

THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
REGULAR BUSINESS MEETING
NOVEMBER 13, 2017

The November 2017 Regular Business Meeting of the Tobyhanna Township Board of Supervisors was held on November 13, 2017 at the Tobyhanna Township Government Center Building, 105 Government Center Way, Pocono Pines, Pennsylvania, 18350.

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

1. Chair Anne Lamberton calls the meeting to order at 7:00PM. It is determined that a quorum is present.

2. The Pledge of Allegiance is recited.

3. Announcements

a. Chair Anne Lamberton announces that the Board had an Executive Session on November 13, 2017 from 5:30PM-7:00PM to discuss personnel.

4. Minutes

a. John Holahan moves to accept the meeting minutes for the September 22, 2017 Special Meeting, Brendon Carroll seconds. Vote: all in favor; minutes accepted.

b. John Holahan moves to accept the meeting minutes for the October 2, 2017 Regular Meeting, Brendon Carroll seconds. Vote: all in favor; minutes accepted.

c. John Holahan moves to accept the meeting minutes for the October 18, 2017, Special Meeting; the October 26, 2017, Budget Work Session; and the October 31, 2017, Budget Work Session, Heidi Pickard seconds. Vote: all in favor; minutes accepted.

5. Treasurer's Report

a. Heidi Pickard motions to approve the bills to be paid in the amount of \$514,225.57, John Holahan seconds. Vote: John Kerrick abstains, all else in favor; motion carries.

b. John Holahan motions to ratify the interim bills at \$111,701.25, Heidi Pickard seconds. Brendon Carroll asks if the Board can approve this before approving the resolution concerning paying interim bills. Jonathan Reiss replies yes. Heidi Pickard states that she just received the bill for the paving project, which will need to be paid before the next meeting. The Board approved the bill, but did not have an exact amount. Jonathan Reiss states that the Board can vote to approve the bill once they have the exact amount. Vote: John Kerrick abstains, all else in favor; motion carries.

6. Solicitor's Report

a. Public Hearing – Proposed Ordinance 540 Amending Pension Plan.
Jonathan Reiss states that this amendment to the pension plan was

- a. Public Hearing – Proposed Ordinance 540 Amending Pension Plan. Jonathan Reiss states that this amendment to the pension plan was recommended by the Township’s outside consultant who assists with pension administration. There are changes in the retirement benefit and the vested percentage based on years of service. The old ordinance named individuals as the pension plan administrator, and this changes it to Township Manager. John Holahan motions to open the hearing, Heidi Pickard seconds; hearing is open. Heidi Pickard states that our pension plan is overfunded, and if the Board does not make these changes, they would lose state aid. John Holahan motions to close the hearing, Heidi Pickard seconds; hearing is closed. John Kerrick motions to adopt Ordinance 540 amending the pension plan, Brendon Carroll seconds. Vote: Heidi Pickard abstains because she works for the Township, all else in favor; motion carries.
- b. Public Hearing – Proposed Resolution 2017-018 for Tobyhanna Township Economic Development Authority (TTEDA). John Holahan motions to open the hearing, John Kerrick seconds; hearing is open. There are no comments. John Holahan motions to close the hearing, John Kerrick seconds; hearing is closed. John Holahan motions to approve Resolution 2017-018, John Kerrick seconds. Heidi Pickard asks who the Board is appointing to the TTEDA. Anne Lamberton states that the Board plans to appoint Anne Lamberton, John Holahan III, Robert Bossuyt, Edwin Miller, and William Van Gilder. Vote: all in favor; motion carries.
- c. Act 42 of 2017 – Mini Casinos discussion. Jonathan Reiss states that he sent an email regarding a law signed on October 30, 2017 allowing ten new mini casinos into the county. Tobyhanna Township is not in the affected area, but he wanted to bring it to the Board’s attention and propose adopting an ordinance stating if the Board was in favor or against a casino in the area. Brendon Carroll motions to prohibit casinos in Tobyhanna Township, John Holahan seconds, Anne Lamberton thirds. Vote: all in favor; motion carries. Jonathan Reiss will prepare a resolution to reflect the Board’s wishes.

7. Old Business – none.

8. New Business

- a. Consider Resolution 2017-019 Use of Township Building. Heidi Pickard motions to approve Resolution 2017-019, John Holahan seconds. Vote: all in favor; motion carries.
- b. Consider Resolution 2017-020 paying bills between meetings. Heidi Pickard motions to approve Resolution 2017-20, John Holahan seconds. Brendon Carroll states that the Second Class Code states “Township Treasurer shall pay out all monies at the direction of the supervisors.” Jonathan Reiss states that this resolution is the authorization to approve the bills that would otherwise incur a late charge or interest. Brendon Carroll states that the Board needs to be accountable. Heidi Pickard states that the same bills miss the bill pack every month: PPL, health insurance, and contractual allowances. John Holahan states that with the language in the resolution, no bill would fall outside of the resolution’s control. Pickard states the Manager and Assistant Manager go through the bills with the Treasurer, and they are sent to the supervisors before they are paid. If any supervisor has a question, it is struck from the bill pack. Vote: Brendon Carroll and Anne Lamberton oppose, all else in favor; motion carries.

c. Consider Resolution 2017-021. Authorization to submit PennDOT

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- c. Consider Resolution 2017-021, Authorization to submit PennDOT Application for SR940 & I-380 NB off ramp traffic signal permit. Brendon Carroll motions to adopt Resolution 2017-021, John Kerrick seconds. Vote: all in favor, motion carries.
- d. Consider Resolution 2017-022 destruction of specific records. John Holahan motions to approve Resolution 2017-022, Heidi Pickard seconds. Brendon Carroll states that “building permit files” are on the docket to be destroyed. In his experience, those should never be thrown out. Heidi Pickard states that the resolution abides by the Record Retention Guidelines, and believes they are old files from Bureau Veritas. Barbara Nichols states that they are old inspection files from Bureau Veritas. These files are only residential; commercial is kept indefinitely. Vote: all in favor; motion carries.
- e. Consider Pocono Manor Subdivision. Anne Lamberton states that this subdivision is a lot line adjustment because of a vacated road. John Holahan motions to approve the subdivision, John Kerrick seconds. Vote: all in favor; motion carries.

Jonathan Reiss states that a unilateral declaration was recorded against part of the Pocono Manor property that was part of the original subdivision. Pocono Manor has requested for its removal. Some parcels still need to remain for stormwater, easements, and access, but others can go. Bob McHale states that at the time, Kalahari did not know where they were going to access Lot 3B from. McHale offers to circulate a copy of the unilateral declaration for the Board’s perusal. Jonathan Reiss will talk to Ralph Matergia and see if they can work this out first.

- f. TEC PTO Request for donation – Halloween Trunk or Treat. Heidi Pickard motions to approve a \$250 donation to the TEC PTO, John Holahan seconds. Vote: all in favor; motion carries.
- g. Consider awarding 2017-18 Equipment Rental Road Maintenance (Winter Operations). John Holahan motions to accept the bid, Brendon Carroll seconds. Heidi Pickard states that the only bid the Board received was from H & K Group out of Skippack. John Kerrick asks if the bid meets the criteria. Jonathan Reiss states that there was one item they did not include, which was a tandem axle. Because it was not a statutory requirement, and the Board included language that would allow them to accept irregularities in bids, the Board can accept the bid from Locust Ridge Quarry. John Kerrick asks if Ed Tutrone is okay with the bid as is. Ed Tutrone states that he is. Vote: all in favor; motion carries.
- h. Consider Resolution 2017-023 for 2018 Meeting Schedule. John Kerrick asks why the meeting day was changed to Tuesday. Autumn Canfield states that the meetings were moved to Tuesday to prevent holidays from shifting meetings and to help with the interim bill pack. There are two regular meetings instead of a work session and regular meeting. John Holahan asks if this will double the cost of the solicitor. Jonathan Reiss states that he will have a conflict on the 16th of January. The Board decides to table this discussion.

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- i. Pennoni Engineering General Traffic Engineering Services Proposal. John Holahan motions to approve the proposal, Brendon Carroll seconds. Vote: all in favor; motion carries.
- j. Personnel Policy Update. John Holahan motions to table, Heidi Pickard seconds. Vote: all in favor; Personnel Policy Update is tabled.
- k. Authorize to advertise proposed Manager's authority Ordinance. John Holahan motions to advertise a public hearing for the Manager's Authority Ordinance, John Kerrick seconds. John Kerrick explains that this ordinance would change what the manager can do concerning hiring and firing employees. Vote: all in favor; motion carries.
- l. Blakeslee Overlay Ordinances. Jonathan Reiss states that the Board needs a motion to send the proposed ordinances to the Monroe County Planning Commission (MCPC) and the Tobyhanna Township Planning Commission (TTPC) for official review. The Board also has the option to advertise for a public hearing. John Holahan motions to send the proposed ordinances to the MCPC and the TTPC for review and to wait to advertise for a public hearing, Heidi Pickard seconds. Vote: all in favor; motion carries.
- m. Consider Resolution 2017-024 adopting Act 537 Official Sewage Plan Revision. Jonathan Reiss states that because the business meeting schedule was tabled, this is now Resolution 2017-023. John Holahan motions to adopt Resolution 2017-023, Heidi Pickard seconds. Vote: all in favor; motion carries.
- n. Consider Resolution 2017-025 – Revised 2017 Fee Schedule (removing use of meeting room fee). Anne Lambertson states that this resolution is now Resolution 2017-024. Heidi Pickard motions to adopt Resolution 2017-024, John Holahan seconds. Vote; all in favor; motion carries.

9. Board of Supervisors Report/Comment

- a. Heidi Pickard motions to approve payment for Locust Ridge Contracting at \$371,337.59, Brendon Carroll seconds. Heidi Pickard states that the charge was originally for \$350,549.02, and when the Board added additional roads, it cost an additional \$20,788.57. Vote: all in favor; motion carries.
- b. Heidi Pickard asks about the Chapter 113 revision for the sewage update. Jonathan Reiss states that Aqua has it and is in the process of reviewing it. John Holahan asks what action is required from the Board for the Chapter 113 update. Jonathan Reiss states that he wrote the amendment and sent it to Ralph Matergia, and neither of them realized how complicated the issue would become. Matergia has had the document since the end of June; Reiss will contact him for an update.

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10. Public Comment

- a. Melissa Price asks for clarification on Item K – Manager’s Authority Ordinance. Anne Lamberton states that it gives the Manager certain controls within departments. The ordinance was not passed tonight, only approved to be scheduled for a public hearing, so the public will have time to review the ordinance.

- b. Juliet Dunham, on behalf of the Clymer Library, says thank you for paying off the mortgage. The Holiday Book Sale is going on this week, and the Jubilee fundraiser is coming up in December. Dunham asks for an update on the tax anticipation note that was approved in September. Heidi Pickard states that she did not believe the Board had to do anything. Jonathan Reiss states that the Board need only approve the payment when it is on the bills list. Heidi Pickard motions to draft a tax anticipation note of \$34,000, John Holahan seconds. Jonathan Reiss states that this advance is against what the Township collects and then pays to the library once taxes are collected for the year. Vote: all in favor; motion carries.

- c. Diane Lake states that she lives in Blakeslee, and has noticed an irregularity in the 115-940 traffic junction; only coming east do traffic signs indicate no right turn from the shoulder. It is confusing, and is there a reason the other directions are not marked in a similar fashion? Other cars are using the shoulder to turn.

Ed Tutrone states that the intersection was designed on a PennDOT approved plan. The Board would need to petition PennDOT to have it changed. It is illegal to turn from the shoulder. Bob McHale states that he will contact L & V to find out what is required, and warns that this process will take time. Ed Tutrone and McHale will work with Jerilyn of L & V.

- d. Tiffanne Stackewicz states that Trick-or-Treating was confusing this year. Tobyhanna Township approved 6PM-8PM, while Coolbaugh chose 5PM-8PM. Her community is split, so there was confusion. Anne Lamberton states that the Council of Governments mandated hours from 6PM-8PM for a county-wide Trick-or-Treating to prevent this. Lamberton suggests Stackewicz call Coolbaugh Township in early October to make sure they abide by the Council of Governments’ set times.

- e. State Representative Jack Rader states that the budget is done, and the Board may want to encourage the county to say no to additional casinos. The Board directs Autumn Canfield to draft a letter stating that Tobyhanna Township opposes additional casinos.

- f. Denise Doremus of Pocono Mountain Regional Emergency Medical Services (PMREMS) states that calls from Tobyhanna Township are up almost 16% to 1,094 calls this year, and 113 calls thus far in November. For the year, PMREMS has received 5,205 calls thus far. PMREMS.org has a free monthly newsletter and other events. December 16th is the

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11. John Holahan motions to adjourn. Meeting adjourned at 7:53PM.

Minutes recorded by Julia Heilakka