

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
April 2, 2019

The meeting was called to order by Chairman William Weimer at 7:00 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, Meredith Thompson, Assistant Business Manager and Tomas Keane, Director of Codes and Zoning

**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**

- T. Keane on behalf of the Coolbaugh Township Volunteer Fire Company requested permission to institute a mandatory burn ban throughout the Township due to the weather conditions.

*Ms. Ruiz-Smith made a motion second by Mr. Weimer to institute a mandatory burn ban in Coolbaugh Township starting on April 3, 2019 and being removed when deemed necessary by the Coolbaugh Township Volunteer Fire Company.*

- **Discussion:** Mr. Weimer stated that DPW will put up the signs tomorrow.
- **Vote:** All in favor, motion passes.

- H. Smith asked the Board if they would consider engraving the wars on the seven stones in front of the Veteran's Memorial at a cost of \$3,000.00 - \$4,000.00 stating that they would also like to have a sponsorship of the walkway and the flagpole by area businesses which they would like to work with the Board on.

*Mr. Weimer made a motion second by Ms. Colgan to approve the engraving of the seven stones in front of the Veterans Memorial to include the war names at a cost of up to \$4,000.00.*

- **Discussion:** Ms. Ruiz-Smith asked what the business sponsorship includes being advised by H. Smith that it would be a business logo engraved on the stone. Ms. Ruiz-Smith asked where this money is allocated in the budget for the engraving of the wars on the stones. Mr. Weimer stated that he will meet with H. Smith and D. Pope to discuss the sponsorship advertising.
- **Vote:** 4-1-0, motion passes. (Ms. Ruiz-Smith opposed)

- D. Pope presented two pictures and asked the Board to determine the difference stating that the pictures were taken at the property located by the railroad tracks in Tobyhanna a year apart and that the truck has not been moved. Discussion ensued about the changes of the vehicles in the parking lot at the multiple times that Mr. Keane, Director of Codes and Zoning, has been at the property. Mr. Weimer stated that he will have Mr. Keane look into the issue again. Mr. Pope stated that it is a junk yard.
- M. Fairservice stated that there are issues at the park including paintball guns being shot, wood fires burning in the grills at the pavilions and a woman living at the park. This is a safety issue and there needs to be police presence at the park in order to control these issues. Mr. Weimer stated that he is aware of the woman living at the park and stated the Township is working with the police to have her removed.
  - **Discussion:** Ms. Kelly stated that we need to post the property that there is no overnight parking. M. Fairservice stated that the park hours are dawn to dusk. Mr. Weimer asked that the police commission members bring this issue up at their next commission meeting. A. Lopez expressed her concerns for the wellbeing of the person that is living at the park asking if there are any resources that the Township could provide her with to help her. A. Lopez stated that she doesn't think we as a community should be turning our back on one of our own residents by kicking her out of the park. Ms. Ruiz-Smith stated that she could go to the Mountain Center where there are resources available including women's resources and habitat for humanity.

## 2. Approval of minutes / notes : March 19, 2019 Regular Meeting Minutes

*Mr. Lamantia made a motion second by Ms. Colgan to approve the meeting minutes of March 19, 2019 as written.*

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

## 3. Authorization to Advertise for 2019 Road Paving Bid

*Mr. Weimer made a motion second by Ms. Colgan to authorize advertising for the 2019 Road Paving Bid.*

- **Discussion:** A. Lopez asked what is the road paving bid being advised by Mr. Weimer it is the list of roads that were provided by the Assistant Road Foreman that need to be paved and is paid for from the liquid fuels funds.
- **Vote:** All in favor, motion passes.

## 4. Acceptance of Margaret Mill's resignation from Parks and Recreation Commission and the Environmental Advisory Council and Authorize Advertising the Open Positions

*Ms. Kelly made a motion second by Ms. Colgan to accept the resignation of Margaret Miller from Parks and Recreation Commission and the Environmental Advisory Council with regret.*

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

*Ms. Kelly made a motion second by Ms. Colgan to advertise the two open positions.*

- **Discussion:** A. Lopez asked how these positions are filled being advised that the advertisement will be placed in the paper and interested residents can submit a letter which will be provided to the Board to make the appointment
- **Vote:** All in favor, motion passes.

5. **EAC Request for Reimbursement to Attend the EAC Network Conference on Saturday, May 18<sup>th</sup> at the cost of \$35.00 for the day per person**

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize the reimbursement for up to five EAC members to attend the annual EAC Network Conference on Saturday, May 18, 2019 at the cost of \$35.00 for the day per person.*

- **Discussion:** Ms. Colgan stated that the EAC members are still unsure who will be attending so once they attend the event they will submit for reimbursement stating that the funding is in there budget for this year.
- **Vote:** All in favor, motion passes.

6. **EAC Request for Township Solicitor to do Title Research on the Tannery Property**

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize Township Solicitor, Patrick Armstrong to do the title research on the Tannery Property.*

- **Discussion:** Ms. Colgan stated that Solicitor Armstrong attended the EAC meeting and there are coal rights listed on the deed for the Tannery stating that they are unsure of who owns the rights. Solicitor Armstrong stated that the best way to resolve this issue would be to get a copy of the deed on file at the courthouse.
- **Vote:** All in favor, motion passes.

7. **Waste Not Technologies, Patrick Kelley Request for a letter stating that all Conditions of the land development of Waste Not Technologies have been met**

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve sending a letter to approve the release of the escrow for the Waste Not Technologies Land Development Plan.*

- **Discussion:** Ms. Ruiz-Smith thanked Patrick Kelley of Waste Not Technologies for all that he does.
- **Vote:** All in favor, motion passes.

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to authorize releasing the entire escrow amount of \$100,543.85 as recommended by Township Engineer, Russell Kresge in his letter dated March 28, 2019 which states that all of the outstanding items have been addressed.*

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

8. **Coolbaugh Township Anniversary Celebration Committee**

*Ms. Kelly made a motion second by Mr. Weimer to appoint Clare Colgan as the chairman of the Anniversary Committee.*

- **Discussion:** Mr. Weimer stated that Ann Shincovich, Dawn Visakay and Karen Green have volunteered to be a part of the committee and stated that we are still looking for more volunteers. M. Jolly and P. Williams both stated that they would like to be a part of the committee as well as the Historical Society and the VFW. Ms. Kelly stated that the Supervisors need to come up with a budget amount and a date for the event. Mr. Weimer stated that the committee should meet and come up with their ideas, a budget and the date and bring it back to the Board at the May 7, 2019 meeting. Ms. Masker will advertise on the website, social media and savvy citizen to continue looking for volunteers.
- **Vote:** All in favor, motion passes.

**9. Approve the Use of Township Vehicles, Mileage Reimbursement and Expenses for PSATS**

Ms. Kelly made a motion second by Mr. Weimer to approve the use of Township vehicles for transportation to PSATS, mileage reimbursement for personal vehicles used to travel to PSATS and expenses while at PSATS from April 13-17, 2019.

- **Discussion:** Ms. Ruiz-Smith asked why the 13<sup>th</sup>, being advised by Mr. Weimer that Ms. Masker and Ms. Colgan are attending a seminar in Hershey on the 13<sup>th</sup>.
- **Vote:** All in favor, motion passes.

**10. Current obligations**

• General Fund	\$ 341,665.67
• Sewer Fund	\$ 13,287.79
• Escrow Fund	<u>\$ 580.00</u>
<b>Total Disbursements</b>	<b>\$ 355,533.46</b>

*Ms. Ruiz-Smith made a motion second by Ms. Colgan to pay the current obligations in the amount of \$355,533.46.*

- **Discussion:** Ms. Ruiz-Smith asked for clarification on check #5248 and #5280. M. Fairservice asked for clarification on check #5273. Mr. Weimer asked Ms. Thompson to schedule a meeting with Kyle and PPL to evaluate the parking lot lights at the park. M. Jolly gave the Board an update on the bridge stating that there was an issue with the plans from PennDot which did not reflect a sewer line which broke when they drilled stating that after that was repaired it was determined that the drainage line had to be removed. The contractor is on another job site now and they are waiting for them to come back to finish. M. Jolly stated that the contractor has been amazing on this project and worked long days to try to get the work done. Discussion ensued about who the electricity is purchased from.
- **Vote:** All in favor, motion passes.

**11. Solicitor Armstrong Comments/Updates**

Solicitor Armstrong discussed the two proposed changes in the codification relating to the realty transfer tax and the LST explaining that he is ok with whichever way the Board chooses to move forward but stated that his recommendation would be to use the previous version of the Realty Transfer Tax and the proposed version of the LST section.

- **Discussion:** Ms. Kelly asked if the changes would hold up processing the codification being advised that they will not. Discussion ensued and the Board agreed with Patrick’s recommendation. Ms. Ruiz-Smith stated that the Realty Transfer Tax doesn’t change. Mr. Keane stated that it is as simple as an email to finalize the process.

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to proceed forward with completing the codification by leaving the realty transfer tax in its original state and changing the two definitions in the LST tax section.*

- **Discussion:** Ms. Ruiz-Smith thanked Mr. Keane with Mr. Keane responding that it was a joint effort between Ms. Masker, himself and Solicitor Armstrong stating that it started with prior employees as well. Solicitor Armstrong stated that the codification will need to be provided to the Township Planning Commission and the Monroe County Planning Commission for review before the hearing is held.
- **Vote:** All in favor, motion passes.

Solicitor Armstrong stated that the Board approved a resolution at a previous meeting authorizing the loan to the Coolbaugh Township Volunteer Fire Company and stated that he has emailed the final copies of the loan documents for the P25 Radio Upgrade to Mr. Dobson for review. Solicitor Armstrong stated that once he hears back from Mr. Dobson the Board can then move forward in scheduling the signing and the release of the funds for the payment.

- **Discussion:** Tomas Keane told the Board that the Coolbaugh Township Volunteer Fire Company was awarded an LSA grant in the amount of \$105,000.00 to upgrade the hall to a warming station. Mr. Keane stated that the EDC will receive \$5,000.00 of the grant and the fire company the \$100,000.00. The fire company is in the process of planning the upgrades as the original contractor that they met with previously has since passed away.

## 12. Other business

*Ms. Colgan made a motion second by Ms. Ruiz-Smith to move forward with PA American Water Company on the sale of the Waste Water Treatment Plant.*

- **Discussion:** Ms. Kelly stated that she thinks this is a bit fast and that we should be authorizing to move forward with the valuation process as that would be the next step. Mr. Lamantia stated that PA American is not going to want to move forward on a joint venture without a commitment from the Township that we are looking at selling the plant to them. Ms. Ruiz-Smith agreed. Ms. Kelly stated that both parties will need to get a valuation of the assets and agree on them before moving forward on the potential sale. Ms. Kelly stated that she believes that the Board should hold a meeting and send a notice out to the customers that are on the sewer to allow them the chance to ask their questions and receive answers as they are directly impacted by the sale of the plant. Mr. Lamantia stated that every resident in the Township should then be notified about the meeting as everyone in the Township pays for the plant through their taxes. Discussion ensued about the public meeting and the best way to proceed with the next step. Solicitor Armstrong explained to the Board that they are not at the point to sell the system

*Ms. Colgan amended her motion and Ms. Ruiz-Smith her second to proceed to the next step toward the possible sale of the waste water treatment plant to PA American Water Company pursuant to the statute provision allowing both parties to use the same valuation entity and their own engineer company.*

- **Discussion:** Ms. Kelly stated that we as a Board have not done our due diligence to notify the residents affected by this possible sale. Ms. Ruiz Smith stated that all residents are able to look at the meeting agenda in advance of the meetings and our meetings are publicized so they could attend any meeting. Ms. Jolly stated that she realizes it is the responsibility of the residents to know what is going on but requested that the Board let the residents on the sewer know about the meeting as it will affect them when their monthly bills go up stating there should be an advertised meeting. Mr. Weimer stated we had two companies that came in and made a presentation stating this is not a quick process. Mr. Weimer confirmed that this motion does not lock us in to any legal agreement, being advised by Solicitor Armstrong that it does not as there are a lot of other parts that we haven't even started yet. A. Lopez asked if the Board considered selling to the residents that are on the system being advised by the Board that the cost is too much for the residents to purchase it. Mr. Weimer stated that the 21,000 residents are the ones that pay for the maintenance and upkeep not just the ones that are on the system. Mr. Weimer stated that he agrees with having a meeting to answer questions, but we need to have the questions in advance to be sure that we have them readily available.
- **Vote:** All in favor, motion passes.

*Mr. Weimer made a motion second by Ms. Ruiz-Smith motion to advertise a public informational meeting on Thursday, June 27, 2019 at 6:30pm at the Pocono Mountain Public Library based on availability to be advertised in the Pocono Record and the Journal with all questions being submitted no later than June 3, 2019.*

- **Discussion:** All questions are due by June 3, 2019. A. Lopez asked if representatives will be available at the meeting from both companies being advised that they will not as they have already made their presentations.
- **Vote:** All in favor, motion passes.

*Ms. Kelly made a motion second by Mr. Weimer to send a letter to notify the customers that are on the waste water system of the process that has started on the possible sale of the plant and the meeting that is being held on June 27, 2019 as a separate mailer.*

- **Discussion:** Mr. Lamantia stated that it is not fair to only contact a select group of residents to attend the meeting. Ms. Ruiz-Smith stated that the people that don't pay their bill will not show up and that they can find the information the same way that every other resident has to find out. Mr. Weimer stated that at the end of this process when the sale is complete, it is the residents that are on the system that will have to deal with the end result. P. Williams stated that the sewer customers should be made aware of the meeting. M. Jolly stated that she would like the opportunity to attend a meeting and get answers when it will be affecting her pocket in the end.
- **Vote:** 3-2-0, motion passes. (Mr. Lamantia and Ms. Ruiz- Smith opposed)

*Ms. Ruiz-Smith made a motion second by Mr. Weimer to make a \$250.00 donation to AWSOM.*

*Ms. Kelly made a motion to table until the next agenda.*

**No second was heard, motion failed.**

- **Discussion:** Ms. Kelly stated that she is not against donating to AWSOM but stated that it should be an agenda item so that we have time to review what we have donated in the past to them. Mr. Weimer stated it is \$250.00 and we have done a lot under other business.
  - **Vote:** All in favor, motion passes.
- Ms. Ruiz-Smith would like to notify Valor Clinic Foundation to attend an upcoming meeting in order to release the \$2,500.00 to Mark Baylis stating that they like to recognize organizations that donate to their foundation. Mr. Weimer stated to add the request for disbursement on the next meeting agenda and have the Valor Clinic Foundation Representative come to the first meeting in May to receive the donation.
  - Ms. Kelly announced that the Cops vs. Students game that was held at Pocono Mountain West was a great event and a close game stating that next year everyone should try to catch the game as it was very enjoyable.
  - Mr. Weimer stated that he is waiting for the paint code for the utility truck to make sure that there are no issues with the color and stated that the other new truck will be arriving in a week or two, Mr. Weimer stated that he has not heard the status of the new leaf truck as of yet.
  - Mr. Weimer stated that the Township will not be cleaning up garbage bags along the roads stating that if a bag is left on the Township Right of Way the Code Enforcement Officer will be going out and trying to recover identifying information from the bag to turn over to the waste authority, Mr. Weimer stated that if there are bulk items that are along the roads that residents should call the township to have them cleaned up. Mr. Weimer stated that the residents are making the mess and it is up to the residents to clean it up.
  - Mr. Keane stated that the cameras are going up around the township to catch people that are dumping and stated that they came in under budget so we are looking into purchasing a few more.

### 13. Adjournment

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

Meeting adjourned at 8:45 pm.

**NEXT REGULAR BOARD MEETING: Tuesday, April 23, 2019 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: \_\_\_\_\_