

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
February 21, 2017

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, Lynn Kelly, Juan Adams and Alma I. Ruiz-Smith

Board Members absent:

None

Staff present:

Jerry Hanna, Solicitor, Erin Masker, Recording Secretary and Maureen Mills, Controller

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.

Mr. Adams requested a moment of silence for the officer that lost his life in California.

1. Public Input

- D. Pope asked for the rationale for asking the pizza place for a bond of 110% of the cost of the project being advised by Mr. Hanna that it is a state law and part of our Ordinance, stating that it is 110% of the completion amount not his own building.
- D. Pope asked about the area down the road that he asked about at the previous meeting where it looked like they were building a shed, Mr. Keane stated that the gentleman was in to the township to speak to Code Enforcement Officer, Mr. Keane and Zoning Officer, Mr. Brady and the issue was taken care of and he was advised of the proper steps to take.

2. Approval of minutes / notes : February 7, 2017

Ms. Ruiz-Smith made a motion, seconded by Mr. Lamantia to approve the regular meeting minutes of February 7, 2017 as presented.

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

3. Monthly Reports

- **Pocono Mountain Regional Police Department-** Presented by Ms. Kelly. Ms. Kelly stated that the reports presented have not been voted on by the commission but that they are the reports that will be presented at tomorrow evenings meeting.
- **Pocono Mountain Regional EMS-**Presented by M. Lemley.
- **Coolbaugh Township VFD-** Presented by T. Keane, stating that they currently have six new members that are taking their firefighter one- essential classes.
- **Gouldsboro VFD-** Presented by Mr. Weimer
- **Pocono Summit VFD-** Presented by Mr. Weimer

- Thornhurst Fire & Rescue Ambulance- Presented by D. Wagner
- Tobyhanna Township VFD- Presented by T. Counterman
- Pocono Mountain Public Library- Presented by A. Shincovich
 - **Discussion:** Ms. Ruiz-Smith asked what calls for hazmat usually entail, being advised by Fire Company members in attendance that they vary.

4. Adoption of Ordinance #127-2017- Authority to Re-Convey Certain real Estate to the Successor of the Original Grantor- "Red Barn"

Ms. Kelly made a motion second by Ms. Ruiz-Smith to adopt Resolution #127-2017 to authorize to Re-Convey Certain Real Estate to the Successor of the Original Grantor- "Red Barn"

- **Discussion:** K. Winowich asked what the next step is, being advised by Mr. Hanna that he will contact her as the deed is almost complete and ready to be recorded at the courthouse.
- **Vote:** *All in favor, motion passes.*

5. Dangerous Structures Report

Ms. Kelly presented the Dangerous Structures report up to December 31, 2016.

- **Discussion:** M. Miller asked about the property located on Hamlet located in PFE, being advised that Mr. Brady will be sending a letter to determine ownership and that we will be receiving a follow up report/timeline as to where this property stands at a future meeting. APCP Chief Cummings asked about the time frame of a demolition permit for the property located at Falcon Terrace. Ms. Kelly stated that Mr. Brady will send a letter reminding the owners of the timeframe for the demolition and get an update on their progress. B. Sandford asked for clarification between the Hamlet property and the other property located at Belgravia, stating that the Township is aware of the owner of the Hamlet property, believing that determining the owner was not an issue with this property.
- **Vote:** *All in favor, motion passes.*

6. Authorization to purchase 2017 Ram 3500 4x4 with Municipal Dump Body

Mr. Weimer made a motion second by Ms. Ruiz-Smith to purchase the Ram 3500 4x4 with Municipal Dump Body at the total cost of \$114,046.50 which includes the cab at \$44,309.50, the uplift at \$29,900.00 and the dump body at \$39,837.00.

- **Discussion:** Ms. Ruiz-Smith asked about the carpet listed on the spec sheet, stating that it would be beneficial to have rubber or plastic as it would last longer with the DPW workers getting in and out of the truck with mud on their boots. Mr. Weimer stated that it should be changed to rubber mats. Mr. Adams asked what the uplift is stating that the cost is much more expensive than going with the Ford truck. Mr. Weimer stated that he did not know what it was as he just received the cost when he came into the meeting. Ms. Mills stated that the company was having an issue with their system and could not print out the information and that they called to give her the amount. Mr. Lamantia asked about the option for aluminum wheels so that it doesn't become an issue in the future as with the previous truck purchase. Mr. Weimer stated that aluminum wheels do not look like an option for the Dodge truck. Mr. Weimer rescinded his motion and Ms. Ruiz-Smith her second.

Mr. Weimer made a motion second by Ms. Ruiz-Smith to purchase the Ford Truck with the Municipal Dump Body in the amount of \$82,895.90 which includes the cab at \$43,058.90 and the dump body at \$39,837.00.

- **Discussion:** Mr. Lamantia asked the in the future the truck specs to be received in the way that they are requested according to the information that DPW wants included and not by what the truck company wants to include, this way we are comparing trucks that are identical with the features. T. Counterman stated that he believes that the uplift may be the box spreader on the back of the truck.
- **Vote:** *All in favor, motion passes*

7. Planning Commission Recommendation to Grant an Extension of Time for Jaroslaw Wojtach- Light Manufacturing Land Development Plan until April 19, 2017

Ms. Ruiz-Smith made a motion second by Mr. Lamantia to Grant an Extension of Time for Jaroslaw Wojtach- Light Manufacturing Land Development Plan until April 19, 2017

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

8. Planning Commission Recommendation to Grant Requested Waivers #1 through 7 for Aldi's Land Development Plan in Dynamic Engineering Letter Dated February 6, 2017

Mr. Adams made a motion second by Ms. Ruiz-Smith to Grant the Requested Waivers #1 through 7 for Aldi's Land Development Plan in Dynamic Engineering Letter Dated February 6,

- **Discussion:** Ms. Ruiz-Smith stated her concerns about the two driveways that are proposed on the property with both being an entrance and an exit. Ms. Ruiz-Smith would like to request that due to the traffic that backs up in that area due to the traffic light that one be solely an entrance and the other be an entrance and an exit onto Summit Avenue. Aldi representative, Rory Garr and Dynamic Engineering Representative, Luke Teller were in attendance at the meeting. Mr. Teller stated that they conducted a traffic study and that the two driveways being an entrance and exit were not an issue according to the study as the study showed a 270' clearance during peak hours. Mr. Garr stated that Aldi's will be spending a lot of money on the improvements necessary for the entrance onto 940 and that they would prefer that both driveways onto Summit Avenue be an entrance and an exit for easier flow of traffic. Ms. Ruiz-Smith stated that she contacted Channel 16 and informed them that Aldi's is in Coolbaugh Township and not Mount Pocono. Mr. Weimer asked if there are any prospects for a fast food restaurant interested in the location being advised that there are none under contract but that there is interest. Mr. Teller gave a brief overview of the project.
- **Vote:** All in favor, motion passes.

9. Planning Commission Recommendation to Grant Requested Waivers #1 through 6 for Pocono Mountain Municipal Airport in RETTEW Letter Dated January 26, 2017

Mr. Weimer made a motion second by Mr. Adams to Grant Requested Waivers #1 through 6 for Pocono Mountain Municipal Airport in RETTEW Letter Dated January 26, 2017

- **Discussion:** Mr. Decker, PMMA Manager and Mr. McNemar from RETTEW were in attendance representing the Pocono Mountain Municipal Airport. Mr. McNemar gave an overview of the project and the waivers that are being requested. Ms. Ruiz-Smith asked Mr. Decker if he is ok with being interviewed by Channel 16 as she contacted them to inform them that the airport is located in Coolbaugh Twp. and not Mount Pocono. Mr. Decker stated that he would be willing to meet with them and give them a tour of the airport as well as the Board of Supervisors. Mr. Keane asked if this expansion will create more air traffic stating that there are no foam systems in place at this location which could become an issue in the future. Mr. Decker stated that there are foam systems throughout the county but that they would be more than willing to meet with emergency services to discuss the situation.
- **Vote:** All in favor, motion passes.

10. Park- Annual Approval for Porta Potties

Mr. Weimer made a motion second by Mr. Lamantia to approve the proposal from Gotta Go Potties for the 2017 season at a rate of \$400.00 per month for the rental of four units to be located at the Armed Forces Field, The Freedom Field, The Basketball Court and near the Township Restrooms.

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

11. Proposals for Building #2 Inspection

Ms. Ruiz- Smith made a motion second by Ms. Kelly to discuss Building #2

- **Discussion:** Ms. Ruiz-Smith read the letter that was sent out to prospective contractors stating that the letter is not very specific and stating that the square footage listed in the letter is incorrect according to the measurements that she received from DPW Assistant Foreman. Ms. Ruiz-Smith reviewed the three proposals stating that the first letter has items that are listed under exclusions stated that multiple items on this list are very specific to the project that we are discussing. She stated that another letter was received from a mason and not an engineer which was what the Board stated that they wanted proposals from. Ms. Ruiz-Smith would like to re-write the letter with the assistance of Mr. Lamantia and send it out for proposals and she will also be requesting an estimate from a contractor that she met with previously about the project. Ms. Kelly stated that the square footage was from the realtor information that the Township received when they purchased the property and that she had sent out 6 requests for proposals and these are the ones that responded.

Ms. Ruiz-Smith made a motion second by Mr. Lamantia to table this item to be visited once a new letter is sent out and proposals are received.

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

12. Request for Facility Usage

Mr. Adams made a motion second by Ms. Ruiz-Smith to approve the usage request for Mt. Zion Sabbath Day Temple to use the old head start space in Building #2 on Saturdays from 12-4pm.

- **Discussion:** Ms. Kelly stated that we are currently utilizing the old head start space as the community room as the old space was transformed into office space for Tax Collector, Gratz Washenik. Ms. Kelly and Ms. Ruiz-Smith discussed the option of removing some of the cubicles and turning them into a new community room which would be equal in size to the old space. Ms. Kelly stated that we need to make sure that anyone that requests to use the space knows that it is temporary and they may need to be moved once a new space is designated. Ms. Ruiz-Smith asked Ms. Mills for an update on the prospective tenant that was inquiring about the space, being advised that they sent the information to the higher ups and she has not received a response yet. Ms. Ruiz-Smith stated that she would like to try once more to see if they are interested before allowing other people to use the space. Bishop Cindy Rhodes was in attendance and stated that they would be willing to pay to use the space and stated that they currently have 5-10 people that will be attending and that if the Sabbath fell during the week that they would be going to worship in New York.
- **Vote:** 4-1-0, motion passes (Mr. Weimer opposed)

13. Controller Report

Ms. Mills presented the report as of January 31, 2017.

- **Discussion:** None

14. Current Obligations

| | | |
|---------------------|----|-----------------|
| • General Fund | \$ | 409,724.43 |
| • Sewer Fund | \$ | 13,265.28 |
| • Escrow Fund | \$ | <u>5,120.85</u> |
| Total Disbursements | \$ | 428,110.56 |

Mr. Adams made a motion second by Ms. Ruiz-Smith to pay the current obligations in the amount of \$428,110.56.

- **Discussion:** T. Keane asked for clarification on check #6973 to PA American Water for the hydrants. Mr. Weimer stated that it is for the hydrants and asked Ms. Masker to send a letter requesting a breakdown of flow rates, maintenance and service in the past five years for the hydrants to be submitted no later than March 15, 2017. Mr. Lamantia asked for clarification on check #6959.
- **Vote:** All in favor, motion passes.

15. Other Business

- Ms. Ruiz-Smith stated that she received a letter from PSATS Legal Defense Partnership asking for any townships that have had any legal cases that may also be something that other townships could benefit from hearing about. Ms. Ruiz-Smith stated that she thinks a letter should be submitted regarding the issue we had with Walmart and the fact that they got away with paying less than half of what was owed to the Township. Mr. Adams stated that this was not a litigation, it was a negotiation between the Township and Walmart and that no one got away with anything. Mr. Hanna stated that he doesn't believe that this is the type of issue that they are looking for, and reminded the Board that the agreement doesn't say that they can't talk about it but that there are restrictions on the agreement that was signed.
- A letter has been sent out to State Representative Madden and she will be attending a future meeting in March, also stating that she has reached out to the governor's representative and they will be attending a meeting in the future as well.
- Ms. Ruiz-Smith states that she requested an email from Tax Collector, Gratz Washenik regarding the amount of reimbursements that are received as there was some discussion about it at the last meeting. Ms. Ruiz-Smith stated that according to the email Mr. Washenik is reimbursed for postage and office supplies from the county, the school district and Coolbaugh Township stating that we are responsible for 1/3 of the amount, he is reimbursed for office expenses from Monroe County and Coolbaugh Twp., each paying half, and his mileage where it is split between Monroe County, PMSD and Coolbaugh Twp. Ms. Ruiz-Smith also stated that Mr. Washenik has unreimbursed expenses for rent, office phone, health insurance and liability insurance. Ms. Ruiz-Smith said that people that do not have all the facts should not speak on the issue. M. Fairservice stated that Ms. Ruiz-Smith quoted that all of the expenses are reimbursed from the Township which is what we discussed at the last meeting, stating that whether the money comes from the county, the school or the Township it is still coming from Coolbaugh Township tax payers. Mr. Adams stated that at the last meeting we said that he is not responsible to pay for postage and you just stated that we pay for the postage, so he is receiving a free ride on it. Mr. Weimer stated that the question was put forth as to what we are paying for and stated that Coolbaugh is responsible for their part and everyone else for their part and thanked her for the research.
- Mr. Lamantia stated that he would like to meet with Ms. Kelly and Mr. Keane to begin discussing the property maintenance ordinance.

- Ms. Ruiz-Smith asked D. Pope if he has a design for the Veterans Memorial yet. D. Pope stated no that he will work on it and thanked Ms. Mills and Ms. Masker for the information that they sent to him regarding the project.
- Mr. Weimer stated that there is \$10,000.00 in the EMS budget for the parking lot paving which he wants to work with Tobyhanna and Tunkhannock Townships and possibly bring Mount Pocono in on it. He stated that we will pay for the material but will need the labor. Mr. Weimer stated that he anticipates having the list of roads to be paved in 2017 at the next meeting and hopes to include Tegawitha. M. Lemley stated that he would like to see something done with Tegawitha to deter people speeding on that road before there is an accident. D. Pope asked if something can be done with the underpass on Laurel Drive as well.
- Mr. Weimer stated that he has made multiple attempts to meet with the water company and has not received a call back. Mr. Weimer is hoping that they will respond to the letter that Ms. Masker is going to send out. B. Sandford stated that the roads in PFE are crumbling due to the water company tearing them up.
- Mr. Weimer thanked DPW for the great job that they have done so far this season with keeping up with the roads during the storms that we have had. M. Lemley also thanked DPW for taking care of their parking lot during the last storm, it is greatly appreciated.

16. Board of Supervisors Executive Sessions

- **Prior:** Tuesday, February 7, 2017 from 8:00pm-9:10pm Re: Legal
- **Prior:** Tuesday, February 21, 2017 from 5:30pm-6:55pm Re: Legal
- **After:** Tuesday, February 21, 2017 8:55pm-9:45pm Re: Legal & Personnel

17. Adjournment

There being no further business, a motion was made by Mr. Adams second by Mr. Weimer to adjourn.

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

Meeting adjourned at 8:50pm.

NEXT REGULAR BOARD MEETING: Tuesday, March 7, 2017 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: _____