

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
SPECIAL MEETING  
MAY 11, 2017

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A Special Meeting of the Tobyhanna Township Board of Supervisors was held on May 11, 2017 at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania 18350.

Present were Supervisors Anne Lamberton, John Holahan III, Heidi A. Pickard, Brendon Carroll and John E. Kerrick, Solicitor Jonathan J. Reiss, Esquire and Township Manager John Jablowski Jr.

1. Chair Anne Lamberton called the meeting to order at 8:00 a.m. It was determined that a quorum was present.
2. Pledge of Allegiance was recited.
3. Announcements:

Executive Session - May 8, 2017 from 10:45 - 11:15 a.m. was held to discuss possible litigation issues and real estate.

4. New Business
  - A. Cost Sharing for Tunkhannock Creek Watershed Designation Study

Heidi Pickard provided information from the meeting on May 1, 2017 regarding the opposition of the Re-designation Petition of the Tunkhannock Creek from High Quality Cold Water Fishery to Exceptional Value. Normandeau had a provided a quote of \$7,000 to the Attorney which would be split between the parties at a cost of \$1,750 each. In addition, each party was invoiced for a retainer of \$5,000 from Manko, Gold, Katcher & Fox, the attorney's retained for the project. A request was being made to the firm by Ralph Matergia for a breakdown of the retainer legal costs. Ms. Pickard presented the amount needed to be paid for the Township at this point would be \$6,750 payable to Manko, Gold, Katcher & Fox.

John Holahan III made motion to authorize payment to the joint legal counsel for the exceptional value determination with the Tunkhannock Creek Watershed Re-designation Study

in the amount of \$6,750. Heidi Pickard seconded. Vote: 4 in favor; John Kerrick abstains as a property owner in Tunkhannock.

B. MCPC Review of Height Restriction/exemption from Land Development Zoning and SALDO Amendments

Jonathan Reiss, Esq states that he received comments after the Board had adopted the ordinance. Some of the issues that were raised were good and feels they should be addressed in those two amendments. Mr. Reiss offers to draft a letter to address their comments. Once that is done and the Board is happy with the amended ordinances, they would go back to the township and the county planning commission for review and comment and then come before this Board for public hearing to adopt it.

Ms. Lamberton asks Mr. Reiss to confirm that land development requirements and subdivision requirements can be waived. Mr. Reiss responds that zoning ordinance requirements cannot be waived but land development and subdivision requirements can be waived.

Brendon Carroll asks if it would be possible to rescind or repeal the ordinance that was just passed to address comments? Mr. Reiss suggests the best way to handle the changes would be to address the comments and amend the ordinance that was just passed.

Zoning Officer Maureen Minnick states that the process will remain the same and that she will review to make sure all requirements are met. Once that is done it can be brought before the Board for waiver of land development.

Ms. Minnick recommends that if requirements have not been met within 90 days, it would be rejected or an extension of time may be granted if submitted. Discussion ensues regarding the intention of making the process as streamlined as possible without rushing the waiver process and ordinance amendments.

Discussion ensues regarding the process and authority of waivers of land development requirements, subdivision requirements and zoning.

The Board gives consent to Mr. Reiss to draft an letter to address comments made by the MCPC to the Height Restriction/exemption from Land Development Zoning and SALDO.

Ms. Minnick verifies that the Board wants the language “shall” and “must” be included in the ordinance. The Board confirms.

#### C. Second Amendment to Assets Purchase Agreement

Heidi Pickard makes motion to extend the closing date of the sale of the wastewater treatment facility to Aqua to June 30<sup>th</sup>, 2017, and authorizing the Chair to sign the agreement. John Holahan seconded. Vote: All in favor; motion carries.

#### D. HRG - Blakeslee Recreation Area Trail

Mr. Jablowski presents a proposal from HRG to work with the open space committee and Blakeslee Natural Area to enhance the trail system, to widen trails, put up additional signage and possibly create new trails.

Ms. Pickard asks to table this discussion until after Monday’s meeting when all can talk about the plans and get feedback from the open space committee. Board decides to table this topic for next work session.

#### E. Economic Development Planning

Mr. Jablowski presents a timeline for approved projects that Township Engineer Bob McHale put together as well as a financial summary that Ms. Pickard put together. Mr. Jablowski asks the Board to review and comment as well as prioritize the projects in order of when they would like to start each project.

Mr. McHale presents summary of two projects with BCRA. First, the east side of 380 we’re looking for additional sewer capacity for undeveloped lands and will be discussing with Kalahari their needs for additional sewer capacity. BCRA very helpful in trying to move things forward. Once the rerating is complete we can check capacity of the Pocono Township system to know if our additional capacity will be okay.

Mr. McHale recommends also moving forward on the west side of 380 as well. They could get started in the summer months which is a crucial time otherwise it will be pushed back because the time won't be right for well drilling and water sampling that needs done initially. The question comes down to; does the Township want to take the lead and initiative on a water supply system independent of BCRA but something that would be built to Aqua's standards, in agreement with Aqua that they would take it over once it was completed.

We have asked RKR Hess for a desktop review for what they can find mappingwise and what they have already learned from existing wells in the area about the feasibility and an order of magnitude cost estimate to provide to the Board to get a better idea of what we are looking at for cost and time.

Ms. Lamberton asks if Aqua is interested in this. Mr. Jablowski answers that they are not interested in building it but they are interested in discussing it. Ms. Lamberton asks Mr. Jablowski and Mr. McHale to meet with Aqua to discuss with them their interest in this project.

Ms. Pickard requests that the Board consider what will be done with the Aqua purchase money and that there should be some discussion and planning done prior to receiving the funds. Ms. Lamberton requests that some research be done on creative financial packages. Mr. Jablowski agrees with Ms. Pickard's input. Ms. Pickard suggests that the Board discuss a capital plan at the next work session.

- F. John Kerrick asks Mr. Reiss to explain the process of designating a scenic byway. Mr. Reiss explains. Mr. Kerrick reiterates that nobody wants another 611 with the allowance of digital signs. Ms. Lamberton states that the consideration is about allowing digital on premise signs for businesses. Ms. Pickard adds that we could have applicants adhere to a design standard put forth by the Township.

Zoning Officer Maureen Minnick clarifies that on commercial property, on premise, they're allowed to have 50 percent digital of a full-face sign. They are going to have to meet design standards and the wall signs are required to be static; that they cannot change.

Mr. Holahan voices disappointment that digital is being considered along Route 940. Ms. Minnick explains that the design guidelines for digital signs are very strict. Discussion ensues about brightness and sign changes of digital signs.

Brendon Carroll suggest having a public hearing to get comments from residents about digital signs. John Kerrick asks Mr. Reiss if it's possible to pull out the digital sign provisions from the sign ordinance and add an amendment later. Mr. Reiss explains that it gets complicated because you already allow digital signs in the resort district and by taking stuff out you're not impacting the resorts.

Board decides to schedule a special meeting to discuss signage on May 17<sup>th</sup>, 2017 at 8 a.m.

5. Upcoming Events

May 11, 2017 Tobyhanna Township Open House - 5:30 to 7:30 p.m.

May 18, 2017 Tobyhanna Business Association Mixer at Pheonix Athletica - 5:30 to 7:30 p.m.

May 21, 2017 Run For The Red

May 29, 2017 Memorial Day Parade

June 2, 2017 Movie Night - Monsters vs. Aliens

6. Public Comment

None.

7. John Holahan made motion to adjourn meeting, Heidi Pickard seconded. Vote: All in favor; Meeting adjourned at 9:30 a.m. Board enters Executive Session.

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Minutes recorded by Debra S. Jean.