

**Coolbaugh Township Board of Supervisors
Reorganizational \ Business Meeting
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The Coolbaugh Township Board of Supervisors January 7, 2008 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., Mr. Robert B. Hutchins and Mr. Robert M. Zito. Also in attendance were: Township Solicitor Jerry F. Hanna 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. Due to the lengthy Agenda, Mr. Hutchins requested that the Supervisors make motions rather than nominations in going through the organization process. Mr. Zito expressed objections to omitting the nominations. A brief discussion followed in which it was determined that the Supervisors would make motions and exclude the nominations.

Swearing in of Newly Elected Township Supervisor

Mr. Frutchey handed in his Oath of Office as a newly re-elected Supervisor.

Organization of the Board of Supervisors

Election for the Board of Supervisors Chairman

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

Election for the Board of Supervisors Vice-Chairman

Mr. Zito moved to elect Ms. Kelly as Vice-Chairman of the Board of Supervisors. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

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Appointment or Reappointment of Other Township Officials

Township Secretary

Mr. Hutchins moved to re-appoint Mrs. Linda Frutchev as Township Secretary. Seconded by Mr. O'Boyle. Discussion - Mr. Frutchev noted that he will abstain from voting. The motion carried 4-0-1 (Mr. Frutchev abstained).

Township Treasurer

Mr. Hutchins moved to re-appoint Ms. Patricia Eden as Township Treasurer. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Assistant Township Treasurer

Ms. Kelly moved to appoint Mr. Robert Zito as Assistant Township Treasurer. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 5-0.

Road Master

Ms. Kelly moved to re-appoint Mr. Jim Frutchev as Township Road Master. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0-1 (Mr. Frutchev abstained).

Appointment or Reappointment of Solicitors and Township Engineer

Township Solicitor

Before the Board was a letter dated October 16, 2007 from Attorney Jerry F. Hanna expressing an interest in continuing to serve as Township Solicitor. Mr. Hutchins moved to re-appoint Jerry Hanna, Esq. as Township Solicitor, per his proposal. Seconded by Mr. Frutchev. Discussion - none. The motion carried 5-0.

Planning Commission Solicitor

Before the Board was a letter dated October 19, 2007 from Attorney H. Clark Connor expressing an interest in continuing to serve as the Planning Commission Solicitor. Mr. Hutchins moved to re-appoint H. Clark Connor, Esq. as the Township's Planning Commission Solicitor, per his proposal. Seconded by Mr. Frutchev. Discussion - none. The motion carried 5-0.

Zoning Hearing Board Solicitor

Before the Board was a letter dated October 19, 2007 from Attorney H. Clark Connor expressing an interest in continuing to serve as the Zoning Hearing Board Solicitor. Mr. Hutchins moved to re-appoint H. Clark Connor, Esq. as the

Township's Zoning Hearing Board Solicitor, per his proposal. Seconded by Mr. Frutchey. Discussion - Mr. Zito noted that according to the Municipal Planning Code (MPC) this appointment does not need to be on the Agenda, as Mr. Connor's letter of interest

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should be directed to the ZHB to make the appointment. Discussion followed about the letter from the members of the ZHB requesting that Mr. Connor be reappointed as the ZHB Solicitor. The motion was called and carried 4-0-1 (Mr. Zito abstained).

Township Engineer

Before the Board was a letter dated October 12, 2007 from Russ Kresge, PE, PLS expressing an interest in continuing to serve as the Township Engineer. Mr. Frutchey moved to re-appoint Mr. Russ Kresge as Township Engineer, per his proposal. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Alternate Township Engineer

Before the Board was a letter dated November 28, 2007 from Charles H. Unangst, PE, PLS, President of Hanover Engineering Associates, Inc., expressing an interest in continuing to serve as the Alternate Township Engineer. Ms. Kelly moved to re-appoint Hanover Engineering as Alternate Township Engineer, per their proposal. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Appointment of Sewage Enforcement Officers

Before the Board was a letter dated December 3, 2007 from Charles H. Unangst, PE, PLS, President of Hanover Engineering Associates, Inc., expressing an interest in continuing to provide Sewage Enforcement Officers for Coolbaugh Township. Mr. Hutchins moved to re-appoint Mr. Scott Brown, Ms. Pamela Kemecsy and Mr. Jake Schray of Hanover Engineering as Township Sewage Enforcement Officers, per their proposal. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Township Resolution Number 01-2008 re: Depositories of Township Funds

Mr. O'Boyle read of the list of depositories in the draft Resolution. Mr. Hutchins moved to adopt Township Resolution Number 01-2008 re: Depositories of Township Funds. Seconded by Ms. Kelly. A brief discussion followed about Pocono Community Bank and electronic funds. The motion passed 5-0.

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. Frutchey. Discussion - none. The motion carried 5-0.

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Acknowledgment of Stephen Planchock as Township Auditor - write-in winner from the November 6, 2007 Municipal Election

Mr. O'Boyle read a letter dated December 19, 2007 from the Office of Registration/Elections, Monroe County, notifying the Township of the write-in election of Mr. Stephen Planchock as a Township Auditor, whose election was then acknowledged by the Board of Supervisors.

One (1) Appointment to the Building Code Board of Appeals - term ending December 31, 2008

Ms. Kelly made a motion to appoint Mr. Fred Pope to serve on the Building Code Board of Appeals for a term ending on December 31, 2008. Seconded by Mr. O'Boyle. Discussion - none. The motion carried 5-0.

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

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

One (1) appointment to the Environmental Advisory Council (EAC) - term ending December 31, 2012

Before the Board was a letter of interest from Clare Colgan, requesting to be re-appointed to the EAC.

Mr. Zito moved to re-appoint Ms. Clare Colgan to the Environmental Advisory Council (EAC) for a term ending December 31, 2012. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Board of Supervisors appointment of Chairman to the EAC

Mr. O'Boyle moved to re-appoint Mr. Robert Connelly as Chairman of the EAC. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

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Three (3) appointments to the Coolbaugh Township Community Partnership Commission (CTCPC) - terms ending on December 31, 2008

Before the Board were letters of interest from William Blanken, Jr., Michael Stern and Jackie Irizarry requesting to be re-appointed to the CTCPC.

Mr. Zito moved to appoint Mr. William Blanken, Jr., Mr. Michael Stern and Ms. Jackie Irizarry to the CTCPC for terms ending on December 31, 2010, rather than ending in 2008. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Appointment of Board Liaison to the Coolbaugh Township Community Partnership Commission

Mr. Hutchins moved to appoint Mr. Robert Zito as Board Liaison to the CTCPC. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

One (1) appointment to Parks and Recreation Commission - term ending December 31, 2011 and Appointment of Board Liaison

There were no requests before the Board to serve the above referenced term on the Parks and Recreation Commission.

Mr. Hutchins moved to appoint Mr. Robert Zito as a member and Mr. James Frutchey as the Board Liaison to the Parks and Recreation Commission. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Appointment to the Pocono Mountain Public Library Board of Trustees - term ending December 31, 2012

Before the Board was a letter of interest from Mr. Dan Ferguson requesting to be re-appointed to the Pocono Mountain Public Library Board of Trustees for the term ending December 31, 2012.

Mr. Zito moved to re-appoint Mr. Dan Ferguson to the Pocono Mountain Public Library Board of Trustees for the term ending December 31, 2012. Seconded by Mr. Hutchins. Discussion - Ms. Kelly read a letter to the Board explaining that she will be abstaining from this vote, due to her employment at the library. The motion was called and passed 4-0-1 (Ms. Kelly abstained).

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

Mr. Hutchins moved to re-appoint Mr. Joseph O'Boyle as the Board Liaison to the Pocono Mountain Regional Emergency Medical Services. Seconded by Mr. Frutchey. Discussion - none. The motion passed 5-0.

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

Before the Board were letters of interest from Lynn Kelly, Bob Hutchins and Harry Smith requesting to be re-appointed to the annual terms on the Pocono Mountain Regional Police Commission.

Mr. Zito moved to re-appoint Ms. Lynn Kelly, Mr. Bob Hutchins and Mr. Harry Smith to annual terms on the Pocono Mountain Regional Police Commission. Seconded by Mr. O'Boyle. Discussion - none. The motion passed 4-0-1 (Mr. Hutchins abstained).

Appointment of one (1) member to the Zoning Hearing Board - term ending December 31, 2010

Before the Board was a Memo from Grier Haslam requesting that he be re-appointed to the ZHB for another term.

Mr. Frutchey moved to re-appoint Mr. Grier Haslam to the Township's Zoning Hearing Board. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Annual appointment of Vacancy Board Chairperson

Before the Board was a letter of interest from Ralph Knecht, Sr. requesting to be re-appointed as the Vacancy Board Chairperson.

Mr. Zito moved to re-appoint Mr. Ralph Knecht, Sr. as the Vacancy Board Chairperson. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

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

Before the Board was a letter from Jim Frutchey asking to be selected as the Municipal Representative to attend Council of Government meetings.

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Ms. Kelly made a motion to select Mr. Jim Frutchey as the Municipal Representative to attend Council of Government Meetings and Mr. Joseph O'Boyle as the Alternate Representative. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

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

Before the Board was a letter from Jim Frutchey asking to serve as the Municipal Representative at Monroe County Road Task Force meetings.

Mr. Hutchins made a motion to select Mr. Frutchey to serve as the Municipal Representative at Monroe County Road Task Force meetings. Seconded by Ms. Kelly, who thanked Mr. Frutchey for attending meetings during the day. The motion carried 5-0.

Certify Delegates and appoint one (1) Delegate to serve as the Voting Delegate to the Pennsylvania State Association of Township Supervisors' (PSATS) Annual Convention

Ms. Kelly moved to appoint Robert Zito as voting delegate to the Pennsylvania State Association of Township Supervisors' (PSATS) Annual Convention. Seconded by Mr. Hutchins. Discussion followed.

Ms. Kelly amended her motion to certify all of the Board of Supervisors as delegates to the Pennsylvania State Association of Township Supervisors' (PSATS) Annual Convention and to appoint Mr. Robert Zito as the voting delegate. The amended motion was seconded by Mr. Hutchins. Further discussion ensued regarding the tight budget and whether all Supervisors should attend, etc. The motion carried 5-0.

Ms. Kelly moved to allow the Township Secretary, Treasurer and Road Foreman to attend the convention as Township Representatives. Seconded by Mr. Hutchins. Discussion followed, noting that if the Budget is too tight at the time, the Board can reconsider the number of attendees. The motion carried 5-0.

Authorization to advertise Board of Supervisors Meetings \ Work Sessions for 2008

Before the Supervisors was a draft notice for the advertisement of Board meetings and

Work Sessions for 2008. Discussion followed.

Mr. Zito moved to authorize the Township Secretary to advertise the Board of Supervisors' meetings and Work Sessions for 2008 as scheduled, with the exceptions of the Tuesday,

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April 22, 2008 Work Session being changed to Monday, April 21, 2008, the Board's regular meeting scheduled for Tuesday November 4, 2008 (Election Day) being changed to Monday, November 3, 2008 and the December 23, 2008 Work Session being canceled. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Establish Holidays For Township Employees - calendar year 2008

Before the Board was a draft notice regarding proposed holidays for Township Employees in the year 2008.

Mr. Frutchey moved to approve the holidays as presented. Seconded by Mr. Hutchins. Discussion followed. It was the consensus of the Supervisors to close the Township at noon on December 24 and December 31, 2008. The motion carried 5-0.

Approval of December 18, 2007 Regular Meeting Minutes & December 28, 2007 Special Meeting Minutes

Ms. Kelly made a motion to approve the December 18, 2007 Regular Meeting Minutes and the December 28, 2007 Special Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Request for a waiver of §104.4 of the Natural Features Conservation Plan Lot 6 - Block A-2014 Section 20 - Arrowhead Lake, M& E Builders Inc., T/A Liberty Homes Custom Builders

Mr. Peter Gallagher, General Manager of M & E Builders, Inc. was present on behalf of the request referenced above.

Mr. Hutchins moved to grant the waiver of §104.4 of the Natural Features Conservation Plan for Lot 6 - Block A-2014, Section 20 - Arrowhead Lake for M& E Builders Inc., T/A Liberty Homes Custom Builders . Seconded by Mr. O'Boyle. Discussion - Ms. Kelly brought up a question about plans to pave.

Mr. Hutchins amended his motion to grant the waiver of §104.4 of the Natural Features Conservation Plan for Lot 6 - Block A-2014, Section 20 - Arrowhead Lake for M& E

Builders Inc., T/A Homes Custom Builders Liberty, on the basis that the driveway remains in an unpaved state and that this stipulation is so noted on a recorded plan. The amended motion was seconded by Mr. O'Boyle.

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Discussion followed in which Solicitor Hanna suggested that all comments in the Natural Features Conservation Ordinance and in Township Engineer Russ Kresge's letter dated December 17, 2007 be complied with, with the exception of comment #5 regarding the waiver.

Mr. Hutchins amended his motion going back to the first motion to grant the waiver of §104.4 of the Natural Features Conservation Plan for Lot 6 - Block A-2014, Section 20 - Arrowhead Lake for M& E Builders Inc., T/A Liberty Homes Custom Builders. The amended motion was seconded by Mr. O'Boyle. The motion carried 5-0.

Minor Subdivision to join lots 4 & 5, Block 1406, Section 14, Arrowhead Lake - Property Owners - Dominick and Linda Carnevali

Mr. Frutchey made a motion to approve the Minor Subdivision to join lots 4 & 5, Block 1406, Section 14, Arrowhead Lake for Property Owners Dominick and Linda Carnevali. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

Adoption of Township Resolution Number 02-2008 re: Appointment of Certified Public Accountant

Mr. Hutchins moved to adopt Township Resolution Number 02-2008 re: the Appointment of Certified Public Accountant Todd J. Bushta to act as an independent auditor for the Township for the fiscal year 2007 at a compensation not to exceed \$8500.00. Seconded by Ms. Kelly. Discussion - none. The motion passed 5-0.

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

Before the Board was a proposal dated January 4, 2008 from David J. Kavitski, PE of BCM Engineers to prepare the Municipal Wasteload Management (Chapter 94) Report for a not-to-exceed fee of \$2500.00. Discussion followed.

Mr. Frutchey moved to authorize BCM Engineers to prepare Municipal Wasteload Management (Chapter 94) Report for a not-to-exceed fee of \$2500.00. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

ASCAP Music License

Ms. Kelly gave an overview of the music licenses purchased for "Coolbaugh Celebrates" and estimated a total cost for licenses in 2008 of about \$600.00. Discussion followed. Mr. Hutchins moved to table discussion until the next Work Session. Seconded by Mr. Frutchey. The motion did not carry 2-3-0 (Mr. O'Boyle, Mr. Zito and Ms. Kelly opposed).

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Ms. Kelly moved to approve the payment of the ASCAP Music License and the other licenses as they come in (SESAC and BMI). Seconded by Mr. Zito. Discussion followed. It was the consensus of the Supervisors to go over the details of "Coolbaugh Celebrates" at the next Work Session. The motion carried 5-0.

Building #2 Renovations - Code of Federal Regulations - ADA Standards

Ms. Kelly presented information regarding the above referenced subject. Discussion followed about access issues in Building #2 and planned renovations, etc. Discussion followed about the Board agreeing to go over the matter at the January 22, 2008 Work Session. The Secretary was asked to move the matter to the next Work Session Agenda.

Current Obligations

General Fund	\$116,592.39
Escrow Fund	\$ 4,816.50
Pocono Community Bank	\$293,453.80
Sewer System Fund	<u>\$ 7,609.54</u>
<u> </u> Total Disbursements	\$422,472.23

Ms. Kelly moved to pay the Current Obligations in the amount of \$422,472.23. Seconded by Mr. Frutchey. Discussion followed about the Tobyhanna Service Station bills and the payment to Ken Fulford of K. L. Fulford Associates, Inc. for June. The motion carried 5-0.

Other Business

December 28, 2007 Special Meeting Minutes

Mr. Zito asked that it be clarified in the Special Meeting Minutes that he was in favor of giving raises, but not the method of distribution. No objection was heard.,

Mr. Zito moved to grant the increase in wages for 2008 to Linda Frutchey and James. H. Frutchey, III retroactively. Seconded by Mr. Hutchins. Discussion -

none. The motion carried 4-0-1 (Mr. Frutchey abstained).

Pocono Mountain Public Library Property

Mr. Zito distributed a summary of three funding scenarios based on the real estate appraisals for the PMPL property on Hemlock Drive. He expressed a desire to let the library know the Board's intentions regarding moving forward with the new library project.

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Mr. Zito moved to direct the Township Solicitor to redraft the land lease agreement between the PMPL and Coolbaugh Township. Seconded by Mr. O'Boyle. A lengthy discussion followed. Mr. Hutchins expressed his opposition to the funding arrangements and offered other alternatives for moving forward with this project. Public comment was heard from Dan Ferguson and Ronnie Frank.

Mr. Zito said his motion stands to have Solicitor Hanna redraft the land lease. The motion was called and carried 4-1-0 (Mr. Hutchins stated that his opposing vote did not represent any ill feelings against the library).

Meeting Date Change

Mr. Frutchey made a motion to cancel the regular Board meeting scheduled for Tuesday, January 15, 2008 and move it to January 22, 2008 with the Work Session to follow the Board meeting. Seconded by Mr. Zito. Discussion followed about adjusting the advertisement. The motion carried 5-0.

Public Input

William Blanken - commented on the brightness of a new sign on SR 196 at the Shawnee Tabernacle Church, saying it was a distraction to motorists.

Werner Frank - also commented on the sign.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that Executive Sessions were held on Tuesday, December 18, 2007 at 6:30 p.m. and at 9:00 p.m. regarding Legal matters. Ms. Kelly asked for a short Executive Session regarding Personnel following the meeting.

Adjournment

With no further business before the Board, Mr. Zito moved to adjourn the meeting.

Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:44 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Board Chairman