

**Coolbaugh Township Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 1**

The Coolbaugh Township Board of Supervisors January 3, 2011 Reorganizational \ Business Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

Appointment of Acting Chairman

Mr. O'Boyle called upon Fred Berg, present in the audience, to lead the meeting as Acting Chairman until the Election of Chairman for the Board of Supervisors.

Call To Order

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

Statement on the Agenda: 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.

Organization of the Board of Supervisors

Election for the Board of Supervisors Chairman

Ms. Kelly moved to appoint Joseph O'Boyle as Chairman of the Board of Supervisors. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Election for the Board of Supervisors Vice-Chairman

Mr. Hutchins moved to appoint Robert Zito as the Vice-Chairman. Seconded by Mr. Frutchey. Discussion - Mr. Zito declined the appointment.

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 2**

Mr. Frutchey moved to appoint Robert Hutchins as the Vice Chairman. Mr. Hutchins seconded the motion. Discussion - none. The motion did not carry 2-3-0 (Mr. O'Boyle, Mr. Zito and Ms. Kelly opposed).

Mr. Zito moved to appoint Lynn Kelly as the Vice-Chairman. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 3-2-0 (Mr. Frutchey and Mr. Hutchins opposed).

Appointment or Reappointment of Other Township Officials

Township Secretary

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

Township Treasurer

Mr. Hutchins moved to reappoint Pat Eden as the Township Treasurer. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Assistant Township Treasurer

Ms. Kelly moved to appoint Robert Zito as the Assistant Township Treasurer. Seconded by Mr. Hutchins. Discussion - Mr. Zito declined the appointment.

Ms. Kelly moved to appoint Mr. Hutchins as the Assistant Township Treasurer. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Road Master

Ms. Kelly moved to appoint Joseph O'Boyle as the Road Master. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Appointment or Reappointment of Solicitors

Township Solicitor

Mr. Frutchey moved to reappoint Jerry F. Hanna as the Township Solicitor. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 3**

Planning Commission Solicitor

Mr. Frutchey moved to reappoint Clark Connor as the Planning Commission Solicitor. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Zoning Hearing Board Solicitor

Mr. Hutchins moved to reappoint Clark Connor as the Zoning Hearing Board Solicitor. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Appointment or Reappointment of Township Engineer and Alternate Engineer,
Sewage Enforcement Officers**

Township Engineer

Mr. Hutchins moved to appoint Russ Kresge & Associates, a division of Gilmore & Associates, Inc., conditioned upon Russ Kresge being the point person as our Engineer at a rate of \$90.00 per hour. Seconded by Mr. Zito. The motion carried 5-0.

Alternate Township Engineer

Mr. Hutchins moved to table the appointment of an Alternate Township Engineer. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Appointment of Sewage Enforcement Officers

Mr. Zito moved to appoint Scott Brown, Pamela Jemecsy, Christopher Taylor, Jacob Schray, Janice Buskirk and Jeffrey Huff of Hanover Engineers as our Sewage Enforcement Officers. Seconded by Ms. Kelly. Discussion - Mr. Hutchins suggested only appointing Scott Brown and Jacob Schray as our Sewage Enforcement Officers since they are familiar with the Township. Mr. Zito amended the motion to appoint Scott Brown and Jacob Schray as our Sewage Enforcement Officers. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 4**

Township Resolution Number 01-2011 re: Depositories of Township Funds

Mr. Zito moved to adopt Township Resolution Number 01-2011. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Establish the Amount of the Treasurer's Bond - \$500,000.00

Ms. Kelly moved to establish the Treasurer's Bond at \$500,000.00. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Appointment of Municipal Representative to serve on the Joint Code Enforcement Program Administrative Committee

Mr. Frutchey moved to reappoint Robert Hutchins as the Municipal Representative to serve on the Joint Code Enforcement Program Administrative Committee. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0-1 (Mr. Hutchins abstained).

Appointment of Municipal Representative and Alternate Municipal Representative to serve on the Monroe County Tax Collection Committee

Ms. Kelly moved to appoint Robert Zito and Doug Hein as the Municipal Representatives to serve on the Monroe County Tax Collection Committee. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Two (2) appointments to the Environmental Advisory Council (EAC) - terms ending December 31, 2014

Mr. O'Boyle announced that no letters of interest were received. Mr. Zito moved to table the matter. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Board of Supervisors appointment of Chairman to the EAC

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

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 5**

Three (3) appointments to the Coolbaugh Township Community Partnership Commission - terms ending on December 31, 2012

Mr. O'Boyle announced that no letters of interest were received. Mr. Zito moved to table the matter. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Appointment of Board Liaison to the Coolbaugh Township Community Partnership Commission

Mr. Hutchins moved to appoint Robert Zito as the Board's Liaison to the Coolbaugh Township Community Partnership. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Two (2) appointments to Planning Commission - term ending December 31, 2014

Mr. Frutchey moved to reappoint Bernie Kozen and Ron Kluge to the Township Planning Commission with the terms ending on December 31, 2014. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

One (1) appointment to Parks and Recreation Commission - term ending December 31, 2014

Mr. O'Boyle announced that no letters of interest were received. Mr. Hutchins moved to table the matter. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Appointment of Board Liaison to the Parks and Recreation Commission

Mr. Zito moved to appoint Lynn Kelly as the Board Liaison to the Parks and Recreation Commission. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-1-0 (Mr. Hutchins opposed).

Clancy Dennis - Letter of Resignation - Pocono Mountain Public Library Board of Trustees, term ending December 31, 2011

Mr. Hutchins moved to accept with regret Clancy Dennis' letter of resignation from the

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 6**

Pocono Mountain Public Library Board of Trustees and asked that a letter be sent to Mr. Dennis thanking him for his service. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Two (2) appointments to the Pocono Mountain Public Library Board of Trustees - terms ending December 31, 2011 and 2013

Mr. Hutchins moved to appoint Robert Zito to the three year term and Andrea Levergood - Flaherty to the one year term on the Pocono Library Board of Trustees. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 3-0-2 (Mr. Zito abstained and Ms. Kelly abstained due to being an employee of the Pocono Mountain Public Library).

Appointment of Board Liaison to the Pocono Mountain Regional Emergency Medical Services

Mr. Zito moved to reappoint Lynn Kelly as the Board Liaison to the Pocono Mountain Regional Emergency Medical Services. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Three (3) annual appointments to the Pocono Mountain Regional Police Commission

Mr. O'Boyle announced that letters of interest were received from Jim Frutchey, Robert Hutchins, Harry Smith and Micky Denig.

Mr. Frutchey moved to appoint Supervisor Robert Hutchins to serve on the Police Commission. Seconded by Mr. O'Boyle. Discussion none. The motion carried 5-0.

Mr. Hutchins moved to appoint Supervisor Jim Frutchey to serve on the Police Commission. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 5-0.

Ms. Kelly moved to appoint Harry Smith to serve on the Police Commission. Seconded by Mr. Zito. Discussion - Mr. Hutchins said Harry Smith and Mickey Denig are excellent candidates and asked that next year consideration be given to appointing someone else to the Police Commission, since Mr. Smith is absent from the Township for several months a year.

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 7**

He also suggested asking Mr. Denig to send a letter to be considered next year at this time for the 2012 appointment. The motion carried 5-0.

**Appointment to the Zoning Hearing Board - term ending 2013 and one (1)
Alternate member - term ending December 31, 2013**

Ms. Kelly moved to reappoint Grier Haslam to the Zoning Hearing Board for the term ending 2013. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Discussion ensued over the alternate position currently being held by Werner Frank who has been in the hospital. It was the consensus of the Supervisors to give Mr. Frank the opportunity to send a letter of interest to serve as the alternate member on the Zoning Hearing Board.

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

Annual appointment of Vacancy Board Chairperson

Mr. Hutchins moved to appoint Fred Berg as the Vacancy Board Chairperson. Seconded by Mr. Frutchey. Discussion - Mr. Hutchins said he chose Mr. Berg because of his interest in attending meetings; he does not know Mr. Berg's political party affiliations and does not want to know, but he is sure Mr. Berg will remain bipartisan, which is necessary for this appointment.

Mr. Zito said that he has nothing against Mr. Berg, but he will vote against this appointment for a number of reasons, and pointed out that Gratz Washenik has served the Township for 12 years and is confident that he will remain bipartisan, because when Walter Kelly resigned as Supervisor, Mr. Washenik voted for Republican Dick Lockwood. The motion did not carry - 2-3-0 (Mr. O'Boyle, Mr. Zito and Ms. Kelly opposed).

Mr. Zito moved to appoint Gratz Washenik as the Vacancy Board Chairperson. Seconded by Ms. Kelly. Discussion - Mr. Hutchins said he has nothing personal against Gratz Washenik. The motion carried 3-2-0 (Mr. Hutchins and Mr. Frutchey opposed).

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 8**

Selection of Municipal Representative and alternate Representative to attend Council of Government Meetings

Mr. Hutchins moved to select Jim Frutchey as the municipal representative to attend the Council of Government (COG) meetings. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Mr. Frutchey moved to appoint Joseph O'Boyle as the alternate municipal representative to attend the COG meetings. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Selection of Municipal Representative to attend Monroe County Road Task Force Meeting

Mr. Hutchins moved to select Jim Frutchey as the municipal representative to attend the Monroe County Road Task Force Meetings. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-0-1 (Mr. Frutchey abstained).

Authorization to advertise Board of Supervisors Meetings \ Work Sessions for 2011

Mrs. Frutchey said the ad needs to be corrected as Election Day is not on a regular meeting date.

Mr. Zito made a motion to authorize the advertisement of the Supervisors Meetings / Work Session for 2011 with the correction. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Establish Holidays For Township Employees - calendar year 2011

Before the Supervisors was a list of 13 holidays to observe during 2011. Mr. Zito moved to establish the 13 holidays as presented with the Christmas Holiday to be determined by majority vote as to whether the days off would be Thursday and Friday before Christmas or Friday and Monday the day after Christmas. Seconded by Mr. Hutchins. Discussion - Ms. Kelly pointed out that the Township's Personnel Manual and the Union Contract reads a half day off on Christmas Eve and New Year's Eve.

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 9**

Ms. Kelly asked if this is going to be a change in holidays and reminded everyone that the Township's goal is to keep costs down, etc. Discussion followed. The motion carried 5-0.

Approval of Minutes

December 21, 2010 Regular Meeting

Mr. Frutchev moved to approve the December 21, 2010 regular meeting minutes as presented and dispense with the reading. Seconded by Mr. O'Boyle. Discussion - Mr. Zito pointed out that on page 4 under the title "Cancellation of Profit Point Contract", the numbers in the motion should be 4-1-0 not 4-0-1 as previously recorded. Mrs. Frutchev noted the correction. The motion carried 4-0-1 (Mr. Hutchins abstained due to not being present for the meeting).

December 22, 2010 Special Meeting

Mr. Hutchins moved to approve the minutes of December 22, 2010 as presented and dispense with the reading. Seconded by Mr. Zito. Discussion - Ms. Kelly pointed out that the minutes of 2006, 2007, 2008, 2009 read that Mr. Frutchev voted for the budget, but abstained from voting on the line item dealing with the Township Secretary. The numbers in the motion say he voted on the budget and believes that it should remain consistent. The correction was noted and the minutes of the Special Meeting of December 22, 2010 would be corrected to reflect that the motion carried 4-1-0. Mrs. Frutchev said the December 22, 2010 minutes had already been corrected. The motion carried 5-0.

Adoption of Township Resolution Number 02-2011 re: Appointment of Certified Public Accountant (CPA)

Mr. Hutchins motioned to adopt Township Resolution Number 02-2011 appointing Todd J. Bushta as the CPA to audit the financial accounts for 2010. Seconded by Ms. Kelly. Discussion - Mr. Zito asked if the amount of \$10,000.00 listed in the Resolution was correct. The amount was confirmed to be correct. The motion carried 5-0.

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 10**

Authorization to BCM Engineers to prepare Municipal Wasteload Management (Chapter 94) Report

Mr. Hutchins moved to authorize BCM Engineers (Dave Kavitski) to prepare the Municipal Wasteload Management (Chapter 94) Report for a not-to-exceed amount of \$2,500.00. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Request to utilize office space at the Coolbaugh Township Municipal Center for constituent services provided by Senator Blake's office

Mr. Zito moved to approve Senator Blake utilizing office space at the Township Municipal Center for the purpose of providing services to our constituents. Seconded by Ms. Kelly. Discussion - Mr. Hein said the request is for 1 or 2 days a month and the conference room would be used. Mr. Hutchins said he would approve the motion with the condition that the usage of the room does not exceed two (2) days per month, and if it does, it has to come back before the Supervisors to discuss a usage fee. Mr. Zito and Ms. Kelly amended the motion to reflect the discussion. The motion carried 5-0.

Commercial through January Lease agreement between Coolbaugh Township and District Court

Mr. Hutchins made a motion to approve the Commercial Lease Agreement between Coolbaugh Township and District Court for the period January 1, 2011 to December 31, 2011. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Bid - Sports Utility Vehicle

The Bid for the Sports Utility Vehicle (SUV) was advertised in the Pocono Record on Saturday, December 11, 2010 and Wednesday December 15, 2010 with the Bid Opening on Wednesday, December 29, 2010.

The following bids for a 2011 vehicle were received: Millham Ford in the amount of \$19,420.00 for a Ford Escape, Scranton Dodge in the amount of \$21,390.00 for a 2011 Jeep Patriot Sport, Burne Honda in the amount of \$21,895.00 for a Honda, Halterman's in the amount of \$22,254.00 for a Toyota, Tri Star Ford in the amount of \$18,818.21 for

a Ford Escape, Ertle Subaru in the amount of \$22,233.00 for a Subaru Forester Special
Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 11

Edition, New Holland Auto Group in the amount of \$19,161.00 for a Ford Escape, Sands Ford in the amount of \$19,161.00 for a Ford Escape, Pacifico Marple Fleet Group in the amount of \$18,949.00 for a Ford Escape, Minooka Subaru in the amount of \$21,195.00 for a Subaru Forester ordered/\$22,395.00 in stock and Day Chevrolet in the amount of \$22,670.16 for a Chevrolet Equinox.

Mr. Hutchins moved to reject all bids and rebid for a 2010 brand new left over vehicle off the lot. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Township Financial Report

Before the Supervisors were final Trial Balance and Final Budget Trial Balance for all funds as of November 30, 2010, along with a listing of time available for all employees as of pay period ending December 25, 2010 prepared by Business Manager/Controller Doug Hein. Discussion ensued on the boiler conversion project and having trouble with the contractor S & K Construction in getting the installer to come to troubleshoot, etc.

Mr. Hutchins said he recalls an email sent from Treasurer Pat Eden informing everyone that invoices that should have been paid in 2010 are being paid in 2011 and asked what the invoices amount to. Discussion followed. Mr. Hein said the invoices total approximately \$18,000.00 and they can be accrued back to 2010. It was the consensus of the Supervisors that they would prefer that this be accomplished.

Current Obligations

Payroll Fund	\$28,000.00
General Fund	\$51,775.45
Capital Projects Fund	\$ 1,101.88
Liquid Fuels Fund	\$ 4,659.34
Escrow Fund	\$ 170.00
Sewer System Fund	\$ 2,408.45
Total Disbursements	<hr/> \$88,115.12

Mr. Frutchey moved to pay the Current Obligations in the amount of \$88,115.12. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Other Business

St. Ann's Hall

Mr. Frutchey informed the public that the concern brought before the Supervisors at the last meeting about a daycare being held in St. Ann's Hall being unsafe was checked out by our Zoning Officer and no violations were found. Discussion followed.

Compensation to Non-Uniformed Employees

Mr. Zito moved to compensate non-uniformed personnel a lump sum payment of \$1,040.00 that would be consistent with the union contract employees. Mr. Hutchins seconded the motion for discussion. Discussion - Mr. Hutchins said he was concerned that the non-uniformed employees are not being treated fairly, as the union employees receive a 50 cent an hour raise each year; whereas, the non-uniformed employees are receiving a lump sum payment without 50 cents being added to their hourly rate, etc. Discussion ensued about the full-time non-uniformed employees - Linda Frutchey, Doug Hein, Steve Weber, Sandra Tigue and Pat Eden. The hourly rate for part-time employee Joe Brady would be considered at a later time. Public Input was heard from Fred Berg and Phyllis Williams about the lump sum payment versus the hourly rate. Discussion followed. Mr. Zito restated the motion. Mr. Hutchins withdrew the second to the motion.

Mr. Zito moved to compensate non-uniform employees \$1,040.00 as a lump sum payment for 2011. Mr. Frutchey seconded the motion. Discussion - Ms. Kelly said she preferred that the compensation be spread out over the year instead of a lump sum payment due to budget constraints. Discussion followed. The motion did not carry 2-2-1 (Mr. O'Boyle and Ms. Kelly opposed, Mr. Frutchey abstained from voting for Mrs. Frutchey). Discussion followed about Mrs. Frutchey not getting a lump sum payment due to the motion not carrying. Mr. Zito withdrew his motion. Mr. Frutchey withdrew the second to the motion. Solicitor Hanna said you cannot withdraw a motion that has been voted on.

Mr. Zito moved to compensate Doug Hein, Sandra Tigue, Steve Weber and Pat Eden with a \$1,040.00 lump sum payment for 2011 to be processed at the next payroll. Seconded by Mr. Frutchey. Discussion - none. The motion carried 3-2-0 (Ms. Kelly and Mr. Hutchins opposed).

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 13**

Mr. Zito moved to compensate Linda Frutchey a \$1,040.00 lump sum payment for 2011 to be processed at the next payroll. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 3-1-1 (Ms. Kelly opposed, Mr. Frutchey abstained). Public Input was heard from Phyllis Williams and Fred Berg.

Colt Buses

Mr. Hutchins brought up the matter of Colt Buses speeding on SR 611 that appear to be going to Mount Airy. He asked that everyone keep an eye on the situation. If it continues, we may have to take action at the next meeting to send a firm letter to Lackawanna Transit about the problem of speeding, etc. Public Input - Michelle Fairservice suggested contacting Pocono Mountain Regional Police about the matter.

Bidding Road Materials with Tobyhanna Township

Mr. Frutchey advised Mr. O'Boyle that Tobyhanna Township is going to bid road materials and he was asked if Coolbaugh Township would be interested in a joint bidding. Mr. Frutchey said he would leave a copy of the bid specifications in Joe's mail box for him and Steve to review, then the Supervisors could decide if they wanted to do a joint bid with Tobyhanna Township.

Public Input

Fred Berg - said police cars sitting by the airport are doing a good job going after vehicles that are speeding, etc. Discussion followed. Mr. Berg also brought up the matter of giving out extra holidays to the staff while taxes are being raised. Discussion followed.

Michelle Fairservice - said everyone knows the economy is in bad shape, projects are not coming through, the work load had decreased, wages are high in the Township and suggested trying to find ways to cut down. It was pointed out that staff has left and were not replaced, monitoring expense cuts, etc.

Phyllis Williams - said that she could not attend Budget Work Sessions due to them being held in the morning and suggested holding them at night next year.

**Board of Supervisors
Re-Organizational / Business Meeting
January 3, 2011 - Page 14**

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on Tuesday, December 22, 2009 at 7:30 a.m. for Personnel and there are not any scheduled at this time.

Adjournment

With no further business before the Board, Mr. Zito moved to adjourn the meeting. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:54 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Board Chairman