. LAMBERTON: Donny?

18 MR. MOYER: I'm gonna vote nay.

19 MS. LAMBERTON: I will vote  
20 nay. We will table it till our next work session.

21 MR. MOYER: I -- I haven't read  
22 it, to be honest with you.

23 MS. LAMBERTON: That's okay.  
24 Fair enough. Then we shouldn't move forward until  
25 everybody has a profound understanding of what it

24

1 is that we're voting on.

2 MR. HOLAHAN: I understand it's  
3 for the staff, right?

4 MS. LAMBERTON: Yes.

5 MS. HAASE: Yes, it's to  
6 protect the township.

7 MS. LAMBERTON: Okay. I'll  
8 move on to public comment. Is there any additional  
9 public comment to be had?

10 All right. I guess we're not  
11 gonna adjourn, we're gonna go into executive, so  
12 I'll leave the meeting open, if you wouldn't mind  
13 just waiting for us --

14 THE REPORTER: Yeah.

15 MS. LAMBERTON: -- please.

16 MS. HAASE: I have one item --

17 MS. LAMBERTON: Oh, I'm sorry.

18 MS. HAASE: (Inaudible

19 comment.)

20 MS. LAMBERTON: Oh, okay. Very  
21 good. Ready? We're gonna go into executive now.

22 Thank you very much.

23 (Meeting recessed at 4:15 p.m.  
24 and resumed at 6:00 p.m.)

25 MS. LAMBERTON: We're

25

1 reconvening at 6 p.m. I'll entertain a motion to  
2 terminate employment for Phyllis Haase as the  
3 township manager.

4 MR. MOYER: So moved.

5 MS. LAMBERTON: I have a  
6 motion.

7 MR. KERRICK: Second.

8 MS. LAMBERTON: And a second.  
9 Any questions or comments from  
10 the board?

11 MR. HOLAHAN: Yeah, I oppose  
12 the motion. I speak against the motion. I'd like  
13 to know why she is being asked to -- or she's being  
14 terminated. I would like to know why the board of  
15 supervisors is asking -- is terminating Phyllis.

16 MS. LAMBERTON: I think as --  
17 if you want this on record?

18 MR. HOLAHAN: Yes.

19 MS. LAMBERTON: Okay. I will  
20 say that the majority of the board feels that the  
21 current manager lacks the ability to compromise.  
22 She has a personality that she's always right and  
23 is not conducive to a management role. This is a  
24 personality trait and not something that we can  
25 change. Her job is not to control every aspect of

26

1 every township issue. She is unable to realize  
2 that this is what is creating a division. She was  
3 merely supposed to present facts, not to persuade  
4 to her opinion and she has proven that she is  
5 unable to do.

6 We have given this a try, admit  
7 we had made a mistake with not requiring someone  
8 with a management degree.

9 MR. HOLAHAN: I still speak  
10 against the motion.

11 MS. LAMBERTON: Any other

12 questions or comments from the board?  
13 Any questions or comments from  
14 the public?  
15 Seeing none. Call the vote.  
16 John?  
17 MR. KERRICK: In favor.  
18 MS. LAMBERTON: Heidi?  
19 MS. PICKARD: I'm opposed.  
20 MS. LAMBERTON: John?  
21 MR. HOLAHAN: Nay.  
22 MS. LAMBERTON: Donny?  
23 MR. MOYER: I vote in favor.  
24 MS. LAMBERTON: I vote in  
25 favor. Motion carries.

27

1 A couple other items here.  
2 I'll entertain a motion to appoint Bob McHale as  
3 interim.  
4 MR. MOYER: So moved.  
5 MR. KERRICK: Second.  
6 MS. LAMBERTON: I have a motion  
7 and a second.  
8 Questions or comments from the

9 board?

10 Seeing none.

11 MS. PICKARD: I just wanted to  
12 question I think, you know, the executive, whether  
13 Bob McHale is willing to become a interim manager.

14 MS. LAMBERTON: Understood. If  
15 he does not accept it, then I guess we can  
16 reconvene and discuss other options.

17 MS. PICKARD: Are we going to  
18 appoint him as township secretary as well?

19 MS. LAMBERTON: I believe we  
20 would have -- well, we have Margie as assistant.

21 MS. PICKARD: Yeah, Margie is  
22 assistant.

23 MS. LAMBERTON: I think we just  
24 -- just have the interim manager at this point.

25 MS. PICKARD: Okay.

28

1 MS. LAMBERTON: If that is the  
2 majority agreeing with that, okay?

3 Motion and a second. Call --

4 Any other questions or comments?

5 John?  
6 Donny?  
7 John?  
8 Seeing no public comment. Call  
9 the vote.

10 John?  
11 MR. KERRICK: In favor.  
12 MS. LAMBERTON: Heidi?  
13 MS. PICKARD: I vote in favor.  
14 MS. LAMBERTON: John?  
15 MR. HOLAHAN: Aye.  
16 MS. LAMBERTON: Donny?  
17 MR. MOYER: I vote.  
18 MS. LAMBERTON: I vote in  
19 favor. Motion carries.

20 I will entertain a motion for  
21 Jonathan to put together an RFP to hire a  
22 management search firm so we can have a  
23 professional company go out and search for the type  
24 of requirements that we are seeking.

25 MR. MOYER: So moved.

1 MR. KERRICK: Second.

2 MS. LAMBERTON: I have a motion  
3 and a second.

4 Any questions or comments from  
5 the board?

6 Seeing none. Call the vote.  
7 John?

8 MR. KERRICK: In favor.

9 MS. LAMBERTON: Heidi?

10 MS. PICKARD: In favor.

11 MS. LAMBERTON: John?

12 MR. HOLAHAN: Aye.

13 MS. LAMBERTON: Donny?

14 MR. MOYER: I vote in favor.

15 MS. LAMBERTON: I vote in  
16 favor. Motion carries.

17 Now, as far as the separation  
18 agreement, do we introduce a motion or do we wait  
19 to see --

20 MR. REISS: Let's wait. What  
21 I'd ask is for Heidi to e-mail that information to  
22 me tomorrow and then I'll send a completed  
23 agreement to --

24 MS. PICKARD: Can I talk to you  
25 after the meeting?

1 MR. REISS: Okay. I'll send a  
2 completed document by e-mail then to Phyllis.

3 MS. LAMBERTON: So we don't --

4 MR. REISS: So she has  
5 something --

6 MS. LAMBERTON: -- need any  
7 authorizing?

8 MR. REISS: Correct.

9 MS. LAMBERTON: Okay. And then  
10 while we're here, if we'd like to reschedule --

11 MR. REISS: Actually I take --

12 MS. LAMBERTON: I'm sorry.

13 MR. REISS: -- that back. If  
14 you would adopt a motion approving the substantive  
15 terms in there, that way I can represent to her  
16 that, you know, this is -- you support that.

17 MS. LAMBERTON: Okay. I'll  
18 entertain a motion on that?

19 MR. KERRICK: So moved.

20 MR. MOYER: Second.

21 MS. LAMBERTON: Motion and a  
22 second.

23 Any questions or comments from  
24 the board?

25 Seeing none. Call the vote.

31

1 John?

2 MR. KERRICK: In favor.

3 MS. LAMBERTON: Heidi?

4 MS. PICKARD: I vote in favor.

5 MS. LAMBERTON: John?

6 MR. HOLAHAN: Nay.

7 MS. LAMBERTON: Donny?

8 MR. MOYER: I vote in favor.

9 MS. LAMBERTON: I vote in  
10 favor. Motion carries.

11 I guess, is this a good time to  
12 reschedule our NIDMA or --

13 MR. HOLAHAN: Do we want to do  
14 Barbara, are we looking to do that now?

15 MS. LAMBERTON: Oh, yes. Yes.  
16 Should we do that prior to new management --

17 MR. HOLAHAN: Yes.

18 MS. LAMBERTON: -- to help  
19 Maureen?

20 I'll entertain a motion to  
21 appoint Barb --  
22 MR. REISS: Stone.  
23 MS. LAMBERTON: Thank you.  
24 Stone. I was thinking Moy --  
25 MS. PICKARD: Nichols.

32

1 MS. LAMBERTON: Nichols, that's  
2 what -- okay.  
3 -- Nichols as the -- are we  
4 going assistant, are we going also --  
5 MS. PICKARD: Additional.  
6 MS. LAMBERTON: -- additional  
7 zoning off -- as an additional zoning officer for  
8 Tobyhanna Township.  
9 MS. PICKARD: I'll second the  
10 motion.  
11 MS. LAMBERTON: Any other  
12 questions or comments that we have?  
13 MS. PICKARD: That was at  
14 sixteen fifty starting salary, six months  
15 probation.

16 MS. LAMBERTON: And you amend  
17 your motion, John, to include that?

18 MR. KERRICK: Yes, I will amend  
19 the motion.

20 MS. LAMBERTON: And, Heidi,  
21 you'll amend your second?

22 MS. PICKARD: Yes.

23 MS. LAMBERTON: Okay. Any  
24 other questions or comments?

25 Seeing none.

33

1 John, call the vote?

2 MR. KERRICK: In favor.

3 MS. LAMBERTON: Heidi?

4 MS. PICKARD: I vote in favor.

5 MS. LAMBERTON: John?

6 MR. HOLAHAN: Aye.

7 MS. LAMBERTON: Donny?

8 MR. MOYER: I vote in favor.

9 MS. LAMBERTON: I vote in  
10 favor. Motion carries.

11 MR. REISS: Who's gonna inform  
12 her?

13 MS. LAMBERTON: Actually Donny  
14 and I will be in tomorrow morning to speak with the  
15 staff because they have to be informed and we can  
16 do that at that point if that's -- if that is okay  
17 with the rest of the board? Speak with Barb, make  
18 sure she's interested, but apparently she is, and  
19 then present her with that and the pay raise.

20 MR. REISS: And the same time  
21 you'll talk to Bob McHale.

22 MS. LAMBERTON: Yeah, well, I  
23 would like to talk to Bob first, of course, that  
24 makes sense.

25 That makes sense to you?

34

1 MR. MOYER: Um-hum.

2 MS. LAMBERTON: Okay. And  
3 should I worry about this -- I keep going back to  
4 this NIDMA meeting. Oh, we're waiting, we're  
5 waiting for your report. That's right. Why don't  
6 we table that until we know that the report has  
7 come in along with the audit.

8 MS. PICKARD: The NIDA?

9 MS. LAMBERTON: Yeah.  
10 MS. PICKARD: Yeah. I'll check  
11 -- I'll check probably with Michelle.  
12 MS. LAMBERTON: We'll leave  
13 that in your hands. Okay?  
14 MS. PICKARD: Yeah.  
15 MS. LAMBERTON: Okay. Very  
16 good. I have nothing else.  
17 I'll entertain a motion to  
18 adjourn.  
19 MR. MOYER: So moved.  
20 MR. KERRICK: Second.  
21 MS. LAMBERTON: All those in  
22 favor?  
23 BOARD MEMBERS: Aye.  
24 (Meeting concluded at 6:06  
25 p.m.)

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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.

\_\_\_\_\_  
COURTNEY L. ROGERS, C.R.