

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
October 5, 2021

The meeting was called to order by Chairman William Weimer at 6:15pm 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 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

M. Fairservice thanked DPW for their work at the Touch a Truck Event stating that they did a great job setting up, being available at the trucks and equipment and cleaning everything up when the event ended. She stated that there were a lot of new faces and good comments. She also thanked Ms. Masker for the social media posts, the letter and the flyer for the event. She stated that Pocono Motorsports provided a golf cart which came in handy as well. Ms. Colgan stated that the VFW did well with their food sales.

2. Approval of minutes / notes:

- September 21, 2021- Regular Meeting Minutes

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve the September 21, 2021 regular meeting minutes as presented.

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

3. Request for Release of Tax Funds in the Amount of \$190,000.00 for the Pocono Mountain Regional EMS for Capital Purchases

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Approve the Request for Release of Tax Funds in the Amount of \$190,000.00 for the Pocono Mountain Regional EMS for Capital Purchases.

- **Discussion:** Ms. Colgan stated that the funds are being used to purchase an ambulance.
- **Vote:** All in favor, motion passes.

4. Financial Security Reduction Request #3: Release of Escrow Funds in the Amount of \$ 556,527.46 for Arcadia North Land LLC- Land Development (Distribution Center) Arcadia North Business Park, South Phase, Section 1, Lot No. 2

Mr. Weimer made a motion second by Ms. Colgan to Approve the Release of the Escrow Funds in the Amount of \$556,527.46 for Arcadia North Land LLC- Land Development (Distribution Center) Arcadia North Business Park, South Phase, Section 1, Lot No. 2

- **Discussion:** D. Pope stated that there is a sign for Arcadia that is in the woods along Tegawitha and asked that they be made aware of it to pick it up. Taivo Tammaru was in attendance and thanked the Board for their consideration and stated that he will be sure that the issue with the sign is taken care of.
- **Vote:** All in favor, motion passes.

5. Financial Security Reduction Request #1: Release of Escrow Funds in the Amount of \$342,384.10 for Arcadia North Land, LLC.- Lot Line Adjustment/Cul-De-Sac Extension

Mr. Weimer made a motion second by Mr. Lamantia to Approve the Financial Security Reduction Request #1: Release of Escrow Funds in the Amount of \$342,384.10 for Arcadia North Land, LLC.- Lot Line Adjustment/Cul-De-Sac Extension.

- **Discussion:** Ms. Ruiz-Smith asked if all the road paving issues have been resolved, being advised that they have. Taivo Tammaru thanked the Board again for their consideration and stated that this was a cash deposit and stated that Township Engineer, Russell Kresge reviewed the request and believes that based on the change that he made to the amount to be withheld that the funds will be sufficient. Solicitor Armstrong stated that he would like to verify the entity that posted the original securities and be sure that the refund is issued to the correct person or entity.
- **Vote:** All in favor, motion passes.

6. Planning Commission Recommendation of the Requested Waiver of the Landscaping Requirements for Pocono Mountain Corporate Center Warehouse Waiver Request (Corporate Center Drive East/ Route 196)

Rik Longacre and Attorney John Herman were in attendance via Zoom representing Pocono Mountain Corporate Center Warehouse requesting a waiver of certain sections of the landscape ordinance. He stated that there were other waivers that were approved prior to this request and stated that the Planning Commission just wanted more time to review this plan and request, stating that at the last meeting they were in favor of recommending the waiver request for approval. Mr. Longacre reviewed the landscaping plan that was presented and identified areas of proposed landscaping and what types of trees would be planted. He stated that it is heavily evergreens and hardwoods and stated that the site has a lot of natural landscaping which they anticipate keeping some of. He stated that they are making adjustments by not removing healthy trees to just replace them later. He reviewed the plan in detail and stated that all the plantings would be aesthetically appealing with the building and site. Ms. Ruiz-Smith asked what color the building would be, being advised that it would be either white or beige stating that he doesn't have those specifics at this time. Ms. Ruiz-Smith asked if it would be all evergreens, being advised that it would not, it would be a mixture of evergreens, spruces, maples, oaks and honey locusts. Ms. Kelly asked how many trees will be planted along Route 196 where you will see the warehouse and how far apart will those trees be. Mr. Longacre advised that there will be evergreens that are 15' apart and staggered 5-7', then hardwoods and the pattern continues. He stated that there will be a break in the pattern at the emergency access. Ms. Kelly asked what size the trees will be, being advised that they would be 1 ½-2 ½ caliper, evergreens will be 6' tall and hardwoods 10-12' tall. Ms. Kelly asked about the height of the building being advised it could be up to 50' tall. She asked if he felt the trees would be a good buffer for snow drifting across Route 196 with Mr. Longacre reviewing the slope of the property compared to the building stating that 196 runs downhill, the one corner of the building will be 25' below grade, the middle will be at grade and the other corner will be 12' above grade. Discussion ensued with Solicitor Armstrong

advising the Board that they can choose not to approve the waiver until the Land Development Plan is before them for consideration, in the meantime you can provide the applicant with any comments or suggestions that you may have at this point.

Ms. Ruiz-Smith made a motion second by Ms. Colgan to table the Planning Commission Recommendation of the Requested Waiver of the Landscaping Requirements for Pocono Mountain Corporate Center Warehouse Waiver Request (Corporate Center Drive East/ Route 196).

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

7. Conditional Approval for Minor Subdivision Joining Lots 29-36 & 119-127, Plotting I, Section D, Pocono Summit Lakes, Property Owner(s) Red Door Rentals, LLC.

Mr. Lamantia made a motion second by Ms. Kelly to Grant Conditional Approval for Minor Subdivision Joining Lots 29-36 & 119-127, Plotting I, Section D, Pocono Summit Lakes, Property Owner(s) Red Door Rentals, LLC.

- **Discussion:** Ms. Ruiz-Smith confirmed that the lots are being combined with the property that has the house on it. She was advised that it is and Solicitor Armstrong stated that it will still be a non-conforming property when the lots are joined, but stated that there is no issue with it.
- **Vote:** All in favor, motion passes.

8. Request for Waiver of Procedural Time Requirement for the Minor Subdivision of Linda Silva

Ms. Colgan made a motion second by Ms. Ruiz-Smith to Grant the Request for Waiver of Procedural Time Requirement for the Minor Subdivision of Linda Silva until December 30, 2021.

- **Discussion:** Ms. Ruiz-Smith asked Ms. Masker for clarification on the delay with the completion of this project, being advised that there is an issue with the deeds that needs to be resolved. Ms. Kelly asked if the Board can deny this request or what they can do moving forward as this project has been on the agenda for extensions for a couple years. Solicitor Armstrong stated that this is a request to allow the Board more time and stated that if the Board denies it, they would have a deemed approval. He stated that the Board could put the applicant on notice that this would be the last extension and the plan would be denied and returned at which point the applicant would need to resubmit the plan. Mr. Lamantia stated that this is not costing us anything to allow them the time to continue working through the issues that they are faced with and stated that we should be helping the residents. Ms. Ruiz-Smith agreed with Mr. Lamantia that there is no cost to the Township to grant the waivers as needed.
- **Vote:** All in favor, motion passes

Ms. Kelly made a motion to Notify the Property Owner and Professional that the Board of Supervisors would like this to be the Last Waiver of Procedural Time for the Minor Subdivision of Linda Silva.

***No second was heard, the motion died. **

9. Request for Waiver of Procedural Time Requirement for the Minor Subdivision Plan of Dianne Stark

Mr. Lamantia made a motion second by Mr. Weimer to Approve the Request for Waiver of Procedural Time Requirement for the Minor Subdivision Plan of Dianne Stark until December 30, 2021.

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

10. Declaration of October as Domestic Violence Awareness Month

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Declare October as Domestic Violence Awareness Month.

- **Discussion:** Ms. Ruiz-Smith stated that she will be attending the vigil on October 20, 2021 at the Courthouse Square in Stroudsburg at 6:00pm to present the Proclamation on behalf of the Board of Supervisors.
- **Vote:** All in favor, motion passes.

11. Resolution #10-2021: Coolbaugh Township Ordinance #129-2017 Volunteer Service Credit Program Criteria for the period of November 16, 2020 – November 15, 2021

Mr. Lamantia made a motion second by Ms. Colgan to Approve Resolution #10-2021: Coolbaugh Township Ordinance #129-2017 Volunteer Service Credit Program Criteria for the period of November 16, 2020 – November 15, 2021

- **Discussion:** Mr. Lamantia asked if any of the criteria has changed since the first resolution was passed when the Act 172 went into effect, being advised that it has not. M. Peterson asked if the incentive has helped to increase volunteerism.
- **Vote:** 4-0-1, motion passes. (Mr. Weimer abstained)

12. Authorization to Advertise Trick or Treat Times in Coolbaugh Township for Sunday, October 31, 2021 from 4:00pm-7:00pm

Ms. Colgan made a motion second by Ms. Kelly to Authorize the Advertisement of Trick or Treat Times in Coolbaugh Township for Sunday, October 31, 2021 from 4:00pm-7:00pm.

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

13. Authorization to Submit Letters of Intent for the Hazard Mitigation Grants to PEMA for Hazard Mitigation Projects in the Township

Mr. Lamantia made a motion second by Mr. Weimer to Authorize the Submission of Letters of Intent for the Hazard Mitigation Grants to PEMA for Hazard Mitigation Projects in the Township.

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

14. Resolution #11-2021: Resolution Authorizing an Assigned Agent to Sign and Submit the Hazard Mitigation Grants on Behalf of Coolbaugh Township

Ms. Kelly made a motion second by Ms. Ruiz-Smith to Approve Resolution #11-2021: Resolution Authorizing Meredith Thompson to be the Assigned Agent to Sign and Submit the Hazard Mitigation Grants on Behalf of Coolbaugh Township.

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

15. EAC Request to Purchase:

- **Two Rustic Benches for the Wiley Preserve Trail not to exceed \$500.00 and for DPW to Install them when their Schedule Permits**

Ms. Kelly made a motion second by Mr. Weimer to Approve the EAC Request to Purchase Two Rustic Benches for the Wiley Preserve Trail not to exceed \$500.00 and for DPW to Install them when their Schedule Permits.

- **Discussion:** Ms. Colgan asked if there are any pictures, being advised by Ms. Kelly that she does not have any yet. Ms. Ruiz-Smith suggested that EAC speak to Patrick Kelly from Waste Not Technologies to see if he has any contacts or information on the items being purchased, stating that since he recycles products he may have something that would work.
- **Vote:** All in favor, motion passes.

- **Outdoor Stain to Paint the Picnic Tables on the Wiley Trail and other Painting Supplies**

Ms. Kelly made a motion second by Mr. Weimer to Approve the Purchase of Outdoor Stain and painting supplies to Paint the Picnic Tables on the Wiley Trail.

- **Discussion:** Ms. Kelly stated that she will ask the Township DPW Foreman if he has any stain or supplies before purchasing them, and will also ask him for the best stain to purchase for the project. Ms. Kelly stated that the members of EAC will be doing the work themselves.
- **Vote:** All in favor, motion passes.

16. Solicitor Armstrong Comments/Updates

Solicitor Armstrong stated that he is working on the agreement for the LPC Pocono project with respect to the traffic light and the escrow, stating that the developer would like to provide a cash escrow. He stated that it is not yet clear if the proposed traffic signal will be required until the tenant and the traffic study information are received. He will circulate the agreement for review by the Board before finalizing it. Ms. Ruiz-Smith asked if there is a contingency in the agreement for the potential escalation of costs being advised by Solicitor Armstrong that he would not be able to do that, but stated that he could put a deadline in the agreement. He stated that he will have it ready for discussion at the next meeting.

Solicitor Armstrong stated that there was a sketch plan that was just put forth at the last Planning Commission meeting for a proposed truck repair station on the corner of Kings Way and Route 196. He stated that in the Township Code of Ordinance Kings Way does not permit truck traffic on it. The applicant would like to request that the Board allow truck traffic for the purpose of entering onto his property from Kings Way as opposed to obtaining an HOP for a driveway off of Route 196 after the traffic signal. Ms. Kelly stated that Kings Way was previously owned by Pocono Farms East and stated that not allowing truck traffic on that road may have been a requirement when turning the roads over to the Township. Mr. Weimer stated that Kings Way is the main entrance into Pocono Farms East stating that they can come to a work session but we would have to look at the volume of traffic. Mr. Weimer stated that the road may be up to Township specs but it is not in the best shape and is probably on an upcoming paving list.

Solicitor Armstrong reached out to Joe Carlin from Gilmore and Associates regarding the stone for the APCP sign and stated that he has not received an answer. Mr. Lamantia stated that with the APCP sign still not completed and winter around the corner, he has spoken with Cathleen Dunn, Manager of APCP and stated that she is willing to take on the project in order to get it completed and have the funds come out of the amount that is in escrow from APCP for their contribution to the project.

16A. Mr. Lamantia made a motion second by Ms. Ruiz-Smith to amend the agenda to include the A Pocono Country Place Sign.

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

16B. Mr. Lamantia made a motion second by Ms. Ruiz-Smith to allow APCP to complete the work to the sign as long as there are no legal issues.

- **Discussion:** Mr. Lamantia stated that he will let Ms. Dunn, APCP Manager know that Solicitor Armstrong will be in touch with her.
- **Vote:** All in favor, motion passes.

17. Current obligations

- General Fund \$ 412,364.92
- Sewer Fund \$ 6,497.39

Total Disbursements \$ 418,862.31

Ms. Kelly made a motion second by Mr. Lamantia to pay the current obligations in the amount of \$418,862.31.

- Discussion: Ms. Ruiz-Smith asked for clarification on check #8004
- Vote: All in favor, motion passes.

18. Other Business

Ms. Colgan stated that the Gouldsboro Volunteer Fire Company will be having a firefighter yard sale from 10:00am-2:00pm and a Pasta Dinner from 12:00pm-6:00pm on Saturday, October 9, 2021.

Ms. Ruiz-Smith asked Mr. Keane to look into the shopping carts that are collecting behind Cramer's again.

Mr. Weimer stated that in the future he was thinking that when the Township tears down the two houses that are on the properties that the Township owns next to the DPW building, that maybe the new building/addition could be set back and allow for pavement to be put out in front instead of grass to allow for trucks to turn around. He said that this would be a future project, but wanted to put it out there so that it is on record and when he forgets about it that Ms. Masker will remind him. He stated that currently trucks are turning around in the grass.

Mr. Weimer stated that the fire company volunteers did a phenomenal job on the remodel at the firehouse with the grant funds that were provided by State Representative Maureen Madden and stated that the warming station is completed and looks great. He stated that it was not an easy project but they did an amazing job. The fire company will be inviting the Supervisors over soon to see it.

Ms. Masker stated that COG will be having their annual breakfast on October 25, 2021 from 9:00am-11:00am at Barley Creek; it is \$25.00 per person and asked that any Board members interested in attending let her know.

19. Board of Supervisors Executive Session

None

20. Adjournment

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

Meeting adjourned at 7:43pm.

NEXT REGULAR BOARD MEETING: Tuesday, October 19, 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: _____