

**Coolbaugh Township Board of Supervisors
Reorganizational \ Business Meeting
January 4, 2010 - Page 1**

The Coolbaugh Township Board of Supervisors January 4, 2010 Reorganizational \ Business Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

Call To Order

Mr. 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. and Mr. Robert M. Zito. Mr. Robert B. Hutchins was absent from the meeting. Also in attendance were: Township Solicitor Jerry F. Hanna, Douglas Hein, Business Manager/Controller and Township Secretary Linda Frutchey.

Appointment of Acting Chairman

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

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.

Administration of the Oath of Office for Re-elected Township Supervisor Robert M. Zito given by Solicitor Jerry F. Hanna

Solicitor Hanna swore in newly re-elected Supervisor Robert M. Zito. Following his swearing in, Mr. Zito thanked both the Township Secretary for suggesting he take his Oath of Office at the Re-organizational meeting and Solicitor Hanna for administering it. Mr. Zito also thanked the people for re-electing him and expressed his desire that the Supervisors respect one another, even when they disagree, so they can work together collectively towards the goal of doing the best for the Township and its residents.

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Organization of the Board of Supervisors

Election for the Board of Supervisors Chairman

Ms. Kelly moved to nominate Joseph O'Boyle as Chairman of the Board of Supervisors. Seconded by Mr. Zito. Discussion - none. Mr. Zito moved to close the nominations. Seconded by Ms. Kelly. The motions carried 4-0.

Election for the Board of Supervisors Vice-Chairman

Mr. Zito moved to nominate Lynn Kelly as Vice-Chairman of the Board of Supervisors. Seconded by Mr. O'Boyle. Discussion - None. The motion carried 3-0-1 (Mr. Frutchey abstained).

Appointment or Reappointment of Other Township Officials

Township Secretary

Mr. Zito moved to reappoint Linda Frutchey as Township Secretary. Seconded by Mr. O'Boyle. Discussion - Mr. Frutchey read a letter saying he would be abstaining from voting on the motion due to Linda being his wife. The motion was called and did not carry 2-1-1 (Ms. Kelly opposed and Mr. Frutchey abstained).

Township Treasurer

Mr. Zito moved to reappoint Pat Eden as Township Treasurer. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Assistant Township Treasurer

Ms. Kelly moved to appoint Mr. Zito as Assistant Township Treasurer. Seconded by Mr. O'Boyle. Discussion followed about the position having no remuneration. The motion carried 3-0-1 (Mr. Zito abstained).

Road Master

Mr. Zito moved to appoint Mr. O'Boyle as Road Master. Seconded by Ms. Kelly. Discussion followed about the position having no remuneration. The motion carried 4-0.

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Appointment or Reappointment of Solicitors

Township Solicitor

Mr. Zito moved to reappoint Jerry F. Hanna as Township Solicitor. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-0.

Planning Commission Solicitor

Mr. Zito moved to reappoint Clark Connor as Planning Commission Solicitor. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Zoning Hearing Board Solicitor

Mr. Zito moved to reappoint Clark Connor as Zoning Hearing Board Solicitor. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-0.

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

Township Engineer

Mr. Zito moved to reappoint Russ Kresge as Township Engineer. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Alternate Township Engineer

Mr. Zito moved to reappoint Hanover Engineering Associates, Inc. as Alternate Township Engineer. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Appointment of Sewage Enforcement Officers

Mr. Zito moved to appoint the following Sewage Enforcement Officers from Hanover Engineering Associates, Inc.: Scott Brown, Jacob Schray, Pamela Kemecsy, Janice Buskirk, Christopher Taylor and Jeffrey Huff. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

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Township Resolution Number 01-2010 re: Depositories of Township Funds

Mr. Zito moved to adopt Township Resolution Number 01-2010. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

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

Ms. Kelly moved to establish the Amount of the Treasurer's Bond at \$500,000.00. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

One (1) appointment to the Board of Auditors due to a resignation - term ending December 31, 2012

Ms. Kelly moved to table the appointment of Auditor due to not receiving any letters of interest. Seconded by Mr. O'Boyle. Discussion - Mr. Zito asked Werner Frank if he would be interested in being appointed as Township Auditor. Mr. Frank thanked Mr. Zito but said he could not serve on both the Zoning Hearing Board and as an Auditor. Mr. Zito then asked Veronica Frank if she would consider being appointed as Auditor. She agreed. Ms. Kelly withdrew her motion to table. Seconded by Mr. O'Boyle.

Mr. Zito said thank you and moved to appoint Mrs. Veronica Frank as the Township Auditor with the term ending December 31, 2012. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

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

Mr. Zito moved to appoint Robert Hutchins as the Municipal Representative to serve on the Joint Code Enforcement Program Administrative Committee. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-0.

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. Frutchey moved to table the matter. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-0.

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Board of Supervisors appointment of Chairman to the EAC

Mr. Zito moved to table the appointment of Chairman to the EAC. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

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

Ms. Kelly moved to appoint Clare Colgan to the Coolbaugh Township Community Partnership Commission with the term ending on December 31, 2012. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

Appointment of Board Liaison to the Coolbaugh Township Community Partnership Commission

Ms. Kelly moved to appoint Robert M. Zito as the Board Liaison to the Coolbaugh Township Community Partnership Commission. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 3-0-1 (Mr. Zito abstained).

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

No letters of interest were received. Ms. Kelly said that Wayne Horne was contacted and he is still interested in remaining on the Parks and Recreation Commission.

Mr. Frutchey moved to table the matter. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

Appointment of Board Liaison to the Parks and Recreation Commission

Mr. Zito asked Mr. Frutchey if he would be interested in being appointed as the Board Liaison. Mr. Frutchey respectfully declined. Ms. Kelly said she would be interested in the appointment. Mr. Zito moved to appoint Lynn Kelly as the Board's Liaison. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 3-0-1 (Mr. Frutchey abstained).

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Two (2) appointments to Planning Commission - term ending December 31, 2013

Letters of interest were received from Alma I. Ruiz-Smith, Andrew Sterner and Juan Adams. Mr. Zito moved to reappoint Alma I. Ruiz-Smith and Andrew Sterner to the Township Planning Commission. Seconded by Ms. Kelly. Discussion - none. The motion carried 3-0-1 (Mr. Frutchey abstained).

Dan Ferguson - Letter of Resignation - Library Board of Trustees, term ending December 31, 2010

Mr. Zito moved to accept Dan Ferguson's letter of resignation with great regret. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Two (2) appointments to the Pocono Mountain Public Library Board of Trustees - terms ending December 31, 2010 and 2012

Letters of Interest were received from Patricia Torregrossa and Supervisor Robert M. Zito. Mr. O'Boyle moved to appoint Patricia Torregrossa to the Pocono Mountain Public Library Board of Trustees for the term ending on December 31, 2012 and Supervisor Robert M. Zito for the term ending on December 31, 2010. Seconded by Mr. Frutchey. Discussion - none. The motion carried 3-0-1 (Ms. Kelly abstained due to being employed by the Pocono Mountain Public Library).

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

Mr. Zito moved to appoint Lynn Kelly as the Board's Liaison to the Pocono Mountain Regional Emergency Medical Services. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-0.

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

Mr. Zito asked Mr. Frutchey if he would consider being appointed to the Police Commission. Mr. Frutchey suggested that Ms. Kelly be appointed since she is the Treasurer.

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Ms. Kelly declined. Mr. Zito moved to appoint Supervisor Robert Hutchins, Supervisor Jim Frutchey and Harry Smith to the Police Commission. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 4-0.

.Appointment of two (2) members to the Zoning Hearing Board - terms ending December 31, 2011 and 2012 and one (1) Alternate member - term ending December 31, 2012

A letter of interest was received from Emanuele DeStefano. Mr. Zito moved to reappoint Mr. DeStefano to the Zoning Hearing Board for the term ending December 31, 2012. Seconded by Ms. Kelly. Discussion followed about Juan Adams being interested in being reappointed. The motion carried 4-0.

Mr. Zito moved to table the appointment of a regular member and the alternate member to the Zoning Hearing Board. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Annual appointment of Vacancy Board Chairperson

A letter of interest was received from Clare Colgan. Mr. Zito moved to appoint Clare Colgan as the Vacancy Board Chairperson. Seconded by Mr. Kelly. Discussion - none. The motion carried 3-0-1 (Mr. Frutchey abstained).

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

Mr. O'Boyle moved to select Mr. Frutchey as the Municipal Representative to attend the Council of Government meetings. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

Mr. Frutchey moved to appoint Mr. O'Boyle as the Alternate Member to attend the Council of Government meetings. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

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

Mr. O'Boyle asked Mr. Frutchey if he would consider staying as the Municipal Representative on the Monroe Road Task Force. Mr. Frutchey respectfully declined and suggested that Mr. Hein attend the meetings. Mr. O'Boyle moved to appoint Doug Hein as the Municipal Representative to attend the Monroe County Road Task Force Meetings. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Authorization to advertise 2010 Board of Supervisors Meetings \ Work Sessions

Mr. Zito moved to authorize the Secretary to advertise the Board of Supervisors Meetings/Work Sessions for 2010. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Establish Holidays For Township Employees - calendar year 2010

Mr. Zito moved to approve the list before the Supervisors and suggested that the dates of December 23 and December 30, 2010 be given to the employees as a full day off instead of a half day. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 3-0-1 (Mr. Frutchey said he was in favor of giving the full days off but would abstain from voting due to Linda and Jimmy being related to him).

Approval of Minutes

December 15, 2000 Regular Meeting

Mr. Zito moved to approve the December 15, 2009 minutes as presented and dispense with the reading. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

December 22, 2009 Special Meeting

Mr. Zito moved to approve the December 22, 2009 Special Meeting minutes as presented and dispense with the reading. Seconded by Mr. Frutchey. Discussion - none. The motion carried 4-0.

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Adoption of Township Resolution Number 02-2010 re: Appointment of Certified Public Accountant

Ms. Kelly motioned to adopt Township Resolution Number 02-2010 regarding appointing Todd J. Bushta as the CPA to audit the financial accounts for 2009. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

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

Mr. Zito moved to authorize BCM Engineers (Dave Kavitski) to prepare the Municipal Wasteload Management (Chapter 94) Report with the condition that it is completed by March 31, 2010 for a not-to-exceed amount of \$2,500.00. Seconded by Mr. Frutchey. Discussion - None. The motion carried 4-0.

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

Ms. Frutchey advised the Supervisors that the matter was not ready to be acted on. Ms. Kelly moved to table. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

Monadnock Non-Wovens, LLC - Request No. 1 for a partial reduction

Mr. Zito moved as per the recommendation of Township Engineer Russ Kresge to release Request #1 in the amount of \$69,217.34 for Monadnock Non-Wovens, LLC. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

Current Obligations

| | |
|----------------------------|---------------------|
| General Fund | \$165,503.42 |
| Capital Projects Fund | \$ 3,307.50 |
| Sewer System Fund | \$ 8,731.92 |
| Total Disbursements | \$177,542.84 |

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Mr. Zito moved to approve the Current Obligations in the amount of \$177,542.84 with the condition that the checks are not released until the Township can draw on the TAN. Seconded by Ms. Kelly. Discussion - Mr. Hein said the checks can be released from the Capital Projects Fund and the Sewer System Fund. Mr. Zito amended the motion to hold the checks from the General Fund and to process the checks from the Capital Projects Fund and the Sewer System Fund. Ms. Kelly seconded the amended motion. Discussion - none. The motion carried 4-0.

Other Business

Selection of dates to reopen the 2010 Budget

Mr. Zito moved to authorize the Secretary to advertise the Budget Work Sessions to be held on Sunday, January 17 and Sunday, January 24, 2010 at 8:00 a.m. for the purpose of reopening the Budget. Seconded by Mr. O'Boyle. Discussion followed about the budget being available to the public at least 10 days prior to adoption, etc. Ms. Kelly said she understands the reason for reopening the budget is to look at a higher millage increase and her opinion is that a 2 mill increase is high enough considering the economic situation, and she is not in favor of reopening the Budget. The motion carried 3-1 (Ms. Kelly opposed).

Appointment of Temporary Secretary

Ms. Kelly asked that consideration be given to appointing a temporary Secretary until the next Board meeting as the motion made this evening did not carry. Mr. Zito moved to appoint Linda Frutchey as temporary Secretary until the next meeting. Seconded by Mr. O'Boyle. The motion was called and did not carry 2-1-1 (Ms. Kelly opposed and Mr. Frutchey abstained).

Discussion followed in which Ms. Kelly stated that based on her contact with PSATS if no appointment is made at the Re-organizational meeting, the position remains vacant. Mr. Zito pointed out that when Mr. Hutchins comes back there will be a third vote to reappoint Mrs. Frutchey and asked that Ms. Kelly vote in favor of the motion

for the sake of continuity. Solicitor Hanna commented that he did not disagree with PSATS, but went on to say that there are a vast number of functions that need to be accomplished which are not required to be done by the position of Township Secretary. Further discussion followed about Mrs. Frutchey continuing to perform parts of the job that do not require appointment as Secretary, etc. Mr. O'Boyle and Mr. Zito stated that they did not have a problem with Mrs. Frutchey continuing to come in to the office to do this work. Ms. Kelly declined to support this premise.

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Special Meeting

Mr. Zito moved to authorize the Business Manager to advertise a Special Meeting to be held on Friday, January 8, 2010 at 8:00 a.m. for the purpose of considering any business that may come before the Board. Seconded by Mr. O'Boyle. The motion carried 3-0-1 (Ms. Kelly abstained).

2010 Board of Supervisors Meetings \ Work Sessions

Ms. Frutchey wanted to be sure everyone was in agreement that the Work Sessions scheduled for the third Tuesday and fourth Tuesday of the month would start at 6:00 p.m. Everyone was in agreement.

Public Input - none.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on Tuesday, December 22, 2009 at 8:55 a.m regarding Personnel. Mr. Zito requested a brief Executive Session and asked that the meeting be left open.

Executive Session - 8:05 p.m.

Return from Executive Session - 8:22 p.m.

Increase in Number of Sick Days

Mr. Zito moved effective immediately that the non-uniform employees receive an additional two (2) days of sick time per year bringing the total to eight (8) sick days per year. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 3-0-1 (Mr. Frutchey abstained due to Linda being his wife).

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Adjournment

With no further business before the Board, Mr. Zito moved to adjourn the meeting. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0. The meeting adjourned at approximately 8:26 p.m.

Respectfully submitted:

Linda Frutchey

Joseph O'Boyle
Board Chairman

