

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

The meeting was called to order by Chairman Weimer at 6:07pm at the Coolbaugh Township Municipal Center located at 5520 Municipal Drive, Tobyhanna, PA.

Board Members present:

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

Board Members absent:

Cara Rogan

Staff present:

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

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**

- M. Woods thanked DPW for cleanup at Green Road. Mr. Weimer stated that a resident reached out about the issue and was willing to clean it up, and then DPW picked up the trash bags that were collected.

2. **Approval of minutes / notes:**

- May 2, 2023 Regular Meeting Minutes

Ms. Colgan made a motion second by Ms. Kelly to approve the minutes of the May 2, 2023 meeting as presented.

- **Discussion:** Ms. Ruiz-Smith stated that the Attorney name needed to be corrected on agenda item #3 in one spot. H. Smith stated that it was D. Pope that made the comment about the violation of the sunshine act in public input and not him.

Ms. Colgan amended her motion and Ms. Kelly her second to approve the minutes of May 2, 2023 with the two corrections.

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

3. **Monthly/Quarterly Reports**

- Pocono Mountain Regional Police Commission- Presented by Mr. Weimer, he stated that excessive speed on township roads have caused serious/fatal accidents in the past couple months. He stated that the speed sign will be out throughout the township. Ms. Kelly expressed her concerns with the tractor trailers on Route 423 and parking at the gas station. She provided Mr. Weimer with pictures of the problem areas and stated that the police could sit at the township park which is a great place to view the tractor trailer problem.
- Pocono Mountain Regional EMS- Presented by Ms. Colgan.

4. Codes/ Zoning/ Short Term Rental Report

Report presented by Mr. Keane, stating that he only runs the reports for the STR's, and that Mr. Oddy does the inspections and processing of the applications.

- **Discussion:** Ms. Ruiz-Smith stated that she spoke with someone, and they stated that the township is making a ton of money off of the STR inspection fees. She explained to them that the fees are used for the time, salaries and expenses associated with the STR process.

5. E-911 Report

Presented by Mr. Oddy.

- **Discussion:** Mr. Weimer asked if inspections of E-911 signs had started again, being advised that they just started as they wanted to allow time for any winter-related damage to be repaired.

6. Emergency Management Update/ Programs

Mr. Weimer stated that the EMC is attending the quarterly updates and that there is a June 12th web EOC meeting with PEMA that they will be attending. He stated that after his conversation with TJ, Director at MCOEM, they have come up with some ideas for the interior upgrades to the EM Trailer. He stated that the county will be donating some items for the trailer and also discussed that they are looking to donate some foam buckets due to the biohazardous foam that was previously used, LEPC is working on funding for the buckets of foam available.

- **Discussion:** Ms. Ruiz-Smith asked about active shooter training for the employees and fire drills. She stated that the residents in attendance should also be aware of what to do and where to go in each instance. Mr. Weimer stated that he is coordinating with PMRPD to provide the training to both the EMC and the fire department. Mr. Weimer stated that it will be up to the EMC and employees in attendance at meetings to direct the residents where to go in case of an emergency.

7. DPW Update/Programs

Mr. Weimer stated that DPW has been busy and have been working on the following projects: the replacement of the front steps at Building #2, they patched some of the potholes on Main Street, they have installed the EAC park benches, they installed shelving in Ms. Masker's office, DPW parking lot was milled and awaiting paving, they installed three doors at the sewer plant and painted them, installed fence at the park, bollards in the parking lot were installed. The traffic light was out for a couple days, and the generator had to be hooked up to it, which resulted in overtime pay for DPW as they had to refuel the generator throughout this time. Mr. Weimer stated that the ruts on the multipurpose field will be filled in.

- **Discussion:** Ms. Colgan stated that the bathrooms at the park are open again. Ms. Ruiz-Smith stated that DPW will be working the Memorial Day Remembrance Ceremony on May 27th and stated that food will be catered by VFW Post 509; the event is open to the public. M. Wood stated that over the weekend she hiked the Wiley Preserve and stated that her son picked up trash and that there are no garbage cans on the property at all. She suggested possibly adding one at the entrance. Ms. Kelly will speak to EAC regarding the request.

8. Mapletree Loading Dock Project-Request for Waiver of Land Development Plan (2086 Corporate Center Dr.)

Attorney Bob Kidwell, Newman Williams, Law Firm as well as Sulejman Xhelilaj, Developer to represent the applicant Mapletree, stating that they are awaiting the arrival of Project Engineer, Chris McDermott. Mr. Kidwell stated that they are before the Board to discuss the determination of the Zoning Officer, stating that according to the definition and the law, this project does not fall under the requirement to file a Land Development plan. Therefore, they are asking that the requirement be waived. Solicitor Armstrong stated that Township Engineer, Greg Haas put together a letter that outlines what would be required if a land development plan was to be required. Attorney Kidwell stated that

most of the items that are called out in the letter are addressed in the stormwater plan submission. Solicitor Armstrong stated that given the improvements and the fact that the building is already there, it would be appropriate for the Board to consider placing conditions on the waiver. He stated that the applicant was previously requesting waivers of the inner and outer buffers for the construction of the road which they are no longer requesting. Solicitor Armstrong stated that if the Board considers conditions, one would be the May 15th Township Engineer letter based on the limited scope of the improvements. Mr. Weimer asked if they will be expanding the building being advised that they are not; they are adding docks, moving the road and addressing the issues with the current basin. They stated that they will not have additional truck traffic. Solicitor Armstrong stated that another condition of the waiver could be that they address the issues with the basin in a manner satisfactory to the township. Township Engineer, Greg Haas stated that the existing basin is not functioning with infiltration as designed and the outflow control structure is proposed to resolve the issue. He stated that the modification of the structure will be a part of the NPDES Permit to ensure it is resolved. Project Engineer, Chris McDermott arrives at 6:40pm and reviewed the plans and the pavement that will be added to the property. He stated that the draft NPDES permit was issued due to minor comments that are outstanding. Ms. Kelly asked where the excess dirt would be located from the construction of the road, being advised that it would be on the stockpile and anything that is left would be hauled off site. Ms. Kelly asked what the difference is between what has been submitted and what would be required for a land development plan being advised by Solicitor Armstrong that it is the items on Township Engineer letter and the Planning Commission review process. C. McDermott stated that the PC review process would add extra time to the project. The footprint of the building is not changing. Ms. Ruiz-Smith asked Township Engineer, Greg Haas if he feels that we need to have the PC review this project in his professional opinion. Mr. Haas responded that his main focus is that the improvements are constructed in accordance with the plan presented, the development agreement and financial security are provided and stated that the next submittal will probably satisfy his remaining comments in the stormwater plan He stated that the planners will not have a long list of items and he is satisfied with the design aspect; stormwater plan is in order, there are no landscaping comments and there are no lighting comments. Discussion continued on the comments in the review letter and the LDP process vs. the waiver that is being requested. Solicitor Armstrong reviewed the proposed conditions prior to considering the motion.

Ms. Ruiz-Smith made a motion second by Mr. Weimer to grant the waiver of Land Development Plan submission for Mapletree, LLC. conditioned on Compliance with any and all Coolbaugh Township Zoning Ordinances, Stormwater Management Ordinances, adopted Building Codes and/or any and all other applicable Township, County, State and/or Federal codes, ordinances and/or regulations, Submission of revised plans addressing the comments and requirements set forth in the Township Engineer's review letter dated May 15, 2023 prior to the issuance of a stormwater management permit and/or other required permit for the proposed improvements, Submission of additional plans and/or plan sheets, consistent with the proposed Plan and the previously approved land development plan entitled "J&J Sales & Logistics Co., LLC Arcadia North Business Park" that was granted conditional approval pursuant to the April 20, 2007 and August 10, 2007 conditional approval letters from the Township, which shall include the existing improvements on the Property, and the recording of such plan sheets in a manner and form deemed acceptable to the Township and Monroe County in order to resolve the recording issues associated with the previous plan, prior to the issuance of a stormwater management permit and/or other required permits for the proposed improvements, Compliance with all the comments and requirements set forth in the Township Engineer's review letter dated May 15, 2023, a copy of which is attached hereto and specifically incorporated herein, prior to the issuance of a stormwater management permit and/or other required permit for the proposed improvements, Fixing the existing stormwater basin on the Property concurrently with the proposed improvements depicted on the above-referenced Plan in a manner and form deemed acceptable to the Township. The work necessary to adequately resolve the issues with the existing basin, as deemed necessary by the Township, shall be included in the Applicant's NPDES permit for the proposed improvements depicted on the Plan and shall be completed concurrently with the improvements depicted on the Plan, Posting of Township approved financial security for all of the improvements depicted on the Plan and agreeing to and entering into a Financial Security and Development Agreement and Stormwater Management Agreement with the

Township in a manner and form deemed acceptable to the Township prior to the issuance of a stormwater management permit and/or other required permit for the proposed improvements, Applying for, securing and satisfying a NPDES permit for the improvements depicted on the Plan and those additional improvements necessary to resolve the issues and deficiencies of the existing stormwater basin on the Property in a manner and form acceptable to the Township prior to the issuance of a stormwater management permit and/or other permit for the proposed improvements and Providing the Township with as-built plans following the completion of the proposed improvements, which shall include the existing improvements on the Property, in a manner and form acceptable to the Township.

- **Discussion:** Mr. Weimer asked if the Zoning Dept had any issues with Mr. Keane, stating that they do not. Ms. Kelly asked about the SEO review that is a comment in the letter relating to the number of employees, being advised that the calculation comes in less than the allotted gallons per day that are designated for the building. Ms. Kelly stated that the waiver will not save time and has only wasted the Board's time. She believes that this should be reviewed by the Planning Commission.
- **Vote:** 3-1-0, motion passes.

9. Awarding of the 2023 Road Paving Contract

Mr. Weimer made a motion second by Ms. Ruiz-Smith to Award the 2023 Road Paving Bid to Wayco, Inc. in the amount of \$441,180.49 for the Base Bid Items #1-#40 and also the Additional Road, Greenwood Court in the Amount of \$32,827.80 listed as Additional Bid Item #45A-#48A for a total bid award amount of \$474,008.29.

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

10. Resolution #12-2023: Coolbaugh Twp PennDOT Vulnerable Road Users (VRU) Tier 1 Pedestrian Signal Indications Upgrades

Ms. Thompson stated that PennDot reached out as they have grant funds available for pedestrian traffic signal upgrades and would like to install them at Corporate Center Drive and Route 611, stating that the Board would have to sign a maintenance agreement and approve the resolution provided. Solicitor Armstrong stated that the form provided by PennDot acknowledges and accepts that all signals are the townships and the responsibility of the township. He stated that he does not like the agreement and has tried to get the agreement changed before in other municipalities, but they will not. After a lengthy discussion the Board agreed that they are not interested in entering into this agreement and Ms. Thompson will reach out and let PennDot know.

11. Authorization to Advertise the Public Hearing for the Parking and Sign SALDO and Zoning Ordinance Amendment

Ms. Colgan made a motion second by Mr. Weimer to Authorize the Advertisement of the Public Hearing for the Parking and Sign Ordinance and SALDO Amendments on July 5, 2023 at 6:00pm.

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

12. Authorization to Advertise Change of Planning Commission Meeting Dates for 2023-January 2024

Ms. Colgan made a motion second by Ms. Kelly to Authorize the Advertisement Changing the Planning Commission Meetings from the second Monday of every month to the second Tuesday of every month until January 2024.

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

13. **Authorization to Advertise for Code Enforcement Officer at \$22.00 per hour with a \$1,000.00 Advertising Budget**
Mr. Weimer made a motion second by Ms. Colgan to Authorize the Advertisement for a Code Enforcement Officer at \$22.00 per hour and to authorize a \$1,000.00 Advertising Budget.

- **Discussion:** Ms. Ruiz-Smith asked if this person will be in Mr. Oddy's old office, being advised that is correct. Ms. Thompson and Mr. Keane will interview the applicants for the first round of screening and then the Board of Supervisors will conduct the remaining interviews for final selection. This position will be administrative to support the Codes and Zoning Department due to the STR volume which will allow Mr. Keane and Mr. Oddy the time to conduct inspections.
- **Vote:** All in favor, motion passes.

14. **Controller Report**

Presented by Mr. Dixon.

15. **Current obligations**

• General Fund	\$ 287,475.76
• American Rescue Plan Fund	\$ 2,175.00
• Escrow Fund	\$ 8,756.63
• Sewer Fund	<u>\$ 24,957.54</u>
Total Disbursements	\$ 323,364.93

Ms. Colgan made a motion second by Ms. Kelly to pay the current obligations in the amount of \$323,364.93 as presented.

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

16. **Business Manager Comments/Updates**

- Ms. Thompson stated that at the end of the month the older model Escape zoning vehicle will no longer be inspected and stated that it would cost money in order for it to pass inspection. She stated that since we have two new vehicles scheduled to arrive, as long as the Board agrees, we will not be putting any money into it and will just plan to sell it on Municibid in the future. The Board agreed.
- Ms. Thompson stated that the phone upgrade has been completed and stated that we will be starting to see savings on the phone bill from the new phone company as opposed to the previous amount paid to Verizon. She stated that the DPW phones and sewer plan will still be billed from Verizon.
- Ms. Thompson has the new router to be installed in building #2 for the community space.
- Ms. Thompson requested a brief executive for legal.

17. **Solicitor Armstrong Comments/Updates**

Nothing to report.

18. **Board of Supervisors Executive Sessions**

- Wednesday, May 17, 2023 from 8:05pm-8:11pm Re: Legal

19. **Adjournment**

Ms. Colgan made a motion second by Ms. Ruiz-Smith to adjourn at 7:59pm.

NEXT WORK SESSION/ REGULAR BOARD MEETING:

- Regular Meeting Tuesday, June 6, 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