

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
SPECIAL MEETING
OCTOBER 18, 2017

A Special Meeting of the Tobyhanna Township Board of Supervisors was held on October 18, 2017 at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania, 18350.

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

1. Chair Anne Lamberton called the meeting to order at 7:30AM. It was determined that a quorum was present with herself, John Holahan, and Brendon Carroll.
2. The Pledge of Allegiance was recited.
3. Announcements
 - a. Autumn Canfield will send out potential dates for the proposed budget meetings. Anne Lamberton asks that the email with potential dates also includes the draft of the new budget as well as last year's budget.
 - b. John Kerrick joins the meeting. John Kerrick states that he thought this meeting was supposed to be a budget meeting.
 - c. Autumn Canfield states that she has the second modification for the police loan, indicating the Township's payoff and the new amortization for the other parties involved. Anne Lamberton authorizes John Jablowski to sign the paperwork.
4. Treasurer's Report – Bill Pack - Temporarily tabled.
5. Solicitor's Report – None.
6. Old Business
 - a. Allocation of Foreign Fire Insurance Funds. John Holahan motions to approve the allocation of all Fire Insurance Funds to Tobyhanna Township Volunteer Fire Company (TTVFC), John Kerrick seconds. Heidi Pickard joins the meeting. Vote: all in favor; motion carries.
 - b. TTVFC request for release from the Fire Tax Fund (refurbished 1997 tanker truck). John Kerrick motions to release the requested monies from the Fire Tax Fund, Heidi Pickard seconds. Vote: all in favor; motion carries.
 - c. HRG Engineering Proposal – WB&E Trail Head – Wetland Delineation & Field Survey. Autumn Canfield states that HRG has a clause in their agreements that suggests 7-8% cost be added to proposals for excess and/or unforeseen meetings and other expenses; it may be something to start including in our own agreements, because some proposals are on a time and material basis.

Heidi Pickard states that this clause would allow the Board to have some way to quantify unforeseen expenses in the budget.

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John Holahan states that some sort of contingency is typical. Purchase orders normally have a cap amount, and then to exceed it, a person must acquire a change order or variance purchase order. That being said, contractors are less likely to be careful if they see a contingency. Holahan suggests 10% set aside in the budget for contingencies, but not on the bid.

John Kerrick states that if the Board needs to continuously approved change orders, it may delay the projects. Using Holahan's idea could keep projects on time, even if there are overruns.

Brendon Carroll asks if there are any wetlands along the railroad bed. Ed Tutrone replies that there is one section that is wet enough that it cannot be crossed with a Tiger Mower.

John Holahan motions to approve the HRG Engineering Proposal, understanding that HRG is not to exceed \$12,500, Heidi Pickard seconds. John Kerrick confirms that this vote does not include a 10% increase for contingency. Vote: all in favor; motion carries.

7. New Business

a. RKR Hess Change of Scope for Pocono Summit West Water Service (PMSD presentation). Heidi Pickard motions to approve the change order from RKR Hess, John Holahan seconds. John Kerrick asks how far the Board will move forward on water before the sewer has been secured. Autumn Canfield states that Wayne Gross from RKR Hess is planning to attend the November 6th meeting to provide the Board with an update. Vote: all in favor; motion carries.

b. Dunne Manning – Pocono Summit - Eric Quisenberry and Keenan Lynch. Eric Quisenberry states that Dunne Manning just acquired the Exxon Gas station near the 380 and 940 intersection. Dunne Manning has decided to purchase the Abbie Henning's property, and is hoping that the property will be considered for being rezoned to commercial, and that any fees involved with the rezoning would be waived once the new zoning update is complete. He understands that he cannot ask the Board for a binding commitment at this time, but would appreciate a show of support.

Anne Lamberton states that the Board is planning on redoing the entire corridor, and they are supportive of Dunne Manning's request. Heidi Pickard states that with the new zoning map, the entire area is changing.

8. Treasurer's Report – Bill Pack.

a. Heidi Pickard states that the bill pack is \$630,623.14, which includes the payoff for the police mortgage, the library, and the Gradall. John Kerrick and Brendon Carroll state that they were not prepared to discuss the bill pack because they thought it was slated for the regular meeting, and thus have not reviewed it. Anne Lamberton states that she did not see the bill pack either.

Anne Lamberton states that there was never a problem in previous years with the bill pack; what would the Board have done concerning the bill pack if there was no special meeting? Heidi Pickard states that last year, the bill pack for October was rolled into November.

Heidi Pickard motions to approve the bill pack, John Holahan seconds. Brendon Carroll states that he will approve the big purchases, but wants time to look over the other purchases. John Kerrick states that he will abstain, because he did not

Heidi Pickard motions to approve the bill pack, John Holahan seconds. Brendon Carroll states that he will approve the big purchases, but wants time to look over the other purchases. John Kerrick states that he will abstain, because he did not see the bill pack. Heidi Pickard states that bills are ratified after they've been sent all the time. Due dates force checks to be sent before the Board approves them. The Board discusses the potential problems of having bills sent out before they are approved by the Board, and what process is currently used. John Holahan asks if the bill pack can be approved because so many have not seen it. Vote: John Kerrick abstains, Brendon Carroll abstains, Heidi Pickard in favor, John Holahan in favor, Anne Lamberton abstains; motion fails.

Heidi Pickard motions to approve the bill pack contingent upon the supervisors reviewing the bills, John Holahan seconds. Vote: all in favor; motion carries.

Anne Lamberton asks Autumn Canfield to reach out to Jonathan Reiss concerning the legality of sending out bills before they are approved.

9. Public Comment

- a. Melissa Price asks what the Foreign Fire Insurance Funds were for. John Kerrick explains that the Foreign Fire Insurance Funds were previously split between TTVFC and Pocono Summit Volunteer Fire Company. Now that the latter is decommissioned, the Board needed to go through the proper channels to release all of the money to TTVFC. Anne Lamberton states that the money in the Fire Tax Fund is released as TTVFC asks for it.
- b. Jason Fitzgerald wants to provide an update on the Economic Development Authority (EDA). He sent an email with the draft bylaws, and reminds the Board that names and addresses of the members will be required for discussion at the next Board meeting. Typically, once the board members are appointed, they go over the draft bylaws. Any decision the EDA makes is subject to the approval of the Board. The creation of the EDA is on course to be filed in December. Fitzgerald strongly recommends having business owners on the EDA, with priority consideration given to residents. It is up to the Board to define "resident," and whether that means they reside in the Township, or if a person owns property in the Township. Additional input from larger companies could be addressed by creating a stakeholder group, whose names the Board is not required to turn over to the State. Any person on the EDA must provide monetary disclosure to ensure no political motivations.
- c. John Kerrick asks for an executive session after the meeting is over.
- d. Ed Tutrone states that the bid for snow removal went to the newspaper yesterday, to be advertised this Friday. Bids are due on November 2nd, with awards being either November 6th or 13th. He and Bob McHale are trying to finish up the tree trimming bid, and that should be prepared for the December meeting. On Monday, while looking over the budget, he discussed roads that need paving for 2018. That bid should go out in January, so the contractor may start as soon as the weather cooperates. Right now, the DPW staff is out saw-cutting and fixing potholes.

Anne Lamberton asks if the DPW workers are fixing potholes on roads slated to be paved next year. Ed Tutrone states that this is a temporary fix, and because community members have complained, this work needs to be done. Anne Lamberton asks for reports on the actual cost of projects; specifically, she wants a budget of what DPW worked on, so the Board may have a comparison when budgeting projects for the coming year.

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- e. Ed Tutrone states that the light at 115 and Commercial Blvd is being delayed due to soft earth. The contractor received an extension until November 20th, and put in Geo-grid, but PennDOT has not responded to them yet. Sonny Singh has his opening date for the second week of December, but cannot open until the traffic light is operating.
- f. Ed Tutrone states that PennDOT is putting out a paving bid for 115, from the Luzerne County line to 209, in February 2018. They are checking with local municipalities for any safety upgrades that can be incorporated into the project, such as striping, guiderails, and safety issue. Tutrone will tell PennDOT about the Bike and Hike Trail.
- g. Revisiting Public Comment D, Brendon Carroll states he thought the Board was contracting pothole repair out to Locust Ridge, or some other company. Tutrone states that filling potholes must be PennDOT approved if the repair is funded by Liquid Fuels money. DPW was using the money from the general budget for paving. Excess money in the general budget does not roll over into next year, but the money from Liquid Fuels does.
- h. John Kerrick states that the light loop is broken at Cramer's. The light was fixed once, but has broken again.
- i. Ed Tutrone spoke with Telco, and the signal plan for the light to merge onto 380-N is being updated to include a left turn lane. Once the agreement is approved by PennDOT and signed by the BOS, the changes can be implemented.
- j. John Kerrick states that the sign at the EMS building has only one working bulb. Ed Tutrone states that the sign was never updated, and he is talking with Freidman Electric to update it.
- k. Brendon Carroll enquires about the email regarding the Clymer Library. Ed Tutrone states that he got a call from Anne Hogya at Clymer Library. The DPW contracts someone else to cut grass, so he was not sure if the Board would approve using the contractor to cut the grass. After he told that to Hogya, she hung up.

Anne Lamberton asks Autumn Canfield to reach out to the Clymer Library and let the Board know how that discussion progresses.

- 10. Brendon Carroll motions to adjourn the meeting, meeting adjourned at 8:29AM. Board enters executive session.

Minutes recorded by Julia Heilakka

