

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
July 5, 2023

The meeting was called to order by Chairman Weimer at 6:37pm at the Coolbaugh Township Municipal Center located at 5520 Municipal Drive, Tobyhanna, PA.

**Board Members present:**

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

**Board Members absent:**

None

**Staff present:**

Patrick Armstrong, Solicitor, Erin Masker, Township Secretary, and Meredith Thompson, Business Manager

**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**

- D. Pope asked if road shoulders, and drainage ditches were going to be done this year being advised that they are. Mr. Weimer stated that there are seven or eight areas that are bad. He also reviewed some projects that are being worked on including the drainage pipe at Cayuga which Mr. Keane is making contact with the owner to have an agreement drafted with Solicitor Armstrong to allow the work to be done since some would require work on the homeowner's property.
- H. Smith asked for an update on the Stout Road as there are issues with people dumping back there.
- D. Pope expressed his concerns with people running the stop sign at Main Street and Route 611.

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

- June 20, 2023 Regular Meeting Minutes

*Ms. Ruiz-Smith made a motion second by Ms. Kelly to approve the minutes of the June 20, 2023 meeting as presented.*

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

**3. Planning Commission Recommendation of Conditional Approval of Imperial Realty Property Group, LLC. Land Development Plan (1180 Corporate Center Drive East)**

Attorney Marc Kaplan, Tom Skeans (IRPG, LLC) and Mark Banick, VanCleaf Engineering were in attendance to discuss the Land Development Plan for Imperial Realty Property Group. Discussion took place on the Development Agreement, the O&M Agreement and the Agreement to complete the previously discussed road work on Corporate Center Drive East and Kolb Court, both roads that are adjacent to the property. Ms. Kelly stated that she would like for the Board to review the development agreement and other related agreements prior to the start of the project construction as she has concerns with some of the other development agreements that were previously executed. After a lengthy discussion, it was agreed that Solicitor Armstrong would draft the agreements and provide them to the Board for review.

*Mr. Weimer made a motion second by Ms. Ruiz-Smith to Grant Conditional Approval of the Imperial Realty Property Group, LLC. Preliminary/Final Land Development Plan conditioned on completing the road improvements associated with Township Engineer's review letter dated December 19, 2022 (Corporate Center Drive/Kolb Court), the June 8, 2023 Township Engineer Review Letter being satisfied, the June 9, 2023 Township Engineer Retaining Wall Review Letter being satisfied, securing all outside agency approvals, and complying with any and all Township Zoning and SALDO requirements.*

- **Discussion:** Ms. Kelly stated that she would prefer it if all items are resolved prior to coming to the BOS for approval. Mr. Kaplan stated that outside agency approvals cannot hold up a plan from receiving conditional approval. Mr. Weimer asked if there is a resolution or ordinance that can be passed that all items must be resolved prior to being presented to the Board, with Solicitor Armstrong stating that there are certain items including outside agency approvals that cannot hold up conditional approval but that he will look into it. J. Miller asked the Board about the truck trip comment that was listed in the MCPC review letter and asked that it be confirmed that the HOP for the driveway be verified that there are no more truck trips than are permitted. He stated that there are now multiple businesses in the park which generate truck traffic, being advised by M. Banick that the trips that are currently being reported by the existing businesses/approved LDP's that are in the park are included in the numbers that were provided. Ms. Kelly asked if there is a breakdown of truck trips and car trips per day, being advised that it was included in the traffic study. T. Collazzi expressed his concerns about the pristine waterways that are being affected and stated that the more vehicles that are coming in, the more air pollution and the more runoff and salt issues that will be caused. He stated that the construction of the warehouses is proven to cause an economic dead zone. Solicitor Armstrong stated that there are limits as to what this Board can do when it comes to proposed development that meets the current Township Zoning and SALDO requirements.
- **Vote:** 3-2-0, motion passes.

#### 4. Well Isolation Distance Waiver- 1332 Madison Avenue, Pocono Summit

Discussion took place between the applicant's engineer, Joshua Valentine, regarding the system that will be installed, the location, size and reasoning for the installation. He stated that the system is a better system which will make the situation better, stating that the current system is 43' feet away from the well and will now be 73' away which is making the situation better but still not to the 100' distance. He stated that the system that is being installed is larger than what is required for a three-bedroom house as it is for a group home which is serving residents that are wheelchair bound stating that the flows for the house are more in line with that of a five-bedroom home.

*Ms. Kelly made a motion second by Ms. Ruiz-Smith to Grant the Requested Waiver of the 100' Well Isolation Distance for 1332 Madison Avenue, Pocono Summit, Applicant Devereux Foundation, to allow the Construction of the System 72.7' from the well and conditioned upon entering into an indemnification agreement with the Township.*

- **Discussion:** Ms. Ruiz-Smith confirmed with Solicitor Armstrong that group homes are permitted uses in the R-3 zoning district, being advised that they are. Mr. Weimer stated that if this request is approved, an indemnification agreement would be required to be signed by the applicant. J. Valentine reviewed the plans with the Board.
- **Vote:** 4-0-1, motion passes. (Ms. Colgan abstained)

#### 5. Adoption of Ordinance #150-2023: An Ordinance Amending the Coolbaugh Township Zoning Ordinance at Chapter 400 of the Code of Ordinances of Coolbaugh Township by Amending Certain Requirements and Restrictions for Off-Street Parking and Signs

*Mr. Weimer made a motion second by Ms. Rogan to Adopt Ordinance #150-2023: An Ordinance Amending the Coolbaugh Township Zoning Ordinance at Chapter 400 of the Code of Ordinances of Coolbaugh Township by Amending Certain Requirements and Restrictions for Off-Street Parking and Signs.*

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

6. **Adoption of Ordinance #151-2023: An Ordinance Amending the Coolbaugh Township Subdivision and Land Development Ordinance at Chapter 355 of the Code of Ordinances of Coolbaugh Township by Amending Certain Requirements and Restrictions for Off-Street Parking and Plan Requirements**

*Ms. Rogan made a motion second by Ms. Colgan to Adopt Ordinance #151-2023: An Ordinance Amending the Coolbaugh Township Subdivision and Land Development Ordinance at Chapter 355 of the Code of Ordinances of Coolbaugh Township by Amending Certain Requirements and Restrictions for Off-Street Parking and Plan Requirements.*

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

7. **2023 Road Paving Project- Change Order #1 in the Amount of \$6,814.14**

*Mr. Weimer made a motion second by Ms. Colgan to Approval Change Order #1 for the 2023 Road Paving Project in the amount of \$6,814.14.*

- **Discussion:** Ms. Ruiz-Smith asked what this is for, being advised by Mr. Weimer that it was due to the adjustment of the length of road from Falstaff to Horatio which was incorrect in the bid documents.
- **Vote:** All in favor, motion passes.

8. **Release of Tax Funds to Volunteer Fire Companies for 2023**

*Ms. Kelly made a motion second by Ms. Colgan to Approve the Release of fire tax funds in the amount of \$45,000.00 to Thornhurst Volunteer Fire and Rescue Co. per their request dated May 18, 2023 for the purchase of a new fire engine pumper and Approve the Release of fire tax funds in the amount of \$55,000.00 to Gouldsboro Volunteer Fire Company per their request dated May 24, 2023 for the purchase of upgraded portable radios.*

- **Discussion:** Discussion took place on the coverage provided by both companies and the amount of funds in the account for disbursement in accordance with the resolution.
- **Vote:** All in favor, motion passes.

9. **Coolbaugh Township Volunteer Fire Company Request for Release of Tax Funds in the Amount of \$61,548.48 for P25 Radio Upgrade Repayment**

*Ms. Rogan made a motion second by Ms. Colgan to Approve the Release of Tax Funds to Coolbaugh Township VFC in the Amount of \$61,548.48 for the P25 Radio Upgrade Repayment.*

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

10. **Coolbaugh Township Volunteer Fire Company Request for Release of Tax Funds in the Amount of \$85,505.02 for the Final Payment of the P25 Radio Upgrade**

*Ms. Rogan made a motion second by Ms. Colgan to Approve the Release of Tax Funds to Coolbaugh Township VFC in the Amount of \$85,505.02 for the Final Payment of the P25 Radio Upgrade.*

- **Discussion:** Ms. Ruiz-Smith commended the fire company for paying off the loan earlier than anticipated.
- **Vote:** 4-0-1, motion passes. (Mr. Weimer abstained).

11. **Coolbaugh Township Volunteer Fire Company Request for Release of Tax Funds in the Amount of \$208,112.73 for Operational Expenses**

*Ms. Rogan made a motion second by Ms. Kelly to Approve the Release of Tax Funds to Coolbaugh Township VFC in the Amount of \$208,112.73 for Operational Expenses.*

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

12. **Coolbaugh Township Volunteer Fire Company Request for Release of Tax Funds in the Amount of \$150,000.00 for the Engine Payment**

*Ms. Rogan made a motion second by Ms. Kelly to Approve the Release of Tax Funds to Coolbaugh Township VFC in the Amount of \$150,000.00 for the Engine Payment.*

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

13. **Coolbaugh Township Volunteer Fire Company Request to Move Tax Funds in the Amount of \$330,000.00 for the New Fire Station Building Fund**

*Ms. Kelly made a motion second by Ms. Rogan to Approve the Transfer of Tax Funds in the Amount of \$330,000.00 from the Coolbaugh Township VFC Account to the New Building Fund Account for the proposed Route 196 fire station.*

- **Discussion:** D. Pope asked how much money the fire company receives from the taxes and also asked if financials are provided with an accounting of how and where the money is spent line by line. Mr. Weimer stated that they provide the township with profit and loss statements as well as tax returns annually. Ms. Ruiz-Smith stated that those documents can be obtained by a Right to Know.
- **Vote:** 4-0-1, motion passes. (Mr. Weimer abstained).

14. **Current obligations**

• General Fund	\$ 480,778.13
• Escrow Fund	\$ 6,389.00
• Sewer Fund	<u>\$ 5,789.48</u>
<b>Total Disbursements</b>	<b>\$ 492,956.61</b>

*Ms. Ruiz-Smith made a motion second by Ms. Kelly to Authorize paying the current obligations in the amount of \$492,956.61 as presented.*

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

15. **Business Manager Comments/Updates**

- Ms. Thompson stated that if anyone has concerns about fireworks outside of normal township business hours that they need to contact Pocono Mountain Regional Police. Discussion took place on the township fireworks ordinance and hours that they are allowed on holidays.
- Ms. Thompson updated the Board on the repairs at the Wastewater Treatment Plant stating that the membrane tank repair project is wrapping up and that even though some water got into the tank, the professionals are not concerned with any future issues as they believe that it was cured prior to the water intrusion. She also reviewed the tangled set of wires in the membrane tank stating that they are still functioning and that if they should malfunction there is a backup set that will allow the system to continue to function.
- Ms. Thompson stated that she and Mr. Keane have interviews scheduled this Thursday and next Thursday and hope to have candidates to put forward for the board to interview. Mr. Weimer asked that the Board free up their schedules for the interviews when they are ready, stating that we need to move with a purpose to fill this position to assist Mr. Oddy.
- Ms. Thompson stated that she has been in contact with Mr. Knecht, DPW Foreman regarding repairs needed at the mansion and stated that there is funding available for historically designated buildings asking if the

Board if ok with her meeting with the Board of the CTHA to discuss the historical designation that would be required for grants. The Board agreed that would be good.

- Ms. Thompson stated that Mr. Dixon provided a QR code for the public to use for obtaining electronic packets in light of the environmental concerns that have been brought to the Board, this will save on printing so many packets. She stated that there will still be some printed for those that require paper copies, just not as many.
- Ms. Thompsom asked for an Executive Session following the meeting for legal.

16. **Solicitor Armstrong Comments/Updates**

Solicitor Armstrong stated that he is just requesting a brief executive session for legal.

17. **Board of Supervisors Executive Sessions**

- Wednesday, July 5, 2023 from 8:24pm-8:51pm Re: Legal

18. **Adjournment**

*Ms. Ruiz-Smith made a motion second by Ms. Colgan to adjourn at 8:14pm.*

**NEXT WORK SESSION/ REGULAR BOARD MEETING:**

Regular Meeting Tuesday, July 18, 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