

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
April 17, 2018

The meeting was called to order by Chairman William Weimer at 7:09 pm in the meeting room of the Coolbaugh Township Municipal Office, 5520 Municipal Drive, Tobyhanna, PA.

**Board Members present:**

William Weimer, Anthony Lamantia, Alma I. Ruiz-Smith, Clare Colgan and Lynn Kelly

**Board Members absent:**

None

**Staff present:**

Patrick Armstrong, Solicitor, Erin Masker, Township Secretary, Patricia Rosendale, Treasurer and Meredith Thompson, Assistant Business Manager

**Staff absent:**

None

**Announcements:**

Mr. Weimer announced the following:

- Public Input will be considered at the beginning of the meeting for non-agenda items. The public will be given an opportunity to speak on each agenda matter.
- The meeting is being recorded to aid in the preparation of the minutes, please remember to state your name and city before speaking.

**1. Public Input**

- D. Pope asked the status of the fines being imposed for the illegal dumping at the Recycling Center, being advised by Mr. Weimer that Monroe County Waste Authority truck drivers are dumping any items that are left outside of the blue recycling bins. Ms. Ruiz-Smith asked that a letter be sent regarding the issue to the MCWA.
- V. Massaro stated that there is dumping occurring at the Dana's Restaurant property again, being advised that Mr. Keane, Codes Enforcement Officer has taken them to court to have the issue resolved.

**2. Approval of minutes / notes : April 3, 2018 Meeting**

*Ms. Ruiz-Smith made a motion second by Mr. Lamantia to approve the meeting minutes of April 3, 2018 as written.*

- **Discussion:** None
- **Vote:** All in favor, motion passes

**3. Monthly Reports**

➤ **Pocono Mountain Regional Police Department-** Presented by Ms. Kelly

P. Williams asked about the amount of investigative hours with Ms. Ruiz-Smith stated that she spoke to the Chief and he stated it is due to drug investigations. Mr. Weimer stated that the new K-9 car is done and there is retro reflective sticker on the back of the car for Coolbaugh Township's sponsorship of the car.

- **Pocono Mountain Regional EMS-**Presented by B. Weimer
- **Coolbaugh Township VFC-** Presented by J. McManus
- **Gouldsboro VFD-** Presented by B. Weimer.
- **Thornhurst Fire & Rescue Ambulance-** Presented by B. Weimer.
- **Tobyhanna Township VFC-** Presented by B. Weimer.

➤ **Pocono Mountain Public Library-** Presented by P. Williams

\*Item #12 was moved to the #4 spot for this meeting in order to discuss funds/budgeting for items before approving requests for funding. \*

**4. Current Obligations**

• General Fund	\$	217,978.37
• Sewer Fund	\$	17,962.50
• Escrow Fund	<u>\$</u>	<u>8,790.85</u>
Total Disbursements	\$	244,731.72

*Ms. Kelly made a motion second by Mr. Weimer to pay our current obligations in the amount of \$244,731.72*

- **Discussion:** Ms. Ruiz-Smith asked for clarification on check#4208. Ms. Ruiz-Smith asked if an invoice was received for the electrical work at the church in Building #2 being advised by M. Thompson that an electrician was not hired to complete the work and that it was completed by DPW, but she will confirm with DPW Assistant Foreman. Ms. Ruiz-Smith would like confirmation on that as she was advised that an electrician was to be hired to do the work properly. Ms. Ruiz-Smith asked for clarification on what budget line items the Coolbaugh Township VFC requests for funding would be coming from. Mr. Lamantia requested that the invoices for Gilmore and Associates be more specific as to the work that is being completed and who is requesting the work.
- **Vote:** All in favor, motion passes.

**5. Coolbaugh Twp. Volunteer Fire Company Request for Disbursement of Annual Stipend in the Amount of \$114,000.00 from the General Fund**

*Ms. Ruiz-Smith made a motion second by Mr. Lamantia to authorize the disbursement in the amount of \$114,000.00 from the General Fund to the Coolbaugh Township Volunteer Fire Co. as requested.*

- **Discussion:** P. Williams stated that a check was already cut for this in tonight’s bill package. Mr. Weimer stated that this item was on the agenda before the approval of bills to be paid and therefore if there was no request to change the order of the agenda items this would be approved before the bill payout.
- **Vote:** All in favor, motion passes.

**6. Coolbaugh Twp. Volunteer Fire Company Request for Disbursement in the Amount of \$100,000.00 for the Annual Payment on the Twin Sutphen Engines from the Fire Tax Fund**

*Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve the request for disbursement in the amount of \$100,000.00 from the Fire Tax Fund for the annual payment on the Twin Sutphen Engines.*

- **Discussion:** Ms. Ruiz-Smith thanked Tomas Keane and Bill Weimer for the presentation that they made at the COG meeting and for donating the retired fire truck to the County Fire School. Mr. Weimer stated that Coolbaugh Twp. VFC believes in training volunteer firefighters and stated that the truck they donated will be able to assist with that. Mr. Weimer also stated that when they donated the truck the county did some necessary work to the truck. Mr. Weimer stated that this is payment #2 or 10.
- **Vote:** All in favor, motion passes

7. **Coolbaugh Twp. Volunteer Fire Company Request for Disbursement in the Amount of \$44,000.00 for Capital Improvements**

*Ms. Ruiz-Smith made a motion second by Mr. Weimer to authorize the disbursement in the amount of \$44,000.00 to the Coolbaugh Township Volunteer Fire Co. for capital improvements as listed on their request.*

- **Discussion:** Ms. Ruiz-Smith asked who will be completing the electrical repairs.
- **Vote:** All in favor, motion passes.

8. **Emergency Electrical Repair to the WWTP**

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize the emergency electrical repair at the WWTP in the amount of \$9,867.00 to electrician Vincent Piacente Electrical Contractors.*

- **Discussion:** Mr. Weimer stated that the work was previously completed as it was an emergency, but wanted to make sure everyone was aware of it because the original work completed by North End Electric was not a permanent fix as there were wires draped along the ceiling and exposed wires. Mr. Lamantia stated that whether it is a temporary fix or not, it still needs to comply with codes.
- **Vote:** All in favor, motion passes.

9. **WWTP- HMI Computer Replacement**

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize the purchase of the HMI Computer for the WWTP at a cost not to exceed \$6,300.00 from Suez/Zenon (GE) with the consideration of the contract changes as advised by Solicitor Armstrong.*

- **Discussion:** Solicitor Armstrong stated that the changes would include modifications as to the responsibility of the equipment should it not be compatible with our current system/ hook up, changing the state of NY to PA as well as confirmation that the equipment can be installed by a local electrician and would not void the warranty. D. Kavitski stated that this company is located in Canada and is the only company that can program the computer, stating that if we were to purchase the computer from another vendor would still require the expense of shipping to Suez for programming. D. Kavitski also stated the hook up should be a plug and play type installation and if Suez needed to send a technician to do this, the Township would have to pay the travel expenses including lodging and meals, therefore he believes that they could have an electrician in the area hook it up and Suez could remotely connect and make sure that the system is working properly.
- **Vote:** All in favor, motion passes.

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize the installation of the computer at the WWTP at a cost not to exceed \$1000.00.*

- **Discussion:** Ms. Ruiz-Smith stated that she is not comfortable with that amount as it could be more if the Suez Company has to send someone and that she would prefer authorizing for \$3,500.00 to be safe.

*Mr. Weimer amended his motion and Ms. Ruiz-Smith her second to authorize the installation at a cost not to exceed 3,500.00.*

- **Discussion:** None
- **Vote:** All in favor, motion passes.

#### 10. Acceptance of Patricia Torregrossa's Resignation from the Pocono Mountain Public Library Board of Trustees and Authorization to Advertise

*Ms. Ruiz-Smith made a motion second by Mr. Weimer to regretfully accept the resignation of Patricia Torregrossa from the Pocono Mountain Public Library Board of Trustees and appoint Ms. Jill Gunther to the vacant position as stated in her letter of interest dated April 12, 2018.*

- **Discussion:** P. Williams stated that Ms. Torregrossa has been a dedicated member of many years and is resigning due to health reasons and has been
- **Vote:** 4-0-1, motion passes. (Ms. Kelly abstained due to her employment with the library)

#### 11. Batting Cage Repair Estimate

*Ms. Kelly made a motion to submit the claim which would cover \$1025.00 of the cost and TAA would pay the deductible of \$2500.00.*

##### **Motion dies without a second**

- **Discussion:** Ms. Ruiz-Smith stated that we should fix it and not submit it to the insurance and pay for it out of the general fund. The public stated that you have insurance for a reason. Ms. Ruiz-Smith stated that it would increase the premium. M. Fairservice stated that it is an act of God and that is what the Township carries insurance for. P. Williams stated that the Township is not being negligent so there is no reason not to submit it.

*Ms. Ruiz-Smith made a motion second by Ms. Colgan for discussion to pay the \$1,500.00 out of the General Fund and TAA will pay the difference.*

- **Discussion:** Ms. Colgan asked where the \$1,500.00 figure is coming from stating that it would be \$1,025.00 not \$1,500.00. Solicitor Armstrong asked for clarification on the other potential claim as far as the date. Mr. Weimer stated that it was a different day and would be a separate claim then the batting cage.

*Ms. Ruiz-Smith amended her motion to \$1,025.00 and Ms. Kelly her second.*

- **Discussion:** Ms. Kelly asked if the Board would consider splitting the cost if we are not going to submit it to the insurance. Mr. Weimer stated that he is not in favor of paying out of the Township general fund and submit it to the insurance. M. Fairservice asked if there are pictures since the work to repair it has already begun, being advised that they were already submitted.
- **Vote:** 1-4-0, motion fails. (Ms. Ruiz-Smith in favor)

*Ms. Colgan made a motion second by Mr. Weimer to submit the claim to the insurance company with TAA paying the \$2,500.00 deductible.*

- **Discussion:** Solicitor Armstrong asked Ms. Masker if the Athletic Association is prepared to pay the cost associated with the repair, being advised that yes as it is currently a safety issue with opening day being held this weekend.
- **Vote:** 4-1-0, motion passes. (Ms. Ruiz-Smith opposed)

#### 12. Authorize Solicitor Patrick Armstrong to attend the Hearing on Hamlet Drive Property

*Mr. Weimer made a motion second by Ms. Kelly to authorize Solicitor Patrick Armstrong to represent Coolbaugh Township in court regarding the Hamlet Drive case.*

- **Discussion:** None
- **Vote:** All in favor, motion passes.

#### 13. Other Business

Mr. Weimer stated that we have the Pocono Mountain Municipal Airport in attendance this evening. Solicitor Patrick Armstrong stated that last year the Board granted conditional approval for the PMMA land

development plan. This plan has already been before you and is only before you this evening as the applicant has been working to comply with the conditions. The applicant has already negotiated the improvements agreement with prior Solicitor Hanna and just wanted to discuss this with the Board as this agreement is not the same agreement as Solicitor Armstrong would have used, as he has a couple clarifications for the agreement. There is public funds being used for this project and the agreement is that the Airport and Coolbaugh Township will be listed as co-benefactors on the contractors insurance. Solicitor Armstrong believes that there is no reason not to approve the signing of the plans and improvements agreement contingent upon confirmation of all the conditions of Russell Kresge's review letter being met and subject to the applicant providing a fully executed performance bond with the associated contract for the work to be completed. Solicitor Armstrong stated that he does not want to throw a wrench in the project, but wanted the Board to know that it was negotiated prior.

*Ms. Kelly made a motion second by Mr. Weimer to authorize the signing of the plans for the airport and the agreement as presented with the conditions that Russ Kresge verifies that the conditions have been met and we receive the certificate of insurance and insurance bond.*

- **Discussion:** Ms. Ruiz-Smith asked if there is a space for the foam trailer, being advised by Mr. Weimer that he received a letter that thanked him for the presentation but that there is no funding available.
  - **Vote:** All in favor, motion passes.
- Mr. Weimer stated that there was an elevator rescue at Building #2 over the weekend which the Coolbaugh Township VFC and DPW were able to resolve, stating that the motor is shot and the elevator is out of service until the repairs are made. Mr. Weimer stated that he received an estimate in the amount of \$8,650.00. Ms. Kelly asked if any of the items are covered under the warranty, being advised that they are not. Mr. Lamantia asked if the estimate came from the company that does the servicing regularly, being advised that it is. Ms. Ruiz-Smith asked if there is any agreement that we provide elevator service for the food pantry, being advised that they carry out food for those that are unable to stated that she would like to contact another company in order to have a back-up. Mr. Lamantia asked how the elevator being down will work with ADA requirements. P. Williams stated that it should be ok to put it off until the next meeting as they are able to get the food to the cars of those that are unable to come downstairs. Mr. Weimer stated that he would question looking at another company if we have a current maintenance agreement with this company as we do not want to void anything.
- Mr. Weimer stated that he has the detour maps for April 25, 2018 if anyone should want to see them.
- Mr. Weimer stated that with opening day coming up they put up the netting and with the unexpected ice storm that came in, it crushed the poles and the netting. The estimate is to take down the existing fencing that was damages and replace it and replace the poles and reinstall dugout roofs and cables for a cost of \$14,425.00. The quote came from the company that installed it. Solicitor Armstrong stated that it will require at least two more quotes by phone are required. Ms. Kelly suggested that the Board authorize submitting the claim to the insurance company. Mr. Weimer asked Solicitor Armstrong how to handle the phone quotes if we call and they are not interested in the project as had happened in the past, being advised to document it.

*Ms. Kelly made a motion second by Ms. Colgan to submit the additional weather disaster at the park as a claim to the insurance company and we will request two more quotes.*

- **Discussion:** M. Fairservice asked if this was the original company that initially did the work and maybe they could take it into consideration maybe he could give us a break on the cost and requested a copy of the quotes received. Mr. Lamantia asked why the correct poles weren't installed the first time, being advised the original project did not include installation of new poles.
- **Vote:** All in favor, motion passes.

*Ms. Kelly made a motion second by Ms. Ruiz- Smith to authorize Russ Kresge to do a review of three properties for viability of a baseball field to include the Hemlock property, the Field by the Township Building and the Mountain Center Property.*

- **Discussion:** None
- **Vote:** All in favor, motion passes.

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to authorize Attorney Armstrong to review the deed to all open space properties for requirements of passive/aggressive.*

- **Discussion:** None
  - **Vote:** All in favor, motion passes.
- Ms. Ruiz-Smith stated that there were pictures provided at the previous meeting of the Veteran's Memorial and wanted to know the overrun cost associated with the project. Township Treasurer, Patricia Rosendale stated that they are under budget. Mr. Pope stated that it will be set this week and he will coordinate with DPW.
  - Mr. Weimer asked that in the future any questions be forwarded on to the staff to receive answers prior to the meeting.
  - Ms. Ruiz-Smith asked if the Board would like her to research grants for the purchase of the foam trailer for the airport location, with Mr. Weimer stating that it is worth a try and that they suggested going to the Office of Emergency Management to assist with funding. Ms. Ruiz-Smith will be having breakfast with Congressman Courtright and will speak to him to see if his office is able to help obtain funding for the purchase.
  - Ms. Ruiz-Smith stated that due to Mr. Weimer's admiration of the Pocono Mountains she secured donations through the COG, Monroe County Visitors Bureau, the Economic Development Corporation and other area businesses which will be raffled off at PSATS to represent Monroe County.
  - Mr. Weimer stated that he received a request to purchase first grind through the Beast at \$1.00 per yard from Mr. Steven Castone

*Ms. Colgan made a motion second by Ms. Ruiz-Smith to authorize the sale of first grind through the Beast at \$1.00 per yard to Steven Castone which is to be loaded himself.*

- **Discussion:** Ms. Ruiz-Smith asked who is responsible for trees on powerlines on Route 423 being advised that the power company will drop the trees but unsure if they will haul them away. Ms. Ruiz-Smith stated that she contacting Township Treasurer, Pat Rosendale to contact PPL about the trees.
- **Vote:** All in favor, motion passes.

#### 14. Board of Supervisors Executive Sessions

- **After:** Tuesday, April 17, 2018 from 8:55 pm- 9:25 pm Re: Legal/ Police Department

Board recessed for Executive Session at 8:55pm and reconvened at 9:25pm.

#### 15. Adjournment

*There being no further business, a motion was made by Ms. Ruiz-Smith second by Ms. Colgan to adjourn.*

- **Vote:** All in favor, motion passed.

Meeting adjourned at 9:25pm.

NEXT REGULAR BOARD MEETING: Wednesday, May 16, 2018 at the Coolbaugh Township Municipal Office meeting room.

- Work Session- 6:00 pm
- Business Meeting – 7:00 pm

Submitted by: \_\_\_\_\_  
Erin Masker, Recording Secretary

Witnessed by: \_\_\_\_\_  
William Weimer, Chairman

Date: \_\_\_\_\_