

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
July 6, 2021

The meeting was called to order by Chairman William Weimer at 6:26pm at the Coolbaugh Township Municipal Center meeting room located at 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, Tomas Keane, Director of Codes and Zoning, Darren Dixon, Controller and Meredith Thompson, Business Manager

Announcements:

Mr. Weimer announced the following:

- In order to insure the safety of everyone in attendance we ask that you wear a mask if necessary and follow the applicable CDC guidelines.
- 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

- H. Smith asked if there has been any word from the Railroad Authority regarding the underpass being advised by Mr. Weimer that he is waiting for the DPW Foreman to get him pricing on the cost of materials to make the underpass more appealing. Discussion ensued with H. Smith stating that maybe some negative publicity toward the RR Authority from news outlets would expedite the process. Mr. Lamantia suggested letting the RR Authority know that residents are complaining and maybe they will consider fixing it. Mr. Weimer will update on the outcome at a future meeting.
- H. Smith asked when the houses on the two properties recently purchased by the township will be demolished being advised in the next year or two.
- M. Fairservice stated that she believes that the Township has stenciled on the clearances to the RR underpasses in the past and that it was not completed by the RR Authority. She stated that the brush around the signs before the underpass and on many other township roads needs to be cut back.

2. Approval of minutes / notes:

- June 15, 2021- Regular Meeting Minutes

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve the June 15, 2021 regular meeting minutes as presented.

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

3. Request for Fire Tax Disbursement in the Amount of \$20,000.00 from Tobyhanna Township Volunteer Fire Company to be used Toward the Down Payment on a 100' Platform Aerial Truck

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Approve the Request for Fire Tax Disbursement in the Amount of \$20,000.00 from Tobyhanna Township Volunteer Fire Company to be used Toward the Down Payment on a 100' Platform Aerial Truck.

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

4. Request for Fire Tax Disbursement in the Amount of \$20,000.00 from Gouldsboro Volunteer Fire Company for the Purchase of a Pole Building

Mr. Weimer made a motion second by Ms. Colgan to Approve the Request for Fire Tax Disbursement in the Amount of \$20,000.00 from Gouldsboro Volunteer Fire Company for the Purchase of a Pole Building

- **Discussion:** Ms. Ruiz-Smith asked if the Board would consider giving them an additional 5,000.00 for their project due to the limited funding that they probably receive from their municipality. Discussion ensued on the fact that they asked for \$20,000.00 for their project with Patrick stating that they may have had a reason for requesting the amount that they did.
- **Vote:** All in favor, motion passes.

5. Waiver of Procedural Time Requirement for the Minor Subdivision Plan of Francisco Vasallo until September 30, 2021

Ms. Kelly made a motion second by Ms. Colgan to Approve the Waiver of Procedural Time Requirement for the Minor Subdivision Plan of Francisco Vasallo until September 30, 2021.

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

6. Ordinance # 145-2021: An Ordinance of the Township of Coolbaugh, Monroe County, Adding a New Chapter 215, Fireworks, Establishing Definitions and Regulations for the Use of Consumer and Display Fireworks, Incorporating the Applicable State Law and Prescribing Penalties for Violations

This item was skipped due to the public hearing that was scheduled for 7pm before considering passing this ordinance.

7. EAC Request to Expand Public Relations Outreach by creating a YouTube Account and an Instagram Account in Addition to the Facebook Page

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Approve the EAC Request to Expand Public Relations Outreach by creating a YouTube Account and an Instagram Account in Addition to the Facebook Page

- **Discussion:** Ms. Ruiz-Smith stated that she would like EAC to utilize the Pocono Mountain Visitors Bureau in promoting the trails that are available in Coolbaugh Township stating that they have valuable resources. Ms. Kelly stated that she will take the information back to EAC for them to decide how they wish to move forward. Ms. Ruiz-Smith stated that when she attended the Parks and Recreation meeting they had the opposite thoughts and did not want to promote the parks to outsiders. M. Fairservice stated that they have seen many other towns that have had issues with people from out of town using the parks and not taking pride in them as our residents do. She stated that many areas have begun charging for them to try to limit the damage. M. Fairservice stated that there are no restaurants or businesses in our township to draw people to the area. D. Pope stated that there are issues with people at Beltzville being directed to the state park and when you go by there it is a mess, stating that Ms. Fairservice is correct people will come to our parks and will not care and will ruin them for our own groups and residents. J. Loveless-Blobner stated that there is potential for large amounts of people to attend and would need to limit the attendance.
- **Vote:** All in favor, motion passes.

8. Authorization for Business Manager, Meredith Thompson to attend the PSATS HR & Labor Management Institute Seminar with Overnight Hotel Stay for a Total Cost of \$188.00 plus tax

Ms. Colgan made a motion second by Ms. Kelly to Authorize Business Manager, Meredith Thompson to attend the PSATS HR & Labor Management Institute Seminar with Overnight Hotel Stay for a Total Cost of \$188.00 plus tax.

- **Discussion:** Ms. Ruiz-Smith asked if we are going to provide meals.

Ms. Colgan amended her motion and Ms. Kelly her second to Authorize Business Manager, Meredith Thompson to attend the PSATS HR & Labor Management Institute Seminar with Overnight Hotel Stay and meals for a total not to exceed \$250.00.

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

9. Authorization to Re-Advertise the DPW Mechanic Position with a Starting Pay Rate of \$25.50 per hour

Mr. Weimer made a motion second by Ms. Colgan to Authorize to Re-Advertise the DPW Mechanic Position with a Starting Pay Rate of \$25.50 per hour.

- **Discussion:** D. Pope asked how many applications were received last time and was advised there were three that were semi qualified, meaning each applicant was missing at least one of the requirements.
- **Vote:** All in favor, motion passes.

10. Authorization to Re-Advertise the Code Enforcement Officer Position

Ms. Kelly made a motion second by Mr. Weimer to Authorize to Re-Advertise the Code Enforcement Officer Position.

- **Discussion:** Ms. Ruiz-Smith stated that she would like to see this job posted with the Pocono Builders Assn as well, stating that it may bring in some professionals that have the background that is needed to perform the job.
- **Vote:** All in favor, motion passes.

11. Authorization to Obtain Quotes from Surveyors for the Minor Subdivision Joining the 561 Laurel, 565 Laurel & 549 Laurel Drive (Township Properties recently purchased and the DPW garage property)

Ms. Colgan made a motion second by Ms. Ruiz-Smith to Authorize Obtaining Quotes from Professional Land Surveyors for the Minor Subdivision Joining the 561 Laurel, 565 Laurel & 549 Laurel Drive (Township Properties recently purchased and the DPW garage property)

- **Discussion:** M. Fairservice asked how much was budgeted for this, being advised that it was not budgeted for. D. Pope asked about the shrubs that are around the property with Mr. Weimer stating that the Historical Assn has asked about them for around their building. Mr. Weimer asked Solicitor Armstrong how the Township could donate the shrubbery to residents or the Historical Association with Solicitor Armstrong stated that there are personal property provisions for items depending on the dollar amount.
- **Vote:** All in favor, motion passes.

12. Current obligations

• General Fund	\$ 320,942.43
• Escrow Fund	\$ 688.50
• Sewer Fund	<u>\$ 27,425.60</u>
Total Disbursements	\$ 349,056.53

Ms. Kelly made a motion second by Ms. Colgan to approve paying the current obligations in the amount of \$349,056.53.

- **Discussion:** None

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

13. Solicitor Armstrong Comments/Updates

Solicitor Armstrong stated that the Board had requested that an easement agreement be prepared for the emergency egress off Industrial Park Drive to be signed by Pocono Mountain Industrial Park Authority. He stated that the legal description was provided from Township Engineer, Russell Kresge and the agreement has been presented to the PMIPA for review and execution.

Solicitor Armstrong stated that Act 65-2021: Amendments to the Sunshine Act has been passed which outlines that the Township will be required to post a meeting agenda containing all items that will be acted on at least 24 hours before the meeting. If a matter is not contained within the posted agenda, it will not be able to be acted on at the meeting. There are certain exceptions provided for within the Act. which provide for an exception for emergency and business relating to a real or potential emergency involving a clear and present danger to life or property, items deemed to be considered de-minimis matters that do not involve the expenditure of funds or entering into a contract or agreement can be acted on if it arises within 24-hours of the meeting. He stated that there is also that ability for the Board to vote at the meeting to add an agenda item if it is agreed to by a majority of the members present. These amendments to the Sunshine Act go into effect on August 29, 2021.

The Board recessed at 7:00pm for the Public Hearing on proposed Ordinance #145-2021 relating to Fireworks. The meeting was called back to order at 7:06pm.

Item #6: Ordinance # 145-2021: An Ordinance of the Township of Coolbaugh, Monroe County, Adding a New Chapter 215, Fireworks, Establishing Definitions and Regulations for the Use of Consumer and Display Fireworks, Incorporating the Applicable State Law and Prescribing Penalties for Violations

Mr. Lamantia made a motion second by Ms. Colgan to pass Ordinance # 145-2021: An Ordinance of the Township of Coolbaugh, Monroe County, Adding a New Chapter 215, Fireworks, Establishing Definitions and Regulations for the Use of Consumer and Display Fireworks, Incorporating the Applicable State Law and Prescribing Penalties for Violations

- **Discussion:** Mr. Weimer applauded the Board for taking the time to work toward this finished product and not rushing to pass something by the fourth of July.
- **Vote:** All in favor, motion passes.

14. Other Business

- Mr. Lamantia asked Solicitor Armstrong where we stand with the Route 196 project and the sign at APCP. Solicitor Armstrong stated that he reached out to Joe Carlin from Gilmore and Associates and asked to see if there were any options available to be able to use the stone from the bottom of the sign at the top since the bottom will be covered with backfill and boulders, but there has not been an answer yet from the mason. After some discussion it was agreed to send the link for the stone types available to APCP Manager, Cathleen Dunn to review with her Board and to pick a new stone. Once they pick a new stone the Board of Supervisors can review and consider authorizing the change. Ms. Ruiz-Smith stated that she is saddened by the new sign compared to the original sign angle and location.
- Mr. Lamantia stated that the APCP Cancer Fighters are currently looking for locations on township roads to hold a coin drop fundraiser to raise money for the American Cancer Society. Multiple locations were discussed with Mr. Lamantia stating that he will review the locations with his team and bring a letter to the Board for consideration.
- Ms. Ruiz-Smith stated that in the June 29th email of incoming mail there was information on the PSATS Centennial Reception Dinner in honor of the PSATS 100 year anniversary. She stated that she would like the Board to allow representatives to attend with an overnight stay due to the times of the dinner on October 14th

and the business meeting that is being held in the morning, October 15th for voting which Mr. Weimer would need to attend as the Township's voting delegate. The event is being held at the Hershey Lodge.

Ms. Kelly made a motion second by Mr. Lamantia to authorize Mr. Weimer to attend the PSATS Centennial Reception Dinner and Business Meeting at Hershey Lodge on October 14, 2021 to include the cost of accommodations and meal expenses.

- **Discussion:** None
- **Vote:** 4-0-1, motion passes. (Mr. Weimer abstained)

Ms. Kelly made a motion second by Ms. Ruiz-Smith to authorize sending an additional 4 representatives, Supervisors and staff to the PSATS Centennial Reception Dinner and Business Meeting at the Hershey Lodge on October 14, 2021 to include hotel accommodations and meal expenses.

- **Discussion:** Mr. Lamantia disagrees with sending anyone except for our voting delegate.
- **Vote:** 4-1-0, motion passes. (Mr. Lamantia opposed)
- Ms. Ruiz-Smith stated that there was a letter sent out to Attorney Amori, Solicitor for the Pocono Mountain Public Library and stated that because Ms. Shincovich has been before the Board multiple times on behalf of the library to discuss their request for support and interpretation of the referenda, Ms. Ruiz-Smith would like the Board to consider putting out a public statement in the newspaper to represent the position of the Board of Supervisors on the proposed Referenda. She stated that she would like the public to know the Board's position before seeing the referenda on the ballot and just voting. Solicitor Armstrong stated that he doesn't believe that Attorney Amori is representing the library any longer and therefore he has copies the PMPL on the correspondence as well. He stated that he is unsure if the Board wants to take a position on what the library sees as the end product.
- Ms. Ruiz-Smith stated that she met with H. Smith and D. Pope at the monument regarding the walkway stating that they agreed to install a concrete walkway. H. Smith stated that he made some phone calls and he and Mr. Pope discussed it and are not in favor of a concrete walkway. Ms. Ruiz-Smith stated that she received pricing from our DPW Foreman with an estimate of \$1,800.00 to install the concrete walkway, stating that the traffic on the walkway is minimal. Discussion ensued on the concrete walkway with H. Smith stating that they would rather wait until there is enough money in the budget to complete the project in a manner that will last forever. Ms. Ruiz-Smith stated she was not aware that the conversations occurred and that the decision discussed had changed since they met.
 - **Discussion:** Ms. Kelly asked who installs the pavers being advised that Mr. Smith, Mr. Pope and the DPW workers do. Ms. Kelly then asked if the installation can be completed in phases being advised that it cannot and that the cost is \$30,000.00 for the pavers. M. Jeffrey a retired mason stating that if the correct concrete is installed with rebar, it would hold up for years. Mr. Weimer stated that we spent time, effort and money on this project and we need to have some discussion during budget season as this is a staple of our community. D. Pope stated that the Veterans Committee will be having events there and it will be difficult for people in wheelchairs to get through.
- Mr. Weimer stated that the PMREMS Regional Roundup will be held on August 5, 2021 from 5:30-9:00pm at Skytop and is \$75.00 per person or you can purchase a table for 10 at \$700.00. It is a BBQ buffet featuring live entertainment by Snake Oil Willie Band.
- Mr. Weimer stated that the upcoming work session will include the item for potential development within the Township and asked if the Board would want to move the meeting to the library meeting room. Our room capacity is 50 in our meeting room. Ms. Masker stated that she is unsure if Mr. Weimer saw her email with information that she received from Ms. Shincovich that the capacity at the library is also 50 total among the three upstairs meeting spaces. After some discussion it was agreed that the work session and meeting on July 20, 2021 will be held in the Township meeting room.

- Solicitor Armstrong stated that he circulated the draft height ordinance which included commercial and industrial zoned areas, not residential and only provided blanks for the heights to be inserted. He stated that this could be added to a work session agenda if the Board chooses to in order to begin discussing potential numbers to fill in the blanks. Discussion ensued on allowing the professionals to rewrite the ordinance, allow the Township Planning Commission, MCPC and the public to also weigh in, stating that these changes will change the entire character of the ordinance. Mr. Kelly stated that the best practice would be to review the changes along with the particular areas and geography of the areas to determine how the changes will affect them as well, stating it should not just be based on whether the fire company can put out the fire but on other factors as well. Ms. Ruiz-Smith stated that she would like for the ordinance to be reviewed and updated as many things have changed over the years.
- Mr. Weimer stated that there is an issue with an Airbnb located at 1213 Pocono Heights Road with grass not being cut and trash containment. Mr. Weimer asked if there are any laws passed regarding trash having to be contained and if so what can we do when it is not. Solicitor Armstrong stated that there are provisions which would allow for a violation to be issued to the property owner. Mr. Keane stated that in this case as soon as the owner is notified the issue is resolved until it happens again and he is notified again. He stated that the property owner is purchasing a shed that he is putting up that will also block the view of the neighbor. Mr. Weimer also reiterated that when a complaint is received it is to remain anonymous unless it is in writing that they don't care if their name is shared. Mr. Keane stated that Mr. Rohan now has almost 500 STR's registered and only 2 problem properties. Mr. Weimer stated that this is taking the time of the staff to deal with these constant complaints and he is trying to find a way to resolve them.
- Ms. Thompson stated that there is a groundhog issue at the WWTP and asked if the Board prefers that DPW handles it with traps or if they would like to hire an exterminator, being advised that DPW is not to handle it and risk being bit, hire an exterminator.
- Mr. Weimer stated that there is going to be an agenda item on the next meeting for an attachment for plows on the new trucks stating that there is a part on the front of the truck that picks up the plow and stated that the old trucks will not pick up the new plows but the new trucks will pick up the old plows. The parts that need to be purchased cost approximately \$17,000.00, stating that Mr. Dixon is working on determining where the funding in the budget will come from.

15. Adjournment

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

Meeting adjourned at 8:03pm.

NEXT REGULAR BOARD MEETING: Tuesday, July 20, 2021 at the Coolbaugh Township Municipal Center meeting room located at 5520 Municipal Drive, Tobyhanna

- Work Session/ Business Meeting – 6:00pm

Submitted by: _____
Erin Masker, Recording Secretary

Witnessed by: _____
William Weimer, Chairman

Date: _____