

**COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS**  
**WORK SESSION MINUTES**  
**June 15, 2021**

The work session was called to order by Vice-Chairman Anthony Lamantia at 6:00pm at the Coolbaugh Township Municipal Center located at 5520 Municipal Drive, Tobyhanna, PA.

**Board Members present:**

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

**Board Members absent:**

None

**Staff present:**

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

**Staff absent:**

None

**1. Discussion on Request for Support of the Pocono Mountain Public Library Referenda**

Ann Shincovich, Director of the Pocono Mountain Public Library was in attendance to discuss the request for support of the Library Referenda that are being proposed for inclusion on the ballot in November. She provided two drafts which outlined the proposed questions that will be on the referenda as well as the county certified assessment values and also some examples of what the change in the millage would be. The questions proposed are as follows: (1) Shall the Library's dedicated millage for operations, which is based on assessed property values, now be reduced to one-quarter mill (.00025) from one full mil (.001) as was previously set by popular subscription in 1994 and (2) Shall the Library's dedicated millage for new library construction, which is based on assessed property values, now be reduced to one-quarter mil (.00025) from one full mil (.001) and to expire in 2029 as was set by popular subscription in 2008. Ms. Shincovich stated that the library is requesting to legally reduce the library millage through the referenda stating that the library board believes that the current millage is too much money for library funding. She also stated that the second one-quarter mill (.00025) will end in 2029. Ms. Shincovich reviewed the library law section 9315.b.2- the library tax established under this section shall be an annual tax which shall remain in effect until another vote is taken to change it. She stated that she will be before the board in July to present the petitions which will be presented to the county for the referenda to be included on the ballot. She stated that support from the Supervisors is not required in order to move forward with the process, stating that she is just making them aware.

- **Discussion:** Solicitor Armstrong stated that there are two things that the Board have to consider (1) does the board support what the library is proposing for the millage of two separate items that are each .25 mill for a total of .50 mill and the other is what the correct characterization as to what the millage is currently and the interpretation of what the township was able to do with respect to the county reassessment values and making sure that the questions are worded correctly to be accurate. The bigger item is if the board supports what the library is attempting to do to get to the end result of a total millage of .50. Solicitor Armstrong stated that he received the letter a while ago from the library solicitor and he would like to respond which he stated he will do with the legal issues and he will let him know that the Board will be revisiting this at their next meeting. Ms. Shincovich stated that she has been tabled for three months now and every time she tries to discuss this, the Board doesn't want to deal with it. She stated that she needs to get this down to the county. Solicitor Armstrong stated that as Ms. Shincovich previously stated, the library is not looking for support but a position from the Supervisors. Ms. Shincovich stated that the library is trying to operate with full transparency and wishes to lower the

millage for library funding. Discussion ensued on the operational expenses and debt service that is currently being funded by the millage. Ms. Shincovich stated that we need to get this locked down with a firm number for funding to eliminate politics and personal feelings affecting the future funding for the library. Ms. Ruiz-Smith stated that not all constituents benefit from the library and the services that are provided, stating that all taxpayers will be impacted financially, stating that to many families the money being paid could be money to pay a bill or provide a meal to their family. Solicitor Armstrong stated that he will communicate with Attorney Amori to determine the correct millage and to discuss the interpretation. Mr. Lamantia stated that the library doesn't need the Board of Supervisors support and stated that he would like to wait until Solicitor Armstrong advises on the conversation outcome. Ms. Shincovich stated that the only people that can determine the future moving forward are the voters. Mr. Weimer asked what the difference is between .19 mills and .25 mills being advised by Ms. Shincovich that it is approximately \$80,000.00. Ms. Shincovich stated that the library operates with a deficit of \$60-\$120,000.00 a year. Solicitor Armstrong stated that he believes that the county will call out the same issues that he is questioning. Mr. Weimer asked what if the referenda on the ballot fails, will the amount go back to the .19 being advised by Solicitor Armstrong that would be his position that it would remain as it is currently. Ms. Shincovich stated that some of the library board believes that we should sue the township for our one mill, stating that she does not want that to happen and wants to work together to make this right. Discussion ensued regarding the budget and reports that must be provided to outside agencies and the need for the millage to be determined so that they are able to budget each year without any questions. Ms. Shincovich stated that if anyone has any questions, please feel free to reach out to her. Ms. Ruiz-Smith stated that her obligation is to the budget and spending of the taxpayers, not all of them use the library stating that many people are on a fixed income. Ms. Shincovich stated that most of the upgrades to the library were paid for by grants that were obtained, and there are many businesses, groups and organizations that use our library for meetings as well as holding elections twice a year. Mr. Lamantia thanked Ms. Shincovich stating the Board will take it under consideration.

## 2. Discussion on Township Recycling Center Fees

Ms. Kelly stated that the concept of charging for a single axle trailer, which would have been free before and is now costing \$20.00. She stated that it should be free for residents as it was before. Mr. Weimer stated that he asked DPW to come up with a feasible fee schedule in order to offset the costs of the beast as he believes that we will be inundated with brush now that the center is open. He stated that the issue is with the contractors that are Coolbaugh Township residents that are bringing in brush which they are bringing in from their business which may abuse the service that we are providing, stating he is unsure how to control this issue.

- **Discussion:** H. Smith asked how much contractors are being charged, stating that now he will be required to pay for his single axle trailer up until tonight when there are two tractor trailers that are hauling the material to Lackawanna County that we are paying to process and we are giving it away. He stated that the residents should not be made to pay if we can give material away to contractors that we are paying for. Mr. Weimer stated that it is correct that there are tractor trailers taking material out of the yard, stating that we are nearing violation with DEP due to all the material that is at our yard which will lead to fines. So we need to get rid of it. D. Pope stated that we will get rid of it. Mr. Weimer stated that he doesn't care if we charge the residents or not, stating he is just worried about the residents that are contractors that abuse the system. This item will be discussed on the meeting agenda. Mr. Weimer asked for clarification on what we are looking to remove fees for, being advised by Ms. Kelly that there are three trailers that she would like to remove the fees for. Mr. Weimer stated instead of picking and choosing we should be all or nothing. Ms. Ruiz-Smith stated that our responsibility to our employees is first and foremost and she doesn't want to put DPW in the position to have to determine the size of the vehicle,

the fee that needs to be paid or to determine if someone is abusing the system, as long as they provide their proof of residency we just let them go. Ms. Thompson stated that she reviewed this fee schedule with DPW and stated that if it will require some items being free and others being charged for residents, that it would be better to remove all resident fees to eliminate any issues.

### 3. Review Proposed Fireworks Ordinance

Solicitor Armstrong stated that this ordinance has been before the Board before and stated that it has also been sent out to the HOA's for comments. He reviewed the comments that were received. One of the comments from APCP Manager was to change the age for consumer fireworks from 18 to 21 advising that he would not recommend changing it. Mr. Weimer reviewed section F on continuance regarding 24 hour timeline to reschedule due to weather or other situations that would deter the fireworks show from happening. Solicitor Armstrong stated that he can change the verbiage to the next business day of the Township office.

- **Discussion:** T. Fox asked if when the applicant applies for their permit would it be permissible to put in a rain date to alleviate having to go to the township building to revise the permit. Solicitor Armstrong stated that there is usually an option for a rain date.

### 4. Other Business

Nothing was heard.

### 5. Public Comment

K. Beehler-Hovi stated that as a taxpayer she believes that the library is an asset to the community stating that it is gorgeous and she is proud of it. She stated that she would rather see the money go to the library instead of infrastructure.

K. Beehler-Hovi stated that she provided the Board with a letter from a concerned resident that was unable to attend the meeting this evening regarding the proposed development. She stated that her concern is that this will be a permitted use or back door thing to slip in a DC. Solicitor Armstrong stated that this Board cannot approve a permitted use, they can only approve a zoning change, which would not be a quick process and there is no back door way around this. He stated that the request would go before the Planning Commission, the County Planning Commission; there would be a public hearing which would be advertised and posted appropriately. If they want to receive a variance, it would go before the Zoning Hearing Board. At the last meeting Chairman Weimer advised the applicant to return with a plan that falls within what is allowed in the C3 zoning district.

Work Session ended at 7:10pm.