

**Coolbaugh Township
Board of Supervisors
February 3, 2009 Meeting
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The Coolbaugh Township Board of Supervisors February 3, 2009 Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

Call To Order

Vice Chairman Lynn Kelly 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 included: Ms. Lynn Kelly, Mr. James H. Frutchey, Jr. Mr. Robert B. Hutchins and Mr. Robert M. Zito. Mr. Joseph O'Boyle was absent. Also present were Township Solicitor Jerry F. Hanna and Township Secretary Linda Frutchey.

Statement on the Agenda: Ms. Kelly 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. Ms. Kelly also asked that cell phones be turned off for the duration of the meeting.

Approval of January 20, 2009 Meeting Minutes

Mr. Zito moved to approve the January 20, 2009 Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Frutchey. Discussion - Mr. Zito asked that "with regret" be added to the motion accepting Jacqueline Irizarry's resignation from the CTCPC (Page 4). The motion carried 4-0.

Owen Miller's Garage - request for release #5 of Performance Guarantee

Ms. Kelly summarized the calculations in Township Engineer Russ Kresge's letter dated January 27, 2009 regarding release #5 of the Performance Guarantee for Owen Miller's Garage.

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Mr. Frutchey moved to approve the release of \$26,538.00, per Township Engineer Russ Kresge's recommendation. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0.

Minor Subdivision to join lots 10 & 11, Block A-80, Section 13, Arrowhead Lake - Property Owners - Steven Korb & Lynn Tully

Mr. Hutchins made a motion to approve the Minor Subdivision to join lots 10 & 11, Block A-80, Section 13, Arrowhead Lake for Property Owners Steven Korb & Lynn Tully. Seconded by Mr. Zito. Discussion - none. The motion passed 4-0.

Resolution Number 03-2009 re: authorizing Tobyhanna Township to make application for a LUPTAP grant on behalf of Coolbaugh, Tobyhanna and Tunkhannock Townships and the Borough of Mount Pocono and to allocate Coolbaugh Township resources in the amount of \$5610.00 to the project total

Mr. Frutchey moved to adopt Resolution Number 03-2009 having to do with the Regional Comprehensive Plan and consistency in zoning and subdivision ordinances. Seconded by Mr. Hutchins. Discussion followed about whether there was money budgeted for this, and if not, it was the consensus to take the funds from the Supervisors' line item, etc. Mr. Frutchey asked if it was acceptable for Mr. Hutchins and him to continue attending the Regional Comprehensive Plan meetings. It was the consensus of the Supervisors that they should attend the meetings. The motion was called and carried 4-0.

Confirmation of terms of members serving on the Coolbaugh Township Community Partnership Commission

Mr. Zito moved to confirm the terms of the previously appointed CTCPC members, including Keith Hudson for a term ending December 31, 2011 and Pat Nadue for a term ending December 31, 2010. Seconded by Ms. Kelly. Discussion - none. The motion passed 4-0. A brief discussion followed about two appointees to other commissions and their places of residence.

Roy and Vera Roper Zoning Enforcement

Ms. Kelly summarized Solicitor Jerry Hanna's memo dated February 3, 2009, recommending that Roy and Vera Roper Zoning Enforcement matter be tabled to the next meeting in order to obtain further information.

Mr. Frutchey moved to table discussion of the Roy and Vera Roper Zoning Enforcement matter to the next meeting. Seconded by Mr. Hutchins. Discussion followed about the location, name of the builder, etc. The motion carried 4-0.

Set Compensation for the elected Tax Collector for term 2010 to 2013

Before the Board was a Draft Resolution to adopt a tax collector compensation structure as outlined in four categories, including 1) annual salary, 2) annual revisions to the salary, 3) additional compensation for taxes collected during the penalty tax period and 4) additional compensation for interim billings. A lengthy discussion followed.

Mr. Hutchins pointed out that Township employees did not receive raises and experienced cutbacks and non-profits had their donations reduced this year, due to the economy and budget shortfalls. He went on to say it was in the interest of our taxpayers to show them the Supervisors are watching how tax dollars are spent, etc. Mr. Hutchins said he would move reluctantly to keep the salary of the Tax Collector the same. Mr. Zito seconded the motion for purposes of discussion and commented that using the Consumer Price Index (CPI) is a fair way to give an increase and has been used in prior years for employee raises, etc. Further discussion followed about this salary increase being for the office of Tax Collector and that it was not a reflection on the individual holding the position. The motion was called and failed 2-2 (Ms. Kelly and Mr. Zito opposed).

Mr. Zito made a motion to set the annual salary for the Tax Collector at \$21,683.64, which is what the salary would be today if the CPI had been used to raise the pay during the years served by the present Tax Collector, and to use the Consumer Price Index from November to November to determine salary increases, effective January 2010 through 2013. If the CPI is lower than 3%, that figure will be used and if higher, it will cap at 3%. The salary increase will not include any additional compensation for 1) taxes collected during the penalty period or 2) for interim billings. Seconded by Ms. Kelly. Discussion followed. The motion was called and failed 2-2 (Mr. Frutchey and Mr. Hutchins opposed).

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Ms. Kelly moved to raise the annual salary for the Tax Collector to \$21,683.64, effective January 2010 through 2013 with 1) no annual revisions, 2) no additional compensation for taxes collected during the penalty period or 3) for interim billings. Mr. Zito said he would reluctantly second the motion. Discussion followed in which Mr. Frutchey said he would be in favor of the motion because he believes all employees should receive raises for jobs well done and requested that the proposed amount of the salary be rounded off. It was the consensus of the Supervisors to amend the motion to set the salary at \$21,685.00. The motion was called and carried 3-1 (Mr. Hutchins opposed).

Joseph McCloskey's request for a refund relating to Onlot Sewage Disposal System Permit Application - Lot 424 Section D, Pocono Farms

Mr. Hutchins moved to approve Joseph McCloskey's request for a refund relating to Onlot Sewage Disposal System Permit Application for Lot 424 Section D in Pocono Farms, less 20% for administrative fees. Seconded by Mr. Frutchey. Discussion - none. The motion passed 4-0.

Authorization to forward the following Sewage Facilities Planning Modules to the Department of Environmental Protection

Resolution #04-2009 - Pocono Farms Fitness Center - Land Development Plan

Resolution #05-2009 - Spring Hill Minor Subdivision Plan

Mr. Hutchins made a motion to adopt Resolution #04-2009 and Resolution #05-2009 authorizing forwarding the Pocono Farms Fitness Center - Land Development Plan and Spring Hill Minor Subdivision Plan Sewage Facilities Planning Modules to the DEP. Seconded by Mr. Frutchey. Discussion - none. The motion carried 4-0.

Change Orders to the Department of Public Works Garage Addition

Change Order #2 - \$19,676.00 credit for underground fuel oil tank and installation

Change Order #3 - Furnish and Install a 16' x 16' insulated

overhead Garage Door - \$6875.00.

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Mr. Frutchey explained the reason for Change Order #2 and moved to approve Change Orders #2 and #3. Seconded by Mr. Hutchins. Discussion - Mr. Hutchins noted that the garage addition project came in under budget. Ms. Kelly said it was much better not to have an underground fuel oil tank and installation. The motion was called and passed 4-0.

Proposal for 2000 Gallon Double Wall above ground bulk storage tank and accessories

Mr. Hutchins made a motion to table discussion of the proposal for a 2000 Gallon Double Wall above ground bulk storage tank and accessories in order to get more quotes. Seconded by Mr. Frutchey. Discussion - none. The motion carried 4-0.

Fuel Master dispensing system

Mr. Frutchey explained that the Fuel Master dispensing system comes in under the COSTARS contract, that the Treasurer will be able to dial in and get the fueling information, every truck has its own key, etc.

Mr. Frutchey made a motion to purchase the Fuel Master dispensing system through the COSTARS contract for the amount of \$9821.00 Seconded by Mr. Hutchins. Discussion - none. The motion passed 4-0.

Current Obligations

General Fund	\$142,145.01
Capital Projects Fund	\$140,332.66
Escrow Fund	\$ 2,009.43
Sewer System Fund	\$ 25,471.89
Total Disbursements	\$309,958.99

Mr. Hutchins moved to pay the Current Obligations in the amount of \$309,958.99.

Seconded by Mr. Frutchey. A brief discussion followed about an invoice that was dated at the beginning of February. The motion carried 4-0.

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Other Business

Mr. Frutchey - reported that it has been a bad year for expenses incurred for salt and cinders.

Public Input

Werner Frank - present in the audience, was told he was a loyal citizen for regularly attending meetings of the Board of Supervisors.

Board of Supervisors Executive Sessions

Ms. Kelly announced that the Board of Supervisors held an Executive Session on Tuesday, January 20, 2009 at 7:49 p.m regarding Legal Issues and one will be held on Monday, February 9, 2009 at 6:00 p.m. regarding Legal Issues.

Adjournment

With no further business before the Board, Mr. Zito moved to adjourn the meeting. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0. The meeting adjourned at approximately 8:15 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Lynn Kelly
Board Vice Chairman