

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
August 3, 2021

The meeting was called to order by Chairman William Weimer at 6:00pm at the Coolbaugh Township Municipal Center meeting room located at 5520 Municipal Drive, Tobyhanna, PA.

Mr. Weimer stated that the Work Session is canceled as the resident that requested to make a presentation on concerns with the proposed development emailed this evening and stated that she was not able to attend.

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 and Meredith Thompson, Business Manager

Announcements:

Mr. Weimer announced the following:

- In order to insure the safety of everyone in attendance, everyone is required to wear a mask 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

- D. Pope stated that the weeds need to be cut at the end of Pope Road and into town as well as on Laurel Drive.

2. Approval of minutes / notes:

- July 20, 2021- Regular Meeting Minutes

Ms. Kelly made a motion second by Mr. Lamantia to approve the July 20, 2021 regular meeting minutes as presented.

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

3. Pocono Mountain Public Library Referenda Support

Mr. Lamantia made a motion second by Ms. Colgan to send a letter of support for the Pocono Mountain Public Library Referenda.

- **Discussion:** Ann Shincovich, Pocono Mountain Public Library Director provided the Board with a packet of information regarding the proposed referenda and the original petitions for the referenda. She stated that they met with the Monroe County Commissioners to review the petitions and following that meeting they circulated the petitions last Wednesday. She stated that they had to have at least 57 signatures and that they were able to obtain 97 on each of the referenda petitions. Ms. Ruiz-Smith stated that our Solicitor still has not received correspondence from the Library's solicitor about his concerns on the verbiage that is on the referenda. Solicitor Armstrong stated that the legal issue is separate from what he believes is Mr. Lamantia's

motion which would be to send a letter of support, for what he will refer to as the final outcome of the quarter mill for the construction and quarter mill for the operations of the library. Ms. Shincovich stated that after her meeting with the County Commissioners she was advised that according to the library law, she was to present the petitions to the Board of Supervisors and they shall submit them to the county. Ms. Ruiz-Smith stated that it seems as though the Board is being strong armed by the library law that they have no choice but to submit the petitions, whether they are in support of the referenda or not. She asked how we can be sure that the signatures of the registered voters on the petitions are in fact tax payers in the township that will be affected by this change. Ms. Shincovich stated that they do not have to be taxpayers in the township; they have to be registered voters in the township. Solicitor Armstrong stated that the Board could add to the motion that it is confirmed that 3% of the signatures have been obtained and that the end result would be the quarter mill- construction and quarter mill-operations.

Mr. Lamantia amended his motion and Ms. Colgan her second to send a letter of support of the quarter mill and quarter mill end result and to confirm that the required 3% of signatures based on the 2021 Municipal election ballots cast have been obtained.

- **Discussion:** After further discussion on the residents that signed the petitions, Mr. Lamantia stated that all we are required to do is submit the petitions to the county for review and for the referenda to be reviewed for placement on the ballot in November. Ms. Shincovich stated that the only comment from Commissioner John Christy was that the solicitor for the county may have concerns with the questions that are presented. Mr. Weimer stated that it is not really a request if the law states that we are required to submit the petitions to the county. Mr. Weimer stated that he is not sold on this with Ms. Ruiz-Smith stating that she is not sold on the fact that the petition's signatures are the taxpayers that are going to be affected.

Mr. Lamantia rescinded his motion and Ms. Colgan her second.

Mr. Lamantia made a motion second by Ms. Colgan to forward the signed petitions presented to the Board this evening to the county for review with the Township not taking any position on the referenda proposed.

- **Discussion:** M. Fairservice stated that she signed the petition and that Ms. Shincovich reviewed the referenda with her and provided her with answers to all her questions. P. Williams stated that you do not need to be a taxpayer to vote, you need to be a registered voter in Coolbaugh Township. H. Smith stated that Ms. Ruiz-Smith keeps stating that the burden is on the taxpayers stating we need to roll it back a few years when the fire tax went into place, that was a burden on the taxpayers, each year that the fire tax is increased is a burden on the taxpayers, the EMS tax is also a burden on the taxpayers. He stated that it is sad that the Board is against the library, yet they will give stuff away to other counties. He stated that we started off with a bus and a small library in Mount Pocono which was outgrown and that is why we have this library in our community.
- **Vote:** 3-1-1, motion passes. (Ms. Ruiz-Smith opposed and Ms. Kelly abstained due to her employment at the library)

Mr. Weimer stated that he is in favor of the increase due to the time that has passed since the last increase, stating that his point is that there is a shroud of stuff that doesn't make sense. Yes, the millage is being reduced from one mill to a quarter of a mill, but the amount that is being paid for the quarter mill is more money. He wishes that it was easier like the fire and EMS tax. Mr. Weimer stated that we will have the petitions delivered to the county tomorrow so that there is no delay on our part. Ms. Thompson stated that she will be going to the county tomorrow and will be able to hand them in.

4. Roads for 2021 Pick Up The Pocono Event being held on Saturday, September 25, 2021

Mr. Weimer made a motion second by Ms. Kelly to approve Hemlock Road for the Pick up the Poconos event being held on September 25, 2021.

- **Discussion:** Mr. Weimer stated that is the same day as Touch a Truck and therefore DPW will not be available to pick up the bags until Monday morning.

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

5. **Authorization to Proceed with the Coolbaugh Township Codification as per the General Code Estimate Dated July 16, 2021**

Ms. Kelly made a motion second by Mr. Weimer to table the Authorization to Proceed with the Coolbaugh Township Codification as per the General Code Estimate Dated July 16, 2021

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

6. **Authorization to Purchase Three Plow Attachments for DPW Trucks from Triad Equipment in the amount of \$17,430.00**

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Authorize the Purchase of Three Plow Attachments for the DPW Trucks from Triad Equipment in the amount of \$17,430.00

- **Discussion:** D. Pope asked why these need to be purchased, being advised by Mr. Weimer that the old plows do not fit the new trucks and that this is a conversion part to allow the plows to fit the trucks if needed.
- **Vote:** All in favor, motion passes.

7. **Coolbaugh Township Road Paving Change Order #01-2021 in the amount of \$3,000.00 for Pocono Heights Road**

Ms. Kelly made a motion second by Ms. Ruiz-Smith to approve the Coolbaugh Township Road Paving Change Order #01-2021 in the amount of \$3,000.00 for Pocono Heights Road.

- **Discussion:** Ms. Ruiz-Smith asked if the logging truck that is traveling on that road for the property located at Pocono Heights Road and Route 196 could have caused any of the damage. Mr. Weimer stated that it did not; it is an issue with flooding at the opposite end of the road.
- **Vote:** All in favor, motion passes.

8. **Acceptance of Gordon McGregor's Resignation from the Environmental Advisory Council**

Ms. Colgan made a motion second by Ms. Kelly to Accept the Resignation of Gordon McGregor from the Environmental Advisory Council with Regrets.

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

9. **Appointment of a New Chairperson for the Environmental Advisory Council**

Ms. Kelly made a motion second by Mr. Weimer to appoint Joyce Onsted as the Chairperson on the Environmental Advisory Council.

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

10. **Authorization to Advertise Two Vacant Seats on Environmental Advisory Council**

Ms. Kelly made a motion second by Ms. Colgan to Authorize the Advertisement of the Two Vacant Seats on the Environmental Advisory Council.

- **Discussion:** Ms. Ruiz-Smith asked that this ad also be sent out on the Savvy Citizen App.
- **Vote:** All in favor, motion passes.

11. Current obligations

• General Fund	\$ 325,771.87
• Coolbaugh Twp. VFC-Tax Fund	\$ 659,336.74
• Escrow Fund	\$ 1,193.50
• Sewer Fund	<u>\$ 6,758.56</u>
Total Disbursements	\$ 993,060.67

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve paying the current obligations in the amount of \$993,060.67.

- **Discussion:** H. Smith asked for clarification on check(s) #7830 and 7833
- **Vote:** All in favor, motion passes.

12. Solicitor Armstrong Comments/Updates

Solicitor Armstrong stated that there will be an executive session following the meeting with respect to litigation and Mr. Weimer stated also Real Estate.

Solicitor Armstrong stated that he will be away for the August 17, 2021 meeting and stated that Attorney Will Oettinger will be attending the meeting on his behalf.

13. Other Business

- Ms. Kelly stated that the Board of Supervisors has made some zoning changes to properties in the Corporate Center which changed the zoning from C2 to C1. This has opened up the 196 properties for the potential of a lot of truck traffic stating that we as a Board need to fix this before moving forward with the codification. She stated that a 33 acre property on Route 196 is being advertised for a warehouse with a spec plan showing 96 truck docks. Ms. Kelly stated that the Board needs to correct this zoning issue by correcting the definitions for a warehouse and a distribution center to make the uses clearly identifiable by anyone that is looking to build on these properties. Ms. Kelly stated that there is currently a warehouse proposed for the Corporate Center that is over 400,000 sq. ft. with multiple truck docks that will be visible from Route 196. She stated that the Board told the developer that there is to be no truck traffic directed onto Route 196 from this warehouse, but stated that this may not be followed by a future tenant. She would like to speak with Chuck Leonard and see what is working in the Corporate Center and would also like for our Township professionals and Planning Commission to review the proposed changes stating that the Planning Commission did not review the changes before they were made. Solicitor Armstrong stated that both the Township Planning Commission and the County Planning Commission reviewed the proposed ordinance and sent a letter to the Board of Supervisors before it was passed as it is a requirement in the process. Ms. Kelly stated that maybe not allowing operations 24/7 would be a differentiating factor as to whether a business is a warehouse or a distribution center. Mr. Weimer stated that is too much governmental control on a business and he is not in favor of that. Solicitor Armstrong reviewed the definitions and stated that he can revisit them to possibly show that a warehouse would comply with x, y and z, and then a distribution center would comply with x, y and z. Stating there may be an option to clarify the uses. Mr. Weimer asked Mr. Keane if Bureau Veritas may have a better definition which determines what is allowed on the certificate of occupancy that is issued; Mr. Keane will ask him. Ms. Colgan stated that there are many trucks that travel on Route 196 stating that it is the shortcut to get to Route 81. She stated that this will never change. Ms. Ruiz-Smith stated that there are also many trucks which are hauling boats that travel on Route 196 to go to and from Lake Wallenpaupack. Solicitor Armstrong will work with Township Engineer Russell Kresge and Mr. Keane, Director of Codes and Zoning on the definitions and then once they are prepared they can be reviewed by the Planning Commission and the Board before moving forward.

- Ms. Kelly stated that there is a real estate agent that is marketing 514 acres of property at 423 and 196 as the prime location for massive industrial center and it states that the seller is willing to work with the buyers on the timeframe to allow for approvals to be received for development. Ms. Kelly stated that she would like the Board or the Business Manager to reach out to the realtor and let them know that this is false advertisement. After some discussion, the Board agreed that the realtor and developers need to do their own research as to what is allowed. Mr. Keane stated that there is an interactive map on our Township website which allows anyone to put in a property address and be able to see what is allowed on that property. He stated that when realtors call him, he provides them with the link.
- Ms. Ruiz-Smith asked when the employees will be getting their Covid-19 vaccine incentive, being advised by Ms. Thompson that they have already received it and it was \$75.00 take home as instructed.
- Mr. Weimer stated that he received an email from a resident regarding a request for a speed study on Route 423 in the area of the Army Depot, the resident stated that people are speeding and he asked if it is possible to lower the speed limit on that road to make it less appealing for trucks to travel that route. Mr. Weimer stated that it cuts off approximately 17 miles from their trip to Route 84. Mr. Lamantia stated that sometimes traffic studies backfire. Mr. Weimer requested that our Township Engineer be contacted to speak to PennDot to see if there is a speed study that can be done.
- Mr. Weimer stated that there are trees that continue to grow into the roads and stated that they can cause damage to Fire Apparatus, EMS and DPW trucks. He stated that DPW will be going through and cutting the trees back and it will not look pretty but stated that after a few weeks you will not notice that it was ever unsightly.

14. Board of Supervisors Executive Session

- After: Tuesday, August 3, 2021 From 7:28pm-7:43pm Re: Legal and Real Estate

15. Adjournment

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

Meeting adjourned at 7:20pm.

NEXT REGULAR BOARD MEETING: Tuesday, August 17, 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: _____