

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
September 1, 2020

The meeting was called to order by Chairman William Weimer at 6:22pm at the Pocono Mountain Public Library located at 5500 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, Meredith Thompson, Business Manager and Tomas Keane, Director of Codes and Zoning

**Announcements:**

Mr. Weimer announced the following:

- In order to insure the public safety and to comply with the CDC social distancing guidelines during the COVID-19 crisis, this meeting is being held at the Pocono Mountain Public Library.
- 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 stated that there are issues with trucks parking on Route 611 and at the gas station blocking visibility to turn onto Laurel Drive.

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

- August 18, 2020- Public Hearing Minutes
- August 18, 2020- Regular Meeting Minutes

*Ms. Ruiz-Smith made a motion second by Mr. Lamantia to approve the August 18, 2020 public hearing minutes and regular meeting minutes as presented.*

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

**3. Pocono Mountain Municipal Airport Authority request to Discuss Denial of Waiver of Fence Requirement for Clarius Partners, LLC. Stormwater Basin**

Adam Switzer, Delta Airport Consultants and John Kerrick were in attendance representing the Pocono Mountain Municipal Airport Authority and expressed their concerns with the proposed stormwater basin 4' fence as required on the Clarius, LLC. land development plan. Mr. Switzer discussed concerns with the runway visibility zone, which allows an aircraft taking off to see other aircrafts on another runway, as well as the necessary maintenance that would need to take place at the location. He stated that the fence could interfere with the visibility of airplanes on the runway due to the height and location. He also stated that there is the potential for issues with birds at the location if the grass was not mowed and maintained. Mr. Kerrick stated that the airport would mow the grass at the location on their

portion of the property to ensure the safety of their airplanes. Mr. Kerrick stated that the airport gave Clarius an easement and that they have worked well together on a number of items.

- **Discussion:** Ms. Ruiz-Smith stated her concerns with the potential for an ATV to exit the woods from Pocono Summit Lake Estates community and end up injured or worse if they trespass onto the property and do not see the stormwater basin if there is no fence required. Mr. Switzer stated that he has never received any complaints about ATV's being on the airport property. Mr. Kerrick stated that the original basin that was built on lot 2 was too high and the airport was written up by the aviation board which led to the airport giving Clarius an easement. Ms. Kelly asked if the airport will be mowing the entire basin or just the portion that is on their property being advised that they are not sure what the easement agreement states. Ms. Kelly stated that the documents provided by the airport which were originally submitted with the initial plan shows that the berm height with a 4' high fence would be lower than the required clearance. Discussion on the berm elevations and plan were discussed. Mr. Weimer reviewed the process with and without the fence around the stormwater basin and stated he is not concerned with the requirement based on the location. He stated that he is pleased to hear of the airport and Clarius working together on this project and stated that he doesn't see an issue with the requested waiver being granted. Ms. Ruiz-Smith stated that she is still concerned with the safety aspect. D. Pope suggested that no trespassing signs be posted as no one should be on private property. Solicitor Armstrong stated that the Board could entertain a motion to waive the fence requirement in the approved land development plan stating that the waiver would not be a waiver of any zoning ordinance requirements should there be any associated with this fence.

*Ms. Kelly made a motion second by Mr. Weimer to waive the fence requirement at the stormwater basin location for Clarius Partners, LLC. as required in their Land Development Plan.*

- **Discussion:** Mr. Lamantia stated that this should have been brought to the Board prior to the phase of completion that they are at currently. Mr. Kerrick stated that the airport was not aware of the requirement until the developer called for permission to install the fence.
- **Vote:** 4-1-0, motion passes. (Ms. Ruiz-Smith opposed)

#### 4. Planning Commission Recommendation of Conditional Approval for Carriage Square, LLC. Minor Subdivision Plan

*Ms. Colgan made a motion second by Ms. Kelly to grant conditional approval of the Carriage Square, LLC. Minor Subdivision Plan conditioned on the comments in Township Engineer, Russell Kresge's letter dated August 6, 2020 being addressed.*

- **Discussion:** Ms. Ruiz-Smith asked about comment #1A in the MCPC review letter which states that the plan was prepared without a title report/search at the Monroe County Courthouse, being advised by the applicant's representative, Chuck Niclaus of Barry Issett & Associates that it is a general comment that is put on the survey unless an ALTA survey is required, which it is not in this case. Ms. Ruiz-Smith asked if there is a chance that a distant relative could come along and stake claim to the property, being advised there is not. Mr. Niclaus stated that the plan was presented and received conditional approval over ten years ago, but it was never recorded. He stated that minor adjustments were made to comply with the current requirements which were not requirements when the original plan was submitted. Mr. Niclaus stated that the only item remaining from the review letter is the addition of the surveyor and owner certifications being added to the plan. Ms. Masker confirmed that is accurate and once the final plans are received at the Township this week they will be reviewed by our Township Engineer and then signed by the Planning Commission and the Board of Supervisors for filing at the county.
- **Vote:** All in favor, motion passes.

5. Aldi Request for Release of Bond in the Amount of \$662,324.85 Conditioned Upon Submission of a Maintenance Bond in the Amount of \$99,348.73 and a Financial Security in the Amount of \$29,823.00 for the Remaining Landscaping Improvements

*Ms. Colgan made a motion second by Ms. Ruiz-Smith to approve the request from Aldi, Inc. to release the bond in the amount of \$662,324.85 conditioned upon submission of a Maintenance Bond in the amount of \$99,348.73 and a Financial Security in the Amount of \$29,823.00 for the remaining landscaping improvements.*

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

6. Appointment of Darren Dixon as the Monroe County Tax Committee Representative

*Ms. Colgan made a motion second by Ms. Ruiz-Smith to appoint Darren Dixon as the Monroe County Tax Committee representative.*

- **Discussion:** Ms. Ruiz-Smith asked Mr. Weimer to tell the public who Mr. Dixon is, with Mr. Weimer stating he is the new Township Controller.
- **Vote:** All in favor, motion passes.

7. Appointment of Erin Masker as the Alternate Representative of the Council of Government

*Mr. Weimer made a motion second by Ms. Colgan to appoint Erin Masker as the alternate representative to the Council of Government.*

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

8. Authorize Advertisement of Fall Leaf Collection Schedule

*Mr. Weimer made a motion second by Ms. Colgan to authorize the advertisement of the fall leaf collection schedule.*

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

9. Authorize Coolbaugh Township DPW to Demolish the Blighted Property located at 3150 Mohawk Trail, Tobyhanna PA

*Mr. Weimer made a motion second by Ms. Colgan to authorize DPW to demolish the property located at 3150 Mohawk Trail, Tobyhanna.*

- **Discussion:** Mr. Weimer stated that we have to wait until PP&L disconnects the power to the house stating that there is a six week backlog. He stated that it would cost approximately \$6,000.00 not including wages for DPW to complete the process. Solicitor Armstrong stated that he sent out a memo to the Board which states that the Township was appointed as the conservator of the property, stating that he needs a written plan for the process to tear down the building which needs to be submitted to the court. Mr. Keane will email it to him to complete that requirement.
- **Vote:** All in favor, motion passes.

10. Authorization of Roads for Pick Up the Poconos Program on Saturday September 26, 2020

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize the cleanup of Green Road, Hemlock Drive and Laurel Drive for Pick up the Poconos on September 26, 2020.*

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



- Mr. Lamantia stated that he would like a list of the COVID expenses incurred since we are working on the budget for next year.
- Mr. Lamantia thanked Solicitor Armstrong for the Long Term Rental sample ordinance that he sent to the board.
- Mr. Lamantia asked for an update on the status of the completion of the APCP sign, with Solicitor Armstrong stating that Ms. Masker sent the change order to Mr. Carlin and that he will check on the status. Ms. Masker confirmed that the change order was sent to Mr. Carlin once the confirmation of the proposed resolution was received from APCP.

*Ms. Colgan made a motion to approve the purchase of two player benches for the basketball court at the cost of \$249.00 each with free shipping per the recommendation of the Parks and Recreation Commission.*

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

*Ms. Kelly made a motion second by Ms. Colgan to approve the Minor Subdivision joining lots 1 & 2, Block 81, Section 13, Arrowhead Lakes, Property Owner(s) - Sapo Group, LLC.*

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

Mr. Weimer read a letter received from the Coolbaugh Township Volunteer Fire Company requesting permission to hold a fundraiser in the parking lot of the fire hall located at 652 Laurel Drive, Tobyhanna. They are unable to hold the event inside due to the restrictions set by the CDC due to COVID-19. He stated that they were given a tractor trailer loaded with items to sell from the Walmart Distribution Center. The fundraiser is being held to raise money for the building of the new fire hall on Route 196.

- **Discussion:** Ms. Kelly asked if this could fall under the resolution that was passed for allowance of outdoor business due to the COVID restrictions. Ms. Ruiz-Smith asked that the Board be cautious with this request as we have denied another business owner in the past of having a flea market for the same reason.

*Mr. Lamantia made a motion second by Ms. Colgan to approve the request of the Coolbaugh Township Volunteer Fire Company to hold an outdoor fundraiser on September 19 and 20, 2020 to raise money for the building of the fire hall on Route 196.*

- **Discussion:** Ms. Ruiz-Smith asked that Ms. Masker share the information on Savvy and social media. Discussion ensued about recognizing the Walmart Distribution Center for their contributions and support of the community. Mr. Lamantia suggested a certificate or plaque. Mr. Weimer stated that he will have a representative come to the next meeting for the presentation. Mr. Keane stated that what they do for the community is amazing.
- **Vote:** 4-0-1, motion passes. (Mr. Weimer abstained)

Ms. Ruiz-Smith stated that she sent an email regarding Gouldsboro VFC, stating that they always hand write their reports and letters. She asked if the Board would consider reaching out to them to see if they need a computer. Ms. Colgan stated that they prefer hand written as it is more personal. Mr. Keane stated that they may have received a laptop in the trailer of donated items and stated that he will reach out to them and that if they need one they will donate one to them.

Mr. Weimer made a motion second by Ms. Ruiz-Smith to authorize the execution of the agreement from PFM for the valuation of the Wastewater Treatment Plant.

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

The Board recessed for Executive Session

15. Executive Session

- **After:** Tuesday, September 1, 2020 from 7:42pm to 8:19pm Re: Real Estate, Legal and Personnel

Mr. Weimer made a motion second by Ms. Colgan to promote Thomas Rohan to Code Enforcement Rental Inspector at the rate of \$22.50 per hour.

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

Ms. Colgan made a motion second by Ms. Ruiz-Smith to authorize the advertisement of a Code Enforcement/Zoning Officer full time non-exempt position with a pay range of \$16.00-\$20.00 per hour using the previous advertisement.

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

Ms. Colgan made a motion second by Mr. Weimer to purchase a vehicle similar to the current vehicles at a cost not to exceed \$25,000.00 through a Costars vendor.

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

16. Adjournment

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

Meeting adjourned at 8:28pm.

NEXT REGULAR BOARD MEETING: Tuesday, September 15, 2020, at the Pocono Mountain Public Library located at 5500 Municipal Drive, Tobyhanna, PA.

- Work Session/ Business Meeting – 6:00pm

Submitted by: \_\_\_\_\_  
Erin Masker, Recording Secretary

Witnessed by: \_\_\_\_\_  
William Weimer, Chairman

Date: \_\_\_\_\_