

**COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REORGANIZATION MEETING
MONDAY, JANUARY 4, 2021
MINUTES**

The meeting was called to order by Mr. Weimer at 6:05 pm via the zoom app.

Board Members present:

William Weimer, Anthony Lamantia, Lynn Kelly, Alma I. Ruiz-Smith and Clare Colgan.

Staff present:

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

Announcements:

- 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 via the Zoom virtual media app. Public Input will be considered at the end of the meeting for non-agenda items. The public will be given an opportunity to speak on each agenda matter. Public input will be accepted via email to emasker@coolbaughtwp.org and in the chat box of the Zoom app.
- The meeting is being recorded to aid in the preparation of the minutes. When speaking please state your name and the community or city that you live in.

1. **Organization of the Board of Supervisors**

- Election for the Board of Supervisors/Chairman

Ms. Kelly made a motion second by Ms. Ruiz-Smith to appoint Mr. William Weimer as Chairman of the Board of Supervisors.

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

- Election for the Board of Supervisors/Vice-Chairman

Ms. Ruiz-Smith made a motion second by Ms. Kelly to appoint Mr. Anthony Lamantia as Vice-Chairman of the Board of Supervisors.

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

2. **Appointment or Reappointment**

- **Secretary**

Ms. Kelly made a motion second by Ms. Colgan to appoint Ms. Erin Masker as Township Secretary.

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

- **Treasurer**

Ms. Ruiz-Smith made a motion second by Ms. Kelly to appoint Ms. Patricia Rosendale as Township Treasurer.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

- **Road Master**

Ms. Kelly made a motion second by Ms. Colgan to appoint Mr. William Weimer as the Road Master with no remuneration.

- **Discussion:** Mr. Weimer stated that the Road Master position is an unpaid position.
- **Vote:** All in favor, motion passed.

3. **Appointment or Reappointment**

- **Township Solicitor**

Ms. Colgan made a motion second by Ms. Ruiz-Smith to appoint Attorney Patrick Armstrong from the Law Offices of Grim Biehn and Thatcher as the Township Solicitor at \$165.00 per hour for General Municipal and \$175.00 per hour for Litigation work for 2021.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

- **Planning Commission Solicitor**

Ms. Ruiz-Smith made a motion second by Ms. Colgan to appoint Attorney Clark Connor as the Planning Commission Solicitor at the rate of \$175.00 per hour as outlined in his letter dated 11/4/2020.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

4. **Appointment or Reappointment**

- **Engineer**

Ms. Ruiz-Smith made a motion second by Mr. Weimer to appoint Russ Kresge of Keystone Consulting Engineers at the rates as outlined in fee schedule included with his letter dated 11/16/2020.

- **Discussion:** Ms. Ruiz-Smith confirmed with Solicitor Armstrong that the motion on the table reflects that we are hiring Russell Kresge as our Engineer and not the company that he works for, being advised that is correct.
- **Vote:** All in favor; motion passed.

- **Sewage Enforcement Officer**

Ms. Kelly made a motion second by Ms. Ruiz-Smith to appoint Hanover Engineering as the Township Sewage Enforcement Officer, specifically Jacob A. Schray (03134), Scott J. Brown (01716), Pamela J. Kemecsy (03662) and Christopher A. Taylor (03138) per the terms and fee schedule dated 10/20/2020 which includes a rate increase of approximately 3.5%.

- **Discussion:** None.
- **Vote:** All in favor; motion passed.

5. **Township Resolution Number 01-2021 re: Depositories of Township Funds**

Mr. Weimer made a motion second by Ms. Colgan to adopt Resolution #01-2021 stating the Township will use Peoples Security Bank, PLGIT/PLGIT ARM and Principal Securities as the Township's depositories for 2021.

- **Discussion:** None.
- **Vote:** All in favor; motion passed.

6. **Establish the Amount of the Treasurer's Bond - \$650,000.00**

Ms. Ruiz-Smith made a motion second by Mr. Lamantia to establish the Treasurer's bond at \$650,000 for 2021.

- **Discussion:** None.
- **Vote:** All in favor; motion passed.

7. **Appointment of Municipal Representative and Alternate to serve on the Monroe County Tax Collection Committee**

Ms. Kelly made a motion second by Ms. Ruiz-Smith to appoint Mr. Darren Dixon as the representative and Ms. Patricia Rosendale as the Alternate Representative for the 2021 Monroe County Tax Collection Committee.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

8. **Two appointments to the Environmental Advisory Council (EAC)- Both Terms Ending December 31, 2023**

Mr. Weimer made a motion second by Ms. Colgan to table the appointments to EAC as there were no letters of interest received.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

Mr. Weimer made a motion second by Ms. Colgan to re-advertise the two vacant positions on the Environmental Advisory Council.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

Board of Supervisors appointment of Chairman to the EAC

Ms. Kelly made a motion second by Mr. Weimer to appoint Mr. Gordon MacGregor as the EAC Chairman for 2021.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

Appointment of Board Liaison to the Environmental Advisory Council

Mr. Weimer made a motion second by Mr. Lamantia to appoint Ms. Kelly as the Board Liaison for EAC for 2021.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

9. **One appointment to the Parks and Recreation Commission- Term Ending December 31, 2025**

Ms. Kelly made a motion second by Ms. Ruiz-Smith to appoint Sarah Stadnik to the Parks and Recreation Commission with a term ending December 31, 2025.

- **Discussion:** Ms. Ruiz-Smith stated that in looking at Ms. Stadnik's resume she may be interested in EAC as that is her background. The Board requested that Ms. Masker ask her if she would be interested in EAC and Parks as it would be a beneficial link to share information between the two committees.
- **Vote:** All in favor; motion passed.

Appointment of Board Liaison to the Parks and Recreation Commission

Ms. Kelly made a motion second by Mr. Weimer to appoint Ms. Colgan as the Board Liaison to the Parks and Recreation Commission for 2021.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

10. One appointment to the Planning Commission- Term ending December 31, 2024

Mr. Weimer made a motion second by Mr. Lamantia to appoint Mr. George Dobson to the Planning Commission with a term ending December 31, 2024.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

11. Two appointments to the UCC Board of Appeals- One Term ending December 31, 2024 and One Term Ending December 31, 2025

Ms. Ruiz-Smith made a motion second by Ms. Kelly to appoint Mr. William Leonard to the UCC Board of Appeals with a term ending December 31, 2025 and Ms. Maryann Courtney to the term ending December 31, 2024.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

12. Two appointment to the Zoning Hearing Board- Both Terms ending December 31, 2023

Ms. Kelly made a motion second by Mr. Weimer to appoint Mr. William Turner currently an alternate member as a regular member with his current term ending on December 31, 2021 and Mr. William Cummings as a regular member with a term ending December 31, 2023.

- **Discussion:** Solicitor Armstrong confirmed that the term for Mr. Turner was not changing and after some discussion stated that he is ok with the motion as it stands. He stated there is now an alternate member position available that would have a term ending December 31, 2023.
- **Vote:** All in favor; motion passed.

13. One appointment to the Pocono Mountain Public Library Board of Trustees –Term ending December 31, 2023

Ms. Ruiz-Smith made a motion second by Ms. Colgan to appoint Ms. Deatra Cummings to the Pocono Mountain Public Library Board of Trustees with a term ending December 31, 2023.

- **Discussion:** Ms. Kelly stated that she will be abstaining due to her employment at the library.
- **Vote:** 4-0-1; motion passed. (Ms. Kelly abstained due to her employment)

14. Appointment of Board Liaison to the Pocono Mountain Regional Emergency Medical Services

Mr. Weimer made a motion second by Mr. Lamantia to appoint Ms. Clare Colgan as the Board Liaison to the Pocono Mountain Regional Emergency Medical Services Board.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

15. Three annual appointments to the Pocono Mountain Regional Police Commission

Ms. Kelly made a motion second by Ms. Ruiz-Smith to appoint Mr. William Weimer, Mr. Anthony Lamantia and Mr. Kurt Cummings as the Coolbaugh Township Representatives on the Pocono Mountain Regional Police Commission for 2021.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

16. **Annual appointment of Vacancy Board Chairperson**

Ms. Ruiz-Smith made a motion second by Mr. Weimer to appoint Mr. Gratz Washenik as the Vacancy Board Chairman for 2021.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

17. **Selection of Municipal Representative and Alternate Representative to attend Council of Government Meetings for 2021**

Ms. Kelly made a motion second by Mr. Weimer to appoint Ms. Erin Masker as the representative and Ms. Meredith Thompson as the alternate representative for the Council of Governments in 2021.

- **Discussion:** Ms. Ruiz-Smith stated that although they have only had a couple meetings she has heard that Coolbaugh Township does not actively participate.
- **Vote:** All in favor; motion passed.

18. **Authorization to advertise Board of Supervisors Meeting/Work Sessions for 2021**

Ms. Colgan made a motion second by Ms. Kelly to advertise the Board of Supervisors work sessions and meetings for 2021 as follows: All Board of Supervisor meetings will be held on the first and third Tuesday of the Month with work sessions will begin at 6:00 p.m. and the regular public meetings will immediately follow the work sessions. The following exceptions will apply: There will be no work session or regular meeting held on April 20, 2021, May 18, 2021, August 3, 2021 or November 2, 2021. The April 20, 2021 work session and regular meeting will be held on Thursday, April 22, 2021 due to a training seminar. The May 18, 2021 work session and regular meeting will be held on Wednesday, May 19, 2021 due to elections. The August 3, 2021 work session and regular meeting will be held on Monday, August 2, 2021 due to National Night Out. The November 2, 2021 work session and regular meeting will be held on Monday, November 1, 2021 due to the election. All meetings will be held virtually via Zoom until otherwise notified by the Township.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

19. **Establish Holidays for Township Employees and Authorize the Advertisement of Holidays**

Ms. Colgan made a motion second by Mr. Weimer to approve and authorize the advertisement of the following Holidays for Township Employees for 2021: Monday, January 18-Martin Luther King, Jr. Day, Monday, February 15-Presidents' Day, Friday, April 2-Good Friday, Monday, May 31-Memorial Day, Monday, July 5-4th of July, Monday, September 6-Labor Day, Thursday, November 11-Veterans Day Holiday, Thursday, November 25-Thanksgiving Day, Friday, November 26-Day after Thanksgiving, Friday, December 24-Christmas Eve, Monday, December 27-Christmas Day, Friday, December 31-New Year's Eve and Monday, January 3-New Year's Day, Coolbaugh Township Offices will be closed for business on these dates.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

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

December 15, 2020- Public Hearing Minutes

Mr. Lamantia made a motion second by Ms. Colgan to approve the minutes of the December 15, 2020 public hearing as presented.

- **Discussion:** None
- **Vote:** 4-0-1; motion passed. (Ms. Ruiz-Smith abstained as she was absent from the meeting)

December 15, 2020 Regular Meeting Minutes

Mr. Weimer made a motion second by Ms. Colgan to approve the minutes of the December 15, 2020 regular meeting as presented.

- **Discussion:** None
- **Vote:** 4-0-1; motion passed. (Ms. Ruiz-Smith abstained as she was absent from the meeting)

21. Certify Delegates and Appoint One Delegate to Serve as the Voting Delegate to the Pennsylvania State Association of Township Supervisors' (PSATS) Annual Convention

Before certifying delegates, Mr. Weimer asked if anyone that was registered for 2020 is not going to be attending this year, being advised that Ms. Kelly, Ms. Shincovich, Ms. Ruiz-Smith and Mr. Lamantia will not be attending.

Mr. Weimer made a motion second by Ms. Kelly to certify the following delegates for the 2021 PSATS Annual Convention; Mr. William Weimer, Ms. Clare Colgan, Ms. Meredith Thompson, Mr. Tomas Keane, Ms. Erin Masker, Mr. Thomas Rohan, Mr. Kyle Knecht, Mr. Donald DeRoo, Mr. Charles Baker, Mr. George Dobson, Ms. Joyce Onsted, Mr. Darren Dixon and Mr. Richard Barnes.

- **Discussion:** Ms. Kelly stated that she would like to ensure everyone's safety and would like to see everyone staying in their own rooms and staying at the Hershey Lodge to avoid having to travel by bus to outside hotels. Ms. Ruiz-Smith stated that everyone has always had their own rooms except Bill and Tomas in the past. Mr. Weimer stated that he has given this some thought through an Emergency Management perspective and stated that we should be trying to mitigate the current situation by avoiding the exposure from the bus rides along with not sharing rooms for the safety of ourselves and our staff. Stating we should try to have everyone stay in the same location at the convention center. Ms. Colgan stated that if she cannot get a room at the Hershey that she has no problem traveling in her own car back and forth.
- **Vote:** All in favor; motion passed.

Ms. Ruiz-Smith made a motion second by Ms. Colgan to appoint Mr. William Weimer as the voting delegate for PSATS 2021 annual convention.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

22. Adoption of Township Resolution Number #02-2021- Appointment of Certified Public Accountant

Mr. Lamantia made a motion second by Ms. Colgan to adopt Township Resolution Number #02-2021- Appointment of Certified Public Accountant in the amount of \$12,700.00 to conduct the 2020 audit.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

Solicitor Armstrong stated that he has another meeting to attend and asked the Board if they would consider his comments at this time, with the Board agreeing.

Solicitor Armstrong stated that the item that is listed on the agenda under his comments relating to the request for the release of financial security for Pocono Transcrete is in the beginning stages and stated that he will be looking into it further with Ms. Masker and Township Engineer, Russell Kresge. This will come before the Board at a future meeting.

Ms. Ruiz- Smith requested that the Board consider the request of 1 Living Hope Community Church at this time as well while Solicitor Armstrong is available.

Pastor(s) Rudy and Stephanie Bolling stated that they would like the Board to consider continuing the waiver of the late fees for the rent for 2021 and to waive one month of the past due rent that is

currently owed. Ms. Thompson stated that the current lease will automatically renew but that the waiver of the late fees was only approved for 2020. She also stated that they are currently behind on their rent owing November and December of 2020. The Board confirmed with Solicitor Armstrong that there were no issues with either request should the Board choose to grant them, being advised that there is not and asking the Board the amount of the rent that would be waived. He was advised that it is \$1,010.00.

Ms. Kelly made a motion second by Mr. Lamantia to approve the request to waive all late fees for 2021 for the lease of 1 Living Hope Community Church.

- **Discussion:** Ms. Ruiz-Smith stated that she will abstain as she is a congregation member.
- **Vote:** 4-0-1; motion passed. (Ms. Ruiz- Smith abstained due to being a congregation member)

Mr. Lamantia made a motion second by Ms. Kelly to waive one month of the past due rent in the amount of \$1,010.00 for 1 Living Hope Community Church due to the current situation with the Pandemic.

- **Discussion:** Ms. Ruiz-Smith stated that she will abstain as she is a congregation member. Pastor Rudy and Pastor Stepanie Bolling both thanked the Board along with Ms. Ruiz-Smith.
- **Vote:** 4-0-1; motion passed. (Ms. Ruiz- Smith abstained due to being a congregation member)

Solicitor Armstrong left the meeting at 7:02pm.

23. Authorization to BCM Engineers to prepare Municipal Wasteload Management (Chapter 94) Report for the calendar year 2020

Ms. Ruiz-Smith made a motion second by Ms. Colgan to appoint BCM Engineers to prepare Municipal Wasteload Management (Chapter 94) Report for the calendar year 2020 at a cost not to exceed \$3,200.00 as per their proposal dated November 11, 2020.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

24. Approval of Special Council for Waste Water Treatment Plant Legal Matters

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve Nick Haros of Young and Haros as Special Council for Wastewater Treatment Plant Legal Matters at a rate of \$250.00 per hour for attorney fees and \$105.00 per hour for paralegal fees as outlined in their proposal dated October 29, 2020.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

25. Approval of BCM Rates for 2021 - Waste Water Treatment Plant Engineer

Mr. Lamantia made a motion second by Mr. Weimer to approve BCM as the Wastewater Treatment Plant Engineers at the rates for 2021 as provided in their proposal dated November 11, 2020.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

26. Set the mileage rate for reimbursement according to the 2021 IRS Rate of .56¢ per mile

Ms. Kelly made a motion second by Ms. Colgan to set the mileage rate for reimbursement according to the 2021 IRS rate of .56¢ per mile.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

27. Request for Waiver of Procedural Time Requirement for the Minor Subdivision of Jason Fea until February 28, 2021

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve the Request for Waiver of Procedural Time Requirement for the Minor Subdivision of Jason Fea until February 28, 2021.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

28. Awarding of Municibid Winner, Michael Rowles for the (2) Stihl HT-75 Pole Saws (Item #32329308) in the amount of \$161.00

Ms. Colgan made a motion second by Ms. Kelly to award the Municibid winning bidder, Michael Rowles for the (2) Stihl HT-75 Pole Saws, (Item #32329308) in the amount of \$161.00.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

29. Awarding of Municibid Winner, James Davis, Jr. for the Bomford Model BX325 Flail Mower (Item #32328077) in the amount of \$725.00

Mr. Lamantia made a motion second by Ms. Colgan to award the Municibid winning bidder, James Davis, Jr. for the Bomford Model BX325 Flail Mower (Item #32328077) in the amount of \$725.00

- **Discussion:** None
- **Vote:** All in favor; motion passed.

30. Awarding of Municibid Winner, Brian Spellman for the 2007 Peterbilt Model 240 Dump Truck (Item #32323704) in the amount of \$37,100.00

Ms. Colgan made a motion second by Mr. Lamantia to award the Municibid winning bidder, Brian Spellman for the 2007 Peterbilt Model 240 Dump Truck (Item #32323704) in the amount of \$37,100.00

- **Discussion:** Ms. Ruiz-Smith asked how many miles were on the truck being advised by Ms. Masker that it is 30,746.
- **Vote:** All in favor; motion passed.

31. Awarding of Municibid Winner, Jeffrey Nesler for the 2014 Ford F-250 Pickup Truck (Item #32325280) in the amount of \$28,100.00

Mr. Lamantia made a motion second by Mr. Weimer to award the Municibid winning bidder, Jeffrey Nesler for the 2014 Ford F-250 Pickup Truck (Item #32325280) in the amount of \$28,100.00

- **Discussion:** Ms. Masker stated that the mileage on this truck is 55,464.
- **Vote:** All in favor; motion passed.

32. Current obligations

• General Fund	\$ 156,629.67
• Escrow Fund	\$ 979.00
• Sewer Fund	\$ 8,817.11
Total Disbursements	\$ 166,425.78

Ms. Ruiz-Smith made a motion second by Ms. Colgan to pay the current obligations in the amount of \$166,425.78.

- **Discussion:** None
- **Vote:** All in favor; motion passed.

33. Public Input

Nothing was heard.

34. Other business

Ms. Colgan stated that Coolbaugh Township EMS representative Lisa Hutchins resigned from the Board as she has moved. Ms. Colgan stated that we will need a new representative and stated that she will speak with Denise about filling that position and get back to the Board.

Ms. Kelly stated that the Mill Pond #1 Ice Harvest is canceled this year stating that the ice is not thick enough. Ms. Colgan stated that there were also concerns with meeting social distancing requirements.

Mr. Lamantia asked if we could send a letter to PennDot regarding the draining issues on Route 196 stating that they are continuing to worsen. Mr. Weimer stated that he will be having a meeting with PennDot and will bring it to their attention and will have DPW as well as the fire company take pictures of problem areas as they see them. Mr. Lamantia requested to attend that meeting when it is scheduled.

Ms. Ruiz-Smith requested an executive session following the meeting for Personnel.

Mr. Weimer stated that DPW had been out a couple times during the last storm including going out at 3am to get the roads ready in the event that schools were open. He stated that there will be PO's for the purchase of salt that the Board will need to sign.

Mr. Weimer stated that he would like to create a volunteer fire marshal position for the Township. He would like Mr. Lamantia to work with him on creating the qualifications for this position stating that it would be an unpaid position. This individual would take a look at businesses to make sure that there are no code issues.

35. Board of Supervisors Executive Sessions

- Prior: Sunday, January 3, 2021 from 2:00pm-2:50 pm Re: Legal
- Prior: Monday, January 4, 2021 from 5:30pm-6:00pm Re: Legal
- After: Monday, January 4, 2021 from 7:24pm-7:37pm Re: Personnel

36. Adjournment

There being no further business, a motion was made by Ms. Ruiz-Smith, second by Ms. Colgan to adjourn the meeting. All in favor; motion passed.

Meeting adjourned at 7:24pm.

NEXT REGULAR BOARD MEETING: Tuesday, January 19, 2019 virtually via the Zoom App.

- **Work Session/ Business Meeting – 6:00 pm**

Submitted by: _____
Erin Masker, Township Secretary

Witnessed by: _____
William Weimer, Chairman

Date: _____