

**Coolbaugh Township
Board of Supervisors
April 7, 2009 Meeting
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The Coolbaugh Township Board of Supervisors April 7, 2009 Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

Call To Order

Chairman Joseph O'Boyle called the meeting to order at approximately 7:12 p.m. and led those in attendance in the recitation of the Pledge of Allegiance to the Flag.

Roll Call

Supervisors present for the meeting included: Mr. Joseph O'Boyle, Ms. Lynn Kelly, Mr. James H. Frutchey, Jr., Mr. Robert B. Hutchins and Mr. Robert M. Zito. Also present were Township Solicitor Jerry F. Hanna and Township Secretary Linda Frutchey.

Statement on the Agenda: Mr. O'Boyle announced that the Public will be given an opportunity to speak on each agenda matter. Public Input is considered at the end of the meeting for other issues.

Announcement

Mr. O'Boyle announced with deepest sympathy the passing of long time Coolbaugh Township residents, Eileen Fluegel, the mother of Tony Fluegel our District Justice and Robert Fairservice, a long time member of the CTVFC and the father of Dave Fairservice, one of our Township employees.

Approval of March 17, 2009 Meeting Minutes

Ms. Kelly moved to approve the March 17, 2009 Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Minor Subdivision to join lots 99 & 100, Section D, A Pocono Country Place - Property Owners - Robert and Lillian Romanetz

Terry Martin, PLS of Martin & Robbins was present on behalf of the plan referenced above.

Mr. Frutchey moved to approve the Minor Subdivision to join lots 99 & 100, Section D, A Pocono Country Place for Property Owners Robert and Lillian Romanetz. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

PA Keystone Opportunity Zones (KOZ) - / Extension of Unoccupied parcels / Expansion / Proposed Resolutions #09-2009 and #10-2009

Dennis Noonan of Pocono Mountains Economic Development Corporation thanked the Supervisors for allowing him to attend the meeting and present the KOZ Program. He gave an overview of the legislation changes to the KOZs since 1998, explaining that the new KOZ legislation provides the option to the taxing bodies of retaining all or a portion of the current tax revenue for KOZ extensions and new KOZs. He went through the extension of unoccupied parcels, the details of creating 15 additional Keystone opportunity expansion zones, pointed out several areas where the KOZ Program has been very successful, the terms of the number of years outlined in Option 1 and Option 2, etc.

Mr. Hutchins moved to adopt Resolution #09-2009 and Resolution #10-2009 thereby designating a Keystone Opportunity Expansion and new Keystone Opportunity Zones. Seconded by Mr. Frutchey. Discussion - it was the consensus of the Supervisors to go with Option 2, following what the Pocono Mountain School District voted for.

Mr. Hutchins and Mr. Frutchey amended the motion adopting Resolutions #09-2009 and #10-1009 to include language that will give Coolbaugh Township the right to have an agreement drawn up between the property owner and the Township to collect 110% of the amount of taxes payable for the year prior to the year in which designation or extension is granted (PILOT Program). The motion carried 5-0.

PADEP Current and Pending Grant \“Individual” Inter-Municipal Processing and Composting Services Agreements between Coolbaugh Township and Mount Pocono Borough, Tobyhanna Township and Tunkhannock Township

Pat Calpin of Environmental Resources Associates gave an overview of the current and pending grants.

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Discussion followed about equipment, expenditures, site development, modifications to the grant, etc. It was the consensus of the Supervisors that Mr. Calpin and Mr. Frutchey will do the modifications and bring the information back to the next meeting of the Board.

Mr. Hutchins moved to approve the individual Inter-Municipal Processing and Composting Agreements between Coolbaugh Township and the Townships of Tobyhanna and Tunkhannock and the Borough of Mount Pocono. Seconded by Mr. Zito. Discussion followed about the Boro wanting language in the agreement saying "not to exceed \$1000.00". The Supervisors agreed to amend the agreement with the Boro to reflect the language as requested. The motion passed 5-0.

Proposal Profit Point Inc. - Pass Card for the Township Recycling Center

Ms. Kelly suggested that they take action on the hours and days for the operation of the Year Round Drop Off Site, the Proposal from Profit Point and to review remaining questions/issues at the next Work Session.

It was the consensus of the Supervisors that the fee of \$750.00 for the data load listed in the Profit Point Proposal could be eliminated, as Mr. Zito said he could get the information on property owners for Coolbaugh Township from Poc-A-Data and put the data on an excel spread sheet, etc.

Mr. Hutchins moved to: (1) continue with the Year Round Drop Off Site on the first weekend of each month on Friday and Saturday from 7:30 a.m. to 3:00 p.m.; (2) to approve the Proposal from Profit Point, Inc. for the Pass Card for the Township Recycling Center with the elimination of \$750.00 for the data load; and (3) continue further discussion at our next Work Session. Seconded by Mr. Zito. Discussion - Mr. Frutchey said he got the information on the pass card at the request of the Board, but he feels that it is going to add more confusion to the confusion that is already at the site and suggested going back to the annual clean up and he mentioned the harassment the employees were receiving. Discussion followed. Mr. O'Boyle expressed his opinion that in the future, he can see the Recycling / Composting Site having its own division with a supervisor \ employees, etc. Public comment was heard from Harry Smith, who offered sympathy to the Supervisors for their struggles with the Year-round Drop Off Site, mentioned the harassment that is going on and suggested that they think about township-wide trash pick up, even if it means increasing millage in taxes, etc. The motion carried 4-1-0 (Mr. Frutchey opposed). It was the consensus of the Supervisors that the letter sent by Dave Timko, General Manager of Pocono Farms Country Club Association, regarding the fees charged at the Drop Off Site will be discussed at the Work Session.

Township Resolution #08-2009 - Monroe County Financial Assistance Program Application and Grant Agreement to update Zoning and Subdivision Ordinances to include provision as Growing Greener - 4 step design process

A brief discussion followed about the matter referenced above. Mr. Hutchins moved to table the Monroe County Financial Assistance Program Application and Grant Agreement to update Zoning and Subdivision Ordinances and Township Resolution #08-2009, until the Supervisors can meet with Clark Connor and Russ Kresge in a Work Session. Seconded by Ms. Kelly. The motion carried 5-0.

Discussion followed about possible dates for this Work Session. Following a consensus on the date, Ms. Kelly moved to authorize the Township Secretary to advertise a Work Session for Thursday, April 23, 2009 at 7:00 p.m. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Proposed Amendments to the December 31, 2002 Inter-Municipal Agreement among Coolbaugh Township, Paradise Township, Tobyhanna Township and Tunkhannock Township re: Enforcement of Building Codes

Mr. Hutchins gave an overview of the proposed amendments to the present Inter-Municipal Agreement, noting that Building Codes Solicitor Emanuel DeStefano did a great job. He also pointed out that two of the municipalities who were considering dropping out of the agreement are still in, due to the progress made.

Mr. Hutchins made a motion to approve the proposed amendments to the December 31, 2002 Inter-Municipal Agreement among Coolbaugh Township, Paradise Township, Tobyhanna Township and Tunkhannock Township re: Enforcement of Building Codes . Seconded by Mr. Frutchey. A brief discussion followed about costs, etc. The motion passed 5-0.

Proposed Procedural Rules for the Building Code Board of Appeals

Mr. Hutchins explained that this was the first set of procedural rules for the Building Code Board of Appeals and complimented Solicitor DeStefano on his work in preparing them. He also noted that the present Board of Appeals members are very organized and involved in carrying out their responsibilities.

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Ms. Kelly moved to approve the proposed Procedural Rules for the Building Code Board of Appeals. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Roy and Vera Roper Zoning Enforcement

Before the Board was an email dated April 7, 2009 from Township Solicitor Jerry Hanna saying he had not heard back from the Roper's attorney.

Mr. Hutchins made a motion to table Roy and Vera Roper Zoning Enforcement. Seconded by Mr. Frutchey. Discussion followed about the matter being moved to the next meeting agenda. The motion passed 5-0.

New Application Instructions - Zoning Permit / Certificate of Zoning Compliance

Before the Board were sample copies of the new application instructions for the Zoning Permit and Certificate of Zoning Compliance.

Mr. Zito moved to approve the new application instructions as presented. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Township Parks and Recreation Commission recommendations for the "*Going Green*" Summer Camp Program

A brief discussion followed about a Memo dated March 20, 2009 containing recommendations from the Township Parks & Recreation Commission for the "*Going Green*" Summer Camp Program. Mr. Zito pointed out that the summer camp program received a \$5000.00 grant through Senator Robert Mellow's office.

Mr. Zito moved to implement the recommendations from the Parks & Recreation Commission for the "*Going Green*" Summer Camp Program" as outlined in their Memo to the Board. Seconded by Ms. Kelly. Discussion - none. The motion passed 4-0-1 (Mr. O'Boyle abstained, as he is related to Megan O'Boyle, one of the employees listed to be rehired).

Township Community Services Center - Building Use Form

Before the Supervisors was a sample License Agreement provided by Township Solicitor Jerry Hanna with input from Business Manager/Controller Doug Hein.

Mr. Zito moved to approve the License Agreement as presented by Solicitor Hanna. Seconded by Mr. O'Boyle. Discussion followed regarding several items in the agreement. The motion carried 5-0.

Mr. Hutchins left the meeting at 9:00 p.m., because he was not feeling well.

Authorization to Township Engineer to prepare Traffic Study for State Route 611

Mr. Frutchey made a motion to authorize the Township Engineer to prepare a Traffic Study for State Route 611. Seconded by Mr. Zito. Discussion followed about the MCPC doing the traffic counts, etc. Harry Smith, present in the audience, asked how and why the Township should do the study, since this was a State road. It was explained that we are following PennDOT guidelines. The motion passed 4-0.

Request by Deborah Meadows for a \$150.00 refund - Township Sewage Permit #Z057397

Ms. Kelly made a motion to approve the refund request for Deborah Meadows in the amount of \$150.00 minus 20% for administrative costs. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

Request by Gil Lustering for a \$150.00 refund - Township Sewage Permit #Z057398

Ms. Kelly made a motion to approve the refund request for Gil Lustering in the amount of \$150.00 minus 20% for administrative costs. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

Equipment Proposal with installation of the fuel master system and Wayne S1 Dispenser - COSTARS Program - \$21,222.00

Mr. Frutchey gave an explanation of the Equipment Proposal for a fuel master system and shelf mount dispenser, which will come out of Capital Projects funds, pointing out the prices are through COSTARS and those being provided by Keystone Petroleum Equipment Ltd. He also presented two proposals for installation costs, one from Keystone in the amount of \$7865.00 and another from Mainline Petroleum in the amount of \$7685.00, recommending approval of Keystone Petroleum for both equipment and installation.

Mr. Frutchey moved to approve the equipment and installation proposals from Keystone Equipment Ltd. in the total amount of \$21,222.00. Seconded by Ms. Kelly. Discussion - none. The motion passed 4-0.

Proposal - Installation of 2-50 amp Welding Receptacles in new DPW garage area - \$1,356.66 / Proposal - Installation of feeder and safety switch to existing air compressor at the new DPW garage - \$ 1,509.62

Mr. Zito moved to accept the proposals from Mark Whitehead Electrical Contractor, Inc. in the amount of \$1356.66 for the installation of 2 - 50 amp welding receptacles and another one in the amount of \$1509.62 for the installation of a feeder and safety switch to the existing compressor at the new DPW garage area. Seconded by Mr. Frutchey. Discussion - none. The motion carried 4-0.

Proposal - Replace steps on Township Building #2 - \$2,791.00

Mr. Zito moved to accept the proposal as presented from Scranton Craftsmen Incorporated in the amount of \$2791.00 to replace the steps at Township Building #2. Seconded by Ms. Kelly. Discussion followed about where the broken up concrete from the existing steps will go. Public comment was heard from Harry Smith. The motion passed 4-0.

Authorization to Hire Seasonal Help

Mr. Zito made a motion to hire John Knecht, Kyle Meixell, Robert Yocum and Dan Knecht at the same rates of pay as last year, but this will be reviewed at the same time the Board can consider raises for the administrative staff. Seconded by Ms. Kelly.

Discussion followed regarding the work hours per Department Heads being 35 - 40 hours per week with no overtime; the start date will be May 1, 2009 and end on Labor Day, September 7, 2009. In August the Board will discuss whether the time frame should be extended. The motion passed 3-0-1 (Mr. Frutchey abstained, as he is related to Robert Yocum).

Authorization to advertise Township Road Foreman Position

Ms. Kelly moved to advertise the Township Road Foreman position in the *Pocono Record* and the *Journal of the Pocono Plateau* and list it with CareerLink. Seconded by Mr. Zito. Discussion - the dates for publication will be on a Sunday and Wednesday in the *Pocono Record* and two weeks in a row in the *Journal of the Pocono Plateau*. All applications will be accepted until May 15, 2009 and are to be put in the Read Room, and the three applicants interviewed before will be informed that they are still under consideration and do not have to resubmit an application. The Supervisors also made a change to some wording in the previous advertisement. Public comment was heard from Harry Smith regarding putting the salary in the ad. The motion was called and carried 4-0.

Current Obligations

General Fund	\$ 91,205.52
Capital Projects Fund	\$ 31,014.04
Escrow Fund	\$ 11,435.27
Pocono Community Bank	\$ 12,445.00
Sewer System Fund	\$ 11,897.69
Total Disbursements	\$ 157,997.52

Mr. Frutchey made a motion to pay the Current Obligations in the amount of \$157,997.52. Seconded by Mr. Zito. Discussion - none. The motion passed 4-0.

Other Business

Wal-Mart Litigation

Ms. Kelly moved to authorized Nick Haros, Esq. to file a criminal complaint against Wal-Mart for sewage violations. Seconded by Mr. Frutchey. Discussion - none.

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The motion carried 4-0.

Mr. Frutchet moved to authorize Nick Haros, Esq. to consult with attorney Larry Silvers regarding the Wal-Mart matter on the civil side. Seconded by Ms. Kelly. Discussion - none. The motion passed 4-0.

Current Obligations - Standard Insurance Co.

Mr. Frutchet pointed out an invoice in the Current Obligations for new insurance coverage provided by Standard Insurance Co., saying he thought, based on past experience, that any proposals to change Township insurance coverages should come before the Board for review and approval prior to action being taken on them.

Public Input - none.

Board of Supervisors Executive Sessions

An Executive Session was held on Tuesday, March 17, 2009 at 8:15 p.m regarding Legal Issues and another was held this evening, April 7, 2009 at 6:00 p.m. regarding Legal Issues and another Executive Session is scheduled for Tuesday, June 2, 2009 at 6:00 p.m. regarding Personnel.

Adjournment

With no further business before the Board, Mr. Frutchet moved to adjourn the meeting. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0. The meeting adjourned at approximately 9:25 p.m.

Respectfully submitted:

Linda Frutchet
Township Secretary

Joseph O'Boyle
Board Chairman

