

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
November 17, 2020

The meeting was called to order by Vice-Chairman Anthony Lamantia at 6:06pm at the Pocono Mountain Public Library located at 5500 Municipal Drive, Tobyhanna, PA.

**Board Members present:**

William Weimer (arrived at 6:38pm), Anthony Lamantia, Alma I. Ruiz-Smith, Clare Colgan and Lynn Kelly

**Board Members absent:**

None

**Staff present:**

Patrick Armstrong, Solicitor, Erin Masker, Township Secretary (via zoom), Meredith Thompson, Business Manager and Darren Dixon, Controller

**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**

Nothing was heard

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

- November 5, 2020- Regular Meeting Minutes

*Ms. Kelly made a motion second by Ms. Colgan to approve the November 5, 2020 regular meeting minutes as presented.*

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

**3. Monthly reports**

- Pocono Mountain Regional Police Department- Presented by Ms. Kelly. She stated that the Pocono Mountain Regional Police Department is holding a writing contest again this year with the winner receiving a \$500.00 shopping spree to Walmart which will be used to purchase items for a family in need. She stated that the breakdown of grade levels for the competition this year is as follows: K-3, 4-6, 7-8 and 9-12. J. Hofbauer stated that the intent is to showcase the creative writing skills of the students as well as be able to help families in the community. She stated that the competition ends on November 25, 2020.
- Pocono Mountain Regional EMS- Presented by Ms. Colgan. Ms. Hofbauer stated that PMREMS held their annual drive for the community test drive event and thanked Ray Price for hosting the event. She stated that in total between in person and virtual test drives there were 60 participants.

- Coolbaugh Township VFD- Presented by Mr. Lamantia. Ms. Ruiz-Smith stated that she and Ms. Colgan volunteered at the sales event fundraiser that was held last weekend and stated that the fire company raised \$20,000.00 over the weekend for a total of \$50,000.00 between the two events that have been held.
- Gouldsboro VFD- Presented by Ms. Colgan. She stated that the fire company held a thank you ham dinner this past weekend.
- Thornhurst Fire & Rescue Ambulance- Presented by Mr. Lamantia
- Tobyhanna Township VFD- Presented by Ms. Colgan, Ms. Ruiz- Smith asked what information only means on their report with Ms. Colgan stating that she will ask Chief Counterman.
- Codes and Zoning Report- Presented by Mr. Rohan
- Pocono Mountain Public Library- Presented by Ms. Shincovich. Ms. Shincovich reviewed the stats for the library for 2020 and presented the board with information on programs that were held virtually throughout the pandemic. She stated that they are now a "fine free" library stating that any fines owed have been removed and that they are encouraging people to participate in the online programs that are being held. Ms. Shincovich presented the board with the library financials as well as information on grants that were received throughout the year.

(Mr. Weimer arrived at 6:38pm)

#### 4. Planning Commission Recommendation of Conditional Approval of Center Rock Realty Minor Subdivision (Located at 2971 Route 940, Pocono Summit)

Christine Himler, Reilly Associates, was in attendance representing Center Rock Realty/ Ray Price Jeep stating that the proposed lot consolidation would combine the current parcel that the existing buildings are on with an adjoining parcel to make a 14.2 acre lot which would allow for the construction of the Ray Price Jeep standalone dealership.

*Ms. Kelly made a motion second by Ms. Colgan to grant conditional approval to the Center Rock Realty/ Ray Price Jeep Minor Subdivision plan conditioned on addressing the comments in Township Engineer Russell Kresge's review letter dated November 5, 2020.*

- **Discussion:** Ms. Ruiz-Smith asked about the stormwater management at the site being advised that it would be directed to a manhole on Harvest Lane. Ms. Himler stated that the plan that will be in place will allow for detaining and infiltrating at a higher rate than is currently in place. Ms. Shincovich stated that this was a conversation that was held at the Planning Commission meeting and it was determined that the piping is underground therefore it would have no bearing on the surface. Ms. Ruiz-Smith stated that there is a newly renovated house on the corner of Summit Avenue and Harvest Lane which has put down pavement changing the impervious and pervious lot coverage. She stated that she is unsure if they came to the township for a permit, but she doesn't want there to be any issues in the future with the runoff from the Ray Price site which would cause any liability on the part of the applicant. Mr. Weimer stated that the stormwater from the Ray Price site should not have any impact on the property that Ms. Ruiz-Smith is referencing.
- **Vote:** All in favor, motion passes.

#### 5. Planning Commission Recommendation of Waivers for Ray Price Jeep Land Development Plan

Christine Himler reviewed the requested waivers which related to the Land Development Plan of Ray Price Jeep which related to parking areas, four step design process, landscaping and exterior lighting requirements.

*Ms. Kelly made a motion second by Ms. Colgan to approve the Planning Commission recommendation of seven waivers listed in Township Engineer, Russell Kresge's letter dated November 5, 2020 as follows: §355-59.c.3.e & f: The exterior lighting must be designed to comply with the requirements for automatic control and reduction of intensity after business hours. Planning Commission recommends allowing for the lighting to*

be operated at the same timing as the Chevy and Ford dealership. (Comment 8), §355-54 & §355.72.D: Four Step Design Process (Comment 22-A), §355-54.E: Waiver of the restriction on parking between the principal building and the public road (Comment 22-B), §355-54.I.1: Waiver of the 10' landscaped buffer along the public road and along property lines (Comment 22-C), §355-54.I.2: Waiver of the 10' minimum distance between parking spaces and any building wall (Comment 22-D), §355-57: Waiver of Landscaping Requirements (Comment 22-E) and §355-72.B.4: Waiver of the requirement to retain, to the maximum extent possible, the existing natural vegetation as an integral part of the overall design of the proposed use and parking areas (Comment 22-F).

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

#### 6. Planning Commission Recommendation of Conditional Approval of the Ray Price Jeep Land Development Plan (Located at 2971 Route 940, Pocono Summit)

Christine Himler reviewed the Land Development plan for Ray Price Jeep stating that they should have no problem addressing all the comments in Township Engineer, Russell Kresge's letter November 5, 2020. She stated that a portion of the project relating to the Harvest Lane driveway is being handled by Tobyhanna Township and that the land development plan is being handled by Coolbaugh Township.

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to grant conditional approval to Ray Price Jeep Land Development plan conditioned on; all comments in Township Engineer, Russell Kresge's letter dated November 5, 2020 being addressed, all outside agency approvals being received and all requested waivers being granted by the Board of Supervisors.*

- **Discussion:** Solicitor Armstrong reviewed comments #1, #5 and #15 in the review letter for clarification. Ms. Himler stated that comment #1 pertains to the lot coverage calculation and the previously issued Zoning Hearing Board decision that granted a variance for the increased lot coverage. She stated that the plan that was submitted to the Township Engineer reflects the calculation that adheres to the ZHB decision. Comment #5 just asks that the use be confirmed with the Board and be sure that they agree that the automobile parts sales is the most similar use as auto sales is not a use listed in the parking demand table. Ms. Himler stated that this is the same use the current dealerships at the site are classified as for parking demand. Ms. Himler stated that comment #15 is a statement regarding storm sewer calculations stating that there is nothing that can be done about it. Ms. Ruiz-Smith asked if everything is acceptable with Tobyhanna Township with us granting conditional approval being advised that it is.
- **Vote:** All in favor, motion passes.

#### 7. E-911 Readdressing Report

Presented by Mr. Rohan

#### 8. Short Term Rental Report

Presented by Mr. Rohan

#### 9. Dangerous Structures Report

Presented by Mr. Rohan

- **Discussion:** D. Pope stated that the property off of Main Street in Tobyhanna that he spoke with Ms. Kelly about is not included on the list. He provided property information and Mr. Rohan will provide that information to Mr. Keane to follow up on.

10. **Authorization to Execute PFM Engagement Letter for Phase 2 & 3**

*Ms. Ruiz-Smith made a motion second by Ms. Colgan to authorize the execution of the PFM Engagement Letter for Phase 2 & 3*

- **Discussion:** D. Pope asked who PFM is being advised by Mr. Weimer that it is the company that did the valuation on the WWTP.
- **Vote:** All in favor, motion passes.

11. **Moyer Instruments Quote for Replacement of Oxygen Probes at the WWTP**

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to approve the quote from Moyer Instruments dated October 28, 2020 in the amount of \$3,147.60 for the replacement of the oxygen probes at the WWTP.*

- **Discussion:** Ms. Thompson stated that there was a reduction in cost applied due to this project being coupled with another project. She stated that the discount is \$400.00, which is reflected as \$200.00 off each quote.
- **Vote:** All in favor, motion passes.

12. **Minor Subdivision joining lots 24 & 25, Block 2107, Section 21, Arrowhead North, Property Owner(s) Patrick & Anne D'Onofrio**

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve the Minor Subdivision joining lots 24 & 25, Block 2107, Section 21, Arrowhead North, Property Owner(s) Patrick & Anne D'Onofrio.*

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

13. **Authorization to Advertise the Sale of the Following on Municibid**

- 2007 Peterbilt Model 340 Dump Truck
- 2014 Ford F250 Pickup Truck
- Bomford Model BX324 Flail Mower
- (2) Stihl HT-75 Pole Saws

*Mr. Weimer made a motion second by Mr. Lamantia to authorize the sale of a 2007 Peterbilt Model 340 Dump Truck, 2014 Ford F250 Pickup Truck, Bomford Model BX324 Flail Mower and (2) Stihl HT-75 Pole Saws on Municibid.*

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

14. **Authorization to Advertise Public Inspection of the 2021 Proposed Budget to be published on November 25, 2020**

*Ms. Colgan made a motion second by Mr. Weimer to authorize the advertising of the 2021 Proposed Budget to be published on November 25, 2020.*

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

15. **Authorization to Release Remaining Contributions to the Volunteer Fire Companies (Gouldsboro- \$10,000.00 , Thornhurst-\$11,538.00 and Tobyhanna- \$21,000.00)**

*Mr. Weimer made a motion second by Ms. Colgan to Release Remaining Contributions to the Volunteer Fire Companies as follows: Gouldsboro VFC- \$10,000.00 , Thornhurst VFC-\$11,538.00 and Tobyhanna Twp. VFC-\$21,000.00.*

- **Discussion:** Ms. Ruiz-Smith asked if these contributions will zero out the accounts for 2020 being advised that these are just the donation amounts and that they still have the balances in their tax

accounts. D. Dixon stated that they will also have the \$5,000.00 recruitment and retention left in these accounts until they provide the invoices for payment.

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

16. **Authorization to Advertise the Public Hearing on the Proposed Landscape Ordinance to be held on December 15, 2020 at 6:00pm following the public hearing for the Litter Ordinance**

*Mr. Lamantia made a motion second by Ms. Colgan to Authorize Advertising the Public Hearing on the Proposed Landscape Ordinance to be held on December 15, 2020 at 6:00pm following the public hearing for the Litter Ordinance.*

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

17. **Controller Report**

Presented by D. Dixon

18. **Current obligations**

• General Fund	\$ 169,991.33
• Escrow Fund	\$ 3,516.75
• Sewer Fund	\$ 14,298.88
<b>Total Disbursements</b>	<b>\$ 187,806.96</b>

*Ms. Colgan made a motion second by Mr. Lamantia to approve paying the current obligations in the amount of \$187,806.96.*

- **Discussion:** Ms. Ruiz-Smith asked for clarification on Check #7063 and Mr. Lamantia on Check #7055.
- **Vote:** All in favor, motion passes.

19. **Solicitor Armstrong Comments/Updates**

Solicitor Armstrong stated that at a previous meeting the Board authorized him to move forward on the agreement of sale for 565 Laurel Drive and stated that since we have come to an agreement of terms for the property. He stated that he has a resolution available this evening should the Board wish to consider it. The property owner has signed and agreed to the sale and the agreement of sale is available for the Board. He stated that the Board can consider adopting the resolution this evening or wait until the resolutions are ready for both properties.

- **Discussion:** Ms. Kelly stated that she would like to wait and pass resolutions for both properties at the same time. Ms. Colgan agreed stating that without the other property this one means nothing to us. Ms. Ruiz-Smith stated that she would like to move ahead while the seller is ready to move forward with the sale of the property. Mr. Lamantia stated that moving forward may encourage the other seller as well. Mr. Weimer agreed that they are in favor of moving forward this evening with the resolution as well. Ms. Kelly asked if the resolution that we have already signed authorizes us to move forward with a taking if necessary stating that she understands it would require a court proceeding, being advised by Solicitor Armstrong that is correct. Mr. Weimer stated he doesn't think there will be an issue with the other property and that he believes it is simply a matter of the owners cleaning out the house in order to move forward as the house is not occupied.

*Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve and execute Resolution #17-2020: Resolution Authorizing Coolbaugh Township to Purchase the Property Identified as Tax Map Parcel No. 03634702569075 by Executing a Deed in Lieu of Condemnation Agreement of Sale and to Execute Additional Documents in Relation Thereto in the Amount of \$71,360.00.*

- **Discussion:** D. Pope stated that when you tear down the one proposed property there may be some artifacts.
- **Vote:** All in favor, motion passes.

Solicitor Armstrong stated that in September he received correspondence from the Attorney for the library regarding the library tax and stated that he provided his opinion to the Board. He stated that he was made aware that the Board had a budget work session in which there was discussion on this matter and stated that his opinion provided previously has not changed. He stated that he attempted to reach the library attorney and stated that when he reached out to him his office was closed. He just wanted to follow up since it was discussed at the budget meeting.

## 20. Other business

- Ms. Ruiz-Smith stated that while she and Mr. Weimer met with the EDC on an emergency driveway matter that was discussed at a previous meeting that she also had the opportunity to speak with Michele Bisbing regarding the potential for the Township to apply for an LSA grant. Ms. Ruiz-Smith stated that as the liaison for the Veteran's Committee she would like to propose that the Township apply for an LSA grant in the amount of \$150,000.00 for the repair of the tower and replacement of the windows in Building #2. She stated that they would like to use the space for a Veteran's/ Public Recreation & Relaxation Facility which would be allowed under the permitted uses in the C-1 zoning district. She stated that she has been working with Ms. Thompson on preparing the documents for submission to the PMEDC for the LSA grant submission stating that she would like the Board's permission to move forward with the application and authorize the expense for the application of \$600.00. She stated that Ms. Thompson has been working on the narrative and gathering the information needed as outlined in the grant application. Ms. Ruiz Smith stated that the Barry Isett report for Building #2 that was received reflected that the cost for the entire project would be approximately two million dollars and stated that based on her previous meetings with the contractors and DPW Foreman the first phase of this project to repair the tower and replace the windows would resolve the water issue that is currently occurring. Ms. Ruiz-Smith stated that based on her conversation with Ms. Bisbing the township would be in a good position to apply and that the documents that are prepared would be sufficient to support the application. Mr. Weimer stated that we waited until the last minute to pursue this without knowing if the true cost for the repairs is \$150,000.00 or \$827,000.00 as per the Isett report and asked Ms. Thompson if this timeline is realistic or just an enormous amount of work to simply hope for the best. Ms. Thompson stated that the application would be due on Monday and that the disbursement if approved would be in March. You are allowed to apply once every two years for funding through this grant. She stated that she would put the information together should the Board want to move forward with the submission, but stated that she has no substantial evidence that the \$150,000.00 figure that Ms. Ruiz-Smith is suggesting is accurate. This is a reimbursement grant and stated that the Township needs to be prepared to pay for the expenses up front and wait to be reimbursed through the grant. The Board discussed the timing, the quotes and the documents that would be required for the submission and determined that although they believe this is a great idea and would be a good project, they would like to be able to get all of the information put together and plan to make a submission next year. Ms. Ruiz-Smith stated that there is no guarantee that the funding for the LSA grant will be available next year with the current pandemic. Mr. Weimer stated that he would prefer to have the Board discuss their thoughts and come up with a realistic dollar amount for what the project will cost and how many phases they would like the project to take. He stated that he believes that we are rushing into something that we are not completely prepared for. Ms. Ruiz-Smith stated that there are other grant sources that we could also apply to for funding. Ms. Ruiz-Smith stated that she works with interior designers that would be willing to work pro bono to determine what would be inside the recreation center stating that she would like to see areas for relaxation, recreational activities and computer stations. She stated that the Vets in her committee are also putting together a list of ideas as they travel to other facilities out of

the area. She stated that Coolbaugh Township would be the first in this area to offer this type of center for the veterans. After a lengthy discussion the majority of the Board agreed that the best plan moving forward would be to assess the project and gather the necessary information and quotes to support the LSA grant and plan on applying next year. Mr. Weimer suggested that we should form a team to work on this project.

- Mr. Weimer stated that DPW is out on the roads as the snow squall created slippery road conditions and stated that there were multiple accidents on Route 611 and 196.
- Mr. Weimer stated that he approved a memo to be sent to the staff to reiterate the procedures for mask wearing and sanitizing during the pandemic in light of the increase in cases. Ms. Ruiz-Smith asked if we will be limiting public access in the vestibule due to the current increase in cases being advised that as of now we will not be changing the current procedures, but stated that we need to be prepared should there be any changes.
- Mr. Weimer discussed the proposed procedure changes for the recycling center that were on the work sessions stating that he agrees that we should discontinue accepting oil at the center as we are not using it and are paying to dispose of it. He stated that although there is an issue with the disposal of the electronics and TV's, he is more concerned with the fact that if we discontinue accepting the TV's and electronics DPW will be picking them up along the road.

*Mr. Weimer made a motion second by Mr. Lamantia to discontinue the collection of oil at the Recycling Center.*

- **Discussion:** Ms. Ruiz-Smith stated that we should reach out to representatives for third world countries as they may accept the TV's or ask Jose from the Coolbaugh Township VFC, as he may have contacts that may want the electronics.
- **Vote:** All in favor, motion passes.

#### Executive Session

- Prior: Saturday, November 21, 2020 from 11:33am-11:44am Re: Legal
- Prior: Saturday, November 21, 2020 from 12:16pm-12:30pm Re: Personnel

#### Adjournment

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

Meeting adjourned at 8:44pm.

**NEXT REGULAR BOARD MEETING:** Tuesday, December 1, 2020, at the Pocono Mountain Public Library located at 5500 Municipal Drive, Tobyhanna, PA.

- Public Hearing/Work Session/ Business Meeting – 6:00pm

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

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

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