

**Coolbaugh Township  
Board of Supervisors  
December 4, 2012 Minutes  
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The Coolbaugh Township Board of Supervisors December 4, 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 November 20, 2012 minutes as presented and dispense with the reading. Seconded by Mr. Frutchey. The motion carried 5-0.

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

Ms. Kelly moved to table the matter to the December 18, 2012 meeting. Seconded by Mr. Pope. The motion carried 5-0.

**Request for a waiver of the procedural requirements of Chapter 26, Part 2 - Stormwater Management and Earth Disturbance Ordinance - Arcadia North Business Park, South Phase, Section 1, Lot 2 - Proposed Distribution Center - Clarius Partners, LLC**

George Asimos, Attorney for Arcadia North Business Park Land (Clarius Project) and August Antol of Liberty Engineering spoke on behalf of the plan referenced above.

Attorney Asimos explained that the Basin TP-10 is presently a temporary sediment basin built according to a prior permit issued by Monroe County Conservation District. The

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airport has said that the basin has been built a bit too high so that it interfered with sight distance restrictions. Clarius Partners will correct the sediment basin by lowering it and expanding it onto airport property. The Basin will remain a temporary sediment control basin and then, when Lot 2 is developed, be permanently converted to a storm water basin according to plans that were approved by the Board last summer. The necessary easement from the airport has been recorded. Discussion ensued on the location of the plan, the sections of the ordinance that would need to be waived.

Mr. Frutchey made a motion to grant Clarius Partners a waiver of Sections 234, 241 and 244 of Chapter 26, Part 2 Stormwater Management and Earth Disturbance Ordinance. Seconded by Mr. Pope. The motion carried 5-0,

**Authorization to advertise:**

Notice of vacancies on various Boards, Commissions and Council

Notice to residents - vehicles left on Township Right of Way during ice or snow removal will be towed at Owner's expense

Notice of intent to appoint a Certified Public Accountant at the Board of Supervisors' Annual Re-Organizational Meeting

Authorization to advertise the sale of the 2003 Peterbilt truck on Municibid.com

Mr. Frutchey moved to authorize the advertisement of the notices. Seconded by Ms. Kelly. The motion carried 5-0.

**PennDOT Highway Occupancy Permit Expiration Notice - Arcadia North Business Park - re: reconstruction of the intersection of Tegawitha Road with SR 611**

Ms. Kelly moved to close out the PennDOT Highway Occupancy Permit. Seconded by Mr. Pope. The motion carried 5-0.

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

Mr. Hein went over his report in detail, which included the final Trial Balances and final Budget Trial Balance for all funds as of October 31, 2012, and the revised P & L Statement that showed a comparison to last year. He gave an accounting on the General fund

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expenses, debt service payments, sewer revenues, all capital project and liquid fuels funding. A listing for time available for all employees as of pay period ending November 24, 2012 was included in the report. The Report was accepted as presented.

**Current Obligations**

General Fund	\$235,459.19
Escrow Fund	\$ 471.06
Liquid Fuels	\$ 63,719.00
Sewer Fund	\$ 20,696.33
Total Disbursements	<u>\$320,345.58</u>

Mr. Frutchey moved to approve paying the Current Obligations in the amount of \$320,345.58. Seconded by Mr. Adams. Discussion - Mr. Frutchey asked why the Verizon cell phone invoice was so high. Mr. Hein replied that it was due to an overage in minutes. The motion carried 5-0.

**Other Business**

**PMRP Budget**

Discussion followed about the following: the statement in the agreement about PMRP preparing an annual budget by August 31 of each year to be approved by the participants (Coolbaugh, Tobyhanna, Tunkhannock and the Boro of Mount Pocono); the statement in the agreement is that PMRP should submit a budget by August 31<sup>st</sup> of each year; Coolbaugh Township has three (3) representatives (Mr. Adams, Mr. Frutchey and Mr. Harry Smith) who bring the information from the police back to the other Supervisors to be discussed; the powers of the three representatives; Coolbaugh Township should have more representatives on the Commission, etc.

Ms. Kelly said the municipalities should follow the contract and each vote on the PMRP Budget each year, the representatives responsibility is to establish a funding amount and bring it back to our board to be discussed during our budget process. She thanked the representatives for their efforts in holding the budget to a slight increase over last year. Mr. Zito said he agrees with Ms. Kelly views on the participants voting on the PMRP Budget. He thanked Mr. Adams, Mr. Frutchey and Mr. Smith saying he appreciated all their hard work this year and said it does not go unnoticed. Public Input - Fred Berg, David Pope and Michelle Fairservice gave their thoughts on the voting of the budget. .

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Mr. Frutchey moved to adopt the 2013 Police Budget, Draft 2A, which reduces one officer, with no replacement at a cost of \$2,003,796.91 for the year to Coolbaugh Township which is an increase of cost of \$4,944.32 over last year and a decrease in 2 hours of service per week. Seconded by Mr. Adams. The motion carried 5-0.

**Stephen Miecenc - request for a refund of \$59.72**

The matter of Stephen Miecenc request for a refund of \$59.72 was discussed at the last meeting and the consensus was to ask Tax Collector Gratz Washenik for his thoughts on the matter. Mr. Washenik sent an email and explained that the on-line bank payments are sent out bulk mail, Mr. Miecenc's check was allegedly mailed on April 9 and the penalty goes into effect on July 1<sup>st</sup> - 80 days passed for the taxpayer to see if his check was cashed; Mr. Miecenc's bank does not show that he paid his real estate property taxes in July. The actual penalty breakdown is : \$30.01 Monroe County; \$2.82 PMPL and \$16.94 Coolbaugh Township. Discussion - it was the consensus of the Supervisors that the penalty fees should not be paid by Coolbaugh Township. A few comments were made that Mr. Miecenc should contact his bank about their policy.

Mr. Adams motioned to deny Mr. Miecenc's request for a refund. Seconded by Mr. Pope. The motion carried 5-0.

**Cell Phones**

Mr. Zito asked how many employees were on the cell phone plan as he has information on a plan that could save some money. Mr. Hein replied that 15 employees were on the plan. Mr. Zito said the plan he was thinking of wouldn't work.

**Addressing Signs**

Mr. Frutchey noted that a lot of residents do not have their new address signs up and some do not have the correct size. Discussion - Michelle Fairservice commented that she didn't think it would be right to penalize any homeowner when the Township street name signs aren't up. Discussion followed.

**Public Input**

**David Pope** - asked for the status of the removal of the debris at the former factory on SR 423 and said the site looks worse. Discussion followed on the steps

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that the Monroe County Municipal Waste Management Authority has taken with the land owner.

**Vince Massaro** - asked if the people who took the police test would be refunded their fees for taking the test. Discussion - Mr. Frutchey said he would ask the question and get back to him with the answer.

**Fred Berg** - asked if flyers could be put in mailboxes to let the people know they have to put a sign up or that their sign is the wrong size. Discussion followed about not being allowed to put flyers in mail boxes.

**Board of Supervisors Executive Sessions**

Mr. Adams announced that the Board of Supervisors held an Executive Session on Tuesday, November 20, 2012 at 6:25 p.m. for Pending Litigation, Tuesday, December 4, 2012 at 6:15 pm for Pending Litigation and one will be held following this meeting for Personnel.

**Adjournment**

With no further business before the Board, Mr. Pope moved to adjourn the meeting. Seconded by Mr. Frutchey. The motion carried 5-0. The meeting adjourned at approximately 8:02 p.m.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Juan A. Adams  
Chairman