

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
September 18, 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 Maureen Mills, Business Manager/Controller and Tomas Keane, Code Enforcement Officer

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 the 911 Readdressing project has been completed
- M. Fairservice stated that the Touch a Truck event went well and thanked the Township, PMREMS and the Coolbaugh Township fire company for all of their assistance stating that Parks and Rec will be discussing a parking lot expansion project at their upcoming meeting.
- D. Pope stated that the pipe installed at the underpass seems to be working well.
- Ms. Ruiz-Smith stated that she reported to the Pocono Mountain Regional Police Commission the concerns Mr. Pope raised about patrolling on Pope Road.

2. Approval of minutes / notes : August 30, 2018 Budget Meeting and September 4, 2018 Meeting Minutes

Ms. Kelly made a motion second by Ms. Colgan to approve the budget meeting minutes of August 30, 2018 as written.

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

Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve the meeting minutes of September 4, 2018 as written.

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

3. Monthly Reports

- **Pocono Mountain Regional Police Department-** Presented by Ms. Kelly

- **Pocono Mountain Regional EMS**-Presented by M. Lemley. Mr. Weimer stated that the Board discussed the possibility of designating Samaritan EMS to assist with coverage if available stating they would provide mutual aid to PMREMS and asked Mr. Lemley if PMREMS had any issue with that being advised that they did not. *Mr. Weimer made a motion second by Ms. Ruiz-Smith to designate Samaritan EMS as a mutual aid to assist PMREMS when coverage is needed.*
 - **Discussion:** H. Smith asked if all Municipalities had to accept this being advised it is just for Coolbaugh Township. Ms. Masker asked if there is a reciprocal agreement with PMREMS as far as residents that paid the \$75.00 to PMREMS to cover transport and Mr. Lemley stated that he would believe it would carry over but they would have to have a discussion with Samaritan EMS. Mr. Lemley stated that when he or Denise is working in the office and a truck is needed on the road they also take out trucks for calls to assist when they are busy.
 - **Vote:** All in favor, motion passes.
- **Coolbaugh Township VFC**- Presented by T. Keane
- **Gouldsboro VFD**- Presented by Mr. Weimer
- **Thornhurst Fire & Rescue Ambulance**- Presented by Mr. Weimer.
- **Tobyhanna Township VFC**- Presented by T. Counterman.
- **Pocono Mountain Public Library**- Presented by A. Shincovich, stating that the stats for the summer programs are also provided. Ms. Shincovich also discussed Hoopla which is a streaming option that is now available to library card holders which allows audio books, streaming music, movies and other media. Ms. Shincovich also stated that the library amnesty program is going on for long overdue materials to be returned without paying the fine in order to try to replenish the items back into circulation.

4. PMRPD Minimum Municipal Obligation for 2019

- **PMRP Union Pension**- \$247,741.70
- **PMRP Non-Union**- \$3,351.80

Ms. Kelly made a motion second by Mr. Weimer to approve 2019 PMRP Minimum Municipal Obligation as presented.

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

5. Municipal Center Security Cameras

Ms. Kelly made a motion second by Mr. Lamantia to table this agenda item to allow the other vendor to make a presentation at a future meeting.

- **Vote:** 4-1-0, motion passes. (Ms. Ruiz-Smith opposed)

6. LSA Letter of Support Request from the Pocono Mountain Municipal Airport Authority for funding for the fuel farm replacement

Ms. Kelly made a motion second by Mr. Weimer to approve the LSA letter of support for the Pocono Mountain Municipal Airport Authority for funding for the fuel farm replacement.

- **Discussion:** H. Smith asked who owns the fuel being advised it is owned by the airport. Mr. Bill Mullen from the PMMAA stated that the fuel farm is over 50 years old and income from fuel sales account for 80% of the income to the airport. Mr. Mullen stated that they found a funding source that provides a 75%/25% match stating that the LSA funding request is in the amount of \$300,000 with the public funding in the amount of \$900,000.00.
- **Vote:** All in favor, motion passes.

7. LSA Letter of Support Request from Coolbaugh Township Volunteer Fire Company for funding in the amount of \$125,000.00 for the warming station upgrades

Ms. Kelly made a motion second by Ms. Colgan to approve the LSA letter of support request from the Coolbaugh Township Volunteer Fire Company for funding for the warming station upgrades in the amount of \$125,000.00.

- **Discussion:** Ms. Ruiz-Smith stated that she spoke to Jennifer at Maureen Madden's office and advised Mr. Keane that if the grant request is not approved as an upgrade that the next submission should be submitted as a rebuild.
- **Vote:** All in favor, motion passes.

8. LSA Letter of Support for the Pocono Services for Families and Children for the replacement of the HVAC system and the Lighting

Ms. Ruiz-Smith made a motion second by Mr. Weimer to approve the LSA letter of support for Pocono Services for Families and Children for the replacement of the HVAC system and the lighting.

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

9. Planning Commission Recommendation to Grant Approval of the Sewage Planning Module for Dollar General

Ms. Ruiz-Smith made a motion second by Mr. Weimer to grant approval of the Sewage Planning Module for Dollar General.

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

10. Adoption of Resolution #07-2018- Sewage Planning Module for Dollar General

Ms. Ruiz-Smith made a motion second by Mr. Weimer to adopt resolution #07-2018 to be executed by our Township Secretary/Administrative Assistant Erin Masker.

- **Discussion:** Ms. Ruiz-Smith stated that Dollar General has been a pleasure to work with.
- **Vote:** All in favor, motion passes.

11. Building #2 Bell Tower Water Infiltration Remediation Proposal

Mr. Weimer made a motion second by Ms. Ruiz-Smith to approve the proposal from Anderson Masonry at a cost not to exceed \$10,000.00.

- **Discussion:** Solicitor Armstrong asked if the proposal was reviewed and ok with the Township Engineer, Russ Kresge being advised by Ms. Ruiz-Smith that it was.
- **Vote:** All in favor, motion passes.

12. Contract to Clean Out the Bio Reactor at the Waste Water Treatment Plant

Ms. Kelly made a motion second by Mr. Weimer to award Biro's the contract to clean out the bio reactor at the waste water treatment plant in the amount of \$9,605.00.

- **Discussion:** Ms. Ruiz-Smith asked if this was one of the items on Dave Kavitski's list
- **Vote:** All in favor, motion passes.

13. Network and Security Assessment in the amount of \$500.00

Mr. Weimer made a motion second by Ms. Colgan to authorize Team Logic to perform a network and security assessment on our system at the cost of \$500.00.

- **Discussion:** Ms. Ruiz-Smith asked why we are having this done being advised by Ms. Mills that we are looking into a new IT support company.
- **Vote:** All in favor, motion passes.

14. Zoning Hearing Board Request for Planning Commission to review Ordinances pertaining to §27-1107.1, Individual Businesses Identification Signs and Parking.

Ms. Colgan made a motion second by Ms. Ruiz-Smith to authorize the Planning Commission to review Ordinances pertaining to §27-1107.1, Individual Businesses Identification Signs and Parking.

- **Discussion:** Ms. Ruiz-Smith stated that this has become an issue with businesses putting signs up in accordance to their corporate guidelines stating that the precedence has already been set at the medical building which has multiple signs up. Mr. Weimer stated the Planning Commission needs to keep an open mind to have rules that are friendly for businesses stating that instead of welcoming businesses we are making it hard for them. Mr. Weimer stated that he challenges the Planning Commission to come up with good recommendations as far as signage and parking to bring back to the Board. Ms. Ruiz-Smith stated that this process comes with an expense as we will need to work with Carson Helfrich on making these revisions. Mr. Penn from Mount Pocono stated that they are currently working on their ordinances as well for signage and stated that maybe we could work together on them.
- **Vote:** All in favor, motion passes.

15. Halloween Trick or Treat Times / Authorization to Advertise

Mr. Weimer made a motion second by Ms. Kelly to authorize trick or treat time on October 31, 2018 from 5:00pm-8:00pm and authorize the advertisement.

- **Discussion:** Ms. Ruiz-Smith asked about the day before Halloween with Mr. Lamantia stating that he would like to see a curfew for the evening before which there was never a motion made on in the past.
- **Vote:** All in favor, motion passes.

16. Authorization to Advertise Open DPW Position

Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize the advertisement of the open DPW position for a CDL or Non CDL position at the rate as set by the current CBA.

- **Discussion:** Mr. Weimer stated that the position opened up due to the retirement of an employee. Rate would start at \$12.10 an hour for Non CDL and \$16.10 for CDL Class B and \$17.10 for CDL Class A. Ms. Colgan asked if the position was a CDL position being advised yes in the winter and no the rest of the year but there are two new employees with their CDL.
- **Vote:** All in favor, motion passes.

17. Authorization to Hire A Company to Design the Township Website

Ms. Ruiz-Smith made a motion to table no second was heard, motion failed.

Ms. Kelly made a motion second by Ms. Colgan to hire Creative Works to design the Township website at the cost of \$9,850.00.

- **Discussion:** Ms. Ruiz-Smith stated that she sent an email with information for another vendor which would like to put in a quote and stated that the cost provided was too much. Ms. Mills reviewed the websites of the vendors for which two quotes were received stating that creative works provides training for updating the site as needed and stated that they have a lower hourly rate. Mr. Keane stated that the biggest issue we have is that our website does not have fillable forms that can be filled out and emailed without having to be printed out, scanned and emailed.

- **Vote:** 4-1-0, motion passes. (Ms. Ruiz-Smith opposed)

18. Route 196 Turning Lane Contractor Change Orders

- #3-2018 in the amount of \$19,807.96: Cost of Temporary Signal Modification During Construction and Escalations in Labor Cost per the Prevailing Wages
- #4-2018 in the amount of \$10,851.83: Re-Bidding of the Striping Portion as the Original Bidder no longer provides the specific type of markings required by the permit

Mr. Weimer made a motion second by Ms. Colgan to approve change orders #3-2018 in the amount of \$19,807.68 and #4-2018 in the amount of \$10,851.83 for the Route 196 Turning Lane Project.

- **Discussion:** Ms. Ruiz-Smith asked why the temporary traffic signal wasn't included in the original bid and stated that the price for line painting was included. Mr. Lamantia asked why we are paying more for line painting. Solicitor Armstrong stated that he has not seen the contract but stated the contract was entered into three years ago and that the first change order is because the temporary signal modification was not required when the project went out to bid and the second one is required because the company that originally provided the quote no longer provides the service. Ms. Kelly stated that the change in cost is also due to the time that has lapsed since we entered the agreement. H. Smith stated this is the costliest project the Township has ever done. D. Pope stated that the contractor should have to hire someone at the cost that was allotted. V. Massaro asked if the Township doesn't agree to the change orders what happens to the project. Solicitor Armstrong stated that the contractor is respecting their contract and cannot control the other aspects of the contract for services that they are not providing. T. Counterman asked if these change orders are from an outside contract or part of the entire contract.
- **Vote:** 3-2-0, motion passes. (Ms. Ruiz-Smith and Mr. Lamantia opposed)

19. Monsignor McHugh Request for Donation for the Penndot Paint the Plow Contest

Ms. Colgan made a motion to make a donation for the Penndot Paint the Plow contest, no second was heard. Motion Failed

20. Controller Report

Presented by Ms. Mills as of August 31, 2018

- **Discussion:** Ms. Colgan asked what the cost is that has been saved since hiring the in house mechanic with Mr. Lamantia stating that the employee would need an AEI book to determine the cost of the services that are being done.

21. Current obligations

• General Fund	\$	118,090.97
• Escrow	\$	3,264.00
• Sewer Fund	\$	<u>1,967.33</u>
Total Disbursements	\$	123,322.30

Ms. Kelly made a motion second by Mr. Weimer to pay our current obligations in the amount of \$123,322.30.

- **Discussion:** Ms. Ruiz-Smith asked for clarification on checks # 4655, #4660, #4668 and #4680 also requesting a complete financial report from Ms. Mills on the Route 196 project.
- **Vote:** All in favor, motion passes.

22. Other business

❖ Discussion on possible zoning change to allow Travel Plazas in Industrial Zoned Areas

Mr. Weimer stated that he would like the Board to consider allowing Travel Plazas in the Industrial District. Solicitor Armstrong stated that the Board could choose to allow travel plazas as a permitted use or by special exception stating that it could be included on the chart of uses and changed by an Ordinance. Solicitor Armstrong stated that this will also need to be reviewed by the Monroe County Planning Commission as well as the Township Planning Commission. Solicitor Armstrong stated that if the Board is interested in adding this to the Ordinance we could hold off on the Codification so that we will only have to hold one hearing and can make a complete submission to the MCPC for review as each time there is a change the entire Ordinance must be submitted. Ms. Ruiz-Smith stated that she is working with a developer and engineer that are interested in putting a truck stop in Coolbaugh Township.

❖ Discussion on Hiring an Engineer to Obtain the Value of the Township's Waste Water Treatment Plant

Mr. Weimer made a motion second by Ms. Ruiz-Smith to advertise an RFP to hire an engineer to determine the value of the Wastewater Treatment Plant.

- **Discussion:** Solicitor Armstrong stated that there are other professionals that can determine the value of the WWTP stating that he has some companies that have worked with other municipalities that he can share with the Board.

Motion was amended to change engineer to professional.

- **Discussion:** Ms. Ruiz-Smith stated that he and Mr. Weimer are the lead people on the WWTP project and wants the Board to come to them about anything pertaining to this.
- **Vote:** All in favor, motion passes.

❖ Mr. Weimer stated that there is a major issue with the drain at Cayuga and that he is afraid the pipe will collapse. Mr. Weimer stated that he would like the Boards permission to engage Township Engineer, Russell Kresge to come out and take a look at the problem as well as engaging our Township Solicitor so that there can be a plan to move forward before it becomes much worse. Mr. Weimer stated that a collapse of the road due to the deterioration of the pipe is highly probably. Solicitor Armstrong stated that there are provisions in the code about the process to be followed for closing roads and providing detours. Mr. Weimer stated that we would also have to notify the school, PMRPD, PMREMS and other entities.

Ms. Colgan made a motion second by Ms. Kelly to grant conditional approval to DPW to temporarily shut down Cayuga Drive if Township Engineer, Russell Kresge evaluates and determines that it needs to be shut down due to structural concerns.

- **Discussion:** D. Pope stated that the Township could reduce the weight limit. Mr. Lamantia stated to close the road. M. Fairservice stated that now is your chance to close the road as that intersection has been an issue in the past. Mr. Lamantia stated that this is a safety issue. Ms. Kelly stated that she has no problem with closing it temporarily. M. Fairservice stated that the biggest concern is the property owner at this location with Solicitor Armstrong stating that if this has been a public road for years, then it is a public road. Ms. Ruiz-Smith is concerned with sink holes that will cause an accident or injury.
- **Vote:** All in favor, motion passes.

❖ Mr. Lamantia stated that if we have quotes coming in for a meeting agenda then all vendors need to be invited to make a presentation at the same time so that we can make the decisions that need to be made instead of pushing things off and stated that we should be providing specs to those that are providing quotes so that all are for the same items (apples to apples).

- ❖ Ms. Colgan stated that Touch a Truck went well thanking the Township, DPW, the Coolbaugh Township VFC and the other area agencies that participated.
- ❖ Ms. Ruiz-Smith stated that regarding the quotes for the security cameras, we have had people come in one at a time and not all proposals have made a presentation in the past, stating that according to the code we are to award it to whichever one is cheaper. Ms. Ruiz-Smith stated that the one proposal she received is \$4,100.00 less. Solicitor Armstrong stated that the project was not awarded this evening.
- ❖ Solicitor Armstrong stated that the final development agreement, stormwater facilities maintenance agreement and memorandum of development agreement are available for the Board to consider executing this evening for Arcadia North- Clarius Partners, LLC. Solicitor Armstrong stated that there are no public improvements dedicated to Coolbaugh Township however they are agreeable to post a bond for the \$394,137.27 maintenance retainer after the project is complete stating that the total bond already posted for the project is over 10 million dollars.

Ms. Kelly made a motion second by Ms. Colgan to authorize the execution of the final land development agreement, Stormwater facilities maintenance agreement and memorandum of development agreement for Arcadia North-Clarius Partners, LLC.

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

The board recessed for executive session from 9:23pm-9:48pm when they reconvened.

Ms. Kelly made a motion second by Ms. Ruiz-Smith to appoint Mr. Weimer and Ms. Colgan as well as Ms. Mills and Ms. Thompson from the staff to begin contract talks with the Mount Pocono Municipal Authority re: the potential sale of the Waste Water Treatment Plant.

- **Discussion:** Ms. Ruiz-Smith stated that she would like to make the Municipal Authority representatives in attendance aware that the Board is also speaking with PA American and Aqua about the WWTP as well. Mr. Oser from Mount Pocono Borough stated he is not part of the discovery team for this project stating that Mr. Penn and Ms. Montanez will be the contacts. Mr. Oser stated that the Authority received proposals from 22 companies from an RFP that they sent out and they would be happy to share those names with the Board. Ms. Ruiz-Smith and Mr. Weimer will meet with Aqua and Pa American. Ms. Ruiz-Smith asked how the Authority would fund this purchase being advised by Mr. Penn that cannot be determined until the cost is determined but Ms. Oser stated that the Authority has a line of credit. Mr. Oser stated that they are not interested in regionalization but they want to centralize with Mount Pocono Authority as the controlling factor.
- **Vote:** All in favor, motion passes.

Mr. Weimer asked Ms. Masker to add a section to the agenda for Solicitor Comments.

23. Board of Supervisors Executive Session:

- **After:** Tuesday, September 18, 2018 from 9:23pm-9:48pm Re: Legal

24. Adjournment

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

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

Meeting adjourned at 10:01 pm.

NEXT REGULAR BOARD MEETING: Tuesday, October 2, 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: _____