

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
January 21, 2020

The meeting was called to order by Chairman William Weimer at 6:41 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/Zoning

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 community or city you reside in before speaking.

1. **Public input**

- D. Pope asked the status on the Cayuga project that was discussed last year.
- D. Pope asked that Dead End road signs be installed on his road as people are turning around in his yard.

2. **Approval of minutes / notes:**

- January 6, 2020- Reorganizational/Regular Meeting Minutes

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve the minutes of January 6, 2020 as presented.

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

3. **Monthly reports**

- Pocono Mountain Regional Police Department- Presented by Ms. Kelly. She also stated that there are four new vehicles on order through co-stars. Mr. Lamantia stated that vehicle code violations went up but that almost all other categories of violations went down for 2019. D. Pope asked that the report for Coolbaugh be included at the beginning of the packet. M. Fairservice asked if the UCR needs to be read aloud every month, being advised by Mr. Weimer that it will be for the purpose of transparency.
- Pocono Mountain Regional EMS- Presented by Mr. Weimer
- Coolbaugh Township VFD- Presented by T. Keane, stating that the members have just completed training on Fire Instructor 1 and Educations Methodology and will be testing on them this weekend. Ms. Ruiz-Smith asked how they are doing with their remodel project being advised that they are in the process of having everything prepared to go out to bid.
- Gouldsboro VFD- Presented by Mr. Weimer.
- Thornhurst Fire & Rescue Ambulance- Presented by Mr. Weimer.

- Tobyhanna Township VFD- Presented by T. Counterman, also stating that they will be hosting an Emergency Reporting class and he will let Mr. Weimer know when that will be. Ms. Ruiz-Smith asked if Tobyhanna Township gives the fire department the Act 172 tax credit, being advised that they do.
- Pocono Mountain Public Library- Presented by P. Williams.
- Code Enforcement Officer Report- Presented by Mr. Keane.

4. **Ordinance#139-2020- An Ordinance of the Township of Coolbaugh, Monroe County, Pennsylvania, Renaming Liz Way to Parker Way and Amending Section 375-21.A of the Code of Ordinances in Relation Thereto**

Mr. Weimer made a motion second by Ms. Ruiz-Smith to approve Ordinance#139-2020- An Ordinance of the Township of Coolbaugh, Monroe County, Pennsylvania, Renaming Liz Way to Parker Way and Amending Section 375-21.A of the Code of Ordinances in Relation Thereto.

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

5. **Dollar General Request for Release of Performance Bond in the Amount of \$290,016.36 upon Submission of Maintenance Security in the Amount of \$43,502.45 to be held until December 21, 2020.**

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve the request from Dollar General to release the Performance Bond in the Amount of \$290,016.36 upon Submission of Maintenance Security in the Amount of \$43,502.45 to be held until December 21, 2020.

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

6. **One Living Hope Community Church- Lease Renewal for February 1, 2020-January 31, 2021**

Mr. Weimer made a motion second by Ms. Ruiz-Smith to approve the lease renewal for One Living Hope Community Church from February 1, 2020 through January 31, 2021.

- **Discussion:** Ms. Ruiz-Smith asked what the rent amount is being advised \$1,010.00 per month.
- **Vote:** All in favor, motion passes.

7. **Request for Waiver of §355-48.D.1.C: To Allow Triple Frontage Lot for Minor Subdivision joining Lots 5 & 13, Block 70, Section 12, Arrowhead Lakes, Property Owner(s) Jeanine Hofbauer**

Ms. Kelly made a motion second by Mr. Weimer to approve the request for Waiver of §355-48.D.1.C: To Allow Triple Frontage Lot for Minor Subdivision joining Lots 5 & 13, Block 70, Section 12, Arrowhead Lakes, Property Owner(s) Jeanine Hofbauer.

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

8. **Conditional Approval of Minor Subdivision joining Lots 5 & 13, Block 70, Section 12, Arrowhead Lakes, Property Owner(s) Jeanine Hofbauer Conditioned on Approval of Waiver Requested and Submission of an Acceptable Joinder Deed**

Ms. Kelly made a motion second by Ms. Colgan to grant Conditional Approval of Minor Subdivision joining Lots 5 & 13, Block 70, Section 12, Arrowhead Lakes, Property Owner(s) Jeanine Hofbauer Conditioned on Approval of Waiver Requested and Submission of an Acceptable Joinder Deed.

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

9. **Authorization to Advertise Short Term Rental Work Session being held on Saturday, February 22, 2020 at 9:00 AM at the Pocono Mountain Public Library**

Ms. Kelly made a motion second by Ms. Colgan to authorize advertising the Short Term Rental Ordinance Work Session to be held on Saturday, February 22, 2020 at 9:00 AM at the Pocono Mountain Public Library.

- **Discussion:** Ms. Ruiz-Smith asked if this was sent to the Homeowner Associations yet, being advised by Ms. Masker that it will be sent once the Board confirms the meeting and authorizes advertising it. Mr. Weimer asked that Solicitor Armstrong attend the work session with Solicitor Armstrong stating that he will be there.
- **Vote:** All in favor, motion passes.

10. **Mid-Week Recycling Schedule / Authorization to Advertise**

Ms. Colgan made a motion second by Mr. Lamantia to authorize the revised mid-week recycling schedule which would allow tires, white goods (metal & appliances) and electronics to be accepted on Tuesdays, Wednesdays and Thursdays.

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

11. **Authorization to Purchase a 2020 Ford F-250 Truck and Plow/ Spreader/Light Package**

Ms. Kelly made a motion second by Mr. Weimer to authorize the purchase a 2020 Ford F-250 from Gibbons Ford in the amount of \$33,151.52 and purchase a Plow/Spreader/Light package from RTS Truck Center in the amount of \$16,560.00 for a total cost of \$49,711.52.

- **Discussion:** Mr. Weimer stated that this will replace the truck that we have been having issues with that is out of warranty. Mr. Lamantia asked about aluminum wheels and the undercoat being advised by Mr. Weimer that it would have to be done by a change order if not included in the specs provided. Ms. Ruiz-Smith asked if the Township is financing the truck being advised that it is being paid for with cash.
- **Vote:** All in favor, motion passes.

12. **Controller Report**

Presented by Ms. Mills as of December 31, 2019.

13. **Current obligations**

• General Fund	\$	128,288.63
• Escrow	\$	2,277.00
• Sewer Fund	\$	11,834.25
Total Disbursements	\$	142,399.88

Ms. Kelly made a motion second by Ms. Ruiz-Smith to pay the current obligations in the amount of \$142,399.88.

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

14. **Solicitor Armstrong Comments/Updates**

Solicitor Armstrong stated that there was a conference call in which Arcadia North (Clarius Partners, LLC) requested that a temporary occupancy permit be issued as they are hoping to allow the tenant to move in on February 14, 2020. Solicitor Armstrong stated that according to the development agreement the issuance of such permit would require authorization from the Board of Supervisors. He stated that if the Board chooses to allow this he would request that it would require that the remaining items on the punch list be acceptable to Mr. Keane and the Township Zoning Department, Township Engineer Russell Kresge, Bureau Veritas and Solicitor Armstrong himself.

- **Discussion:** Mr. Keane stated that there are currently life, health and safety items that need to be resolved stating that BV will not sign off on these items, stating that there are some items that will be held over until spring for completion which should not be an issue. Mr. Weimer requested that this item be on the next meeting agenda to see where the project punch list stands at that time.

Solicitor Armstrong stated that the land development plan for LPC Pocono, LLC. received conditional approval from the Board of Supervisors at a previous meeting stating that he was contacted by the developer to request that the Board of Supervisors consider allowing them to have a joint development agreement and bond for the project between Coolbaugh and Mount Pocono with the Board agreeing that they are not in favor of a joint bond and development agreement for the project. Solicitor Armstrong stated that he will follow up with the developer and begin working on the agreements for Coolbaugh Township.

Solicitor Armstrong requested a brief executive session at the end of the meeting stating that there is no need to keep the meeting open.

15. Board of Supervisors Executive Sessions

After: January 21, 2020 from 7:45 pm- 7:55 pm Re: Legal

16. Other business

Mr. Weimer made a motion second by Ms. Ruiz-Smith to regretfully accept the resignation of Ms. Mills effective January 31, 2020.

- **Discussion:** Ms. Ruiz-Smith thanked Ms. Mills. Ms. Kelly stated that she will be missed with the Board agreeing.
- **Vote:** All in favor, motion passes.

Mr. Weimer made a motion second by Mr. Lamantia to authorize advertising of the Business Manager/Controller position on Indeed and on the Township website.

- **Discussion:** Mr. Weimer confirmed with Solicitor Armstrong that the posting does not have to be in the Pocono Record and that electronic publication is sufficient, with Solicitor Armstrong agreeing. Ms. Ruiz-Smith requested that the information be added to Savvy Citizen as well. Ms. Kelly stated that Savvy Citizen is for informational purposes. The Board agreed that it could be sent out on Savvy Citizen.
- **Vote:** All in favor, motion passes.

Mr. Weimer made a motion second by Ms. Ruiz-Smith to appoint Meredith Thompson to the Township Safety Committee in place of Ms. Mills.

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

Mr. Lamantia discussed the Route 196 turning lane project and requested any documents relating to the engineering estimate that was originally obtained at the start of the project discussing the excessive cost overrun of the project.

- **Discussion:** Mr. Lamantia asked the status of the project being advised by Ms. Kelly that the sign still needs to be finished as there were issues with the material that came in and Ms. Dunn stopped them from working as soon as it was noticed and the HOP's for Battisto and Hatosy still need to be obtained. Discussion ensued on the cost that was budgeted vs. the actual cost with Mr. Lamantia stating that he would like to know why there is such a significant discrepancy between the two. Ms. Kelly stated that at the time our Township Engineer worked for Gilmore and Associates and the Board chose to use their firm. Solicitor Armstrong stated that because it is a professional service there would be no requirement to go out for bid, stating that many times

PennDot has a list of vetted firms that can be used if it is a project for PennDot. Ms. Ruiz-Smith stated that she has spoken to a Representative from PennDot and it is their stance that Gilmore is notorious for cost overruns like we have incurred. Solicitor Armstrong stated that the Board could designate members of the staff to look through the files for the estimate from Gilmore and send correspondence to Gilmore requesting a reason that the estimate is so different from the actual costs that were charged. Mr. Weimer stated that he will speak to Ms. Thompson about this matter.

Ms. Ruiz-Smith stated that the Board received correspondence from Solicitor Armstrong regarding the potential conflict of interest question regarding Mr. Dobson serving on the Planning Commission and the UCC Board of Appeals in which it was determined that there is no conflict, Ms. Ruiz-Smith asked what Mr. Dobson's qualifications are to serve on the UCC Board of Appeals stating that there are criteria that need to be met for those positions. Mr. Weimer stated that Mr. Dobson has fire background as well as building construction background and plan review. Ms. Ruiz-Smith stated that he does not meet the qualifications that are required as they are all professionals. Mr. Weimer stated that the Board is made up of an architect, contractor, architectural engineer, engineer and fire background. Solicitor Armstrong stated that many Townships have a hard time finding qualified members for the UCC Board of Appeals, but stated that the Board we have in place is qualified and much better than many other areas.

17. Adjournment

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

Meeting adjourned at 7:40 pm.

NEXT REGULAR BOARD MEETING: Tuesday, February 4, 2020, at the Coolbaugh Township Municipal Office meeting room.

- Work Session/ Business Meeting – 6:00 pm

Submitted by: _____
Erin Masker, Recording Secretary

Witnessed by: _____
William Weimer, Chairman

Date: _____