

**Coolbaugh Township  
Board of Supervisors  
January 19, 2010 Meeting  
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The Coolbaugh Township Board of Supervisors January 19, 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.

**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, Douglas Hein, Business Manager/Controller 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.

**Administration of the Oath of Office for Re-elected Township Supervisor Robert B. Hutchins given by Solicitor Jerry F. Hanna**

Solicitor Hanna swore in newly re-elected Supervisor Robert B. Hutchins. Following his swearing in, Mr. Hutchins said that this was his ninth year serving on the Board of Supervisors, and he thanked everyone for their continuing support and pledged to keep working for the betterment of the Township and its residents.

**Appointment of Township Secretary**

Mr. Hutchins moved to reappoint Linda Frutchey as the Township Secretary with retroactive pay back to January 1, 2010. Seconded by Mr. Zito. Discussion - none. The motion carried 3-1-1 (Ms. Kelly opposed and Mr. Frutchey abstained).

**Approval of January 4, 2010 Re-organizational Meeting Minutes**

Mr. Zito moved to approve the January 4, 2010 Re-organizational Meeting Minutes as presented and dispense with the reading. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-0-1 (Mr. Hutchins abstained, as he was not present at the meeting).

**Coolbaugh Township Special Study - Act 537 Plan Approval - Authorization to move forward with permitting of the WWTP expansion to 104,000 gpd**

Mr. Hutchins moved to approve the advertisement of the Act 537 Plan. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**2010 Monthly Reports**

**Coolbaugh Township Volunteer Fire Company**

Paul Denico, Captain of the CTVFC presented the fire company's report as follows: In December 2009 there were 40 calls for a total of 503 hours. For all of 2009 there were 334 calls for a total of 3,740.50 hours and 4,601 training hours. He thanked the Supervisors for their support and their recent contract.

George Tallmadge, Fire Chief for Pocono Summit Volunteer Fire Company presented their December 2009 report as follows: 12 calls in Coolbaugh Township, 10 calls in Tobyhanna Township and 3 calls in other districts for a total of 25 calls. He went on to explain that the PSVFC and CTVFC will be on a dual dispatch from 6:00 a.m. to 6:00 p.m. so that each fire company has the benefit of more manpower at dwelling fires, accidents, etc. The Supervisors expressed appreciation for this teamwork. Mr. Tallmadge also thanked the Board for the recent five year contract and donation.

**Pocono Mountain Regional Emergency Medical Services**

Ms. Kelly said the meeting is this Thursday so the report would be ready next month.

**Pocono Mountain Regional Police**

Mr. Frutchey presented the December 2009 PMRPD Monthly Report as follows: 1155 complaints, 116 accidents, 117 criminal arrests, 341 traffic arrests, 491 traffic warnings and 7 ordinance arrests for a total of 1271 calls within the area covered by the regional police, which includes Tobyhanna, Tunkhannock and Coolbaugh Townships and the Borough of Mount Pocono.

**Rysz / Fennell Minor Subdivision Plan**

Brian Courtright, PLS was present on behalf of the Minor Subdivision Plan referenced above. He explained that the plan is for the adjustment of a common lot line by the conveyance of a 30' wide strip from the Fennell property to the adjacent Rysz property. It was also pointed out that the Rysz property is currently nonconforming with respect to area, width and side yard setback along the Rysz/Fennell lot line, and adding the 30' strip will bring the side yard setback into conformance and reduce the area and width conformities.

Mr. Hutchins moved to approve the Rysz / Fennell Minor Subdivision Plan. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Coolbaugh Realty Partners, L.P. - Escrow Release Request #3**

Mr. Zito moved to approve the Escrow Release Request #3 in the amount of \$86,817.42 contingent upon receipt of a letter from Township Engineer Russ Kresge recommending approval of the release. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Extension request - CVS Pharmacy - Preliminary / Final Land Development Plan**

Mr. Frutchey moved as per the Township Planning Commission's recommendation to grant the extension request on the CVS Pharmacy Preliminary /Final Land Development Plan until May 6, 2010. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

**Letter of Interest to serve on the Zoning Hearing Board - term ending December 31, 2011**

Mr. Frutchey moved to appoint Juan Adams to serve as a regular member on the Zoning Hearing Board until December 31, 2011. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

**Letter of Interest to serve on the Environmental Advisory Council (EAC) - term ending December 31, 2014**

Ms. Kelly moved to appoint Wayne Horne to serve on the EAC for a term ending on December 31, 2014. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Board of Supervisors appointment of Chairman to the EAC**

Mr. Zito moved to appoint Wayne Horne as the Chairman to the EAC. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Mr. O'Boyle said he attended the Thornhurst Volunteer Fire Company Annual Dinner this past weekend and a resident from Arrowhead Lake expressed an interest in serving on the EAC.

**Letter of interest to serve on the Parks and Recreation Commission - term ending December 31, 2014**

Ms. Kelly moved to appoint Wayne Horne to the Parks and Recreation Commission for a term ending on December 31, 2014. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Lease Agreement between Coolbaugh Township and Pocono Services for Families and Children, Inc. (Monroe County Head Start Program)**

Mr. Hutchins moved to table the above referenced matter. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

**Authorization to advertise the Sale of the 1999 Volvo Autocar Tandem Dump Truck through an Online Auction Service**

Mr. Frutchey moved to advertise the Sale of the 1999 Volvo Autocar Tandem Dump Truck through an Online Auction Service. Seconded by Mr. Zito. Discussion - it was the consensus of the Supervisors not to put a minimum bid in the advertisement. It was also pointed out that the bid had to be advertised in the local newspaper. Mr. Frutchey and Mr. Zito amended the motion to include authorization to advertise the bid in the Pocono Record. Discussion - none. The motion carried 5-0.

**Current Obligations**

General Fund	\$322,681.81
Capital Projects Fund	\$ 18,720.00
Escrow Fund	\$ 2,416.00
Sewer System Fund	\$ 9,833.86
Liquid Fuels Fund	\$ 8,991.79
Emergency Services Fund	\$ 41,228.00
<b>Total Disbursements</b>	<b>\$403,871.46</b>

Mr. Frutchey moved to pay the Current Obligations in the amount of \$403,871.46. Seconded by Mr. Hutchins. Discussion ensued over the Current Obligations not listing the bank account balances. Mr. Hein read the balances as follows: General Fund - \$131,404.59, Payroll Fund - \$6,926.59, Rainy Day Fund- \$56,684.48, Sewer System Fund - \$31,387.53, Emergency Services Fund - \$182,743.13, and the Liquid Fuels Fund - \$206,081.54. He went on to explain that balances could not be determined until the system was rolled over to 2010, which was completed this afternoon.

Discussion also ensued about a problem with the delivery of the conveyor belt to the DPW. Mr. Hein explained that it was unloaded from the flatbed truck that delivered it, and it was hooked to a chain by the delivery company and / or Pocono Equipment Leasing and was being unfolded in order to put it in place. The chain came loose and the front twenty foot section dropped to the ground, cracking the angle iron in several places. Pocono Equipment must fabricate a new section, bring it on site and replace the damaged section, along with the gear box and pump on the end that hit the ground. It is supposed to be done by the end of this week or early next week. The motion to approve the Current Obligations was called and carried 5-0.

**Other Business**

**Resolution No. 03-2010**

Mr. Frutchet moved to adopt Resolution No. 03-2010, fixing the total tax rate at 11.15 MILLS (with 9.15 MILLS for the Township and 2 MILLS for the Pocono Mountain Public Library) for the fiscal year 2010. Seconded by Mr. Zito. Discussion - none. The motion carried 3-2-0 (Ms. Kelly and Mr. Hutchins opposed).

**Appointment to the Coolbaugh Township Community Partnership**

Mr. Zito moved to appoint David Guoth to the Township Community Partnership for a term ending on December 31, 2012. Seconded by Mr. Frutchet. Discussion - none. The motion carried 5-0.

**Cancellation of the Coolbaugh Township Community Partnership Meeting**

Mr. Zito asked Mrs. Frutchet to post the meeting room doors with signs that say the January 21, 2010 CTCP meeting is canceled.

**Robert B. Hutchins re: absence from Re-organizational Meeting**

Mr. Hutchins explained that he could not make it for the Re-Organizational Meeting on January 4<sup>th</sup>, because he was in Texas over the holidays for the birthdays of his son and grandson and thanked everyone for their indulgence.

**Thornhurst Bridge**

Mr. Frutchet asked that a letter be sent to Senator Robert Mellow and Representative Mario Scavello requesting that they contact PennDOT about replacing the Thornhurst Bridge as soon as possible, because emergency vehicles cannot use it.

**Appointment of Robert M. Zito as the Liaison to the Administrative Staff**

Mr. Frutchet moved to appoint Mr. Zito as the Liaison to the Township Administrative Staff. Seconded by Mr. Hutchins. Discussion - Mr. Zito said thank you. The motion carried 4-0-1 (Mr. Zito abstained).

**Wal-Mart - Agreement/ Permit**

Mr. Hein said he received an email from Attorney Nick Haros confirming that the agreement, testing and the permit for Wal-Mart should be ready to be sent to Dave Kavitski, BCM Engineers for his review on the technical issues and then to the Board to review prior to the Feb. 2<sup>nd</sup> meeting.

**Public Input**

**Werner Frank** - asked for a status report on Pastor Bloom's Highway Occupancy Permit. Discussion ensued over receiving a copy of a letter sent to Dennis Bloom from PennDOT advising him that his Highway Occupancy Permit will expire in February 2010.

The Supervisors discussed meeting with Mr. and Mrs. Bloom and their Attorney Marshall Anders at their Nov. 2009 Work Session, after which they were supposed to follow up with contacting Pocono Farms East Property Owners Association about working out an easement agreement for an access to Park Drag from the Bloom's driveway. The Supervisors were in agreement that Mr. Zito should contact the Blooms and their attorney for a status report.

**Werner Frank** - said he asked Zoning Officer Todd Schollhammer about the removal of signs from trees and telephone poles on State Route 196. Mr. Hein said he would get a status report for him from Mr. Schollhammer in the morning.

**Board of Supervisors Executive Sessions**

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on January 4, 2010 at 8:05 p.m regarding Personnel. Ms. Kelly asked for an Executive Session after the meeting on Personnel.

**Adjournment**

With no further business before the Board, Mr. Zito moved to adjourn the meeting. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 7:52 p.m.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Joseph O'Boyle  
Board Chairman