

**Coolbaugh Township  
Board of Supervisors  
August 21, 2012 Minutes  
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The Coolbaugh Township Board of Supervisors August 21, 2012 Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

**Call To Order**

Vice-Chairman Robert M. Zito called the meeting to order at approximately 7:00 p.m. and asked Michelle Fairservice to lead those in attendance in the recitation of the Pledge of Allegiance.

Supervisors present for the meeting included: Mr. Robert M. Zito, Mr. Juan Adams, Mr. James H. Frutchey, Jr., and Ms. Lynn Kelly. Chairman Robert B. Hutchins was absent. Also present were Township Solicitor Jerry F. Hanna, Township Secretary Linda Frutchey, and Business Manager Douglas Hein.

**Announcement:** 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.

**Robert B. Hutchins - Letter of Resignation**

Mr. Zito announced that he was asked by Chairman Hutchins to read this letter on his behalf. He said he would like to discuss sections of the letter during Other Business.

He read the August 21, 2012 Letter of Resignation submitted by Robert B. Hutchins. The following is a summary of the letter: Mr. Hutchins thanked everyone for their support during his eleven years of service to Coolbaugh Township; the tragic loss of he and Colleen's son Jarred caused them great soul searching and reconciling as to what is important in life, an opportunity for employment in LA presented itself, one which will allow them be near their grandson and daughter-in-law, an opportunity that he accepted. He encouraged the supervisors to always remember the 20,000 plus residents that they were elected to serve and keep personal animus in check. He respectfully ask that Fred Pope be seriously considered as the interim Supervisor being that he ran in the last election. In his letter he said he enjoyed working with "all" of the staff of Coolbaugh Township as they have all helped to make our Township a success. He ends his letter saying it truly has been an honor and privilege to serve on the Board of Supervisors.

Mr. Frutchey made a motion to accept the Letter of Resignation from Robert B. Hutchins from his position as Chairman and Supervisors of Coolbaugh Township with deep regret and

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thanked him for his many years of support to the Township. Seconded by Ms. Kelly who expressed great regret even though at times we had opposite views, we hashed them out. Mr. Zito and Mr. Adams expressed their regrets. Each of the Supervisors said that Bob will be missed as he was a great asset to the Board. The motion carried 4-0.

**Approval of Minutes**

Mr. Frutchey made a motion to approve the August 7, 2012 Minutes as presented and dispense with the reading. Seconded by Ms. Kelly. The motion carried 4-0.

**2012 Monthly Reports**

**Coolbaugh Township Volunteer Fire Company**

Bill Weimer presented the July 2012 monthly report as follows: Emergency calls at 23 with a year to date calls at 158; the volunteer hours were not available.

**Pocono Mountain Regional Emergency Medical Services**

Director Scott Toppings presented the July monthly report for Coolbaugh Township as follows: 179 calls with a year to date of 1238, last year at this time it was 1221 year to date calls. The total inside service area calls were 2969. The subscription rate drive is up again this month.

Mr. Toppings was asked for his thoughts on PennDot wanting to close the median opening at Heath Lane and make it a right turn only onto SR 940. Mr. Toppings said his thoughts are that it would be a bad decision, it would cause wear and tare on the ambulance vehicles, cause a delay in response time, etc. Discussion ensued as to whether to invite Dennis Toomey of PennDOT to a work session to discuss the matter. The Supervisors decided that Mrs. Frutchey should contact Mr. Toomey and tell him that the Board of Supervisors do not want to close Heath Lane and that if he had more information as to why they want to close off the road, they would be willing to take it into consideration.

Mr. Frutchey reminded the Supervisors that two years ago the DPW put a water line in at the end of the ambulance parking lot, now it's in bad shape. He asked if the Supervisors would approve letting the DPW pave the area and if needed, with the help of Tunkhannock Township. Discussion followed.

Mr. Adams made a motion to approve the DPW paving the section of the parking lot at Station 1 ambulance building on SR 611, and if needed, with the help of Tunkhannock Township. Seconded by Mr. Frutchey. The motion carried 4-0.

**Pocono Mountain Regional Police**

Harry Smith presented the July 2012 PMRPD Monthly Report as follows: 1190 complaints, 63 accidents, 113 criminal arrests, 203 traffic arrests, 159 traffic warnings and 20 ordinance arrests for a total of 1253 with 7974 year to date calls within the area covered by the regional police. He said the Township is 77 hours over.

**The Cross Church - Final Land Development Plan / Stormwater Management Facilities Maintenance Agreement and Improvements Agreement**

Pastor Lakeram (Tim) and Mrs. Sabita Sahadeo were present to represent the above referenced matter.

Mr. Frutchey made a motion to grant the Cross, Inc. their request for a waiver to delay posting the security in the amount of \$670,879.00 to April 2013 when the plans will be finalized to build the church. Seconded by Mr. Adams. The motion carried 4-0.

Solicitor Hanna asked that the following changes be made to the Stormwater Management Facilities Maintenance Agreement: The Parcel Number of this property is 03/4/1/1-2 and the Parcel Identification Number is 03635700830335 be added to the agreement and the date on the agreement be the same as the notarized signature of Pastor Tim which is August 15, 2012 and this agreement needs to be recorded.

Solicitor Hanna asked that the following changes / additions be made to The Improvements Agreement: page 2 of 14 - the date of the last revised land development plan needs to be added; page 4 of page 14, H. The amount of the Performance Bond (\$670,879.00) needs to be added; page 6 of page 14 - the amount of the public liability insurance has to be added which is one million dollars.

Mr. Zito made a motion to approve the standard Stormwater Management Facilities Maintenance Agreement and the standard Improvements Agreement for the Cross, Inc. with the changes indicated by Solicitor Hanna. Seconded by Mr. Frutchey. The motion carried 4-0.

**Extension request - Arcadia North Business Park - Industrial Park Drive North - length of the cul-de-sac at Arcadia North Road**

Mr. Adams moved to grant the extension request to October 31, 2012 on the completion of the Arcadia North Road. Seconded by Mr. Frutchey. The motion carried 4-0.

**Coolbaugh Realty Partners, LP**

**Request for the release Letter of Credit - on-line septic**

Mr. Frutchey made a motion to release the Letter of Credit in the amount of \$30,027.75 being held for the on-line septic for the Coolbaugh Crossing Retail Center conditioned upon receipt of a check in the amount of \$6,005.55 to establish the required 10% of the total cost of installation to be retained by Coolbaugh Township for the lifetime maintenance of the system. Seconded by Mr. Zito. The motion carried 4-0.

**Request for the release of Maintenance Bond**

Mr. Zito made a motion to release the Coolbaugh Realty Partners, L.P. (Tractor Supply / STS Project) Maintenance Bond in the amount of \$140,028.00 as all conditions have been met in Russ Kresge's August 10, 2012 letter. Seconded by Mr. Frutchey. The motion carried 4-0.

**Request to re-date the Land Development Plan for recording purposes**

Mr. Zito made a motion to approve re-dating the already approved plans (April 2009) for Coolbaugh Realty Partners (Tractor Supply & STS Tire Center) to August 21, 2012. Seconded by Mr. Frutchey. The motion carried 4-0.

**Hirshland and Company – Declaration of Commercial Condominium**

At the June 19, 2012 meeting the Supervisors approved the condominium plan with the condition that it meets Russ and Solicitor Hanna's satisfaction. The email presented tonight is a summary of the comments that have been finalized and the filing of the Coolbaugh Realty Partners Land Development Plan is one of the last items. Solicitor Hanna has been discussing the items with Larry Hirshland and should be getting the finalized documents within the next few days.

**Grant - Hemlock Drive Realignment Project**

Mr. Hein handed out a very "rough" estimate from Jim Milot of what he believes to be a logical blend of PennDOT's most recent review and the work performed by the Township on Hemlock Drive. The estimate of the construction cost - \$31,696.00, engineering (15% - \$4,754.40, contingency (10%) - \$3,169.60 for a total of \$39,620.00. Mr. Hein said that the

**Request for Proposal for Banking Services**

Mr. Hein asked that this matter be on the next board meeting agenda as he was on vacation last week and has not had time to finalize the Request for Proposal.

**Proposals - Township Health Insurance**

Mr. Hein asked the matter be scheduled on the next board meeting agenda as he is waiting to hear from Health America.

**Final Payment to Joyce Electrical**

Ms. Kelly summarized the letter to Joyce Electrical listing the following outstanding issues with the Township Lighting Project: a second grounding rod needs to be added at both service panel locations; change ground lug to direct burial type at the primary pole grounding mat; the ground mat used at the primary pole is coated and not galvanized; lighting must be added inside the sheds where the two service panels are located; the inspector needs to check the boxes on the light poles and it is the responsibility of the contractor by code to provide a way and a means to complete the inspection. Discussion followed about requesting an As Built Plan showing where the underground wires are located; etc. It was the consensus of the Supervisors that the final invoice would not be paid until the work is completed; if the work isn't completed, the township will do the work and deduct the costs incurred from the final billing.

**Business Manager / Controller's Financial Report**

Mr. Hein presented a short version of the Financial Report with the General Fund revenues received as of August 20, 2012, excluding TAN receipts of \$700,000 were \$4,885,739 with the total General Fund expenses, of \$4,085,826. The Financial Report was accepted as presented.

**Current Obligations**

General Fund	\$123,267.48
Capital Projects	\$ 45.00
Escrow Account Fund	\$ 17,738.92
Liquid Fuels Fund	\$419,532.98
Sewer Fund	\$ 12,502.72
Total Disbursements	<u>\$573,087.10</u>

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**Mr. Adams** said he had to pick up his daughter and excused himself from the meeting at 8:29 p.m. Prior to him leaving the Supervisors decided they would meet at Hemlock Drive some morning next week to discuss the various options.

**Monroe County Area Agency on Aging request to use community room**

Ms. Kelly moved to grant Monroe County Area Agency on Aging the use of the community services room for the purposes of meeting with people by appointment to go over the medicare insurance plans for 2013 conditioned upon making arrangements for the room with Mr. Hein. Seconded by Mr. Frutchey. The motion carried 3-0.

**Monroe County Bar Association - "Wills for Heroes" event**

Mr. Zito handed Bill Welmer a letter from the Monroe County Bar Association who is sponsoring a "Wills for Heroes" event on September 15, 2012 which involves volunteer lawyers assisting sworn PA first-responders and their spouses with the drafting of legal wills free of charge. An appointment must be made ahead of the event. Mr. Welmer said he would let the other firemen/woman know of the event.

**Public Input**

**Fred Berg** - bags of trash along the right side of Belmont / Staudts Road.

**Eleanor Massaro** - more and more bags are being piled along the side of SR 196 near the Carriage Trade Center. It was noted that this is a state road

**Bill Welmer** asked if the Supervisors would consider additional resources and allow the DPW to do some paving at Station 2. It was the consensus of the supervisors that this work can be done conditioned that it is coordinated with the DPW.

**Pastor Tim and Mrs. Sabita Sahadeo** Thanked the Supervisors and Mrs. Frutchey for their professionalism and help with the Cross Church Project. They asked that the Supervisors let Mr. Hutchins know they have appreciated the help he has given them in the last few years and they wish he and wife the very best.

**Michelle Fairservice** - it was nice to hear from Benito Juarez and how he appreciated the use of the soccer fields. She asked if more work could be done on those fields instead of always doing work on the baseball fields. Discussion followed.



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**Wayne Horne** - extended an invitation to anyone to attend the Parks and Recreation Commission Meetings on the second Monday of each month at 7:30 p.m.

**Benito Juarez** - the CSA is very appreciative of the DPW employees for all the work they do taking care of the fields as they do an excellent job.

**Harry Smith** - asked questions relating to the SEO's letter of inspection at the Sports Camp, what is the status of fixing the broken lids, why was there only 2 inspections, why does the township allow them to use a holding tank. Discussion followed. Mr. Smith asked for a report of the recording system to be given at the next meeting.

**Board of Supervisors Executive Sessions**

Mr. Zito announced that the Board of Supervisors held an Executive Session on Tuesday, August 7, 2012 at 8:52 p.m. for Personnel.

**Adjournment**

With no further business before the Board, Mr. Frutchet moved to adjourn the meeting. Seconded by Ms. Kelly. The motion carried 3-0. The meeting adjourned at approximately 8:50 p.m.

Respectfully submitted:

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Linda Frutchet  
Township Secretary

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Robert M. Zito  
Board Vice-Chairman