

**Coolbaugh Township
Board of Supervisors
December 2, 2008 Meeting
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The Coolbaugh Township Board of Supervisors December 2, 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 7:06 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.

Approval of November 18, 2008 Meeting Minutes

Mr. Zito moved to approve the November 18, 2008 Meeting Minutes as presented and dispense with the reading. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Revocation of Sewage Permit Z 028839 - Lot 5724 - Pocono Farms - Kenneth E. Plank

Mr. Zito moved to table. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Request for a reduction in Stand By Letter of Credit - Arcadia North Business Park - South Phase Section 1

Before the Board was a December 2, 2008 letter from Andy Baldo, VP Operations of Arcadia Properties requesting that the matter be tabled until the next Board Meeting.

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Mr. Hutchins moved to table the matter. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Cathleen & Thomas Panconi - Timber Trails - request for a refund relating to Onlot Sewage Disposal System Permit Application

Mr. Hutchins moved to table until the next meeting to get clarification as to whether the SEO went out on an inspection to the site. Seconded by Mr. Zito. Discussion - Ms. Kelly suggested that 10% be held if the SEO did not have to go out on an inspection and 20% if he did go. It was the consensus of the Supervisors to table the matter until the next meeting. The motion carried 5-0.

Coolbaugh Township's Pension Plan Investment Policy Statement

Discussion ensued over the section of the policy statement dealing with the selection of an investment default. Mr. Zito moved to table the matter until the next meeting to get clarification on the policy statement. Seconded by Mr. Hutchins. Discussion - it was the consensus of the Supervisors that Mr. Zito should discuss the matter with Douglas Hein, Business Manager/Controller. The motion carried 5-0.

Authorization to advertise Adoption of Proposed Ordinance 110 of the Township Code of Ordinances re: repealing the Occupational Privilege Tax and replacing it with the Local Service Tax

Mr. Zito moved to authorize the Secretary to advertise the Notice that the Supervisors intend to Adopt Ordinance 110 of the Township Code of Ordinances re: repealing the Occupational Privilege Tax and replacing it with the Local Service Tax. Seconded by Ms. Kelly. Discussion - Mr. Zito said the Board of Supervisors, working as a TEAM, spent a lot of time on their proposed 2009 budget, concentrating on NOT raising Mills because of the LARGE impact on our residents. He went on to explain that the estimated total number of employees working in the Township is 8496 with 1241 of them being Coolbaugh residents, which translates into 85.39% of non-residents and 14.61% of residents working in Coolbaugh Township. The current estimated LST revenue at \$5.00 equals \$40,000.00 per year; whereas, LST revenue at \$52.00 would be approximately \$353,600.00 per year. The Ordinance mandates that no less than 25% of the funds collected are to be used to fund Emergency Services. Berkheimer Tax Administration will notify employers in Coolbaugh Township prior to January 1, 2009 about the newly enacted Ordinance, which will become effective on June 1, 2009. Mr. Hutchins added that part of the reason the Township is in this position is from the Pocono Mountain School District taking the revenue from the Earned Income Tax (EIT) that we were used to receiving. The motion carried 5-0.

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Mr. Zito moved to hold a Special Meeting on Monday, December 22, 2008 to adopt Ordinance 110 of the Township Code of Ordinances re: repealing the Occupational Privilege Tax and replacing it with the Local Service Tax. Seconded by Ms. Kelly. Discussion ensued about the date of December 22, 2008 not working out for everyone to attend. It was suggested to change the date of the Special Meeting to Friday, December 19, 2008 at 8:00 a.m. The dates of the advertisement would be Saturday, December 6, Friday, December 12 and Thursday, December 18, 2008. Solicitor Hanna asked that the December 22, 2008 meeting date be held open for consideration pending his legal review. The consensus was that the meeting date would either be at 8:00 a.m. on Friday, December 19 or Monday, December 22, 2008 pending Solicitor Hanna's review. The motion carried 5-0.

Current Obligations

General Fund	\$203,445.21
Capital Projects	\$ 40,146.46
Sewer System Fund	\$ 45,583.63
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Total Disbursements	\$289,175.30

Ms. Kelly moved to approve the Current Obligations in the amount of \$289,175.30. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Other Business

Announcements

Mr. O'Boyle confirmed that Jim Milot of Hanover Engineering would be attending a meeting in January to make a presentation about the State Route 196 and Seven Nations Drive/Kings Way Project.

Mr. O'Boyle announced that the guard rails would be installed on the Main Street Bridge on Wednesday and the road would be in operation the same day. PennDOT is planning on paving Main Street starting at State Route 423 to State Route 611 by the Exxon Station in early spring of 2009.

Other Issues from Canceled Work Session Agenda

Mr. O'Boyle brought up the following issues that were to be discussed at the November 25, 2008 Work Session that was canceled due to snowy weather conditions:

A letter was sent at the request of our Parks and Recreation Commission to Kevin Toolan, Tobyhanna Army Depot asking for permission to use the ballfield just inside the Army Depot's Route 423 gate.

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It was the consensus of the Supervisors to forward the request from the Pocono Tournament Baseball for the use of municipal park fields to Wayne Regan and the Parks and Recreation Commission to be discussed at their January meeting.

The status of the building project for the Pocono Mountain Public Library will be discussed at the January Work Session.

Pocono Mountain Arts Council request for an area behind the municipal center garage to put a 6'x8' shed to store art display racks and signs was discussed. It was the consensus that the basement of the Museum should be considered. Ms. Kelly volunteered to contact Kay Kinsley and Dan Ferguson to discuss the matter.

Zoning Officer's request to begin the process of razing unsafe structures - 24 Mill Street, All American Factory building and Lot 471, Section L, A Pocono Country Place, Tamarind Holdings, LLC. Mill Street structure - it was the consensus that an approximate cost to raze the structure would have to be determined due to asbestos being inside, etc. Lot 471, Section L, A Pocono Country Place - it was the consensus to have Mr. Frutchey look at the structure to see if our employees could dismantle it. It was suggested that a letter be sent to A Pocono Country Place Board of Directors requesting that they share in the cost by paying for the dumpsters to haul the debris away if our employees could dismantle the structure. If our employees could not dismantle the building, then the letter should suggest that the Township and APCP share the expenses for razing the structure. Ms. Kelly moved to authorize the Zoning Officers to work closely with Solicitor Hanna to start the process of razing the buildings. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Discussion of contracting a Solicitor dedicated to the Township Zoning Officers will be discussed at the January 20, 2009 Board of Supervisors Work Session.

The County Model Ordinance - Outdoor Wood-fired burner/Furnace will be discussed at a later date.

An Ordinance for providing for the assignment of and establishment of building numbers and building number signs and the public designation of and signage requirement for public and/or private streets and roads will be discussed at the January Work Session.

Miscellaneous

Mr. Frutchey informed the Supervisors that the traffic light at SR 611 and SR 423 that was hit by a tractor trailer will be repaired on Wednesday, December 3, 2008.

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Mr. Frutchey also requested permission to meet with Township Engineer Russ Kresge to go over the letter from John Davis, Municipal Services Supervisor, PennDOT relating to boundaries between Coolbaugh Township and the Boro of Mount Pocono associated with liquid fuels. It was the consensus of the Supervisors to grant the request.

It was noted that there would be no Work Session on Tuesday, December 23, 2008, as it was canceled at the beginning of the year.

It was the consensus of the Supervisors to close the offices if there was a majority of the employees wanting to take the day off after Christmas, December 26, 2008. Vacation, sick or personal time could be used.

Public Input

Werner Frank - confirmed that people working in Coolbaugh Township but who did not live here would pay the \$52.00 per year Local Services Tax.

Mr. Frank - also asked if a new home being built in the J Section of A Pocono Country Place could have a thru driveway to SR 196. Discussion followed about the possibility the citizen may have applied for a PennDOT Highway Occupancy Permit.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that the Board of Supervisors held Executive Sessions on Tuesday, November 18, 2008 at 6:00 p.m. re: Personnel and Tuesday, December 2, 2008 at 6:00 p.m. re: Personnel and Pending Litigation. He also said that an Executive Session would be held following the meeting to discuss Personnel.

Adjournment

With no further business before the Board, Mr. Zito moved to adjourn the meeting. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:10 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Board Chairman