

A G E N D A
Board of Supervisors
Regular Business Meeting
October 10, 2011

1. Call Meeting to Order: John E. Kerrick, Chair
2. Pledge of Allegiance
3. Announcements: Trick or Treat Hours - Monday, Oct.31-6PM to 8PM
Candidate Forum for Monroe County Commissioners-Thurs.Oct.27-7PM
Pocono Mtn. Regional Police Foundation Fundraiser
Golf Tournament-Saturday, Oct.15 and 5K Run/Walk-Sunday, Oct.16
4. Consider the Minutes of: August 8, 2011 Regular Business Meeting
5. Consider the Treasurer's Report: \$ *335,565.02*
6. Solicitor Report:
7. New Business:
 - A. TEC PTO request-donation for Halloween Parade/Party
 - B. Locust Lake Village POA proposed pavilion LDP waiver request
 - C. Locust Ridge Quarry Asphalt Plant Control Building LDP waiver request
 - D. Lake Naomi Clubhouse Pavilion roof 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 10, 2011 beginning at 7:00 p.m.

PRESENT: JOHN E. KERRICK, Chairperson
HEIDI A. PICKARD, Vice-Chairperson
ANNE LAMBERTON, Board Member
JAMIE B. KEENER, Board Member
DONALD MOYER, Board Member

PATRICK M. ARMSTRONG, ESQUIRE
Solicitor

ORIGINAL

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

1 MR. KERRICK: I'd like to
2 welcome everyone here to the board of the
3 supervisors meeting, October 10.

4 Could we open the meeting with a
5 pledge of allegiance, please?

6 (Pledge of allegiance was
7 recited.)

8 MR. KERRICK: First item on our
9 agenda, announcements.

10 MS. PICKARD: The trick or
11 treat hours are Monday, October 31 from 6 to 8 p.m.
12 We are having a Monroe County Commissioners Forum
13 on Thursday, October 27, in the meeting room here
14 at 7 p.m. and the Mount -- Pocono Mountain Regional
15 Police Foundation is having their golf tournament
16 Saturday, October 15, and that's with the 5K
17 run/walk Sunday, October 16.

18 MR. KERRICK: Do you have
19 anything else?

20 MS. PICKARD: Just it's still
21 township cleanup through the end of the week.

22 MR. KERRICK: Anything else?

23 MS. PICKARD: No.

24 MR. KERRICK: Thank you.

25 Next item on our agenda,

1 consider the minutes of August 8, 2011 regular
2 business meeting. What's the board's pleasure?

3 MS. PICKARD: I'll make a
4 motion. I had a couple of --

5 MR. KERRICK: Go ahead.

6 MS. PICKARD: -- typos. On the
7 August 8 regular business meeting minutes, Page 23,
8 Line 24, it should be looking for; Page 38, Line
9 20, should be Boulder, B-O-U-L-D-E-R, as in Big
10 Boulder; Page 43, Line 23, the first word should
11 read it; Line 44, Line 1, should be municipalities,
12 M-U-N-I-C-I-P-A-L-I-T-I-E-S; Page 50, Line 5,
13 should be N, as in Nancy, NPDES, that's NPDES; Page
14 61, Line 1, should be the letter J and J; Page 66,
15 Line 1, Line 7, and Page 67, Line 15, should be
16 Wessel, W-E-S-S-E-L, it's Kate Wessel.

17 That would be it. With that
18 I'll make a motion we approve the August 8, 2011
19 regular business meeting minutes.

20 MR. KERRICK: Motion on the
21 board, do we have a second?

22 MS. LAMBERTON: Second.

23 MR. KERRICK: Motion and
24 second.

25 Questions or comments from the

1 board on the motion?

2 Questions or comments from the
3 public?

4 Call the vote. Jamie?

5 MR. KEENER: 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. Motion carried.

15 Next item on our agenda. I
16 forgot my bill pack.

17 MS. PICKARD: Yeah, I did too.

18 MR. KERRICK: Dated October 10,
19 2011, total amount for board approval is
20 \$335,565.02.

21 MS. PICKARD: I make a motion
22 we pay the bill dated October 10, 2011 in the
23 amount of \$335,565.02.

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

1 MR. KEENER: Second.

2 MR. KERRICK: Questions or
3 comments from the board?

4 The bills are up front in the
5 box if anyone cares to take a look. Questions or
6 comments from the public?

7 Call the vote. Jamie?

8 MR. KEENER: I vote in favor.

9 MR. KERRICK: Anne?

10 MS. LAMBERTON: I'll abstain.

11 MR. KERRICK: Donny?

12 MR. MOYER: I vote in favor.

13 MR. KERRICK: Heidi?

14 MS. PICKARD: Vote in favor.

15 MR. KERRICK: Motion carried.

16 Next item on our agenda,
17 solicitor's report.

18 MR. ARMSTRONG: Thank you, Mr.
19 Chairman.

20 The first item under my report,
21 as you are all aware of the Arcadia on New Ventures
22 Lot 100 to 110, preliminary land application
23 approval that was granted probably about two years
24 ago. You're also aware that they came before you
25 probably two months ago and asked you to submit an

1 HOP application for their proposed development.

2 You have submitted the
3 application. They have been a little slow in
4 getting back the maintenance agreements with
5 respect to the improvements related to those HOPs.
6 I had a conversation with their counsel today and
7 what I'm going to suggest you do -- I got a revised
8 version of the maintenance agreements back on
9 Friday.

10 I talked to their counsel today
11 and I let them know that what I would be suggesting
12 to you tonight is that you would make a motion to
13 pull the HOP applications unless we finalize these
14 agreements before the end of next week, and they're
15 aware of it. I don't see anyone here tonight.

16 I think, they think we can
17 finalize it before the end of this week. I just
18 want to make sure that there's something pushing to
19 get this done in the near future. So with that if
20 you have any questions, please let me know. It's
21 more of a motion to get them moving and finalizing
22 those agreements.

23 Is there a motion from the
24 board? You don't have to make a motion if you
25 don't want to do it, you don't have to. It's just

1 something -- I've been working with them for a
2 little over a month and a half now. It's taking a
3 little longer than I would have anticipated.

4 MS. LAMBERTON: Do they have a
5 problem with --

6 MR. ARMSTRONG: No. No, they
7 don't.

8 MS. LAMBERTON: Is there a good
9 reason why they haven't come forward?

10 MR. ARMSTRONG: There's a lot
11 of cooks in the kitchen over there which might be
12 one of the reasons. I would think that's probably
13 the main reason.

14 MS. LAMBERTON: So we would
15 make a motion and we pushed it along a little bit
16 faster?

17 MR. KERRICK: They didn't agree
18 to all the conditions. They didn't want to be
19 responsible for the maintenance of the traffic
20 signal and the drainage.

21 MR. ARMSTRONG: Yeah, and a --

22 MS. LAMBERTON: And we want
23 them to be.

24 MR. ARMSTRONG: Absolutely.

25 MR. KERRICK: Yeah. It's a

1 private community.

2 MS. LAMBERTON: We still have
3 that in place even if we made this motion for them
4 to move forward?

5 MR. ARMSTRONG: Absolutely.

6 MS. LAMBERTON: We're just
7 putting a little steam underneath them to get it
8 moving.

9 MR. ARMSTRONG: I finally got
10 the revisions back from my maintenance agreements
11 on Friday and most of their changes are fine,
12 they're just technical type changes; but there are
13 probably two or three that I'm not going to suggest
14 for you to agree to. I don't anticipate them --
15 that being a stumbling block. I think they're
16 going to agree to not make those changes and -- you
17 know, I think we can probably finalize it before
18 the end of this week, but I don't have a problem
19 with giving them to the end of next week.

20 MS. LAMBERTON: Well, I thought
21 they were anxious 'cause they had a user.

22 MR. ARMSTRONG: So did I.

23 MS. LAMBERTON: So we should
24 make this motion. I'll make the motion.

25 MR. KERRICK: We have a motion

1 on the floor. Do we have a second?

2 MR. MOYER: Second.

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

5 Questions from the public on the
6 motion?

7 Call the vote. Jamie?

8 MR. KEENER: 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 What else do you have for us,
18 Pat?

19 MR. ARMSTRONG: As you're
20 aware, the county -- the Monroe County addressing,
21 911 addressing plan took place earlier this year
22 and we were -- it was brought to our attention, I
23 believe at the work session last week, that the
24 local fire departments were having trouble getting
25 some of the information. In response to that, I

1 directed a letter and I believe Heidi went to the
2 county commissioners meeting last week.

3 And I got a letter in response
4 to that inviting myself and anyone from the
5 township who wants to attend a meeting with some of
6 the representatives from the county to go over, you
7 know, what they're preparing and whether or not --
8 and what's going to be available to the local fire
9 departments. So I've already left a message with
10 the individual that I was given.

11 I believe Heidi, you will be
12 attending, correct?

13 MR. KERRICK: You're going to
14 have it here, correct?

15 MR. ARMSTRONG: I didn't talk
16 to anyone yet. I'm anticipating to request them to
17 come here, but it does involve, I think, two people
18 that are employees of the county. So they may want
19 to have the meeting at the county.

20 MR. KEENER: I would try here.

21 MS. PICKARD: Usually they like
22 to come up here.

23 MR. KEENER: They'll travel.

24 MS. PICKARD: They'll travel,
25 yeah.

1 MR. ARMSTRONG: If they will,
2 that's fine. I haven't had the opportunity to
3 talk to them yet, so --

4 I have one executive session
5 item for after the public meeting. And that's all
6 I have for my report.

7 MR. KERRICK: Thank you.

8 MR. KEENER: Yeah. Just to
9 follow that up. I never got a response to my
10 e-mail that I think triggered some of the
11 discussion about the 911, the addresses.

12 You guys saw it, didn't you?

13 MS. LAMBERTON: Yes, I did.

14 MR. KERRICK: You did not get a
15 response?

16 MR. KEENER: No. I'm glad that
17 somebody's at least following up, because again, I
18 think for the amount of money the county spends,
19 and the purpose of that was for the enhanced 911,
20 why our emergency services folks don't have access
21 to that, even now, is beyond me.

22 MR. RON GATTI: May I comment
23 on that?

24 MR. KERRICK: Sure.

25 THE REPORTER: Would you state

1 your name, please?

2 MR. RON GATTI: Yes. I'm Ron
3 Gatti, G-A-T-T-I, from Locust Lake Village.

4 THE REPORTER: Thank you.

5 MR. RON GATTI: In your
6 comments or in your meeting with the county
7 officials, if you could ask them also to get some
8 maps available to the communities. We're
9 responsible for implementing the 911 and yet we do
10 not have the information to do so. We can't put up
11 street signs if we don't have the street names. We
12 can't put up the numbers if we're not sure what the
13 new numbers are going to be.

14 So that -- we have been working
15 with Phyllis and she has been extremely helpful and
16 very cooperative to the extent that she can be, but
17 the blockage seems to be getting the information
18 from the county. If there is any way that, in your
19 discussion, the importance of making information
20 available to the communities is very important.

21 MS. PICKARD: We appreciate
22 that. They're not giving the township the
23 information. Our primary concern is to get it to
24 the emergency services right now.

25 MR. RON GATTI: Yeah. They --

1 the point being that we want to implement the
2 system, but we too need the information in order to
3 do so.

4 MS. PICKARD: We understand.

5 MR. KERRICK: We'll give you an
6 update date after we have our meeting.

7 Anyone else?

8 Next item on our agenda -- you
9 done, Jamie? I'm sorry.

10 MR. KEENER: Yeah.

11 MR. KERRICK: Next item on our
12 agenda, TEC PTO request donation for Halloween
13 party.

14 What's the board's pleasure?

15 MS. PICKARD: We made a
16 donation of \$250 for the last two years.

17 MR. KERRICK: Is that your
18 motion?

19 MS. PICKARD: I'll make a
20 motion that we donate \$250 for the fall party, TEC
21 PTO.

22 MR. MOYER: Second.

23 MR. KERRICK: Motion and
24 second.

25 Questions or comments from the

1 board?

2 Questions or comments from the
3 public?

4 Call the vote. Jamie?

5 MR. KEENER: 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 vote in favor.

14 Motion carried.

15 Next item, Locust Lake Village
16 Property Owners Association proposed pavilion land
17 development waiver request. Obviously we have
18 representatives from Locust Lake.

19 What's the board's pleasure?
20 Any questions since the work session?

21 MR. ARMSTRONG: This is a
22 request for waiver of land development. It looks
23 like the applicant proposes to put a nonresidential
24 structure on the property and they're requesting a
25 waiver of the land development requirements.

1 Obviously one of the conditions would be for the
2 applicant to comply with all zoning ordinance
3 requirements of the township and obviously any
4 other applicable codes or regulations that would
5 apply. I don't know if the township had any other
6 potential conditions that you wanted to place.

7 If you want to entertain the
8 request of waiver of the land development.

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

11 MR. KEENER: I think based on
12 some of the discussions we had at the work session
13 about, I guess, pavilions and guard shacks and some
14 of those items that are probably less than needing
15 to be engineered and significant site improvements,
16 I would support a waiver. I think we should put a
17 stipulation on the amount of square footage of the
18 structure, say -- I mean, what do we currently
19 have? 200 square feet?

20 MR. MOYER: Yeah.

21 MR. KEENER: You know, I'm
22 thinking maybe a thousand square feet, maybe five
23 hundred or a thousand square feet. I'll throw that
24 out there, I don't know.

25 MS. PICKARD: Is 1320.

1 MR. MOYER: It's 44 by 30.

2 MR. KERRICK: 1320, Jamie.

3 Their proposed pavilion is 1320.

4 MS. PICKARD: The pavilion is
5 1320.

6 MS. LAMBERTON: I don't have a
7 problem with the size.

8 MR. KEENER: I think it's
9 something -- again, the MPC provides for, any
10 improvement really is defined as a land
11 development. We just need to determine what we
12 feel should go through the process and even what
13 doesn't go through the regular land development
14 process, I still think needs to comply with storm
15 water management regs, erosion control regs. And
16 even if we do waive the land development process
17 that still needs to be complied with.

18 So there's still going to be a
19 cost associated with generating those drawings
20 and/or calculations to support the development.
21 So, I mean, I don't know, do you want to go to -- I
22 mean, think -- do we want to do it for
23 nonresidential? Do we want do it for residential?

24 Right now a single residential
25 home is not defined as land development, is that

1 correct?

2 MS. PICKARD: No.

3 MR. ARMSTRONG: Any

4 nonresidential improvement to a structure.

5 MR. KEENER: Right. Or two or
6 more residential.

7 MR. MOYER: Right.

8 MR. KERRICK: We discussed this
9 many years ago that we were going to change it. We
10 talked about it several times and we never have
11 changed it. I think we could do it case by case.
12 We're in the process of redoing our ordinances and
13 zoning. Let's see if we can come up with a square
14 footage. I don't think that's unreasonable, the
15 13, and match what you said there. I have no
16 problem with it.

17 MR. KEENER: Do you want to put
18 it as square footage or are you just want to leave
19 it arbitrary and --

20 MR. MOYER: Case by case.

21 MS. KEENER: -- make it on a
22 case by case basis?

23 MS. PICKARD: Case by case.

24 MR. MOYER: Yeah, 'cause it's
25 not -- they're not all pavilions, you know what I

1 mean? They're going to have different structures.

2 MR. KEENER: Well, but if
3 somebody comes in with a commercial development, a
4 retail store that's 1500 square feet. I mean, it's
5 going to be hard to do a stand-alone structure of
6 1500 square feet, but it could very well happen.

7 MR. KERRICK: I don't think
8 that's our intent here.

9 MR. KEENER: Understand --

10 MS. LAMBERTON: That's why
11 that's an amenity.

12 MS. PICKARD: That's why it
13 makes sense to do it a case by case.

14 MR. MOYER: Case by case, yeah.
15 At that time then we'll --

16 MR. KEENER: Okay. I mean,
17 understanding that there's administrative costs and
18 still some processing for the waiver, I'd recommend
19 a thousand dollars plus reimbursement of other fees
20 such as the engineer and any other professional
21 fees.

22 Pat, had you adjusted the
23 developer's agreement? Did you mention that?

24 MR. ARMSTRONG: There would not
25 be a develop -- there wouldn't be -- well, I guess

1 there could be, but it would primarily be a
2 professional services reimbursement agreement to
3 that extent, because they won't be -- if you do
4 waive the land development requirements, they won't
5 be going through the actual land development
6 process.

7 MR. KEENER: Right. So I would
8 say a thousand dollars plus the professional
9 services agreement and ensuring compliance with all
10 other local, state and federal regulations that
11 might apply.

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

14 MS. LAMBERTON: I will second
15 that.

16 MS. PICKARD: This is a waiver
17 of the conditional use and the land development
18 plan?

19 MR. KEENER: I would just say
20 land development. I wouldn't waive conditional use
21 or special exception because that's a separate
22 process.

23 MR. ARMSTRONG: Yeah. Special
24 exception you wouldn't be able to --

25 MS. PICKARD: No. This is

1 conditional use. This is a development amenity
2 which would require a conditional use hearing, so
3 are we not waiving the conditional use and
4 advertise a conditional use hearing?

5 MR. KEENER: To be honest with
6 you, no, I wouldn't waive conditional use.

7 MR. KERRICK: They should have
8 been told last week then, so they could've started
9 this process. We're time sensitive here.

10 MS. PICKARD: I think we should
11 waive the conditional use and the plan development.

12 MS. LAMBERTON: I think we
13 should too.

14 MR. KERRICK: If you can.

15 MS. LAMBERTON: You're saying
16 we can't, though.

17 MR. ARMSTRONG: Well, you can't
18 waive special exception. This is conditional use
19 and if the board feels it's not necessary --

20 MR. KEENER: I guess you could,
21 but, again, it's another process by which you have
22 the opportunity to review an application and, I
23 mean, if you're just going to waive it generically
24 --

25 Are you going to waive each one

1 as they come up? Is that the intent?

2 MR. KERRICK: I don't really
3 think -- our intent was to change the ordinance as
4 it is. We never did and all of a sudden we have
5 three before us -- four before us this evening.

6 MR. KEENER: For land
7 development, that I wasn't aware we were talking
8 about conditional use or --

9 MR. KERRICK: I know we
10 weren't, but we also are in October and these
11 people want to continue with their projects. I
12 don't want to hold them up. What we should have
13 done, in my opinion, we should've told them then
14 that they needed to do some things, they could've
15 started that process. Why hold them up?

16 MR. ARMSTRONG: Well, right now
17 --

18 (Inaudible discussion.)

19 MR. KERRICK: For a pavilion?

20 MR. KEENER: I don't have a
21 problem with it, if that that's what you want to do
22 for this specific one but --

23 MS. LAMBERTON: I think we are
24 talking just this one right here.

25 MR. KEENER: That's what we're

1 talking about tonight.

2 MS. LAMBERTON: Me too, yes. I
3 know.

4 MR. ARMSTRONG: Locust Lake

5 MS. LAMBERTON: Yep.

6 MR. ARMSTRONG: We're not
7 waiving anything across the board or anything.

8 MR. MOYER: Yeah. We're not
9 making it --

10 MS. PICKARD: No.

11 MR. KEENER: That's good, but
12 you set a precedent once you do one.

13 MR. ARMSTRONG: Well, the
14 applicant, I don't think they've actually requested
15 a waiver of the conditional use. They may not have
16 been aware of that.

17 MR. RON GATTI: No. We thought
18 the use of the pavilion was an established use
19 because it is an amenity structure and what is
20 already an amenity, that the use aspect of it --

21 MR. ARMSTRONG: That would make
22 sense. If there's an existing use there, this --

23 MR. MOYER: Right. It's not
24 changing.

25 MR. ARMSTRONG: -- isn't brand

1 new. Then that would make sense. The conditional
2 use is for the actual use of the property. If
3 that's already been established by possibly a prior
4 conditional use, that's not an issue.

5 MR. KEENER: Okay.

6 MS. PICKARD: Then we'll make
7 a motion.

8 MR. KERRICK: Any other
9 questions? No?

10 You okay?

11 MR. KEENER: Yeah.

12 MR. KERRICK: Any questions
13 from the public on the motion?

14 MR. RON GATTI: Yeah.

15 MR. KERRICK: Yes, sir.

16 MR. RON GATTI: First of all,
17 thank you. Secondly --

18 MR. KERRICK: We didn't vote.

19 MR. RON GATTI: You didn't
20 vote? Is the agreement to be drawn up and an
21 escrow payment in case of need or (inaudible) or is
22 that a fee for --

23 MR. ARMSTRONG: The
24 professional services agreement with the township
25 is when an applicant comes in and submits a plan

1 there are obviously costs to the township with
2 respect to the township engineer reviewing plans,
3 if they need to be reviewed, any other reviews of
4 professionals, the traffic consultant and myself.
5 For plans such as this, I don't anticipate the
6 professional services to be extensive; but in order
7 to cover the township in the event that there is an
8 unforeseen circumstance --

9 MR. RON GATTI: It is the
10 escrow that --

11 MR. ARMSTRONG: It'll be a
12 professional services agreement that the township
13 -- it's a formal agreement that we've entered into
14 with applicants and there's an escrow requirement.
15 I don't necessarily know what that is or what it
16 would be with respect to a plan like this. I
17 wouldn't anticipate it being -- but I don't know,
18 sitting here, what the actual escrow amount would
19 be.

20 MR. KEENER: What's our --

21 MR. ARMSTRONG: The
22 professional services escrow would be returned to
23 you once your pavilion's completed in the event
24 that you never used any money from that.

25 MR. RON GATTI: Correct. Thank

1 you.

2 MR. ARMSTRONG: The fee in lieu
3 -- the thousand dollar fee in lieu, that's
4 something separate, that would not be together with
5 the professional service agreement.

6 MS. LAMBERTON: I'm fine with.

7 MR. KERRICK: Any other
8 questions?

9 Call the vote. Jamie?

10 MR. KEENER: I vote in favor.

11 MR. KERRICK: Anne?

12 MS. LAMBERTON: I vote in
13 favor.

14 MR. KERRICK: Donny?

15 MR. MOYER: I vote in favor.

16 MR. KERRICK: Heidi?

17 MS. PICKARD: I vote in favor.

18 MR. KERRICK: I vote in favor.

19 Motion carried.

20 Next item on our agenda, Locust
21 Ridge Quarry Asphalt Plant Control Building, land
22 development waiver request.

23 Anyone here from Locust Ridge?

24 What's the board's pleasure?

25 MS. LAMBERTON: That's the same

1 situation, isn't it?

2 MR. KERRICK: Pretty much the
3 same situation, Anne.

4 MR. KEENER: What's the square
5 footage of the building?

6 MR. MOYER: 17 by 30.

7 MR. KEENER: 17 by 30?

8 MR. MOYER: Yeah, I'm pretty
9 sure.

10 MR. KEENER: Almost 560 square
11 feet. I make a motion we approve the waiver
12 request from Haines and Kibblehouse, the asphalt
13 plant and control building that is approximately
14 560 square feet.

15 MS. LAMBERTON: I second.

16 MR. KEENER: Waiver of land
17 development.

18 MR. ARMSTRONG: Subject to the
19 same conditions?

20 MR. KEENER: Subject to the
21 same conditions; professional services agreement
22 and compliance with all other local, state and
23 federal regulations.

24 MR. ARMSTRONG: Same fee in
25 lieu of --

1 MR. KEENER: Yes.

2 MR. KERRICK: Do we have a
3 second?

4 MS. LAMBERTON: I'll second it.

5 MR. KERRICK: Any questions
6 from the board on the motion?

7 And questions from the public on
8 the motion?

9 Call the vote. Jamie?

10 MR. KEENER: I vote in favor.

11 MR. KERRICK: Anne?

12 MS. LAMBERTON: I vote in favor.

13 MR. KERRICK: Donny?

14 MR. MOYER: I vote in favor.

15 MR. KERRICK: Heidi?

16 MS. PICKARD: I vote in favor.

17 MR. KERRICK: I vote in favor.

18 Motion carried.

19 Next item on our agenda, Lake
20 Naomi Clubhouse pavilion roof, land development
21 waiver request.

22 What's the board's pleasure?

23 MS. LAMBERTON: It's just a
24 roof?

25 MR. MOYER: Jamie, this is

1 already done.

2 MS. LAMBERTON: Umm-hmm. I'll
3 make a motion to approve the waiver, in lieu of the
4 same conditions that we put on the other two.

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

7 MR. MOYER: Second.

8 MR. ARMSTRONG: Compliance with
9 zoning and all other code and ordinances?

10 MS. LAMBERTON: Absolutely,
11 yes.

12 MR. ARMSTRONG: Storm water
13 management compliance in lieu of a thousand dollars
14 and professional services agreement?

15 MS. LAMBERTON: Sounds
16 wonderful.

17 MR. MOYER: Second.

18 MR. KERRICK: Questions or
19 comments from the board?

20 Public, questions or comments?
21 Call the vote. Jamie?

22 MR. KEENER: I vote in favor.

23 MR. KERRICK: Anne?

24 MS. LAMBERTON: I vote in
25 favor.

1 MR. KERRICK: Donny?

2 MR. MOYER: I vote in favor.

3 MR. KERRICK: Heidi?

4 MS. PICKARD: I vote in favor.

5 MR. KERRICK: I vote in favor.

6 Motion carried.

7 Next item on our agenda. Timber
8 Trails Gatehouse land development waiver request.
9 Small addition to the rear of the gatehouse.

10 Do you want to discuss that with
11 us, John?

12 MR. JOHN LAMBERTON: John
13 Lambertson, Lake Naomi Club. We had submitted
14 application and plans to the township to get a
15 building permit for a small addition we're doing on
16 the rear of the Timber Trails Gatehouse. It
17 consists of 132 square feet and received a phone
18 call from Phyllis on Friday stating that she could
19 not give a waiver because -- even though it was
20 below the 200 square feet, that it was not in a
21 commercial district; it was commercial use.

22 So therefore she suggested that
23 we come to the board and get a waiver. Also time
24 sensitive, we're looking to start construction
25 immediately. And basically the addition consists

1 of a bathroom and a hallway connecting the bathroom
2 to the existing building, for a total of 131 square
3 feet.

4 MR. MOYER: Let's get that
5 bathroom.

6 MR. KEENER: Speaking of
7 bathrooms, how are you going to serve the bathroom?
8 Where's the septic?

9 MR. JOHN LAMBERTON: We
10 currently have a bathroom there.

11 MR. KEENER: Okay.

12 MR. JOHN LAMBERTON: It's
13 inside the existing facility and that will be
14 removed and it's being pumped out. So it does have
15 an existing septic system.

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

18 MR. KEENER: I'll make a motion
19 we approve the Timber Trails Gatehouse addition of
20 132 square feet, plus or minus, with the conditions
21 of the thousand dollars for the waiver request; the
22 compliance with all other local, state and federal
23 regulations; professional services agreement.

24 MR. ARMSTRONG: In lieu of?

25 MR. KEENER: I mentioned the

1 thousand dollar fee.

2 MR. ARMSTRONG: The only thing
3 you may want to consider adding to this one, since
4 I don't believe Bob McHale, the township engineer,
5 has seen it, because I think it just came in today,
6 is conditional upon review by Bob McHale to make
7 sure there's no outstanding items that the board's
8 not aware of that may impact --

9 MR. KEENER: That's why I said
10 compliance with all local, state and federal
11 regulations so that he would ensure compliance.

12 MR. KERRICK: Do we have a
13 second?

14 MR. MOYER: Second.

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

17 Questions or comments from the
18 public on the motion?

19 Call the vote. Jamie?

20 MR. KEENER: I vote in favor.

21 MR. KERRICK: Anne?

22 MS. LAMBERTON: I'll abstain.

23 MR. KERRICK: Donny?

24 MR. MOYER: I vote in favor.

25 MR. KERRICK: Heidi?

1 MS. PICKARD: I vote in favor.

2 MR. KERRICK: I vote in favor.

3 Motion carried.

4 Anyone else have anything?

5 MS. LAMBERTON: No more

6 waivers?

7 MR. MOYER: No more waivers.

8 MS. LAMBERTON: I'm good.

9 MR. KERRICK: Do you have
10 anything else, Pat?

11 MR. ARMSTRONG: Just a brief
12 executive session.

13 MR. KERRICK: Anyone from the
14 public have anything? Anything we should discuss?
15 Nobody?

16 I didn't forget. I was dragging
17 it out until last.

18 We have one other item on our
19 agenda. We have to take action on Jamie Keener's
20 resignation.

21 What's the board's pleasure?

22 MS. PICKARD: I'll make a
23 motion we accept Jamie Keener's resignation as
24 of --

25 MR. KERRICK: That was quick.

1 I -- you know who your friends are.

2 MR. KEENER: That makes me feel
3 good.

4 MS. PICKARD: -- October 15,
5 2011.

6 MR. KERRICK: Do we have a
7 second?

8 MS. LAMBERTON: I'm not going
9 to second it.

10 MR. MOYER: I'll second it.

11 MR. KERRICK: Motion and
12 second.

13 Questions or comments from the
14 board?

15 Questions or comments from the
16 public on the motion?

17 Call the vote. Jamie?

18 MR. KEENER: I abstain.

19 MR. KERRICK: Anne?

20 MS. LAMBERTON: I vote no.

21 MR. KERRICK: Donny?

22 MR. MOYER: I vote in favor.

23 MR. KERRICK: Heidi?

24 MS. PICKARD: I vote in favor.

25 MR. KERRICK: I vote in favor.

1 Motion carried.

2 It's with regret, Jamie. Will
3 you be able to attend our next meeting in the
4 audience?

5 MR. KEENER: Hmm, I'll have to
6 see.

7 MR. KERRICK: If you're in
8 town?

9 MR. KEENER: If I'm in town.
10 If not -- go ahead.

11 MR. KERRICK: -- the meeting
12 afterwards, but it's been a pleasure. I really
13 appreciate some of the visioning in Blakeslee that
14 you had started and we hope to carry it through.

15 MR. KEENER: I appreciate that
16 and I apologize to all the voters that supported me
17 and to the residents of Tobyhanna Township, but
18 there are other demands on my schedule that I must
19 take up with my work and my family. So I
20 appreciate the opportunity to work with all of you.
21 I think we've done some great things over the last
22 few years and again in life we hope that we
23 contribute a little bit to make things a little bit
24 better than we've had them when they were there, so
25 I hope I've done that.

1 I hope we continue to keep
2 things moving in Tobyhanna Township, I think with
3 Blakeslee, with all of the things, the Blakeslee
4 Natural Area and some of the recent things that
5 have been happening here. I see some significant
6 changes in Tobyhanna Township coming and again I
7 attribute that to a lot of -- the hard work from
8 the volunteers, from our staff and from the office
9 people, the DPW.

10 Yesterday I had the opportunity
11 to coach a baseball game and had a gentleman come
12 up to me from Scranton and say about how beautiful
13 it was to come to Blakeslee -- or to Pocono Pines
14 to our ball field to play on such great facilities.

15 And again, John, thank you for
16 the work that you do and your staff with preparing
17 the fields. It's comforting to know that the hard
18 work is appreciated not only by our residents, but
19 by those who are outside. It's a difficult job, it
20 certainly is, but it's something that's very
21 rewarding to be able to make decisions that impact
22 people's lives.

23 And again, I appreciate the
24 opportunity and I hope you guys continue to move
25 those things forward in Blakeslee. I'm actually

1 going to be attending a planning conference, a
2 state planning conference this weekend and I'm
3 going to be talking about the visioning process and
4 taking that to the statewide folks and hopefully
5 they can apply that throughout Pennsylvania and
6 Blakeslee will be an example of how it can be done
7 right.

8 So, again, thank you. And I'll
9 be here until I'm permanently moved, I'll be
10 around, so if you need me for anything give me a
11 call. Thank you.

12 MR. KERRICK: I am surprised
13 that you missed one thing. I took great effort and
14 pain to get the roadway maintenance finished and
15 put on our office wall and I thought after all the
16 grief you gave me that you might mention it this
17 evening.

18 MR. KEENER: As a professional
19 planner --

20 MR. KERRICK: Do you see it on
21 the wall?

22 MS. LAMBERTON: I have to go
23 look.

24 MR. KERRICK: For the next 20
25 years.

1 MR. KEENER: As a professional
2 planner that's one of the things that we've always
3 pushed, is trying to get things organized so you
4 have a plan in place and so you use the money
5 wisely.

6 And, John, you said a lot of
7 people don't understand the hours that you put in
8 and the DPW folks, from fixing roads and clearing
9 trees and plowing the streets but certainly I know
10 it's a difficult task. We have probably the most
11 roads of any in the municipalities in the county.
12 So, yeah, it's not unrecognized.

13 Thank you.

14 MR. KERRICK: Thank you.

15 Anyone from the public?

16 MR. RON GATTI: I too would just
17 like to add my appreciation for the work that
18 you've done. We have not had direct dealings, but
19 I did talk to you while you were a candidate and I
20 appreciate that you shared your professional
21 expertise with the township. We have all benefited
22 from it.

23 MR. KEENER: Thank you.

24 MR. KERRICK: Thank you.

25 Anyone else?

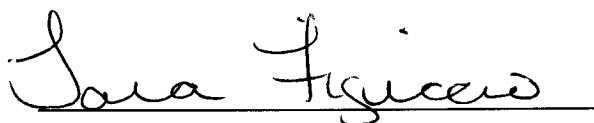
We're adjourned. Thank you.

(Meeting concluded at 7:38 p.m.)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1
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