

**COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**May 7, 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, Maureen Mills, Business Manager/ Controller and Tomas Keane, Director of Codes and Zoning

**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 or community you reside in before speaking.

**1. Public Input**

- H. Smith asked how the Route 196 project is coming along stating that there should have been consideration on how cars are going to exit onto 196 from Little Billy Lane and Ryan's Road. Mr. Weimer stated that the traffic and roads in that area would have been reviewed by PennDot when the project was being planned.
- D. Pope provided the Board with a picture of Stars and Stripes sign that is located at their business asking if it is in compliance with the Township sign ordinance and stating that if it is not, what is being done about it.
- D. Pope asked who the representatives are that are on the police commission, being advised by Mr. Weimer that the representatives are Ms. Kelly, Mr. Lamantia and Mr. Cummings. D. Pope asked how much patrol time Coolbaugh Township gets as he was advised that there is no patrol time only time to go to calls. Ms. Kelly stated that they have asked this question in the past stating they were not able to obtain the information. Ms. Ruiz-Smith stated that she has requested patrol in Pocono Summit Lake Estates and was told that they would, stating that she has yet to see anyone there.
- D. Pope asked Mr. Weimer if they are putting the Reo in a glass room being advised that they are and the room will be similar to that of the Barrett Township Volunteer Fire Company.
- D. Pope stated that there is no work being done at the bridge yet the road is still closed, being advised by Mr. Weimer that the anticipated road opening date is June 5.
- M. Fairservice presented the Board with a memo from the Dept. of Agriculture regarding the spotted lanternfly and asked what precautions are being taken at DPW regarding the materials that are accepted. M. Fairservice stated that the people bringing in the materials are to have a permit to do so which would provide the information as to where the materials are coming from. M. Fairservice stated that there is a class that the contractors need to take.

## 2. Approval of minutes / notes : April 23, 2019 Regular Meeting Minutes

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve the meeting minutes of April 23, 2019 with one correction.*

- **Discussion:** Ms. Ruiz-Smith asked that Community be added to the church name on page 2 third sentence
- **Vote:** All in favor, motion passes.

## 3. Awarding of the 2019 Road Paving Bid

*Ms. Kelly made a motion second by Mr. Weimer to award the 2019 road paving contract to H & K Group in the amount of \$515,873.31 for the base bid without any additions.*

- **Discussion:** Ms. Kelly asked Ms. Mills how much the contract is over budget being advised \$16,000.00. Ms. Kelly stated that the Board has a budget meeting on Friday evening and will need to determine where the money will come from. Mr. Weimer stated that the budget for road paving is based on the amount that is received from liquid fuels with Mr. Lamantia asking if we receive a rough idea on cost from our engineer being advised that we do, but there are factors that could raise the cost. Mr. Weimer stated that we take 20% of the liquid fuels in order to replace trucks each year. D. Pope asked if the Township engineer does a density test on the roads being advised by Mr. Weimer that he does not believe so. M. Fairservice asked if the Board prioritizes what is needed when doing the budget stating that the road paving should be high on the list to use Township tax money on stating the focus should be on what benefits the community as opposed to how much money we give out to other organizations. Ms. Ruiz-Smith stated that we do not give money away so people like us, which was discussed at our last meeting stating that we do not give out a lot of money in contributions. Mr. Weimer stated that the overage is coming out of tax dollars stating that we have to replace the fleet stating that we are not taking infrastructure lightly.
- **Vote:** All in favor, motion passes.

## 4. Air Conditioning Units for the District Magistrate Office

*Ms. Kelly made a motion second by Mr. Weimer to approve the purchase of the Bryant air conditioning units (Listed as Bryant Equipment Option 1) from Vitale & Son at the cost of \$9,343.67 per their quote dated April 26, 2019.*

- **Discussion:** Ms. Ruiz-Smith stated that a 9,000 BTU air conditioning unit is much larger than needed for the lobby area of the court stating that 5,000 BTU's would be large enough.
- **Vote:** 4-1-0, motion passes. (Ms. Ruiz-Smith opposed)

## 5. Waste Not Technologies Acknowledgement of Escrow Termination

*Mr. Weimer made a motion second by Ms. Colgan to authorize the execution of the Acknowledgement of Termination of Escrow for Waste Not Technologies.*

- **Discussion:** Solicitor Armstrong stated that the Board has already authorized a letter to release the escrow as all of the conditions have been met. Ms. Ruiz-Smith asked if the amount of the escrow should be included in the agreement being advised by Solicitor Armstrong that he believes that the agreement has already been signed by all parties involved except the Township.
- **Vote:** All in favor, motion passes.

6. Request for Waiver of Procedural Time Requirements for the Minor Subdivision of Paul & Patricia Rudolph, Sr. until July 30, 2019

*Ms. Kelly made a motion second by Ms. Colgan to approve the waiver request of procedural time requirements for the minor subdivision of Paul & Patricia Rudolph, Sr. until July 30, 2019.*

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

7. Request for Waiver of Procedural Time Requirements for the Minor Subdivision of Robert Yoka until July 30, 2019

*Ms. Kelly made a motion second by Ms. Colgan to approve the waiver request of procedural time requirements for the minor subdivision of Robert Yoka until July 30, 2019.*

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

8. Request for Waiver of Procedural Time Requirements for the Minor Subdivision of Linda Silva until July 30, 2019

*Ms. Kelly made a motion second by Ms. Colgan to approve the waiver request of procedural time requirements for the minor subdivision of Linda Silva until July 30, 2019.*

- **Discussion:** Ms. Ruiz-Smith asked if we have already done something for Linda Silva, being advised by Ms. Masker that there was previously a request for waiver of procedural time requirement.
- **Vote:** All in favor, motion passes.

9. Coolbaugh Township Anniversary Committee Update

Ms. Colgan stated that she has had two meetings for the anniversary celebration, one with the historical society and another with other community members that are interested in taking part of the planning of the celebration stating that there are 19 people interested and 7 that were in attendance at the meeting. Ms. Colgan stated that the committee will be meeting again this coming Friday evening at 7pm. Ms. Colgan stated that they have chosen the name, Coolbaugh 225 and the date of August 24, 2019 with a rain date of August 25, 2019. Ms. Colgan stated that it is the same date as the art show at the museum, the air show at Pocono Raceway and the day that the Steamtown train will be coming through the Township. The committee has begun to throw ideas out for the celebration which includes vendors at the complex, a hero game, a parade, providing that Main Street is open by then, challenge coins for the first 225 families that attend, food trucks and a laser light show. Ms. Kelly asked where the celebration would be held being advised by Ms. Colgan that it would be at the Municipal Complex. Ms. Colgan stated that P. Williams suggested a budget of \$4,000.00 but that the rest of the committee felt that \$10,000.00 may be a more reasonable amount based on event discussions.

*Ms. Kelly made a motion second by Ms. Colgan to agree to the title of the Anniversary Celebration to be Coolbaugh 225, the date of August 24, 2019 with a rain date of August 25, 2019, for the event to be held on the Municipal Complex and for a budget of \$8,000.00.*

- **Discussion:** Ms. Colgan asked if the motion could be amended to not include a budget amount until after the budget meeting on Friday evening stating that the anniversary committee will also be meeting that evening and will be determining what items on the list they will be able to get for free and to review their potential agenda of events. Ms. Ruiz-Smith stated that she is in favor of the name and the date but not in favor of the amount being budgeted stating that this should be a community event and not require a large amount of money to hold it.

*Ms. Kelly amended her motion and Ms. Colgan her second to remove the amount budgeted for the celebration.*

- **Discussion:** Mr. Lamantia stated that we did not budget any money for this event with Mr. Weimer stating that it was not budgeted yet, but stating that we will review the budget at the meeting on Friday. M. Fairservice suggested the VFW for food with Ms. Colgan stating that they are involved in the planning process as well. Mr. Lamantia suggested including the HOA's in the process as they would be able to participate as well as promote the event. D. Pope asked if the Sportsman's Club has been contact with Ms. Colgan stating that B. Leonard is on the committee.
- **Vote:** All in favor, motion passes.

#### 10. EAC Request for the purchase of stone for the Wiley Preserve in the amount not to exceed \$1,000.00

*Mr. Weimer made a motion second by Ms. Colgan to approve the EAC request to purchase stone for the Wiley Preserve at a cost not to exceed \$1,000.00.*

- **Discussion:** Mr. Weimer stated that this is in their budget this year. D. Pope asked what kind of stone will be purchased being advised by Mr. Weimer that it is the same as the warning tracks on the baseball fields. H. Smith asked if Solicitor Armstrong looked into the open space property deeds being advised that he had and that there were no issues with the Wiley Property. H. Smith asked if there are plans to put up safe zone signs on the Hemlock Property being advised by Mr. Weimer that he will take care of that.
- **Vote:** All in favor, motion passes.

#### 11. EAC Request to ban motorized vehicles on the Wiley Preserve

Mr. Weimer stated that there are motorized vehicles that are tearing up the trails and stated that the Environmental Advisory Council voted to request that the Board of Supervisors ban motorized vehicles at the Wiley Preserve. Ms. Kelly asked Solicitor Armstrong if there is a need for an ordinance to ban the motorized vehicles being advised that the Board could pass an ordinance to ban them but he would suggest that the Board consider all the open space and parks properties and do it all at once. Solicitor Armstrong stated that if the Board only wants to ban them at one spot they could post the property and then if anyone is in violation you can call the police. Solicitor Armstrong stated that in the ordinance the Board could determine the exceptions to the motorized vehicles which could include emergency vehicles and township vehicles/equipment. Solicitor Armstrong asked if the Board has contacted the police about the issue, being advised that they have not. Mr. Weimer suggested that we get pricing on signs and wording and re-visit this in the future.

*Ms. Colgan made a motion second by Mr. Weimer to table agenda item #11 and #12.*

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

#### 12. EAC request to post the Wiley Preserve with signs indicating the ban of unauthorized motorized vehicles

\*Please see the above motion on agenda #11 to table\*

#### 13. Authorization for Internal Posting of DPW Road Foreman Position

*Mr. Weimer made a motion second by Ms. Kelly to authorize the internal posting of the DPW Foreman Position at the rate of \$32.00 per hour as required per the CBA posting requirement.*

- **Discussion:** Ms. Ruiz-Smith asked who is the road foreman and asked if we are looking for a boss for the assistant foreman, being advised by Mr. Weimer that there is no foreman currently and that this position is open to anyone that qualifies and will be based on seniority. Ms. Ruiz-Smith asked if after this position is filled by the assistant foreman we will be looking to fill the assistant foreman position being advised that is correct.
- **Vote:** All in favor, motion passes.

#### 14. Authorization for DPW to work at the Shred Event on May 18, 2019 from 9am-3:30pm at the Coolbaugh Township Volunteer Fire Co. Parking Lot

Discussion ensued about the need for a DPW worker to be at the event. Ms. Ruiz-Smith stated that when she attended there was no traffic to need traffic control and stated that no one was checking residency documents. After the discussion it was determined that there was no need. Ms. Mills asked if the Board would like a township employee to be on call in case there are any issues that there would be someone available to assist with it since it is a Township event.

*Mr. Weimer made a motion second by Ms. Colgan to have a salaried administration member available via phone to take any calls during the day.*

- **Discussion:** Mr. Weimer suggested that Ms. Mills speak to the staff and determine who will be the contact.
- **Vote:** All in favor, motion passes.

#### 15. Request for DPW to Pick Up Trash on Hemlock Drive Collected by Volunteers

*Mr. Weimer made a motion second by Ms. Colgan to authorize overtime if needed for two DPW workers to pick up the trash bags on Hemlock Drive with a date and time to be determined in the future.*

- **Discussion:** Mr. Weimer stated that this event is still being planned by the resident and therefore the date and time will be provided at a later date. Ms. Ruiz-Smith asked if we are still doing Pick Up the Poconos this year being advised by Ms. Mills that it will take place in the fall.
- **Vote:** All in favor, motion passes.

#### 16. Discussion on the Newly Passed Union Contract Benefits vs. Non-Union Employee Benefits

Ms. Kelly stated that the first sheet is the list of benefits that the union employees have that the non-union employees do not stating that they are in the CBA. Mr. Weimer asked why we are making the changes as it was discussed that these items would be reflected in the personnel manual to be approved. Ms. Kelly stated that changing the insurance policy could become an issue if we don't include all employees because we will need to do a policy change for everyone at the same time. Ms. Kelly stated the changes would include the increase in life insurance from \$50,000.00 to \$75,000.00, adding Christmas Eve and New Year's Eve as holidays for the employees, which we have already been giving them, adding an additional personal day, adding an additional day for bereavement and changing the policy for sick time carryover. Mr. Weimer asked Ms. Mills the status of the personnel manual update being advised that it is not done yet. Ms. Ruiz-Smith stated that the changes that were discussed in Executive Session regarding the CBA stating that there are changes that were not agreed to and also stating that she has never heard of an insurance company that will not allow an employer to offer \$50,000.00 to some employees and \$75,000.00 to others. Solicitor Armstrong stated that although he did not represent the Township in the Teamsters union negotiations, it is his understanding that these items were accepted in the CBA and now it is before the Board to consider offering these same benefits to the non-union employees. Ms. Colgan stated that it was her understanding that we were going to consider passing the personnel manual with these items included in it, but asked if the Board can just approve the increase in life insurance from \$50,000.00 to \$75,000.00 for all non-union employees being advised by Solicitor Armstrong yes the Board can do that, should they choose.

*Ms. Kelly made a motion to agree to approve the listed benefits for the administrative employees which includes holidays for Christmas Eve and New Year's Eve increasing the life insurance from \$50,000.00 to \$75,000.00, one additional personal day, one additional bereavement day and the changes to the sick time carryover policy dropping down to 360 hours as presented.*

*\*\*Motion fails for lack of a second\*\**

*Ms. Kelly made a motion to agree to the increase of \$50,000.00 to 75,000.00 for the life insurance policy for the non-union employees.*

*\*\*Motion fails for lack of a second\*\**

Ms. Kelly asked Solicitor Armstrong if there is anything relating to equity of employee benefits that could open us up to a discrimination issue being advised that there is not as these are two different classes of employees with one being union and one being non-union. Discussion ensued about the possible need to separate the policy with Solicitor Armstrong stated that the Township should speak to the insurance company regarding the benefits. Mr. Lamantia stated that the personnel manual should only reflect at the discretion of the Board of Supervisors and not to list an amount with Ms. Kelly agreeing and stating that is why we could approve this change without waiting for the personnel manual being completed as this change will not impact the personnel manual or the wording included in it. Mr. Weimer stated that he is disappointed that we are not farther along with the personnel manual and would consider this motivation to get it completed. Discussion ensued about the inclusion of the dollar amount for the life insurance with Ms. Kelly stating that the dollar amount would not be included in the personnel manual and that it would be approved by a motion. Ms. Colgan asked if these increases for benefits were budgeted for being advised that the staff has been off on Christmas Eve and New Year's Eve so that is budgeted, the bereavement pay will not be affected unless someone uses it as it is not budgeted for, the sick time buyout would be a benefit to the Township as it would reduce the liability. The life insurance was then confirmed by Ms. Mills to be no more than \$2,500.00 per year for all administrative and DPW employees as well as the Board of Supervisors. Mr. Weimer stated if we aren't putting a dollar amount in the personnel manual and we are going to pay it anyway and it is \$4.00 per person per month it will make the administrative staff happy and DPW is already getting them, then if the administrative staff wants the additional benefits they will complete the personnel manual to present to the Board for consideration.

*Ms. Kelly made a motion second by Mr. Weimer to approve changing the amount of the life insurance policy for non-union employees from \$50,000.00 to \$75,000 per year based on the expectation that the cost will not exceed \$2,500.00 for this year for all employees union and non-union.*

- **Discussion:** M. Fairservice asked if the amount is over \$2,500.00 then only the union employees would get it at this time being advised by Ms. Kelly that is correct.
- **Vote:** 4-1-0, motion passes. (Ms. Ruiz-Smith opposed)

#### **17. Discussion on Recent Wind Damage at DPW Garage: Repair vs. Replacement**

Mr. Weimer stated that a claim was filed with the insurance company regarding the wind damage to the roof of the DPW garage requested that this item be added to the next meeting agenda.

#### **18. DPW Garage Door Openers**

*Ms. Ruiz-Smith made a motion second by Mr. Weimer to approve the purchase of garage door openers from F & L Doors at a cost of \$9,585.00 per their quote dated April 25, 2019.*

- **Discussion:** Ms. Ruiz-Smith stated that All Door Sales quote states that all wiring of electric operators, controls, control devices and safety devices to be done by others stating that F & L Doors will do all of the work.
- **Vote:** All in favor, motion passes.

#### **19. Dangerous Structure Report**

Presented by Mr. Keane as of December 12, 2018 stating that he will be speaking to Solicitor Armstrong about a couple of the properties and the process that we will be taking to remedy the issues. Solicitor Armstrong stated that he and Mr. Keane will prioritize the properties on the list in order to move forward. Mr. Keane stated that he would like to work on a checklist for the process to follow.

- **Discussion:** Ms. Kelly thanked Mr. Keane for preparing the report.

## 20. Current obligations

• General Fund	\$	444,134.35
• Sewer Fund	\$	14,103.63
• Escrow Fund	\$	1,027.16
• Fire Tax Fund-Coolbaugh Twp. VFC	\$	<u>113,994.37</u>
Total Disbursements	\$	573,259.51

*Ms. Colgan made a motion second by Ms. Ruiz-Smith to pay the current obligations in the amount of \$573,259.51.*

- **Discussion:** Ms. Ruiz-Smith asked for clarification on check #5392 and asked if there is money in the rainy day fund to pay off the mortgage to the PMRP in advance to save the interest (check #5399). Ms. Kelly responded that we are on the loan with three other municipalities and we would have to re-write the mortgage. Mr. Weimer stated that if we sold the sewage treatment plant we could have money to pay down the debt.
- **Vote:** All in favor, motion passes.

## 21. Solicitor Armstrong Comments/Updates

- Solicitor Armstrong asked the Board if they have any idea how much money they anticipate receiving for the log pile and whether the Board wants one person to take the whole pile or can it be split up. Mr. Weimer stated that in the past one person has taken it all. Ms. Ruiz-Smith asked what affect the spotted lanternfly issue that was raised this evening will have stating that if there are no interested parties in purchasing the logs that they could be donated to Valor Clinic Foundation as they burn the wood for the shelter.
- Solicitor Armstrong stated that the Board received the proposed ordinance for the wireless cell towers and Mr. Weimer asked that Solicitor Armstrong review it and provide comments.
- Solicitor Armstrong stated that John Holahan from Liberty Homes is requesting a conditional approval for a minor subdivision plan for Angela I. Rogers which he is working with the property owner on an addition on her property. Solicitor Armstrong stated that he does not have an issue with this request and stated that Township Engineer, Russ Kresge also provided an email with the conditions and has stated that he has no issue with the conditional approval should the Board choose to grant it.

*Mr. Weimer made a motion second by Ms. Colgan to grant conditional approval of the minor subdivision joining lot 11, block A-1506 & lot 1, block A-1703, Section 17, property owner- Angela I. Rogers.*

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

## 22. Other business

- Ms. Ruiz Smith stated that community night was being held this evening at NCC and would request that if it falls on a meeting night in the future that we reschedule as that is a great networking opportunity and would not want to miss it again.

## 23. Board of Supervisors Executive Sessions

- **After:** Tuesday, May 7, 2019 from 6:26pm-6:45pm Re: Legal

## 24. Adjournment

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

Meeting adjourned at 9:10 pm.

NEXT REGULAR BOARD MEETING: Wednesday, May 22, 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: \_\_\_\_\_