

**Coolbaugh Township
Board of Supervisors
December 18, 2012 Minutes
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The Coolbaugh Township Board of Supervisors December 18, 2012 Meeting was held in the Township Municipal Center, in building #3, at 5520 Municipal Drive, Tobyhanna, Pennsylvania.

Call To Order

Mr. Adams called the meeting to order at approximately 7:00 p.m. and led those in attendance in the recitation of the Pledge of Allegiance.

Supervisors present for the meeting included: Mr. Juan Adams, Mr. Robert M. Zito, Mr. James H. Frutchey, Jr., Ms. Lynn Kelly and Mr. Fred Pope. Also present were Township Solicitor Jerry F. Hanna, Secretary Linda Frutchey and Business Manager/Controller 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.

Approval of Minutes

Ms. Kelly motioned to approve the December 4, 2012 minutes as presented and dispense with the reading. Seconded by Mr. Pope. The motion carried 5-0.

Adoption of Code of Ordinance Number 115-2012 - Refunding the General Obligation Bond of 2008

Henry Salusti of RBC Capital Markets was present on behalf of the above referenced matter. He recommended that the Supervisors table the refunding of the General Obligation Bond due to the interest rates going up. He suggested the refunding of the Bond when the savings to the Township would yield no less than \$70,000.00. Discussion followed about the matter being considered around the middle of January.

Mr. Frutchey moved to table the Adoption of the Code of Ordinance Number 115-2012. Seconded by Mr. Adams. The motion carried 5-0.

Significant Industrial User Pretreatment Permit - Wal-Mart Stores, East LLC - Distribution Center 6080

Attorney Nicholas Haros and Engineer Dave Kaviski were present on behalf of Coolbaugh Township. Dave DiPipii and Mac McClenathan were present on behalf of Wal-Mart. The

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Significant Industrial User Pretreatment Permit for Wal-Mart was discussed at the Supervisors Work Session held prior to this meeting.

Mr. Frutchev moved to approve issuing the Significant Industrial User Pretreatment Permit to Wal-Mart Stores, East LLC Distribution Center 6080, effective date January 1, 2013 to December 31, 2014. Seconded by Mr. Adams. The motion carried 5-0.

2012 Monthly Reports

Coolbaugh Township Volunteer Fire Company

William Weimer presented the November 2012 Monthly Report for the Coolbaugh Township Volunteer Fire Company as follows: 32 calls for November and a year to date of 240 calls, 127 Training events, total staff hours for the year are 3,364.79.

Pocono Mountain Regional Emergency Medical Services

Mr. Adams presented the PMREMS November 2012 Monthly Report for Coolbaugh Township as follows: 164 calls with year to date of 1962 calls.

Pocono Mountain Regional Police

Mr. Frutchev presented the November 2012 PMRPD Monthly Report as follows: 983 complaints, 71 accidents, 129 criminal arrests, 229 traffic arrests, 173 traffic warnings and 4 ordinance arrests for a total of 12809 year to date calls within the area covered by the regional police. The Township is over 678.20 hours which is down from a 1029 hours.

Adoption of Township Resolution #12-2012 - Authorizing and securing a Tax and Revenue Anticipation Note

Ms. Kelly moved to adopt Township Resolution #12-2012 authorizing and securing a Tax and Revenue Anticipation Note. Seconded by Mr. Pope. The motion carried 5-0.

Township Improvements Agreement - Arcadia North Business Park, South Phase, Section 1, Lot 2 - Proposed Distribution Center - Clarius Partners, LLC

George Asimos, Attorney for Arcadia North Business Park and Taivo Tammaru representing Clarius Partners were present to represent the above referenced matter. Mr. Asimos went over the details that needed to be voted on. Discussion followed.

Mr. Frutchev moved to approve signing the Township Improvements Agreement; Doug Hein Business Manager/Controller is authorized to open an interest bearing account in the

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amount of \$419,352.32; the developer agrees to secure and maintain public liability insurance in the amount of two million dollars; approve signing the Lot Line Adjustment Plans. Seconded by Mr. Zito. Discussion - Mr. Asimos asked for clarification on the road name change from Industrial Park Drive North to Corporate Center Drive West. Mr. Frutchet said the name change is correct. The motion carried 5-0.

Extension requests - Arcadia North Business Park - the cul-de-sac length - and Phase III, Mount Pocono Storage Self Storage Preliminary/Final Land Development Plan

Ms. Kelly motioned to grant Arcadia North Business Park an extension to February 28, 2013 as the applicant waives the benefit of deemed decision through that date and to grant an extension to April 8, 2013 for the Mount Pocono Storage Self Storage based on the recommendation of the Planning Commission. Seconded by Mr. Pope. The motion carried 5-0.

Minor Subdivision to join lots 49 & 50, Block A-100, Section 4 - Arrowhead Lake - Property Owners - James & Veronica Heron - Veronica Patterson

Mr. Zito moved to approve joining lots 49 & 50, Section 4 in Arrowhead Lake for property owners James & Veronica Heron and Veronica Patterson. Seconded by Ms. Kelly. The motion carried 5-0.

Authorization to advertise Notice of Re-Organizational Meetings

Mr. Pope motioned to authorize the advertisement of the Notice of the Re-Organizational Meetings. Seconded by Mr. Zito. The motion carried 5-0.

Adoption of an amendment to Coolbaugh Township Code of Ordinances Number 114-2012- E-911 Addressing Ordinance re: reduction in size of signs

Mr. Frutchet motioned to adopt the amendment to the E-911 Addressing Ordinance. Seconded by Mr. Adams. The motion carried 5-0.

Street Name Signs Proposal

Proposals for the Street Name Signs were received from the following: Garden State Highway Products, in the amount of \$15,410.92; Bradco Supply Company in the amount of \$21,636.58; Rocal. Inc. in the amount of \$27,091.01; Custom Products Corporation in

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the amount of \$18,329.60; Lyle Signs, Inc. in the amount of \$18,329.60; Reliable Sign and Striping in the amount of \$15,553.18 and \$15,161.08.

Mr. Hein explained that Reliable Sign and Striping made a math error in their first proposal and called and changed their proposal amount and went to get the sheet with the revised proposal. Discussion followed about the revised proposal being accepted since they were not being sealed bids.

Mr. Frutchey motioned to award the Street Name Signs Proposal to Reliable Sign and Striping at a cost not to exceed \$15,410.92. Seconded by Mr. Zito. The motion carried 5-0. Mr. Hein returned with Reliable Sign's proposal in the amount of \$15,161.08.

Mr. Frutchey motioned to award the Street Name Signs Proposal to Reliable Sign and Striping in the amount of 15,161.08. Mr. Zito said he would second the motion with the first motion being rescinded. Mr. Frutchey amended the motion to include the previous motion being rescinded. Seconded by Mr. Zito. The motion carried 5-0.

Proposal - Maintenance and repair of electrical facilities on various properties owned by Coolbaugh Township

A Proposal for the maintenance and repair of electrical facilities was received from Richard Mellow listing the hourly rate, overtime work and Saturdays, Sunday and Holidays, etc. Discussion followed about the Proposal being sent to several firms who did not respond.

Mr. Pope motioned to table the matter and to request proposals in January. Seconded by Mr. Adams. The motion carried 5-0.

Township Resolution #13-2012 - fixing the Tax Rate for 2013 / Adoption of 2013 Township Budgets

Mr. Zito motioned to adopt the 2013 Township Budgets and to adopt Resolution #13-2012 subject to taxation for Township purposes for the fiscal year 2013 as follows: Tax rate for general Township purposes, the sum of Twelve (12.00) MILLS on each dollar of assessed valuation (The Second Class Township Code, Section 3205 (a) (1)); Tax rate for the purpose of supporting the Pocono Mountain Public Library, per referendums, the sum of Two (2.00) MILLS on each dollar of assessed valuation; One (1.00) MILL dedicated Fire Tax for the purpose of supporting the four volunteer fire companies that provide coverage to Coolbaugh Township. The Fire Tax will be managed in a separate fund by the Township for capital fire apparatus purchases (The Second Class Township Code, Section 3205 (a)

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(4)); Total tax rate for Coolbaugh Township being Fifteen (15.00) MILLS. Seconded by Ms. Kelly. The motion carried 5-0.

Business Manager / Controller's Financial Report

Mr. Hein presented a short version of his Financial Report which included an accounting on the General fund expenses, debt service payments, sewer revenues, all capital project and liquid fuels funding. The Report was accepted as presented.

Current Obligations

| | |
|---------------------|--------------------|
| General Fund | \$199,976.42 |
| Capital Projects | \$ 6,405.18 |
| Escrow Fund | \$ 3,245.37 |
| Sewer Fund | \$ 4,446.48 |
| Total Disbursements | <hr/> \$210,828.08 |

Mr. Zito motioned to pay the Current Obligations. Seconded by Mr. Frutchey. The motion carried 5-0.

Authorization to run a third Current Obligations on December 27, 2012

Mr. Frutchey moved to authorize staff to run a third Current Obligations on December 27, 2012. Seconded by Mr. Adams. Discussion followed about running a third Current Obligations in December which has been done in the past. The motion carried 5-0.

Other Business

Withdraw from the Pocono Mountain Regional Police Commission

Ms. Kelly made a motion to authorize staff and solicitor to draft a written notice of intent to withdraw from Pocono Mountain Regional Police Commission in accordance with paragraph 13 of the Pocono Mountain Regional Police Agreement to be reviewed, approval and issuance by the Board not later than December 31, 2012. Seconded by Mr. Pope. The motion carried 5-0.

Anthony Paonita - Pocono Hemlock Civic Association

Mr. Paonita was present to discuss condition of the roads in Pocono Hemlock Civic Association (formerly known as Phoenix Estates). He presented a letter that was sent to all the property owners from Wilkins Associates who manages the Association encouraging attendance at the Board of Supervisors meeting this evening to voice their opinions about the roads. Discussion followed.

Mr. Zito motioned to have Solicitor Hanna send a letter to Wilkins Association to inform them that roads in the Pocono Hemlock Civic Association are private and the Second Class Township Code prohibits the Township from taking care of private roads and as a professional management company they ought to know better. The letter is to request a response from Wilkins. Seconded by Mr. Frutchey. Discussion followed. Public Input on the issue was heard from Kevin Ambrosia and Michelle Fairservice. The motion carried 5-0.

Public Input

Fred Berg - the figure on the Current Obligations needs to be corrected to \$214,073.45.

William Weimer - On behalf of the Coolbaugh Township Volunteer Fire Company - Thank You, Merry Christmas and Happy New Year.

Board of Supervisors Executive Sessions

Mr. Adams announced that the Board of Supervisors held an Executive Session on Tuesday, December 4, 2012 at 6:15 pm for Pending Litigation, at 8:15 pm for Personnel; Tuesday, December 18, 2012 at 6:30 pm for legal and one following this meeting for Personnel.

Adjournment

With no further business before the Board, Mr. Pope moved to adjourn the meeting. Seconded by Mr. Adams. The motion carried 5-0. The meeting adjourned at approximately 8:15 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Juan A. Adams
Chairman