

**Coolbaugh Township
Board of Supervisors
December 7, 2010 Minutes
Page 1**

The Coolbaugh Township Board of Supervisors December 7, 2010 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.

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 Zito. Also present were Township Secretary Linda Frutchey, Business Manager/Controller Douglas Hein and Township Solicitor Jerry F. Hanna.

Moment of Silence

Mr. O'Boyle asked for a moment of silence for all the men and women who lost their lives at Pearl Harbor on December 7, 1941.

November 16, 2010 Minutes

Ms. Kelly moved to approve the minutes of November 16, 2010 as presented and dispense with the reading. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Tobyhanna Athletic Association's request for permission to install projector and screen in their office space for training purposes

Mr. OBoyle summarized the request from the Tobyhanna Athletic Association for permission to install a projector and screen in their office space at no cost to the Township. The purpose of the request is to begin a Community Program that will address many of the concerns residents have in terms of bullying, drug and alcohol abuse, gangs, etc. The \$5,000.00 funding for this project was through a grant through the Department of Community and Economic Development with the help of Representative Mario Scavello.

**Board of Supervisors
December 7, 2010 Minute
Page 2**

Mr. Hutchins moved to grant the Tobyhanna Athletic Association's request. Seconded by Ms. Kelly. Discussion - Mr. Zito commended the TAA for their efforts of beginning a Community Program that will help our residents and went on to say that he hopes to enhance these types of programs with the future Recreation Building at the Township Park. The motion carried 5-0.

Arcadia Properties request for a six month extension relating to the cul-de-sac at Arcadia North Business Park, Lot #2 Subdivision and Land Development Plan

Mr. OBoyle summarized the letter from Arcadia Properties requesting a six month extension. Discussion followed about the unresolved matters outlined in Township Engineer Russ Kresge's November 24, 2010 letter which include: improvements to the bridge on the emergency access road, resolution of the final configuration of Industrial Park Drive (as a permanent cul-de-sac street) and determination of the need for guide rails on the outside of the superelevated curve in Industrial Park Drive North along Lot 2.

Mr. Hutchins moved to grant the request for an extension to March 31, 2011 with the condition that representatives from Arcadia Properties and Township Engineer Russ Kresge attend the February Work Session to discuss the matter and other outstanding issues. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Spread Eagle Associates request for temporary relief of re-submission of a Letter of Credit for the Courtyard, Phase 11, Lot 4 Final Land Development/ Subdivision Plan

Mr. OBoyle summarized the November 30, 2010 letter from Charles Hannig of Spread Eagle Associates requesting temporary shelving of Courtyard Phase II, Lot 4 land development plan and waive the requirement of re-issuing a new updated letter of credit until they get a user for the site and economic times improve. Discussion followed about not taking action on shelving the plan as the developer has a time frame of five years from the June 2, 2009 to complete their project.

Mr. Hutchins moved to grant the request with the condition that when Spread Eagle Associates gets a developer for the site, the Township will not issue a Zoning Permit until the Township is in receipt of a Letter of Credit with revised costs being updated to reflect current prices. Seconded by Mr. Frutchey. The motion carried 5-0.

**Minor Subdivision to join lots 72 & 73, Section C - A Pocono Country Place -
Property Owner - Rosemary Monahan**

Mr. Frutchey moved to approve the Minor Subdivision. Seconded by Mr. Zito.
Discussion - none. The motion carried 5-0

Letter of Support to DCED - LSA Grant - Stillwater Lakes Civic Association

Mr. OBoyle summarized the letter supporting Pocono Mountains Industrial Development Authority's LSA Application for the purpose of assisting Stillwater Lake Civic Association with needed repairs to their Sewage Collection System that will prevent contamination of environmental health hazards.

Mr. Hutchins moved to send the letter of support to be submitted with the LSA Application. Seconded by Ms. Kelly. Discussion followed about changing the word "prevent" to "stop or alleviate". It was the consensus of the Supervisors not to change the letter. The motion carried 5-0.

**Coolbaugh Realty Partners Escrow Release Request #9 in the amount of
\$38,662.85**

Mr. Hutchins moved to approve Coolbaugh Realty Partners Escrow Release #9 in the amount of \$38,662.85 . Seconded by Mr. Frutchey. Discussion followed about having Township Engineer Russ Kresge check the site to make sure there are no drainage problems from the recent heavy rain fall. The motion carried 5-0.

Authorization to advertise:

Notice of vacancies on various Boards, Commissions or Council

Mr. Hutchins moved to advertise the notice. Seconded by Mr. Frutchey.
Discussion followed about changing the ad to reflect the Pocono Mountain Public Library having two openings due to a recent resignation. The motion carried 5-0.

Notice of Organizational Meeting for various Boards, Commissions or Council

Mr. Frutchey moved to approve advertising the Notice. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

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

Mr. Hutchins moved to authorize advertising the Notice. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Bid for the Purchase of 2011 small sport utility vehicle

Mr. Hutchins moved to authorize the Bid advertisement in the Pocono Record and "blast or fax" the ad and specs to dealerships throughout Monroe County, Wilkes-Barre and Scranton. Seconded by Ms. Kelly. Discussion ensued over minor changes to the bid specifications. The motion carried 5-0.

Taxpayers request for a refund due to MC Appeal Board's decision to correct building information

Lourdes Quinn, Tax Code #3/8D/1/267 -	\$ 40.01
Bernice Williams, Tax Code #3/9B/1/178 -	\$ 13.19
Edward Hynes, Tax Code #3/7J/1/111 -	\$102.53
Shakeria Campbell, Tax Code #03/4C/2/20-	\$ 19.10

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

Proposals - 2011 Tax and Revenue Anticipation Note

Proposals for the 2011 Tax and Revenue Note (TAN) in the amount of \$1,700,000.were received from: PNC Bank - \$893,500 with a fixed rate of 2.75%; Penn Security Bank & Trust - .35% not to exceed 10.00%; and First Keystone Community Bank - 3.15% fixed rate with a ceiling rate at 4.50%

Mr. Zito moved to accept First Keystone Community Bank proposal with a fixed rate of 3.15%. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Mr. Zito moved to adopt Township Resolution number 10-2010 relating to the Tax Anticipation Loan in the amount of \$1,700,000. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Township's Financial Report

Before the Supervisors were detailed final Trial Balance and final Budget Trial Balance for all funds as of October 31, 2010 and a listing of leave balances available for all employees ending November 27, 2010 prepared by Business Manager/Controller Doug Hein.

Mr. Hein recommended paying \$103,758.00 to the Coolbaugh Sewer Fund and \$250,000.00 to First Keystone National Bank for the TAN and suggested holding the other invoices until January 2011. Mr. Frutchey said he is not in favor of holding invoices and suggested transferring \$140,000. 00 from the Emergency Service Money Market and \$20,000.00 from the Emergency Services PLGIT Fund. Discussion followed. Mr. Hein was asked to check into billing the Pocono Mountain School District monthly instead of quarterly and to look into why the amount originally budgeted is so low. Discussion followed.

Current Obligations

Payroll Fund	\$ 28,000.00
General Fund	\$568,389.93
Capital Projects Fund	\$ 909.50
Liquid Fuels Fund	\$ 3,037.50
Sewer System Fund	\$ 4,899.61

Total Disbursements \$605,236.54

**Board of Supervisors
December 7, 2010 Minutes
Page 6**

Mr. Zito moved to pay the Current Obligations as presented in the amount of \$605,236.54 and transfer \$140,000.00 from the Emergency Service Money Market and \$20,000.00 from the Emergency Services PLGIT Fund. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Amendment #1 to the Commercial Lease Agreement between Coolbaugh Township and District Court - January 1, 2011 through January 1, 2012

Discussion ensued over the term in the amendment #1 of the original lease being extended for one year and Coolbaugh Township agreeing that the Lessee providing 30 days written notice of the termination date.

Mr. Zito moved to hold the 2010 monthly rental rate at \$2,265.73 through 2012, starting in 2013 the monthly rent will be increased and they be required to provide 60 days notice to terminate the lease. Seconded by Mr. Hutchins. Discussion followed about language in the amendment being changed to read the agreement is between Monroe County and Coolbaugh Township not Ronald J. Timmey. The motion carried 5-0.

Other Business

DPW Recycling Center / Drop Off Site - Signs

Discussion followed a sign at the DPW Recycling Center / Drop Off Site being posted at the site advising residents that read, "Closed January, February and March.

Announcement - Notice - 2011 Proposed Budget being open for public inspection

Mr. OBoyle read the Notice about the Township's 2011 Proposed Budget being available for public inspection with a Special Meeting to adopt the Budget will be held on Wednesday, December 22, 2010 at 8:00 a.m.

Commercial Lease Agreement between Coolbaugh Township and Bureau Veritas North America

Mr Hutchins moved to approve the Commercial Least Agreement between Coolbaugh Township and Bureau Veritas north America. Seconded by Mr. Frutchey. Discussion followed about the Contract for Code Enforcement and the Lease Agreement being changed to reflect the same date. The motion carried 5-0.

Authorization to BCM Engineers to respond to the PADEP letter about the Township's Official ACT 537 Plan

Ms. Kelly moved to approve BCM Engineers at a cost not to exceed \$1,200.00 to address the comments outlined in PADEP's December 1, 2010 letter relating to the Township's Official ACT 537 Plan Revision/Special Study. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0-1 (Mr. Hutchins abstained). Discussion followed about the funds coming out of the Sewer Fund. Mr. Hutchins asked that his vote be changed to be in favor of the motion.

Authorization to BCM Engineers to contact Pocono Mountain School District regarding violation of the parameters set forth in Township Ordinance

At the Work Session prior to this meeting Dave Kavitski and John Devine of BCM Engineers said the cost of this matter would not be high. It was the consensus of the Supervisors that they would sign a Township Purchase Order upon receipt of the invoice.

Concerns over Traffic Signal at SR 196

Mr. Zito brought up concerns with the recent heavy rains flooding the detention basins and possible drainage design problems near the site of the recent installation of the Traffic Signal at Kings Way on SR 196. It was the consensus of the Supervisors to have Jim Milot of Hanover Engineering attend the December 21, 2010 Work Session to discuss the issues.

Update about Werner Frank

Mr. Zito advised the Supervisors that Werner Frank was in the hospital and came home yesterday. Concerns for Mr. Frank followed.

Tax mill increase in proposed 2011 Budget

Ms. Kelly said that no mention of a 2.85 tax mill increase when the announcement was made about the proposed 2011 Budget being available for public inspection. Discussion - Mr. Hutchins explained that none of the Supervisors wanted to increase the tax mill but, felt the increase was necessary or future budgets would be in trouble. He went on to say the increase in the millage brings Coolbaugh Township's total to 12 mills, just shy of the 14 mill cap and being lower than neighboring municipalities, etc. Discussion followed.

Proposals from Spy Tronics Inc.

Mr. Hein said the Township received a proposal from Spy Tronics Inc. for a surveillance system at the Township Municipal Park field with an estimate of \$5,725.00. Spy Tronics Inc. gave a proposal for a solar and wireless surveillance at the Laurel Drive and Echo Lake Road site in the amount of \$7,422.00, an NVR computer for \$9,927.00 and a portable surveillance system for \$60,225.00. It was the consensus of the Supervisors that this matter would be discussed at a future work session.

Head Start Classroom / Development of a Playground / existing library space

Classroom - Mr. Hein brought up the email sent from Tim Lee of Head Start requesting to cut the doors in the space they are currently renting and reconfigure them as split doors so to give the teachers and kids a little better safe traffic control / access. Discussion followed - it was the consensus of the Supervisors that it would be best to replace the entire door jamb with Dutch doors and the Township would keep the present doors.

Playground - Mr. Hein brought up Head Start requesting to develop a playground area. Discussion followed about concerns over the future construction of the Pocono Mountain Public Library with trucks, traffic, etc. It was the consensus of the Supervisors that they want to review plans of where the proposed placing of the playground would be, if the area was going to be fenced, and safety issues being discussed.

Existing library space - Mr. Hein informed the Supervisors that Head Start is still interested in taking over the existing library space.

Coolbaugh Township's Funding Agreement (\$86,666.67) with the Pocono Mountain Public Library

Mr. Hein advised the Supervisors that invoices from our Township Engineer, Martin & Robbins and the \$10,500 for the sewer tapping fee total \$18,919.00. He asked if this amount should be deducted from the \$89,666.67 that is owed to the Library, etc. Discussion followed. Mr. Zito asked that the invoices be sent to Library Director Ann Shincovich so that they could be discussed at the next library board meeting.

Santa Jinglebaugh

Mr OBoyle said the Santa Jinglebaugh held on Saturday, December 4, 2010 was very nice and well attended and the Historical Association, the Pocono Mountain Public Library and the Railroad Station participated in this successful event.

Public Input

Fred Berg - said he has been attending meetings and sees the frustration of the board members in trying to keep expenses down, etc. He said people on a fixed income don't want to see taxes raised but if it has to be it has to be. He said he appreciates the Supervisors hard work in trying to keep expenses down.

Vincent Massaro wished the Supervisors a happy and safe Holiday.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on Tuesday, November 16, 2010 at 8:45 p.m. for Personnel Issues and one will be held this evening for Personnel with the meeting being kept opened.

The Board of Supervisors went into an Executive Session at 8:30 p.m. The meeting reconvened at 8:45 p.m.

Position in DPW Offer

Mr. Zito moved to offer the DPW Position to George McCammon at the union contract rate with a start date being determined by the Board of Supervisors sometime in January conditioned of a background check, drug testing and physical being successful. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0-1 (Mr. Hutchins abstained from voting as he was unable to attend interviews due to doctor appointments).

Drainage Issues

Discussion ensued over drainage issues occurred with the recent heavy rains and whose would be responsible for the culvert (or swale) installation, clogging of drain pipes inlet grates and basin outlets on Salamanca Lane, Chaundry property on SR 196 near the recent installation of the traffic signal, Oak View Lane, etc. Discussion followed about inlet grates and outlets around the Township needing to be cleaned of leaves, etc. It was the consensus of the Supervisors that these problems should be discussed at a work session.

Line Painting

Discussion followed about notifying the contractor who did the line painting project this year due to it being the worse job they ever seen.

**Board of Supervisors
December 7, 2010 Minutes
Page 11**

Adjournment

With no further business before the Board, Mr. Hutchins moved to adjourn the meeting. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 9:15 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Board Chairman