

**Board of Supervisors
February 5, 2013 Minutes
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The Coolbaugh Township Board of Supervisors February 5, 2013 Meeting was held in the Township Municipal Center, 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 to the Flag. He welcomed and said how nice it is to see a large crowd and so many new faces.

Roll Call

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 in attendance were: Township Solicitor Jerry F. Hanna, Business Manager/Controller Douglas Hein and Township Secretary Linda Frutchey.

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.

Minutes - Reorganizational Meeting of January 7, 2013 and Regular Meeting of January 15, 2013

Mr. Zito moved to approve the January 7, 2013 and January 15, 2013 minutes as presented and dispense with the reading. Seconded by Ms. Kelly. The motion carried 5-0.

Coolbaugh Township Code of Ordinance:

Official Map Ordinance

Ms. Kelly moved to table the Official Map Ordinance. Seconded by Mr. Frutchey. The motion carried 5-0.

Zoning Ordinance amendment and Zoning Map Change

Mr. Frutchey moved to adopt the Zoning Ordinance amendment and the Zoning Map change. Seconded by Ms. Kelly. The Motion carried 5-0.

Subdivision and Land Development Ordinance Amendment

Ms. Kelly moved to adopt the Subdivision and Land Development Amendment. Seconded by Mr. Frutchey. The motion carried 5-0.

Minor Subdivision to join lots 356 & 357, Section E, A Pocono Country Place - Property Owner - Wajiha Mustafa

Ms. Kelly moved to approve the joining of lots 356 & 357, Section E, in A Pocono Country Place for Wajiha Mustafa. Seconded by Mr. Pope. The motion carried 5-0.

Elizabeth Hubbard- letter of resignation from the EAC

Ms. Kelly motioned to accept with regret Elizabeth Hubbard's letter of resignation. Seconded by Mr. Frutchey. The motion carried 5-0.

Vacancies

EAC, Parks and Recreation Commission, Pocono Mountain Public Library Board of Trustees, Coolbaugh Township Community Partnership and the Alternate position on the ZHB

Mr. Frutchey motioned to advertise all openings. Seconded by Mr. Pope. Discussion - Ms. Kelly asked that the notice of the vacancies be advertised as soon as possible due to the upcoming meetings. The motion carried 5-0.

Ratification of Township Resolution #03-2013 - Tobyhanna Army Depot celebrates 60 years of Electronic Excellence

Mr. Frutchey moved to ratify Resolution #02-2013. Seconded by Ms. Kelly. The motion carried 5-0.

Township Resolution #04-2013 - tax collector compensation - 2014 - 2017

Mr. Zito said with the additional work the tax collector will be doing with the distribution of the one mill fire tax, I will move to adopt Resolution #04-2013, increasing the annual salary 3% each year starting with 2014 through 2017. Seconded by Ms. Kelly. Public Input - Michelle Fairservice asked about the amount of the salary and what the additional

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work would entail. Phyllis Williams - asked if the 3% was an additional 3% each year. Discussion - followed about the amount of the salary for 2014 is \$22,355.55, for 2015 is \$23,005.61, for 2016 is \$23,695.78 and 2017 is at \$24,406.65 and the extra work the separation of the one mill fire tax would take, etc.. 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 final Trial Balance and final Budget Trial Balance for all funds as of December, 2012, General fund revenues and expenses, debt service payments, sewer revenues, all capital project and liquid fuels funding. The Report was accepted as presented.

Current Obligations

General Fund	\$309,068.95
Capital Projects	\$ 2,204.00
Sewer Fund	\$ 5,548.35
Total Disbursements	<u>\$316,821.30</u>

Mr. Frutchet moved to pay the Current Obligations in the amount of \$316,821.30. Seconded by Mr. Pope. The motion carried 5-0.

Other Business

Vacation of Park Court

Mr. Frutchet motioned to execute the Agreement & Deed for the vacation of Park Court. Seconded by Ms. Kelly. Discussion - Mr. Zito suggested that the motion be amended to include that the agreement and deed is between Coolbaugh Township and Pocono Mountains Industrial Park Authority. Mr. Frutchet amended the motion to reflect the suggestion. The motion carried 5-0.

Vacation of Tiffany Court

Mr. Pope motioned to approve the agreement and deed between Robert Latzanich and Coolbaugh Township to vacate Tiffany Court pursuant to Section 2311 of the Pennsylvania Second Class Township Code. Seconded by Mr. Zito. The motion carried 5-0.

Coolbaugh Soccer Association

Mr. Adams read aloud the letter from Benito Juarez Director for Coolbaugh Soccer Association requesting to use the field starting May 18, 2013 to July 27, 2013, Monday through Saturday from 4 pm to 8 pm.

Mr. Adams motioned to approve the Coolbaugh Soccer Association utilizing the field at the Township Municipal Park as per the schedule outlined in their January 28, 2013 letter. Seconded by Ms. Kelly. The motion carried 5-0.

PennDOT - Modification to SR 940 and Summit Street / Commerce Street

Mr. Frutchey moved to approve the signing of the Mylar of the Traffic Signal Condition Diagram for the SR 940 and Summit Street / Commerce Street Traffic Signal that has been revised to reflect the modifications to the center lane paint pattern. Seconded by Mr. Pope. The motion carried 5-0.

Wayne Horne's resignation from the EAC, Parks & Recreation Commission and Planning Commission

Ms. Kelly motioned to accept with deep regret Wayne Horne's resignation from the EAC, Parks and Recreation, and Planning Commission. Mr. Frutchey seconded the motion with deep regret. Discussion - Mr. Zito - thanked Wayne for his many years of service to Coolbaugh Township Mr. Zito's remarks were echoed by the remaining Supervisors. The motion carried 5-0.

Grant Award - SR 196 - Turning Lane Project - A Pocono Country Place Main Gate

Mr. Hein informed the Supervisors that the Township has been awarded \$511,699 through the state gaming funds for the SR 196 A Pocono Country Place Main Gate Turning Lane Project. The estimate on the project is \$850,000, which leave \$338,301 to be funded. We have to let the state know by this week if were going to accept the project. Discussion followed about the short fall of \$338,301 and the funds not being in the 2013 budget. It was noted that it is a much needed project, etc. Mr. Hein was asked to contact the state to see if we can let them know after the next meeting. Mrs. Frutchey was directed to put the matter on the February 19, 2013 work session and regular meeting agenda to be discussed and to take possible action.

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**Authorization to advertise 2013 Meetings of the EAC, P & R Commission
and Planning Commission**

Mr. Zito moved to authorize the secretary to advertise the meetings. Seconded by Mr. Adams. The motion carried 5-0.

Response to the letter from Marilyn Lesoine of Wilkins & Associates

Solicitor Hanna asked the Supervisors if they wanted him to respond to the letter from Wilkins. Discussion followed about not remembering seeing the letter. Solicitor Hanna said he would forward a copy of the letter and asked that they respond as to whether he should respond to the letter.

Public Input

Fred Berg - asked what the total price for the turning lane into APCP. Discussion followed.

Vince Massaro, David Pope, Phyllis Haas, Al Seman, Eileen Lawrence, Harry Lewis, Phyllis Williams, John Kerrick, Sue Kopp, Marianne Avosso and a number of citizens who did not identify themselves asked questions relating to the Township's letter of intent to withdraw from the Pocono Mountain Regional Police. The Supervisors answered the questions to the best of their ability.

Mr. Frutchey motioned to reject the letter of intent to withdraw from the Pocono Mountain Police Commission. Mr. Zito asked Mr. Frutchey if he would agree to amend the motion to include his recent email to the Supervisors. Mr. Frutchey agreed.

Mr. Zito asked that the motion be changed as follows: amend the notice of intent to withdraw from the PMRP Commission until December 31, 2014. This motion is conditioned upon the PMRP Commission and the Police Union agreeing to extend the current union contract one (1) year to December 31, 2014. By March 1, 2014, the Supervisors will either send a letter to the PMRP Commission to officially withdraw from the PMRPD effective December 31, 2014 or a firm letter of commitment to remain in the PMRPD through December 31, 2017. Mr. Frutchey agreed to amend his motion as outlined by Mr. Zito. Mr. Zito seconded the amended motion. Discussion followed about the supervisors looking into turning the GPS units on in all the patrol vehicles, ways to improve accountability, a thorough review of the inter-municipal contract which included methods of voting and withdrawal notification, etc. The motion carried 5-0.

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Board of Supervisors Executive Sessions

Mr. Adams announced that the Supervisors held an Executive Session on Tuesday, January 15, 2013 at 8:30 for Personnel, Tuesday, January 29, 2013 at 10:15 p.m. for personnel and this evening at 6:30 p.m. for Pending Litigation. Mr. Hein asked that an Executive Session be scheduled for personnel on February 19, 2013.

Adjournment

With no further business before the Board, Ms. Kelly moved to adjourn the meeting. Seconded by Mr. Pope. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:17 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Juan A. Adams
Board Chairman