

**COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES**

March 15, 2016

The meeting was called to order by Chairman William Weimer at 7:07 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, Alma I. Ruiz-Smith, and Anthony Lamantia

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.

1. Public input

- D. Pope asked if the house that burned down across from Lombardi's needs to go through the same process as all other dangerous structures to finish being torn down. Mr. Weimer advised yes it does, and Ms. Kelly stating that the house did have insurance.
- K. Winowich requested a status update on the Red Barn stating that the barn is deteriorating and in need of a new roof. She was advised that it would be on the agenda and was advised that it will be on the agenda for April 5, 2016 and that Mr. Hanna is looking into the time frame of the legal process. Mr. Weimer asked what she would like done and was advised that possibly a new roof in order to bring it back up to good condition and uphold the original agreement that the building would be maintained. Mr. Weimer stated that he will speak to Ms. Winowich personally about it.
- B. Sandford asked about blighted property report that was last given in December 2015 and was advised by Ms. Kelly that it will be on the agenda next month and that Belgravia is currently at the top of the list and is currently in the legal process preparing to be advertised.
- C. Dunn (APCP) stated that on March 4th and 5th there were two separate fires in her community and wanted to make sure that the Township is aware of them so they can go after them to get the insurance bonds.
- H. Stranick stated that he has concerns about a request that he placed eleven months ago re: the need to cut back a berm to the catch basin which is causing an issue with runoff in Summit Lake Estates and the destruction of a planter that occurred last winter due to a Township plow truck but he was never contacted about a resolution.
- M. Fairservice requested the status of the cameras at the recycling facility as we have currently gained a bath tub and tires. Mr. Weimer stated that they are up and functioning and they anticipate reviewing them and going to the magistrate by the end of April

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- K. Green stated that the NCC Monroe Campus in Tannersville is hosting Earth Day April 23rd, 2016 where they will accept 8 tires per vehicle as well as hosting a swap meet for Monroe County residents.

2. Approval of minutes / notes : March 1, 2016 Regular Meeting Minutes

Mr. Adams made a motion, seconded by Mr. Lamantia to approve the minutes of the March 1, 2016 regular meeting as presented

- **Discussion:** D. Pope thanked Mr. Weimer and Mr. Lamantia for the good job on agenda item #4 re: the necessity for septic pumping.
- **Vote:** All in favor, motion passes

3. Monthly Reports

- **Pocono Mountain Regional Police Department-** read by Mr. D. Pope, Mr. Sandford commented that at the Police Commission Meetings that the public is not allowed to have input on agenda items until the end of the meeting and that is not right also commending Ms. Kelly on having all her questions prepared for the end of that meeting to ask. D. Pope stated that he will bring this up at the meeting. Ms. Kelly explained that she stated to Chief Wagner that we are getting more patrol hours which is good but asked him why our patrol is more than two and a half times more than 2014 and 2015, being told that he will look into it. Mr. Weimer stated that it is hard to teach the Police Commission Parliamentary Procedure.
- **Pocono Mountain Regional EMS-** read by Ms. Doremus. Ms. Doremus thanked the Supervisors for the funding for the repairs to her office stating that the shed and the bay have also been fixed. Ms. Kelly stated that she is happy that they are able to get the improvements done.
- **Coolbaugh Township VFD-** read by Mr. Keane
- **Gouldsboro VFD-** read by Mr. Weimer
- **Pocono Summit VFD-** read by Ms. Gonzalez
- **Thornhurst Fire & Rescue Ambulance-** read by Mr. Weimer
- **Tobyhanna Township VFD-** read by Mr. Counterman
 - **Discussion:** Nothing was heard.

4. Pocono Mountain Public Library

Ms. Shincovich, Director of the Library was in attendance to present the Board with a packet including the letter received from Solicitor Dunn, letter in response to the Solicitor's letter submitted by Solicitor Danielle Travagline, solicitor for Pocono Mountain Public Library, three refinancing options and sources of funds from fundraising efforts on behalf of the library. Ms. Shincovich explained the legal situation that took place when submitting their petition for a referendum to be included on the April ballot. Ms. Shincovich stated that they were told that the only one that could petition to put an item on a ballot is the municipality and not the library. They were advised that they could challenge the ruling by Solicitor Dunn but stated that the cost as well as the fact that they would not be able to be put on the ballot either way didn't seem worth it. Ms. Shincovich discussed the three refinancing options two of which would require a tax increase and the third option which would require the extension of the current millage tax by approximately 8 years which is currently in place in the Township. Ms. Shincovich believes that the continued fundraising efforts could help in decreasing the term of the loan by paying additional principle payments. The library also applies for grants to help with costs. They are currently in the process of re-evaluating the fundraising efforts to focus on the needs of the library whether operational costs or capital costs. When fundraising the library strives to surpass the funds needed for the operational budget so that the overage can be used for capital expenses. Ms. Ruiz-Smith stated that the library needs to be proactive with funding as the grants will not always be there, you can only ask the same donors so many times. Ms. Shincovich said she thinks that the \$800,000.00 that they have raised so far seems pretty proactive to her. Mr. Weimer stated that we are not the only pocket here and that we are paying for a \$900,000.00 secondary loan, asking what Ms. Shincovich has done to secure more money from Mount Pocono. Ms. Shincovich stated she spoke to Fred Courtright, Mount Pocono Mayor stating not everyone is in the same mind set with the library, stating that there are 1300 residents from Mount Pocono Borough that use the library. Mr. Weimer stated that with the three refinancing options, we do not want to get in the same situation as last year and confirming that the refinancing options include the monies owed back to Coolbaugh Township, being advised yes they do. Mr. Weimer stated that this is a hard decision to make until we know what Mount Pocono is planning to do. Ms. Shincovich expressed another option which would be to have the Township authorize an RFP through the library financial advisor to see what options are available for the Township to secure the financing for the library debt, which would allow a better interest rate as well as essentially

giving the Township control over the library. The reason the Township would need to pursue this option is because the Township has collateral whereas the library does not. Mr. Adams asked how long the RFP process will take, being advised possibly thirty days. Mr. Lamantia asked why the Township is currently listed on the documents, being advised that it is because Coolbaugh collects the library taxes submitted. Mr. Adams stated he doesn't want to wait to research the options until it is too late. Mr. Lamantia stated that we have to remember that if the Township takes on this debt we will have one more debt service under the Township name, also concerned with the fact that the Township does not have financial records for the library (budgets, financials, etc.). Ms. Shincovich stated that their financial documents are public record and available. Mr. Lamantia stated the Township should have them as they are funded with tax dollars.

Mr. Weimer made a motion seconded by Mr. Adams to approve financial advisor Chris Gibbons to do an RFP for financial refinance of the library loans within thirty days.

- **Discussion:** V. Massaro said from what he knows of Mayor Courtright it will be like squeezing blood from a rock and we will not get any money from Mount Pocono. Mr. Weimer stated that like everyone else the pot is only so big, and he would expect that no one would bad mouth Mount Pocono. M. Fairservice pulled the minutes from Mount Pocono and the meeting solicitor stated that he would send a letter with his interpretation of the law pertaining to the ballot and tax increase procedure, and according to the newspaper Mount Pocono said they will not support the increase. Ms. Shincovich stated that they were refused by Solicitor Dunn before even submitting their request. M. Fairservice reminded the board and the public that the President and Vice President of the PMPL Board are Mount Pocono residents. B. Sandford also referenced the February 16 Mount Pocono minutes stating that the solicitor stated once the one mil tax was approved any future increases would not require a ballot question but could be approved by the Borough Council. C. Dunn asked if Mr. Gibbons, financial adviser gets paid being advised yes from the library; C. Dunn also advised that APCP never receives any ads for publication on their newsletters, channel 80 and on their website to help get fundraising information out to the residents. D. Eckles asked what the tax was for and where the library gets their revenue from, being advise by Mr. Weimer it was to cover the additional \$900,000.00 in unforeseen construction expense. Mr. Weimer asked when is the next library board meeting, being advised Wednesday March 16, 2016 and he requested that Ms. Shincovich come back on April 5, 2016 to give an update of that meeting.
- **Vote:** 4-0-1, motion passed. (Ms. Kelly abstained due to the library being her employer)

5. TAA Request for Batting Cage Improvement provided through Community Volunteer Day

TAA President Al Masker was in attendance and explained that TAA was approached by Turner Construction which is currently working on the Sanofi Project about completing a community volunteer project and would like to do it for TAA. A. Masker stated that we would like to have the batting cage poured with concrete and artificial grass carpet to ensure the safety of the participants and residents that use the cage as it is currently just ground which gets wets and becomes unsafe and unusable. Mr. Adams asked what it will cost the Township being advised nothing. Mr. Weimer stated that it would have to be completed during normal working hours and coordinated with DPW and the area affected would need to be returned to the original state in which it was found (i.e. divots, grass, etc.).

- **Discussion:** M. Fairservice asked how much damage will occur, being advised that if there is anything that needs to be taken care of it will be. Mr. Weimer wished TAA the best with the project.
- **Vote:** All in favor, motion passes.

6. Request from Eagle Scout Jason Gonzalez- Changes of Scope of Work for the Dog Park

J. Gonzalez was in attendance and requested that the Board of Supervisors authorize the changes of scope of work relating to the change in the fence height, and the anchors that were installed in place of the concrete bases that were originally agreed upon. Ms. Kelly commented that the anchors in the ground are affecting the sturdiness of the poles. Ms. Ruiz-Smith stated that she is concerned with the safety of those inside if there are situations with the gate coming down if there is a dog that should try to attack them.

Mr. Adams made a motion seconded by Ms. Ruiz-Smith for discussion to approve the changes in the scope of work.

Discussion: Mr. Adams asked how the posts were installed; being advised with a jackhammer and posts are four feet in the ground. EAC Chairman Karen Green and EAC Member Clare Colgan were also in attendance to discuss the issues with the dog park stating that the OZ post anchors in the ground are only 24-26" deep and that the fence is not pulled tight and that it could become a safety issue as the posts have a lot of wiggle room. K. Green presented the Board with pictures of the dog park to show their concerns about the fact that the posts are not concreted in. The Board decided it would be in the best interest of the Township and the project to have our Township Engineer visit the property and provide a review to the Board in order to make a decision. Mr. Adams read an engineer letter that was submitted by J. Rodriguez, with K. Green responding that the engineer never went

to the site to view the project and that his review is on the OZ Post Anchors. D. Planer stated that at the last EAC meeting he requested that the Eagle Scout be given a punch list of items that need to be done and they will take care of it to get the project completed. C. Colgan stated that the list will be ready at the upcoming EAC meeting. Mr. Keane suggested that the engineer meet with the Eagle Scout to review the necessary changes as he is doing something good for the community. The project needs to be completed by June before Eagle Scout Rodriguez goes before the Eagle Scout Board. The original motion was withdrawn and a new motion was made.

*Mr. Adams amended his motion to include having the Township Engineer review the progress, **motion failed.***

Ms. Kelly made a motion seconded by Ms. Ruiz-Smith to have the project evaluated by Township Engineer, Russ Kresge and report back to the Board for further action.

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

Mr. Weimer requested that the Dog Park be added to the agenda for April 5, 2016.

7. Well Isolation Distance Request-Lexington Avenue, Pocono Summit

Mr. Weimer made a motion seconded by Mr. Adams to approve the waiver request for the well isolation distance.

- **Discussion:** Ms. Kelly confirmed with Mr. Hanna that the Board is authorized to approve this request and that the indemnification agreement attached would be sufficient. Mr. Hanna stated that yes, the agreement is more than acceptable to protect the Township and it's agents from liability and we just need to fill in the blanks. The difference is a matter of 6.6 ft., as the well will be located at 93.4 ft. as opposed to the 100 ft. Ms. Ruiz-Smith stated she is familiar with the home and property and advised they would either need to move the well as requested or level the house.

Motion was amended to include the completion of the indemnification agreement.

- **Discussion:** Nothing was heard.
- **Vote:** All in favor, motion passes.

8. Repairs to Concrete Median at Intersection of Carriage Square

Mr. Weimer discussed the need for the repair of the concrete median at the intersection of Route 196 and Carriage Square, stating that it is Coolbaugh Township's responsibility and that this project will be a cooperative effort with PennDot as they will be installing the pedestrian crossing post as well.

Mr. Weimer made a motion seconded by Mr. Adams to authorize Bill Beehler Construction to repair the concrete median at a cost not to exceed \$2,280.00 per his proposal.

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

9. Replacement of the 2004 Volvo

Mr. Weimer reviewed the options available and advised the Board of the truck and body that fit the specs that were submitted the closest as well as the difference in the pricing.

Mr. Weimer made a motion seconded by Ms. Ruiz-Smith to purchase a 2017 Volvo Tandem Axel Chassis priced at \$127,900.00 from TransEdge Truck Centers and the Municipal Dump Body Package priced at \$73,975.00 from Triad Equipment.

- **Discussion:** Ms. Ruiz-Smith stated that she learned about Co-Stars at boot camp and was advised that these are both co-star vendors. Mr. Adams asked what the difference was in the dump bodies and Mr. Weimer advised the one we would like to go with is hydraulic with an encasement. Mr. Lamantia asked about the rims and was advised they are aluminum rims. Mr. Weimer stated that we will take out a loan and be able to pay the truck off within two to two and a half years with liquid fuels funding as well. Mr. Lamantia asked if the money was purchased for this truck being advised yes through liquid fuels. Mr. Lamantia requested a fleet inventory including mileage so we can keep a record, possibly a monthly report to track expenses. Mr. Weimer stated he will work with Ms. Mills, Township Controller on this. D. Pope stated that oil sampling should be done and a wash rack to help preserve the longevity of the trucks. C. Dunn asked how many miles are on the 2004 Volvo and was advised 68,112 miles and 4,143 hours. C. Dunn stated that APCP is now using an antifreeze material on their trucks, similar to a titanium mixture for longevity against salt. Mr. Weimer stated that the tandem has a rhino lining, stating that the Township trucks last approximately 10 years so we are a little overdue with replacing this truck.
- **Vote:** All in favor, motion passes.

10. Route 196 Turning Lane Project Update

Ms. Kelly reviewed the updated outline stating that she has received correspondence from the engineer that the ball is back in his court on comments from the PennDot engineer, hoping this is going to resolve the issues so we can get the permitting that we are awaiting to begin the project. Ms. Kelly stated that we are anticipating the project going out to bid the beginning of May providing that the LSA Grant extension that we have filed for is approved. If we can stay on track for the next 60 days we should be on target. Mr. Weimer stated that we have asked for the help of Representative Parker and Senator Scavello to help us with getting this process moving. Ms. Ruiz-Smith asked what the contingency plan is the LSA grant extension falls through, with Ms. Kelly responding that the project will not move forward without the funding. C. Dunn asked how we can put all the blame on PennDot for the holdup with Mr. Weimer responding that our engineer stated that whenever the plans are submitted they seem to go to one person to review them and then those changes are made and when they are submitted again they go to someone else to review them who requires more changes. It is just a circle and nothing ever gets accomplished as they keep going back and forth. Ms. Kelly stated that she spoke to Bill Leonard from the EDC and he stated that LSA is giving extensions and that he advised her it took 9 years for them to get a project through PennDot. C. Dunn said that she will call whoever or go wherever to be able to talk to a person to get this project moving.

11. PSATS – Lost Wage Reimbursement for Supervisors

Mr. Weimer read the draft of the proposed personnel manual change with regard to paying Supervisors for lost wages for attendance at PSATS Convention

Ms. Ruiz-Smith made a motion to accept the proposal to pay Supervisors for lost wages, no second was heard.

Motion Failed.

12. 2016 Road Paving Project/ Long Term Paving Plan

Mr. Weimer made a motion seconded by Mr. Adams to pave 3.46 miles of roads which will include Seminole Trail, Onondaga Way, Seven Nations Drive, Algonquin Way, Mohawk Trail, Tutelo Way, Wigwam Way, Mohican Lane, Sioux Crescent and Iroquois Street, with contingent roads being Kilmer, Lake Road, Navajo Place and Mohansic Lane depending on the cost.

- **Discussion:** For 2017 we are proposing the paving of Industrial Park Drive, Kilmer, and Laurel Drive and for 2018 roads could be Coolbaugh Road, Maple Street, Birch Street, Oak Street, and Bank Street. 2018 roads are not definite at this point in time. Mr. Lamantia stated that he likes the long range planning. An audience member that did not identify herself asked how many roads Coolbaugh Township owns and how we expect roads to last 30 years with paving at a rate of 3 miles per year. Mr. Weimer stated that Heath Lane has been ruined by Kalahari. D. Broxmeier asked if there is a long range plan for drainage ditches, with Mr. Weimer responding that PFE drainage issues will be visited this summer.
- **Vote:** All in favor, motion passes.

13. Spring 2016 Warning Track and Infield Non-Select Application (Spraying)

Mr. Adams made a motion seconded by Ms. Kelly to authorize the spraying of the infield and warning track by Lawn Specialties at a cost of \$375.00 per spraying for a total cost of \$750.00.

- **Discussion:** Mr. Lamantia asked why we do not spray them ourselves being advised that we do not have anyone certified to spray the fields. M. Fairservice stated that parks and rec looked into the training and storage of the pesticide and found that it is cheaper and we are less liable if we have an outside company do it.
- **Vote:** All in Favor, motion passes.

14. Current obligations

• General Fund	\$	82,413.28
• Sewer Fund	\$	7,810.03
• Capital Projects Fund	\$	0.00
• Emergency Services Fund	\$	0.00
• Liquid Fuels Fund	\$	0.00
• Escrow Fund	\$	700.95
Total Disbursements	\$	90,223.31

Mr. Adams made a motion seconded by Mr. Lamantia to pay the current obligations totaling \$90,223.31.

- **Discussion:** M. Fairservice asked what check #5956 to Bill Beehler is for, being advised repairs to the PMREMS building. M. Fairservice stated that we are again funding something that also shared with Mount Pocono. Mr. Weimer stated that we put \$10,000.00 in the budget for this capital improvement to be used for the assistance with these repairs; the bills are submitted to the Township and paid out when received. D. Pope asked about check #5922 to the Fairfield Inn being advised by Ms. Kelly that this check is for multiple rooms.

The first room was at the Hershey Lodge for the Chairman which he is sharing with Mr. Keane and the rest were not able to get in as it works like a lottery through the PSATS site.

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

15. Other Business

- Ms. Kelly stated that there is information for the public regarding the Monroe County Wide Assessment.
- Mr. Weimer stated that last night at the Planning Commission meeting a request for an extension of time was submitted for Dog Goods USA Land Development Plan for 60 days.

Mr. Weimer made a motion seconded by Ms. Ruiz-Smith to grant the request for an extension of time for 60 days to include the May 3, 2016 Supervisors meeting.

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

16. Board of Supervisors Executive Sessions

Prior: Tuesday, March 15, 2016 from 6:00pm-7:04pm Re: Legal & Personnel

17. Adjournment

There being no further business, a motion was made by Ms. Kelly, seconded by Mr. Adams to adjourn the meeting. All in favor, motion passed. Meeting adjourned at 9:45pm.

NEXT REGULAR BOARD MEETING: Tuesday, April 5, 2016 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, Vice Chairman

Date: _____