

**Coolbaugh Township
Board of Supervisors
July 5, 2011 Minutes
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The Coolbaugh Township Board of Supervisors July 5, 2011 Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

Call To Order

Chairman O'Boyle called the meeting to order at approximately 7:00 p.m.

At the request of Chairman O'Boyle, Walter McGrath lead those in attendance in the recitation of the Pledge of Allegiance.

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

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.

Approval of June 21, 2011 Minutes

Mr. Hutchins moved to approve the June 21, 2011 Minutes as presented and dispense with the reading. Seconded by Mr. Frutchey. Discussion - none. The motion carried 3-0 (Mr. O'Boyle and Mr. Zito abstained due to not being present at the meeting).

Request by Preservation Alliance for Dam and Lake Environment to be on the agenda to discuss the Lowe's project

Mr. Alan Rybarchyk President/CEO of Preservation Alliance for Dam and Lake Environment requested to be on the agenda to discuss his June 6, 2011 letter to the Board of Supervisors about the Lowe's project storm water conveyance situation.

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Mr. Rybarchyk introduced Steven Argen and asked that he handle #1 in his letter relating to the illegal use of residential property. An informational sheet prepared by Mr. Argen was handed out with a list of land use cases.

A lengthy discussion ensued with Mr. Argen giving his opinions on the bypass of the condemnation process of the 2 lots in Pocono Summit Lakes, the enforcement of the Zoning Ordinance not being followed; request that the Zoning Hearing Board be asked to give a determination on the lots in question, etc.

Mr. Rybarchyk read a statement prepared by him with his opinions on the illegal use of residential property and asked that the information be entered in the minutes. No objection was heard to Mr. Rybarchyk's request. The contents of the letter is as follows: Item 1: Because the residential properties in question were voluntarily conveyed, and the condemnation process was bypassed, the Board: (A) Failed to give required notification to aggrieved citizens who might wish to comment on the matters; and (B) Failed to do an action to quiet title and lift the covenants, conditions, and restrictions imbedded in the residential deeds which run with the land in perpetuity.

Mr. Rybarchyk handed out pictures of the recent problem with stormwater runoff into the lake over the holiday weekend and insisted that the Supervisors give some details as to what enforcement action they were going to take on the matter. The Supervisors explained that PADEP and the Monroe County Conservation District were the enforcement agencies that would handle this problem. During discussions, Mr. Rybarchyk asked if the Township would collect water from the lake and have it taken to a lab for water quality testing. It was the consensus of the Supervisors that this was a fair request and it would be considered when the maintenance on the stormwater conveyance system is discussed and finalized.

Mr. Rybarchyk continued with the remaining items listed in his June 6, 2011 letter relating to the negative impact on the wetlands, erosion of the riparian environment, increased probability of flooding, inadequate monitoring of the effluent, increased probability of both surface and ground water contamination, alteration of the quantity and variety of both aquatic and riparian vegetation and wild life, increased hydrodynamic pressure on an already failing dam and inadequate maintenance of the discharge system.

Public input was heard from Jim Wilson, Walter McGrath and Anthony Panichelli.

Township Resolution #07-2011 re: Pocono Summit Lake lots

Mr. Zito made a motion to adopt Township Resolution #07-2011. Seconded by Mr. Hutchins. Discussion - Mr. O'Boyle was asked to read the resolution. Public input was heard from Walter McGrath and Steve Argen. The motion carried 5-0.

Repeal the 1984 Municipal Agreement between Coolbaugh Township and Mount Pocono Borough relating to snow removal at a portion of Industrial Park Drive and Staudts Road

Mr. Zito moved to approve. Seconded Mr. Hutchins. Discussion - none. The motion carried 5-0.

Township Line Painting Project

Mr. Frutchey checked with COG and Coolbaugh Township submitted quantities for the COG Line Painting Bid. He went on to say no one has reported any problems with the vendor. Discussion followed. Mr. Hutchins made a motion to move forward with the COG Bid. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Authorization to advertise bid for the sale of the Ford 150 truck through municibid.com

Mr. Hutchins made a motion to authorize the advertisement. Seconded by Mr. Frutchey. Discussion - Mr. Hein said this will include an ad in the Pocono Record and the time frame will be to award the bid at the first meeting in August. The motion carried 5-0.

Township Financial Report

Mr. Hein explained the report that included the final Trial Balance and final Budget Trial Balance for funds as of May 31, 2011. Along with the report was a listing of time available for all employees as of payroll ending June 25, 2011. Discussion - Mr. Hutchins asked about waiting for updated plans on the Hemlock Drive Project. It was the consensus of the Supervisors to discuss this matter at the July 19, 2011 Work Session.

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Current Obligations

General Fund	\$351,746.24
Capital Projects Fund	\$ 803.00
Escrow Account Fund	\$ 30,172.26
Sewer Fund	\$ 8915.81
Total Disbursements	<u>\$391,638.31</u>

Mr. Zito moved to pay the Current Obligations in the amount of \$391,638.31. Seconded by Ms. Kelly. Discussion - Mr. Frutchey said when he votes, he will abstain from check #29625 to Linda Frutchey for an insurance reimbursement. Mr. Hutchins questioned the check out of the Capital Project Fund to Hanover Engineering. Discussion followed. Mr. Zito withdrew the motion. Ms. Kelly withdrew the second to the motion.

Mr. Hutchins moved to pay the Current Obligations with the condition that check #313 to Hanover Engineering is held and the matter will be discussed at the July 19, 2011 Work Session. Seconded by Ms. Kelly. Discussion - Mr. Frutchey abstained from voting on check #29625 to Linda Frutchey. The motion carried 5-0.

Other Business

Request to use the Township Community Service Center

Mr. Hein said he received a letter of interest from Veronica Conte, Troop Leader for the Cadet Girl Scout Troop #109 to use a room in the Community Service Center to hold meetings on Tuesday evening. No objections was heard to the request.

Public Input

Patrick Finnegan - asked whose property it was and what type of commercial business will be going in on the property at the corner of Summit Avenue. Discussion followed about it being the Scavello Property and no business enterprise is planned at this time.

Vincent Massaro asked if the owner pays commercial taxes on property located on SR 196 where there is a yard sale held every week-end. He asked if the signs on the trees and poles could be removed across the road from APCP's main entrance along SR 196. Discussion followed about the Township not requiring yard sale permits. Our Zoning Officer would be asked to see that the signs are removed.

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Michelle Fairservice - asked if the Township received notification of the Sports Camp opening, if the Township could require them to submit water usage reports, and if the SEO would be required to do sewage inspection reports. Discussion ensued about receiving notice from the Camp's attorney about the security bond being posted. The SEO would continue doing the inspections. **Ms. Fairservice** - gave an FYI about the recent heavy rain fall that caused a big water problem at the Laurel Drive underpass. **Ms. Fairservice** asked where the collection box for fluorescent light bulbs was. Discussion - Mr. Hutchins said he gave his lightbulb to Sandra who made sure it was put in the recycling container which he believe is kept in the garage.

Harry Smith asked if PennDOT did the paving work behind the garage on Main Street and asked if we could get them to clean the drainage ditch on SR 611. Discussion followed. Mr. O'Boyle encouraged everyone to contact PennDOT to request that the drainage ditch be cleaned.

Fred Berg - about a problem at the corner of Sussex Drive in Lexington Woods with a pool of water and it has been going on since PAWC installed the fire hydrant. Discussion followed about contacting PAWC about the problem.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that the Board of Supervisors held an executive session on Tuesday, June 28, 2011 at 7:45 p.m for Personnel / Legal. An Executive Session was held this evening at 6:30 p.m. for Personnel and one will be held following this meeting for Legal.

Adjournment

With no further business before the Board, Mr. O'Boyle moved to adjourn the meeting. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 9: 15 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Board Chairman