

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
February 5, 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 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 if there are any updates as to when the bridge is opening up, being advised by Mr. Weimer that there is not.

**2. Approval of minutes / notes : January 15, 2019 Regular Meeting Minutes**

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve the meeting minutes of January 15, 2019 as written.*

- **Discussion:** : Ms. Ruiz-Smith stated that she seconded agenda item number 4 for discussion and stated that she would like it clarified that she was not in favor of renting the space due to security and safety concerns. . Solicitor Armstrong stated that it was his understanding that the rental of the space was ultimately voted down by the Board due to the physical constraints of the facility, the fact that the potential tenant was asking for significant physical alterations to the facility, and because the Board was generally not in favor of being a landlord due to the anticipated headaches involved, as well as some security concerns. Ms. Ruiz-Smith stated that she wants her comments regarding security and safety concerns reflected in the minutes of this meeting. Ms. Kelly stated that she is not changing her motion which is to approve the minutes as written.
- **Vote:** 4-1-0, motion passes. (Ms. Ruiz-Smith opposed)

**3. Pocono Raceway and Pocono Mountain Regional Police 2019 K9 Unit Fundraising Program**

Jeanine Hofbauer from the Pocono Mountain Regional Police Foundation and Rick Durst from Pocono Raceway were in attendance to discuss the 2019 K9 fundraising initiative which will help with the expenses associated with the cost of the K9 unit. J. Hofbauer stated that every ticket that is purchased at [poconoraceway.com/k9](http://poconoraceway.com/k9) for any of the races in 2019 as well as the air show, will donate 15% of the ticket sales to the K9 fundraiser. J. Hofbauer stated that they are asking the Municipalities

to help push out the information on their websites, in township buildings and on social media. R. Durst stated that the Mattioli Family and the Raceway are excited to give back to the community as we understand the importance and need of the K9 unit. R. Durst encouraged everyone to go online and purchase tickets to the events stating that the success will be dependent on public effort to spread the word. Both J. Hofbauer and R. Durst thanked the board for allowing them the time to make their presentation.

- **Discussion:** D. Pope stated that if they come up with a garage pass he will buy one. R. Durst stated that as any new promotions are available they will be provided to the public stating that they would also like to get groups out. R. Durst stated that there are events that are free to kids leading up to race day Sundays and stated that he has shared this information in Charlotte, NC with Hendricks Motor Sports and Stewart Haas Racing stating that they are all excited about the initiative.

4. **Adoption of Ordinance #135- 2019: Amending the Official Zoning Map of Coolbaugh Township by Rezoning the Parcels Identified as Monroe County Tax Code No. 03/6/1/2 (PIN#03635600545732), Tax Code No. 03/6/1/4 (PIN#03635600549430), Tax Code No. 03/6/1/5 (PIN#03635600640314), and Tax Code No. 03/6/1/6 (PIN#03635600643112), from C-2 Office Park and C-1 Convenience Commercial to I Industrial**

*Ms. Kelly made a motion second by Ms. Colgan to approve Ordinance #135-2019 amending the Official Zoning Map of Coolbaugh Township by Rezoning the Parcels Identified as Monroe County Tax Code No. 03/6/1/2 (PIN#03635600545732), Tax Code No. 03/6/1/4 (PIN#03635600549430), Tax Code No. 03/6/1/5 (PIN#03635600640314), and Tax Code No. 03/6/1/6 (PIN#03635600643112), From C-2 Office Park and C-1 Convenience Commercial to I Industrial.*

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

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to authorize Chairman Weimer to sign the professional services agreement associated with the zoning map amendments for the properties of H. John Davis.*

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

5. **One Living Hope Community Church Lease Renewal**

Ms. Ruiz-Smith made a motion second by Ms. Kelly to renew the lease for 1 Living Hope Community Church for the term of February 1, 2019- January 31, 2020 at a monthly rent of \$1,000.00.

- **Discussion:** Ms. Kelly asked if we should change the date with Solicitor Armstrong stating that it would be retroactive to February 1, 2019. Pastor Rudy was in attendance explaining what church and state mean and where it originated from, stating that they have been good tenants and have been late on their rent during the winter months stating that they only meet 52 days a year and sometimes bad weather plays a part in attendance which is where their money comes from. Pastor Rudy stated that they understand the stipulation in the lease for the late fee and they are ok with it. Pastor Rudy stated that they are community oriented as they help provide meals and necessities to the members of the community as well as participating in community events as they did with the Veterans Memorial Unveiling. Ms. Ruiz-Smith asked if Pastor Rudy would be willing to help spread the word about the upcoming K9 fundraiser and he stated he will spread it throughout his congregation as well as with the children's groups that he works with and community members. M. Fairservice asked if Solicitor Armstrong looked into the laws of church and state and stated he had and Coolbaugh Township is simply a landlord that is renting the

space to an organization. Mr. Weimer stated that the rent started becoming late earlier in the year than during the winter and that he is a stickler for paying rent on time.

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

## 6. Court- Upgrade Three Windows to Bullet Resistant Glass

*Mr. Lamantia made a motion second by Ms. Kelly to upgrade three windows in the court to bullet resistant glass in the amount of \$2,477.43 as provided in the quote by Mazur Contracting dated December 18, 2018 with the potential to be reimbursed by the court.*

- **Discussion:** Ms. Ruiz-Smith questioned whether the Township will be reimbursed or not with Mr. Weimer stating that we will potentially be reimbursed but it is not definite. Ms. Ruiz-Smith stated that the quote provided by Mazur Contracting is very reasonable as Middle Smithfield was quoted \$75,000.00 for their building.
- **Vote:** All in favor, motion passes.

## 7. Authorization to Advertise 2019 Meeting Schedule for Committees and Commissions

*Ms. Kelly made a motion second by Ms. Colgan to authorize the advertisement of the 2019 meeting schedule for committees and commissions.*

- **Discussion:** Ms. Colgan stated that she received an email from EAC that they will begin their meetings with a work session at 6pm. The advertisement will reflect a start time of 6pm.
- **Vote:** All in favor, motion passes.

## 8. Proposed Roads for the 2019 Road Paving Project

*Mr. Weimer made a motion second by Ms. Colgan to authorize the proposed list of roads for the 2019 paving project based on liquid fuels funds which include: Green Road (1 mile), Kilmer (0.30 mile), Simmons Road (0.28 mile), Wildflower (0.90 mile), Campbell (0.266 mile), Evergreen circle (0.64 mile), Twin Pine (0.07 mile), Belvedere Road (0.26 mile), Titania Road (0.43 mile), Phaeton Road (0.14 mile), Avon Circle (0.23 mile) and Viceroy Circle(0.23 mile) for a total of 4.62 miles.*

- **Discussion:** Mr. Weimer stated that if there is enough funding we will also be doing Coolbaugh road with a double coat of tar and chip (1 mile) and Commerce Street if Aldi or the water company doesn't repave it, we should after the water line job (0.15 mile). Ms. Ruiz-Smith asked Mr. Weimer about the section of Lexington being advised it will not be done this year.
- **Vote:** All in favor, motion passes.

## 9. Acknowledge and Authorize Earthmoving Agreement for Dollar General

*Ms. Kelly made a motion second by Mr. Weimer to acknowledge and authorize the signing of the earthmoving agreement for Dollar General.*

- **Discussion:** D. Pope asked where it is located with Mr. Weimer stating on Route 196 near the old gym. D. Pope also asked if there is a light in that location being advised there is not.
- **Vote:** All in favor, motion passes.

10. Minor Subdivision joining lots 53 & 54, Block 67, Section 12, Arrowhead Lake, Property Owner(s)- Dawn M. Rau

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve the Minor Subdivision joining lots 53 & 54, Block 67, Section 12, Arrowhead Lake, Property Owner(s)-Dawn M. Rau*

- **Discussion:** Ms. Ruiz-Smith questioned the comment on the MCPC review letter regarding the placement of the shed in the setbacks with Solicitor Armstrong stating that is not a factor in the joining of the lots for this purpose. Ms. Ruiz-Smith asked that the zoning department look into this.
- **Vote:** All in favor, motion passes.

11. Authorization to Purchase a 2020 HV507 SFA Truck and Dump Body Package for a total cost of \$186,222.00

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize the purchase of a 2020 HV507 SFA Truck and Dump Body Package for a total cost of \$186,222.00 with liquid fuels funding.*

- **Discussion:** Mr. Lamantia stated that it is good to see that they are putting aluminum wheels on the truck as shown in the spec.
- **Vote:** All in favor, motion passes.

12. Northeast Signal and Electric Company- 2019 Preventative Maintenance Service Contract

*Mr. Weimer made a motion second by Ms. Colgan to approve the 2019 preventative maintenance contract with Northeast Signal and Electric Company in the amount of \$4,587.16.*

- **Discussion:** Ms. Ruiz-Smith asked what the side notes on the contract are with Mr. Weimer stating they are notes for repairs that will be on the next meeting agenda.
- **Vote:** All in favor, motion passes.

13. Current obligations

• General Fund	\$	411,861.09
• Sewer Fund	\$	28,599.97
• Escrow Fund	\$	<u>1,141.48</u>
Total Disbursements	\$	441,602.54

*Ms. Kelly made a motion second by Ms. Colgan to pay the current obligations in the amount of \$441,602.54.*

- **Discussion:** Ms. Ruiz-Smith asked for clarification on checks #5051, 5057, 5072, 5073, 5074 requesting that the descriptions provided also include names for anyone receiving training and what type of reimbursements are being issued. Mr. Weimer stated that the checks are always available before meetings for review if there are questions. D. Pope asked for clarification on check #5060 and M. Fairservice asked for clarification on check #5049.
- **Vote:** All in favor, motion passes.

14. Solicitor Armstrong Comments/Updates

Solicitor Armstrong followed up on the oath of office advising that the Board of Supervisors and a couple of members of the staff are required to have the oath and stated that Ms. Masker is working on getting those taken care of.

## 15. Other business

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve tax rebates to Steve Baker, Jackie Caruso, Andrew Dempster, George Dobson, Daniel Keane, Tomas Keane, Kelly Weimer, William Weimer, Joe Wicmandy and John Zwally and of the Coolbaugh Township Volunteer Fire Company who have all met the requirements as set forth in ordinance #125-2017.*

- **Discussion:** Mr. Weimer explained the process of reimbursement for the tax credit. Ms. Ruiz-Smith asked if they have to claim the rebate amount as income, being advised that they do not. M. Fairservice asked how the tax amount paid is reflected on the tax returns for these individuals since they are receiving money back from the taxes. Ms. Kelly stated that this a local tax return exemption and stated that they would need to speak to their tax preparer as to how this affects them.
- **Vote:** 4-0-1, motion passes. (Mr. Weimer abstained as he will be receiving the credit)

➤ Ms. Kelly requested an executive session following the meeting for legal.

*Ms. Colgan made a motion second by Ms. Ruiz-Smith to allow the Coolbaugh Township Volunteer Fire Company to use the Township meeting room tomorrow evening to hold their meeting due to heating and pipe issues at the firehouse.*

- **Discussion:** Tomas Keane stated that there was an issue with the boiler in the firehouse and when they went in to the bingo hall it was freezing cold and a pipe had burst. They are currently working to fix the issues and thank the Board for the use of the room.
- **Vote:** All in favor, motion passes.

➤ Mr. Weimer stated that the Coolbaugh Township Volunteer Fire Company utility command and rescue unit are moving forward which they will be using tax money to purchase and stated that he will keep the board updated.

➤ D. Pope asked how the beast is doing, being advised by Mr. Weimer that it is being fixed.

## 16. Board of Supervisors Executive Sessions

- Prior: Tuesday, February 5, 2019 from 6:34pm-6:45pm Re: Legal
- After: Tuesday, February 5, 2019 from 8:22pm-8:35pm Re: Legal

## 17. Adjournment

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

Meeting adjourned at 8:16 pm.

NEXT REGULAR BOARD MEETING: Tuesday, February 19, 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: \_\_\_\_\_