

**Coolbaugh Township  
Board of Supervisors  
August 5, 2008 Meeting  
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The Coolbaugh Township Board of Supervisors August 5, 2008 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 7:00 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 include: Mr. Joseph O'Boyle, Ms. Lynn Kelly, Mr. James H. Frutchey, Jr., Mr. Robert B. Hutchins and Mr. Robert M. Zito. Also in attendance were Township Solicitor Jerry 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.

**Approval of July 15, 2008 Meeting Minutes**

Mr. Zito moved to approve the July 15, 2008 Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Stormwater Management Plan - Pocono Mountains Municipal Airport - Extend and Widen Runway 13-31**

Joseph Kellicut Project Manager with McFarland Johnson was present on behalf of the Stormwater Management Plan referenced above. Discussion followed.

Mr. Hutchins moved to grant Pocono Mountains Municipal Airport their request for a waiver of Section 2.3.A.3 of Chapter 26, Part 2, Stormwater Management Disturbance Ordinance (easements shall be provided in accordance with the requirement of this section). Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

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Mr. Hutchins moved to approve the Stormwater Management Plan for Pocono Mountains Municipal Airport with the condition that comments 12, 22 and 30 in Hanover Engineering's review dated June 5, 2008 are satisfactorily addressed, E & S approval from the Monroe County Conservation District and receipt of completed FAA Form 7460. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Pocono Mountains Municipal Airport Authority - Zone Change Request from Industrial to Industrial Airport and a waiver of the \$600.00 fee**

Joseph Kellicut of McFarland Johnson was present on behalf of the Pocono Mountains Municipal Airport Authority's zone change request from Industrial to Industrial Airport and a waiver of the \$600.00 fee. A brief discussion followed.

Mr. Hutchins moved to accept the application for a zone change request, waive the \$600.00 fee and authorize the Township Secretary to advertise the Notice for a Public Hearing for September 16, 2008 at 6:30 p.m. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

**Coolbaugh Realty Partners, LP - Land Development Plan - request for a waiver of Appendix E, Section 2.3.A.6 of the Township Code of Ordinances, Chapter 26, Part 2, Stormwater Management**

Mr. Frutchey made a motion to grant the Coolbaugh Realty Partners, LP - Land Development Plan - request for a waiver of Appendix E, Section 2.3.A.6 of the Township Code of Ordinances, Chapter 26, Part 2, Stormwater Management. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

**Monadnock Non-Wovens, LLC - Request for a Waiver of Chapter 9, Section 104.2.A.(4) of the Township Code of Ordinances**

Eric Baird of Niclaus Engineering was present on behalf of the waiver request referenced above. Discussion followed.

Mr. Hutchins moved to grant the Monadnock Non-Wovens, LLC - Request for a Waiver of Chapter 9, Section 104.2.A.(4) of the Township Code of Ordinances. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 5-0.

**Minor Subdivision to join lots 22 & 23, Block 1709, Section 17, - Arrowhead North - Property Owner - Edward J. Meehan**

No one was present on behalf of the Minor Subdivision referenced above.

Mr. Frutchey moved to approve the Minor Subdivision to join lots 22 & 23, Block 1709, Section 17, Arrowhead North for Property Owner Edward J. Meehan. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

**Authorization to advertise the intent to adopt Proposed Ordinance 109 re: entry into an Intergovernmental Cooperation and Implementation Agreement to implement the Regional Comprehensive Plan**

Ms. Kelly made a motion to authorize the advertisement of the intent to adopt Proposed Ordinance 109 re: entry into an Intergovernmental Cooperation and Implementation Agreement to implement the Regional Comprehensive Plan. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

**Authorization to advertise a Special Work Session - proposed Township Property Maintenance Code**

Ms. Kelly moved to authorize the advertisement of a Special Work Session on Monday, August 18, 2008 at 6:30 p.m. to review a proposed Township Property Maintenance Code. Seconded by Mr. O'Boyle. Discussion - none. The motion passed 5-0.

**General Code's Proposal to update the Code of Ordinances**

Mr. Hutchins made a motion to update the Code of Ordinances for a not-to-exceed amount of \$4,015.00. Seconded by Mr. Frutchey. Discussion followed about the additional Zoning and Subdivision Pamphlets referenced in the quotation from General Code, etc.

Mr. Hutchins amended his motion to include ten (10) Subdivision Pamphlets and ten (10) Zoning Pamphlets. The amended motion was seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Appointment of Open Records Officer - Douglas A. Hein, Business Manager/Controller**

Mr. Hutchins moved to appoint Township Business Manager/Controller, Douglas A. Hein, as the Township's Open Records Officer. Seconded by Mr. Zito. Discussion - none. The motion passed 5-0.

**Authorization to Inter-Municipal Building Codes Enforcement Committee to appoint a Solicitor**

Mr. Hutchins moved to allow the Inter-Municipal Building Codes Enforcement Committee to appoint a Solicitor. Seconded by Ms. Kelly. Discussion followed in which it was the consensus of the Supervisors that the Solicitor should be contacted by the Inter-Municipal Building Codes Enforcement Committee on an as needed basis. The motion carried 5-0.

**Contract between Coolbaugh Township and H.A. Berkheimer, Inc. for the collection of the Earned Income Tax**

Mr. Frutchey made a motion to approve the Contract between Coolbaugh Township and H.A. Berkheimer, Inc. for the collection of the Earned Income Tax and to adopt the following Resolutions: Resolution #09-2008 appointing Berkheimer as its exclusive collector of its Earned Income Taxes - Term 09-01-2008 to 12-31-2011; Resolution #10-2008 appointing Berkheimer as its Tax Hearing Officer; Resolution #11-2008 appointing an authorized representative, Township Business Manager/Controller, Douglas A. Hein, to make requests upon and receive any and all tax information and records from Berkheimer, and Resolution #12-2008 authorizing Berkheimer to impose and retain costs of collection on delinquent taxes. Seconded by Ms. Kelly. Discussion - Harry Smith, present in the audience, commented that the work should be done in this country. Mr. Frutchey amended his motion to add providing all work is done in the United States of America. The amended motion was seconded by Ms. Kelly. Further discussion - none. The motion carried 5-0.

**Contract between Coolbaugh Township and H.A. Berkheimer, Inc. for the collection of the Local Services Tax**

Mr. Frutchey made a motion to appoint H.A. Berkheimer, Inc. for the collection of the Local Services Tax and to adopt the following Resolutions: Resolution #13-2008 appointing Berkheimer as its exclusive collector of the Local Services Tax - Term 09-01-2008 to 12-31-2011; Resolution #14-2008 appointing an authorized representative, Township Business Manager/Controller, Douglas A. Hein, to make requests upon and receive any and all tax information and records from Berkheimer; Resolution #15-2008 appointing Berkheimer as

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its Tax Hearing Officer and Resolution #16-2008 authorizing Berkheimer to impose and retain costs of collection on delinquent taxes. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0-1 (Mr. Hutchins opposed).

**Current Obligations**

General Fund	\$ 362,292.06
Escrow Fund	\$ 6,824.28
State Liquid Fuels	\$ 352,450.77
Sewer System Fund	\$ 15,587.39
Pocono Community Bank	\$ 21,265.02
Total Disbursements	<hr/> <b>\$ 758,419.52</b>

Ms. Kelly moved to approve the Current Obligations in the amount of \$758,419.52. Seconded by Mr. Frutchey. Discussion - none. The motion passed 5-0.

**Other Business**

**Waiver of Septic Fee - Remedio Leynes**

Before the Board was a Memo from Richard R. Costenbader, Vice President of Americorp Builders, Inc. requesting a waiver of the septic fee on behalf of Remedio Leynes, Pocono Farms, Lot 134, Section C, Septic, as the fee was paid once, per check number 35567. Mr. Hutchins moved to grant the waiver of septic permit fee for Remedio Leynes. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

**Coolbaugh Township Historical Association**

Mr. O'Boyle announced that the Historical Association Museum will be open to the public on Saturdays from noon to 4 p.m.

**Coolbaugh Township Volunteer Fire Company request to borrow backhoe**

CTVFC President Jim Frutchey requested the use of the Township's backhoe for a trench rescue seminar on Sunday, August 10, 2008. Mr. Frutchey noted that the Township employees operating the backhoe are not being paid. Mr. Hutchins made a motion to approve the Coolbaugh Township Volunteer Fire Company's use of the Township's backhoe for their trench rescue seminar. Seconded by Ms. Kelly. Discussion - none. The motion passed 5-0.

### **Tree trunks, branches at Township Drop-Off and Recycling Center**

Mr. Frutchey explained that there are tree trunks, branches and trees cut by the Township that the employees would like to take, and he asked how the other Supervisors felt about this. Discussion followed in which it was decided the trees should remain the property of the Township. Mr. Hutchins made a motion to deny the employees' request to take the trees. Seconded by Mr. Zito. Further discussion - none. The motion carried 5-0.

### **Painting of white truck**

Discussion ensued about a truck that was delivered painted white and that it would cost \$2,800.00 to paint it yellow. Mr. Frutchey moved to paint the truck yellow at a cost of \$2,800.00. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

### **Scheduling of Overtime**

Mr. Hutchins made a motion that Coolbaugh Township, effective immediately, stops scheduling overtime hours. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

## **Public Input**

**Frank Whalen** - asked that the Supervisors send a request to the New Jersey Transit Authority asking for a quiet zone from midnight to 4:30 a.m. for the blowing of train whistles on northbound trains. Discussion followed about safety issues, etc. Public comment was heard from Clare Colgan and Mike Coogan.

**Eleanor Massaro** - asked for an update on the graffiti problem at the ABC Building Products site on SR 196. Mr. Frutchey said the location is currently considered a crime scene with an ongoing investigation, but the company will be able to remove the graffiti once the matter is resolved.

She also noted that there are illegal cardboard signs on SR 196 advertising houses for sale. The Board said they will look into it.

**Harry Smith** - asked if the Main Street Bridge will be opened in time for school. Discussion followed.

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**Frank Whalen** - asked if the Old Mill at the underpass in Tobyhanna can be saved as an historical site. The Supervisors said it is considered a dangerous structure that cannot be restored.

**Board of Supervisors Executive Sessions**

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on Tuesday, July 22, 2008 at 6:00 p.m. regarding Personnel Issues and one was held at 5:30 this evening, Tuesday, August 5, 2008, re: Legal Issues/Personnel Issues.

**Adjournment**

With no further business before the Board, Mr. Hutchins moved to adjourn the meeting. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:15 pm.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Joseph O'Boyle  
Chairman