

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
December 4, 2018

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 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

- P. Williams thanked DPW for the fantastic job they did at the historical society pantry.
- P. Williams stated that on Friday at 12:30pm they will lay the first wreath at the Veterans Memorial and then they will place wreaths at the area cemeteries for the Veterans.
- D. Pope stated that there are still trucks parking between Main Street and the gas station. Mr. Weimer stated that he has addressed this issue with Ms. Ruiz-Smith stating that the issue was also brought to Chief Wagner.

2. Approval of minutes / notes : November 8, 2018 Budget Meeting and November 20, 2018 Regular Meeting Minutes

Ms. Kelly made a motion second by Mr. Weimer to approve the budget meeting minutes of November 8, 2018 as written.

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

Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve the November 20, 2018 regular meeting minutes.

- **Discussion:** Ms. Ruiz-Smith asked Ms. Masker to include Foundation in the minutes for Valor Clinic.
- **Vote:** All in favor, motion passes.

3. Adoption of Ordinance #131-2018: Amending the Coolbaugh Township Zoning Ordinance at Chapter 27 of the Code of Ordinances of Coolbaugh Township by Adding Travel Plazas as a Principal Permitted by Right Use within the I Industrial Zoning District

Ms. Kelly made a motion second by Mr. Weimer to adopt Ordinance #131-2018: Amending the Coolbaugh Township Zoning Ordinance at Chapter 27 of the Code of Ordinances of Coolbaugh Township by Adding Travel Plazas as a Principal Permitted by Right Use within the I Industrial Zoning District.

- **Discussion:** Ms. Ruiz Smith suggested in the future to contact the Monroe County Planning Commission when preparing ordinances.
- **Vote:** 4-0-1, motion passes. (Ms. Colgan abstained as her employer builds travel plazas)

4. Adoption of Ordinance #132- 2018: Amending the Official Zoning Map of Coolbaugh Township by Rezoning the Parcel Identified as Monroe County Tax Code No. 03/6/1/8-1 and Property Identification No. 03635600551425 From C-2 Office Park to I Industrial

Ms. Ruiz-Smith made a motion second by Ms. Kelly to adopt Ordinance #132- 2018: Amending the Official Zoning Map of Coolbaugh Township by Rezoning the Parcel Identified as Monroe County Tax Code No. 03/6/1/8-1 and Property Identification No. 03635600551425 from C-2 Office Park to I Industrial.

- **Discussion:** Ms. Colgan asked Solicitor Armstrong if she should abstain as they could potentially be interested in putting in a travel plaza due to the zoning amendment, being advised that she does not.
- **Vote:** All in favor, motion passes.

5. Authorization to Advertise Notice of intent to appoint a Certified Public Accountant at the Board of Supervisors Re-Organizational Meeting

Ms. Kelly made a motion second by Mr. Lamantia to authorize advertising the notice of intent to appoint a Certified Public Accountant at the Board of Supervisors Re-Organizational Meeting.

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

6. Conditional Approval of Minor Subdivision joining lots 15 & 16, Pope Road- Tobyhanna, Property Owner(s)- Daniel J. Stapleton upon submission of a corrective deed of consolidation

Ms. Colgan made a motion second by Ms. Kelly to grant conditional approval of Minor Subdivision joining lots 15 & 16, Pope Road- Tobyhanna, Property Owner(s)-Daniel J. Stapleton upon submission of a corrective deed of consolidation.

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

7. Conditional Approval of Minor Subdivision joining lots 35 & 36, Section A, Pocono Farms, Property Owner(s)- Frank and Anna Ezzo upon submission of a corrective deed of consolidation

Ms. Kelly made a motion second by Ms. Colgan to grant conditional approval of Minor Subdivision joining lots 35 & 36, Section A, Pocono Farms, Property Owner(s)-Frank and Anna Ezzo upon submission of a corrective deed of consolidation.

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

8. Parks and Recreation Recommendation of Field Usage Approval for Tobyhanna Athletic Association

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve the field usage of the Freedom Field, Volunteer Field and Armed Forces Field for Tobyhanna Athletic Association from April 1, 2019-October 31, 2019 per their request.

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

9. Adoption of Resolution #11-2018: Code of Ethics and Conduct Applicable to All Elected and Appointed Officials of the Township

Ms. Weimer made a motion second by Ms. Ruiz-Smith to table adoption of Resolution #11-2018: Code of Ethics and Conduct Applicable to All Elected and Appointed Officials of the Township until the revisions are made.

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

10. Current obligations

• General Fund	\$ 367,175.97
• Sewer Fund	\$ 9,126.09
• Escrow Fund	<u>\$ 1,271.05</u>
Total Disbursements	\$ 377,573.11

Ms. Kelly made a motion second by Ms. Colgan to pay our current obligations in the amount of \$377,573.11.

- **Discussion:** Ms. Ruiz-Smith asked for clarification on check #4886. Mr. Lamantia commented on check #4899.
- **Vote:** All in favor motion passes.

11. Solicitors Comments

Solicitor Armstrong stated that the revised Parks and Recreation ordinance and the Planning Commission ordinance will be advertised for a public hearing to be held on December 18, 2018 at 6:30pm.

Solicitor Armstrong stated that he has received the Clarius Partners/Arcadia North development agreement, stormwater agreement, improvements agreement and posted the letter of credit stating that the Board can acknowledge completion of conditions pursuant to today's date. For purposes of the plans we can acknowledge that they met the conditions of the approval and the plans can be dated as of today.

We have received the development agreement, Stormwater agreement and Improvements agreement which can be executed this evening.

Ms. Colgan made a motion second by Ms. Kelly to authorize the execution of the stormwater facilities agreement, development agreement and improvements agreement.

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

Solicitor Armstrong stated that Ms. Masker received correspondence from the Dollar General requesting that the Board consider entering into a preliminary earth moving agreement so that they can begin work as they are still awaiting their NPDES permit and PennDot permit. They have stated that they received a verbal approval for the NPDES permit but have not received the actual permit at this point. Solicitor Armstrong stated that Dollar General would assume the risk and post the financial security in the event that they are unable to obtain their permitting.

Ms. Ruiz-Smith made a motion second by Ms. Kelly to proceed with the preparation of the earth moving agreement for consideration and execution at the December 18, 2018 meeting.

- **Discussion:** Solicitor Armstrong stated that the reason for bringing back before the Board is to verify what work they are anticipating doing as the correspondence that was received was very brief. V. Massaro stated his concerns with the traffic and trucks on Route 196 due to the business.
- **Vote:** All in favor, motion passes.

Solicitor Armstrong stated that he was contacted by Solicitor Clark Connor regarding reviewing the SALDO regarding the parking issues. Mr. Keane stated that they are looking at revising the ordinance for the parking in front of businesses to alleviate businesses from having to seek relief of the ordinance by going to the Zoning Hearing Board. Ms. Ruiz-Smith stated that this has to do with the changes that were made previously when we changed from regular construction to the village type of construction so that discussion at this table was not to impede future developers. Ms. Weimer asked if this is the time to challenge the sign ordinance which is outdated. Ms. Kelly stated that the Zoning Hearing Board has a hearing this week on the sign ordinance. Solicitor Armstrong discussed the codification and would like the Board to consider when they would like to file the codification, whether they want that done prior to passing more ordinances or if they want to wait. Mr. Weimer stated that we should probably set a cut off as to when we will file the codification and then proceed with any other items that we are working on after the codification is complete. Ms. Ruiz-Smith stated that we may also have another ordinance in the future regarding the small cell tower ordinance which Carson Helfrich and Solicitor Connor have been working on. Solicitor Armstrong stated that he also has an ordinance that has already been prepared that he could provide the Board should they want it.

12. Other business

- ❖ Mr. Lamantia asked if there has been any update on his question on the Gilmore bill from last month and Ms. Kelly stated that she did have an update and she would like to meet with Mr. Lamantia to review the notes from the conversation.
- ❖ Ms. Ruiz-Smith stated that she had asked Ms. Masker to obtain an update on whether there is a fast food restaurant secured yet for the Aldi's site and was advised that there is none as of yet.
- ❖ Mr. Weiner requested an updated dangerous structure report for the second meeting of January 2019. Ms. Kelly asked to meet with Mr. Keane to assist with this project.
- ❖ At the request of Mr. Weimer a moment of silence was observed to honor Mr. Mike Tripus, SEO and Building Codes Officer from Paradise Township.

The Board went into Executive Session re: Personnel from 7:33pm- 8:16pm when the meeting was called to order.

Mr. Weimer made a motion second by Ms. Colgan to hire Thomas Rohan for the Codes Enforcement Position at the rate of \$19.00 an hour with a 90 day probationary period with a hire date of January 7, 2018.

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

13. Adjournment

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

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

Meeting adjourned at 8:17 pm.

NEXT REGULAR BOARD MEETING: Tuesday, December 18, 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: _____