

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
January 17, 2023

The meeting was called to order by Chairman Weimer at 7:02pm at the Coolbaugh Township Municipal Center located at 5520 Municipal Drive, Tobyhanna, PA.

Board Members present:

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

Board Members absent:

Joseph Rogan

Staff present:

Patrick Armstrong, Solicitor, Erin Masker, Township Secretary, Meredith Thompson, Business Manager, Darren Dixon, Controller, Tomas Keane, Director of Codes and Zoning, and Clinton Oddy, Code Enforcement Officer

Announcements:

Mr. Weimer announced the following:

- 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

- P. Williams presented the Board of Supervisors with calendars in celebration of the 30th Anniversary of the Mill Pond Ice Harvest on behalf of the Coolbaugh Township Historical Society.
- D. Pope expressed his concerns over the potholes on Main Street.
- D. Pope asked the status of the work to be completed at 1189 Pope Road relating to the well isolation distance agreement that was granted.
- D. Pope asked about the status of the issues with the trucks parking on Main Street by the gas station with Mr. Weimer stating that there is nothing that the Township can do about it as it is a state road but that he will continue to look into other avenues for enforcement.

2. Approval of minutes / notes:

- January 3, 2023 Re-Organizational/ Regular Meeting Minutes

Ms. Ruiz-Smith made a motion second by Ms. Colgan to approve the meeting minutes of January 3, 2023 as presented.

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

3. Quarterly Reports

- Pocono Mountain Regional Police Commission- Presented by Mr. Weimer. He welcomed Tracy Fox to the PMRPC board. Discussion took place on the enforcement and fines associated with large trucks traveling on Route 423 where it is posted. D. Pope stated that there is a sign for truck traffic on the highway to take Route 423. He also stated that there are political signs in the island.
- Pocono Mountain Regional EMS- Presented by T. Fox
- Coolbaugh Township Volunteer Fire Company- Presented by G. Dobson, he stated that they participated in two Halloween events, two breakfast with Santa events and did a gift delivery to needy families in the APCP community. Mr. Weimer asked about the call over the weekend where Mr.

Dobson stated that they had a hard call and were able to save the home, but that unfortunately there was one deceased individual in the fire.

- Gouldsboro Volunteer Fire Company- Presented by D. Miller.
- Pocono Summit VFC- Presented by Mr. Weimer.
- Thornhurst Volunteer Fire Company- Presented by D. Wagner, he stated that they held a Santa Run and their auxiliary held a Halloween Party. Mr. Wagner stated the numbers are as presented with call volume increasing in the fourth quarter. They are currently working on coming up with a plan to raise funds to replace their engine as it has been out of service due to repairs that are needed and an issue getting the parts. Mr. Weimer discussed the concept of regionalization of fire service and the meeting that was held.
- Tobyhanna Township Volunteer Fire Company- No report presented.
- Pocono Mountain Public Library- Presented by A. Shincovich. She reviewed the stats for the year on services and programs provided.

4. Codes and Zoning Report

Presented by Mr. Keane

5. E-911 Report

Report was presented by C. Oddy.

6. Short Term Rental Report

Report was presented by Mr. Keane

- **Discussion:** Ms. Ruiz-Smith asked that the report be modified so that the number of rentals per community are not specified as there are concerns with security with discussion taking place and Mr. Keane stating that he will make the change for future reports. M. Peterson stated that the information provided is beneficial to his Board and asked if the information will be available through the Right to Know process, being advised that it would.

7. Monroe County Conservation District

Drew Wagner from the Monroe County Conservation District was in attendance and discussed the Act 167 update and requested that the Board consider adopting the ordinance prior to May 2, 2023. He reviewed the changes which included: (1) Updated to reflect changing conditions in the environment by utilizing NOAA Atlas 14 for runoff estimation, (2) Calculation methodologies were revised to be consistent with current DEP guidance. Added CN values, (3) Farming High Tunnels definitions and exemptions have been added, (4) Digital Mapping for Management Districts, (5) Collection of funds for inspection of PCSM facilities and (6) A number of fill in the blanks in the proposed updated ordinance have been included in red which need to be completed by the municipality. The proposed ordinance will be reviewed by the Township PC, which will make a recommendation to the Board of Supervisors, who will then authorize it to be sent to the county PC for review and then authorized for advertisement for public hearing and adoption. The two provided models are the same except for release rates, maps, etc. which are watershed specific. He stated that most municipalities compare their current ordinance to the model and make updates to the current ordinance rather than starting from scratch. Discussion took place and the Board thanked Mr. Wagner for attending and reviewing the update.

- **Discussion:** J. Miller from Lexington Woods asked if this will also look at stormwater near wetlands or creeks and asked if it will dictate what the BMP will be, being advised that the state program looks at the exceptional high-quality waters and cold-water fisheries whereas the Act 167 looks at the standard that must be met, stating that it is also a high standard. J. Miller asked the Board if they will consider enhancing the ordinance for auditing purposes being advised by Mr. Weimer that we can consider it once it is reviewed and we are able to look at the process. Ms. Ruiz-Smith asked if other municipalities have hydrologic engineers on staff that are able to deal with this being advised by Mr. Wagner that

most have civil engineers which have the knowledge stating that the county is also looking at making those professionals available to municipalities. Mr. Weimer stated that maybe a networking hub of engineers that are able to work together and check things in the area when issues arise would be helpful. A. Shincovich asked if the updated Act 167 would affect development that is already underway with Solicitor Armstrong stating that he would have to look into it. She stated that there are concerns with developers that come before the PC that have the thought that they will just pay for something if an issue arises in the future and asked if there is an impact fee that can be imposed to fund this.

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

8. Authorization to Set and Advertise the Date for the Short-Term Rental Work Session

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Set the Date and Authorize Advertising the Short-Term Rental Work Session for Saturday, April 1, 2023 at 11:00am at the Pocono Mountain Public Library if it is available.

- **Discussion:** Discussion took place on the day of the week that was being chosen with M. Peterson asking who we are trying to accommodate the STR owners or the residents that live here permanently. He stated that holding it on the weekend may be beneficial to those that are traveling from farther away as STR owners, but what about the people that live here that would like to participate that have to work on the weekends and aren't able to make it. Mr. Weimer stated that this is only the first time that the Board will be discussing potential revisions to the STR Ordinance and stated that there will be other discussion that will take place prior to any changes that will be made which will allow everyone a chance to participate. Ms. Masker will confirm that the library is available before advertising.
- **Vote:** All in favor, motion passes.

9. Set the Mileage Rate for Reimbursement According to the 2023 IRS Rate of 65.5¢ per mile

Ms. Kelly made a motion second by Mr. Weimer to Set the Mileage Rate for Reimbursement According to the 2023 IRS Rate of 65.5¢ per mile.

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

10. Authorization to Advertise Spring Leaf Collection Dates

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Authorize the Advertisement of the Spring Leaf Collection Dates as Presented.

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

11. Approval of Resolution #05-2023: Appointment of Mary Ellen Wood to the Zoning Hearing Board as a Regular Member with a Three-Year Term

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Accept the Resignation of Anthony Giudice from the Zoning Hearing Board.

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

Ms. Colgan made a motion second by Mr. Weimer to Adopt Resolution #05-2023 Appointing Mary Ellen Wood to the Zoning Hearing Board for a Term of Three Years to Expire on December 31, 2025.

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

12. Porta Potty Contract for the Parks

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Accept the Proposal from All State for the Porta Potties at the Park for April 1st – November 1st, 2023.

- **Discussion:** Mr. Weimer stated that he spoke with DPW and stated that they had concerns with the

service previously provided with the current company and stated that they would like to use All State as they were happy with the service that was provided in the past.

- **Vote:** 3-0-1, motion passes. (Ms. Colgan abstained due to her employment)

13. **A Pocono Country Place Sign-Route 196 Turning Lane Project**

Ms. Ruiz-Smith made a motion second by Ms. Kelly to Accept the Change Order for the A Pocono Country Place Sign in the Amount of \$30,690.00 from Northeast Site contingent upon confirming with APCP that they are in Agreement with the Stone.

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

14. **One Living Hope Church Lease Agreement**

Ms. Thompson stated that she provided the Board with a letter from One Living Hope Church that they will not be renewing their lease at the end of the month. She stated that they owe over \$3,000.00 in past due rent.

Mr. Weimer made a motion second by Ms. Kelly to End the Lease Agreement with One Living Hope Church and forgive the outstanding balance.

- **Discussion:** Ms. Thompson stated that she had a conversation with Ms. Ruiz-Smith stating that the church has sound equipment that they may be able to donate to the township in lieu of the outstanding balance. The Board agreed that we could ask if they want to donate the equipment but stating that the balance would be forgiven.
- **Vote:** All in favor, motion passes.

15. **Resolution #04-2023: A Resolution of the Board of Supervisors of Coolbaugh Township, Monroe County, Pennsylvania, Requiring the Elected Tax Collector to Waive Additional Charges for Real Estate Taxes where Notice of the Real Estate Taxes was not Received Following the Transfer of Real Property**

Ms. Colgan made a motion second by Mr. Weimer to Adopt Resolution #04-2023: A Resolution of the Board of Supervisors of Coolbaugh Township, Monroe County, Pennsylvania, Requiring the Elected Tax Collector to Waive Additional Charges for Real Estate Taxes where Notice of the Real Estate Taxes was not Received Following the Transfer of Real Property.

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

16. **Controller Report**

Presented by Mr. Dixon, stating that we finished the year under budget. Mr. Dixon stated that the totals that are presented below and in the report for the Current Obligations need to be changed as there was a check that was voided. The totals will now be General Fund \$149,147.08 with the new Total Disbursement amount being \$167,237.01.

17. **Current obligations**

• General Fund	\$ 399,138.14	\$149,147.08
• American Rescue Plan Fund	\$ 2,900.00	
• Escrow Fund	\$ 4,534.07	
• Sewer Fund	<u>\$ 10,655.86</u>	
Total Disbursements	\$ 417,228.07	\$167,237.01

Ms. Kelly made a motion second by Ms. Colgan to authorize paying the current obligations in the amount of \$167,237.01.

- **Discussion:** None

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

18. **Business Manager Comments/Updates**

Nothing to Report

19. **Solicitor Armstrong Comments/Updates**

Solicitor Armstrong requested a brief executive session for legal and personnel following the meeting.

Solicitor Armstrong stated at the last meeting the Board approved the contract for Building #2 engineering services conditioned on his review, stating that he has no issues with the contract but wanted to confirm that the Board is aware that there will be no bid documents or AIA documents provided with the approved cost. Discussion took place and the Board agreed that they were aware.

Solicitor Armstrong stated that there was incoming mail that he reviewed relating to a property on Main Street being sold at a judicial sale and he stated that the Township should just make sure that there are no liens or fees due for the sewer and check with the tax collector to be sure that any taxes that may be owed are paid before the excess funds are released to the property owner prior to the February 1, 2023 hearing date.

20. **Board of Supervisors Executive Sessions**

- **Tuesday, January 17, 2023 from 9:26pm-9:47pm Re: Legal and Personnel**

21. **Adjournment**

Ms. Ruiz-Smith made a motion second by Ms. Colgan to adjourn at 9:12pm.

NEXT WORK SESSION/ REGULAR BOARD MEETING:

Regular Meeting Tuesday, February 7, 2023, at the Coolbaugh Township Municipal Center located at 5520 Municipal Drive, Tobyhanna, PA.

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

Submitted by: _____ Date: _____
Erin Masker, Township Secretary

Witnessed by: _____ Date: _____
William Weimer, Chairman