

## COOLBAUGH TOWNSHIP MUNICIPAL CENTER

5520 Municipal Drive , Tobyhanna, PA 18466  
(570) 894-8490 • FAX (570) 894-8413

### COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS REGULAR MEETING MINUTES

December 15, 2015

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, Juan Adams, Lynn Kelly, Fred Pope, and Robert M. Zito

#### **Board Members absent:**

None

#### **Staff present:**

Jerry Hanna, Solicitor, Erin Masker, Recording Secretary

#### **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.

#### **1. Public input**

- D. Pope thanked Mr. Weimer for taking care of the election signs that were still up.
- P. Williams stated she appreciates Mr. Zito and Mr. Pope for their tenure as Supervisors
- A. Shincovich- Thanked Mr. Zito for serving on the library board.
- D. Doremus thanked Mr. Pope for sitting on the EMS Board.
- M. Fairservice stated that she submitted a Right to Know request for the library budget to the Township and was advised the Township does not have a copy. She stated that we are giving them a lot of money and we should think about having a copy.
- Mr. Adams asked Ms. Shincovich if the budget is available for the public to get a copy and was advised yes, and financials are presented the first Wednesday of every month at the library meetings. Mr. Weimer stated that when we have the new controller in place we will look into getting the information from organizations to have at the Township on file.

#### **2. Approval of minutes / notes**

*Ms. Kelly made a motion, seconded by Mr. Adams to approve the minutes of the December 1, 2015 regular meeting.*

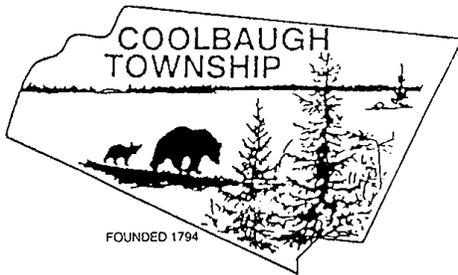
- **Discussion:** None
- **Vote:** All in favor, motion passes

#### **3. Monthly Reports**

- Pocono Mountain Regional Police Department- read by Mr. Adams
- Pocono Mountain Regional EMS- read by Ms. Doremus
- Coolbaugh Township VFD- read by Mr. Weimer
- Gouldsboro VFD-read by Mr. Weimer
- Pocono Summit VFD-read by Mr. Weimer
- Thornhurst Fire & Rescue Ambulance- read by Mr. Weimer
- Tobyhanna Township VFD- read by Chief Counterman

#### **4. Center Rock Realty (Ray Price)- Sewage Maintenance Agreement**

Mr. Brick Lindner from Lindner Engineering was present on behalf of Center Rock Realty. Mr. Lindner presented the Board with the original copy of the signed sewage agreement and stated that the check was also submitted in the amount of \$42,000.00 as part of the agreement's required two year maintenance bond.



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*Mr. Pope made a motion seconded by Mr. Adams to authorize the signing of the Center Rock Realty, Ray Price Sewage maintenance Agreement.*

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

(The board signed the documents presented and gave them back to Mr. Lindner to be recorded at the county)

#### 5. E-911 Readdressing Quarterly Update

*Mr. Weimer made a motion seconded by Mr. Pope to table the agenda item.*

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

#### 6. Dangerous Structure Quarterly Report

Ms. Kelly reviewed the report and updated the members and public on the current status of the properties.

- **Discussion:** Mr. Zito asked who determined that Hamlet property is repairable; also asking Mr. Hanna what the next step is on Belgravia property. Mr. Hanna advised we are getting closer as he has received notice that there is no estate in Staten Island for the deceased owners of that property, and believes he may have enough basis to do a public report. B. Sanford stated he was going to ask the same question as Mr. Zito. Mr. Weimer stated that there is \$50,000.00 in the budget for 2016 for demolition. D. Broxmeier asked about Falcon Terrace property, if they are unable to serve/vacant lot does it move forward or is it a stalemate, Ms. Kelly stated that we will continue to try to get a valid address to serve on.

#### 7. Service Report: Re: Trucks Parking and Idling on Route 423

Mr. Weimer read the service request received, which stated that trucks are idling outside of the homeowner's property and keeping them awake all night. They have made multiple calls to Pocono Mountain Regional Police.

- **Discussion:** Ms. Kelly asked Mr. Pope about regulations pertaining to idling and was advised as long as the truck has the clean air sticker, the air that is coming out is cleaner than the air outside, and that there are also rules regarding the temperatures to be idle as we would not want to have someone freeze to death. D. Broxmeier asked if they can park in the pull off areas of the state game lands. Mr. Weimer stated that he would speak to PennDot to see if there was anything we could do to keep trucks from idling at night outside at specific locations that are of concern.

#### 8. Authorization to Advertise Re-Organizational Meetings

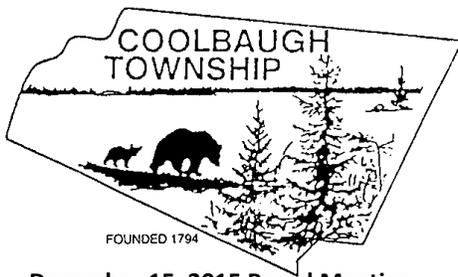
*Mr. Pope made a motion seconded by Mr. Weimer to authorize the advertisement of the reorganizational meeting of the Board of Supervisors, Board of Auditors, Environmental Advisory Council and Parks and Recreation Commission as presented.*

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

#### 9. Authorize Purchase of Security Cameras for Recycling Center from Spytronics Electronic Security in the amount of \$5,244.00

*Ms. Kelly made a motion seconded by Mr. Weimer to authorize the purchase of the security cameras for the recycling center from Spytronic Electronic Security in the amount of \$5,244.00.*

- **Discussion:** Mr. Pope stated that he is all for it as long as we can prosecute. Mr. Weimer stated that the Township has been in contact with Judge Fluegal and he is on board with installing the cameras in order to catch the people that are dumping. Mr. Weimer stated that he believes this is a worthy investment. Mr. Adams stated that it is a shame that we have to go through this. M. Fairservice asked if there were any other quotes received as it is an expensive purchase, stating that the county used to have cameras and their own police that would monitor them.
- **Vote:** All in favor, motion passes



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### 10. Authorization to Hire Controller

*Ms. Kelly made a motion seconded by Mr. Weimer to hire Maureen Mills as Township Controller at an annual salary of \$62,000.00 plus benefits as per standard with all other non-union employees*

- **Discussion:** None
- **Vote:** 4-0-1, motion passes (Mr. Zito abstained)

### 11. Current obligations

• General Fund	\$	192,667.86
• Sewer Fund	\$	20,809.18
• Capital Projects Fund	\$	0.00
• Emergency Services Fund	\$	0.00
• Liquid Fuels Fund	\$	0.00
• Escrow Fund	\$	<u>5,263.52</u>
<b>Total Disbursements</b>	<b>\$</b>	<b>218,740.56</b>

*Mr. Adams made a motion seconded by Ms. Kelly to pay the current obligations totaling \$218,740.56.*

- **Discussion:** Mr. Pope asked about check for Cavanagh, do we collect enough to cover the cost at the recycling center to cover his cost, was advised yes. Ms. Fairservice asked that the figures be recalculated as there was a typographical error on the agenda as opposed to the financial reports, this was corrected.
- **Vote:** All in favor, motion passes.

### 12. Other Business

#### Traffic Light on 196 and Echo Lake Road

*Mr. Weimer made a motion seconded by Ms. Kelly to authorize to pay up to \$16,000.00 to repair the traffic light box at Route 196 and Echo Lake Road.*

- **Discussion:** Mr. Weimer stated that we will be reimbursed once the police report is received we can collect from the insurance company. D. Doremus stated that the pre-amptor at the light is not functioning properly as well with the ambulance lights, Mr. Weimer stated for her to contact him and he will meet her there to take pictures/videos of the issue for it to be repaired as it was previously looked at and told that it was functional. D. Pope asked how he ran into the light box.
- **Vote:** All in favor, motion passes

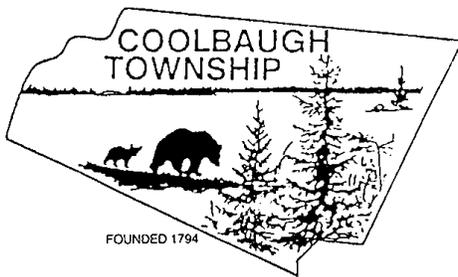
#### Wright and Reihner, PC. Attorney at Law

*Mr. Weimer made a motion seconded by Ms. Kelly to hire Wright and Reihner, PC. Attorneys at Law to represent us in the lawsuit of PMRPC vs. Coolbaugh Township case.*

- **Discussion:** Mr. Pope stated he will be abstaining from voting. D. Pope asked if we know when it is going on the docket and was advised not as this point as we are just motioning to hire new counsel. Mr. Weimer stated they disqualified our attorney and then wanted us to move on the case right away when we did not have representation, so now we need to finish this out and move on and get a judgement and move on in whatever direction we choose. M. Fairservice asked what the hourly rate is and was told \$300.00 per hour. B. Sanford asked if that rate is the same as we were paying to the other attorney and was told yes it is close, stating there was no retainer required.
- **Vote:** Mr. Weimer called for a roll call vote: Mr. Pope-Abstaining, Ms. Kelly-Yes, Mr. Weimer-Yes, Mr. Adams-Yes, Mr. Zito-(Reluctant) Opposed **Final Vote- 3-1-1, motion passes**

#### Pocono Mountain Public Library

Mr. Zito stated the background between the Pocono Mountain Public Library, ESSA bank and Coolbaugh Township. There was a second loan taken out during the construction phase of the building of the library in the amount of \$900,000.00 which had a balloon payment due in the end of December of 2015. ESSA bank threatened foreclosure on



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the library because this payment was unable to be paid. After being in quiet negotiations, we have decided to give the library a loan in the amount of \$191,143.68 to cover the accumulated interest up to this point and the interest through December 2016, which would move the balloon date to December 31, 2016. There will be a voter referendum in 2016 to increase the tax to fund this. We do not have an agreement on the terms of the loan tonight so the loan authorization tonight will be contingent on the library accepting the terms of the agreement. Ms. Shincovich stated that after the previous meeting that was held it was her understanding the we would come to an agreement in January as to the terms and that they are not prepared this evening to do this as she did not bring representation from the library board, therefore she is not prepared to accept the agreement tonight. Mr. Zito stated that we need to authorize this so that we can have the payment available for the December 30<sup>th</sup> meeting as it needs to be resolved this year. The Board advised that we need to have the terms to agree to so that we can issue the money which can't be done without an agreement. Mr. Hanna stated that this needs to be funded within the next two weeks therefore we cannot release funds until then. There seemed to be a misunderstanding on the process on the part of Ms. Shincovich as she stated. Mr. Zito stated that we need a number on the check to be approved on December 30<sup>th</sup>. Mr. Hanna and the representation for the library will have to come up with the terms of the document to be signed and agreed on between both parties which are believed to be 10 years at 1.5%.

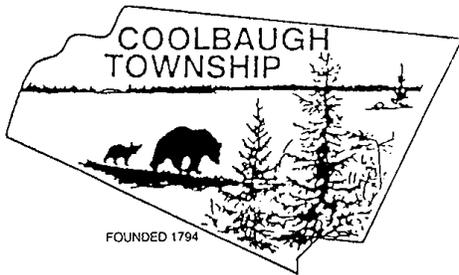
*Mr. Zito made a motion seconded by Mr. Weimer that Coolbaugh Township adopts the resolution pertaining to Pocono Mountain Public Library, MCIDA, And ESSA submitted by Attorney Mark Wolf subject to any possible revisions to the reference documents.*

- **Discussion:** Ms. Kelly stated that she will be abstaining on voting on resolutions pertaining to the library due to her employment and will submit it in writing.
- **Vote:** 4-0-1, motion passes (Ms. Kelly abstained.)

*Mr. Zito made a motion seconded by Mr. Weimer to adopt a resolution authorizing Coolbaugh Township to provide a loan to the Pocono Mountain Public Library in the amount of \$191,143.68 to pay the accrued interest for 2015 and 2016 on what is known as Loan B with ESSA bank with terms of the loan to be 10 years at 1.50% interest.*

- **Discussion:** Ms. Kelly stated that she will be abstaining to voting on the resolution pertaining to the Library due to her employment. M. Fairservice asked what is Mt. Pocono bringing to the table and was advised nothing. Mr. Zito stated that it is his understanding is that there is going to be a mirrored referendum on their ballot as will be on Coolbaugh Township. M. Fairservice stated that when it went on the referendum before the voters in Mt. Pocono voted it down and are now only contributing \$38,000.00 as opposed to Coolbaugh that is paying \$538,000.00 per year, if this is how it is going to be then Coolbaugh needs to stand up and restructure as Mr. Weimer stated that the 4 main items that we are concerned with is Police, EMS, Fire Co. and DPW, now we are putting a referendum on for the library but not the police or anything else. Mr. Zito stated that if the public wants the library they can vote yes if not vote no. Mr. Zito stated the fairest way to determine the outcome would be to go to the people and the only way to get to that is to extend the loan in order to get to the referendum. M. Fairservice stated that the people need to know the facts of how much we are funding to the library already before it goes to a vote so they have all the facts and can make an educated decision on how they wish to vote. Ms. Shincovich explained that the library is bound by laws in the PA Library Code which allows the library to petition the public to put the question on the ballot, stating that the library is permitted to petition to go on the ballot as a referendum every five years. D. Pope asked how many people are on the board from Mt. Pocono and was told that there are 4 from Mt. Pocono and 5 from Coolbaugh, but that there is a process to potentially change the agreement.
- **Vote:** 4-0-1, motion passes (Ms. Kelly abstained)

Mr. Zito thanked his colleagues on the board and the public, it has been fun at times and I have tried to do more good than harm. I would like to give advice to the upcoming Board members, I think everyone would agree if they are honest to approach this with a heart of humility because we don't know as much as we think we know coming into this position and approach it with reconciliation and not division. A little bit of advice to my colleagues, when Jerry swore me in the second time I read a passage



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from the New Testament, St. Paul Second Letter to the Thessalonians it said "brothers do not be remissed in doing good." Thank you again and Merry Christmas, the crowd applauded Mr. Zito in appreciation.

Mr. Weimer presented Mr. Pope a plaque for 4 years of service to the Township and a plaque to Mr. Zito for 12 years of service to the Township. Mr. Weimer thanked both gentlemen on behalf of the Board and the Township.

### **13. Adjournment**

There being no further business, a motion was made by Mr. Pope, seconded by Mr. Zito to adjourn the meeting. All in favor, motion passed. Meeting adjourned at 8:24pm.

**NEXT REGULAR BOARD MEETING: Monday, January 4, 2015 at the Coolbaugh Township Municipal Office meeting room.**

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

**Submitted by:** Erin Masker, Recording Secretary

**Reviewed by:** \_\_\_\_\_  
Lynn Kelly, Township Secretary

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

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