

**Coolbaugh Township
Board of Supervisors
June 1, 2010 Meeting
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The Coolbaugh Township Board of Supervisors June 1, 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 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.

Approval of Minutes

Ms. Kelly moved to approve the May 17, 2010 minutes as presented and to dispense with the reading. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0-1 (Mr. Zito abstained, as he was not present at the meeting).

Pocono Mountain Public Library Land Development Plan

Request for a waiver - Chapter 22, Subdivision and Land Development, §202. re: the lease agreement arrangement being considered a subdivision.

Request for a waiver - Chapter 22, Subdivision and Land Development, §403D(21)(f) re: a clear sight triangle being shown at the intersection of the main drive with SR 611

Request for a waiver - Chapter 26, Part II, Stormwater and Earth Disturbance, Appendix E - §2.3A(6) re: a 1% slope requirement, which is routinely granted when a facility is designed according to PA DEP requirements

Mr. O'Boyle read Memos from the Township Planning Commission which recommended that the Board approve the waiver requests and the Pocono Mountain Public Library Land Development Plan and listed the letters from Linder Engineering and Township Engineer Russ Kresge.

Mr. Zito moved, based on the Planning Commission's recommendation, to approve the requests for waivers of Chapter 22, Subdivision and Land Development, §202. re: the lease agreement arrangement being considered a subdivision; Chapter 22, Subdivision and Land Development, §403D(21)(f) re: a clear sight triangle being shown at the intersection of the main drive with SR 611 and Chapter 26; and Part II, Stormwater and Earth Disturbance, Appendix E - §2.3A(6) re: a 1% slope requirement. Seconded by Mr. Hutchins. Discussion - Mr. Frutchey stated for the record that he was not opposed to the library project, but he was not in favor of the location for the building on the Municipal Center grounds and the removal of the trees. The motion carried 5-0.

Mr. Zito moved, based on the Planning Commission's recommendation, to approve the Pocono Mountain Public Library Land Development Plan, with the conditions that any outstanding comments in Township Engineer Russ Kresge's letter dated May 7, 2010 are addressed and any zoning issues regarding parking are addressed to the satisfaction of the Township Zoning Officer. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Minor Subdivision to join lots 504 & 505, Section G, A Pocono Country Place - Property Owner - Michael Upton

Ms. Kelly moved to approve the Minor Subdivision to join lots 504 & 505, Section G, in A Pocono Country Place for Property Owner Michael Upton. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Draft Sewage System Maintenance Agreement - Tobyhanna Camp Corporation

No one was present on behalf of the agreement referenced above.

Mr. Hutchins made a motion to table discussion of the Draft Sewage System Maintenance Agreement for the Tobyhanna Camp Corporation, due to there being no representation at the meeting, no revised agreement or an Exhibit A. Seconded by Mr. Frutchey. Discussion - Township Secretary Linda Frutchey was questioned if the Township received Exhibit A. She explained that the camp's Attorney Joe McDonald had called to say he would not be able to attend tonight's meeting and asked to be tabled.

Request to use pavilion at Township Park and waive fees - Kingdom Change Ministries

Ms. Kelly made a motion to approve the request from Kingdom Change Ministries to use a pavilion at the Township Park and waive the fees, as done for other non-profits. Seconded by Mr. Zito. Discussion - Mr. Hutchins asked where the church was located, etc. The motion passed 4-1 (Mr. Hutchins opposed).

Authorization to advertise Public Notice re: Arrowhead Sewer Company Special Study Area - Act 537 Official Sewage Facilities Plan

Mr. Hutchins made a motion to advertise the Public Notice re: Arrowhead Sewer Company Special Study Area - Act 537 Official Sewage Facilities Plan . Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Authorization to advertise Bid for the New Recreation Building for Coolbaugh Township

Mr. Zito moved to authorize the Bid Advertisement for the New Recreation Building. Seconded by Ms. Kelly. Discussion followed about changing the advertisement dates, opening of the bids with a possible award on July 20, 2010. Mr. Hutchins said reluctantly he will not be supporting the motion and went on to say that the Township is hurting financially; if we construct the recreation building we do not have the funds to staff, heat or cool it; we will be approving an \$8,890.00 change order for the Kings Way Intersection Improvements; the MMO for the PMRP is going to be high; we are going to be discussing

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possible layoffs, etc. Mr. Zito said he respects what was said, but the Capital Projects is something we all put together 3 years ago. This is the most advantageous time to do the project, and we are investing in the people - our residents. He went on to say he has confidence that this is the right thing to do and everything will work out, etc. Public comment was heard from Bob Sciarrone, Chris Hickler, Dave Pope, Vince Massaro, Fred Berg, Harry Smith and Michele Fairservice. The motion carried 3-0-2 (Mr. Hutchins and Mr. Frutchey opposed).

Muschlitz Excavating, Inc. - SR 196 Sterling Road & Kings Way/Seven Nations Drive Intersection Improvements

Request for Payment Application #2 in the amount of \$65,750.89

Mr. Frutchey moved to approve as per the recommendation of Hanover Engineering the request for payment application #2 in the amount of \$65,750.89 to Muschillitz Excavating, Inc. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Authorization for additional work required due to field adjustments necessitated by underground utility conflicts - \$8,890.25

Mr. Hutchins moved to authorize the additional work required, due to field adjustments necessitated by underground utility conflicts, in the amount of \$8,890.25 with the condition that a letter is sent to PAWC with a copy being sent to PA ONE CALL and the PUC expressing our displeasure in having to pay this invoice due to PAWC not having their water lines marked properly. Seconded by Mr. Frutchey. Discussion followed about what the deductions would amount to for the contingency items such as the LED street light and landscaping stock not used. The motion carried 5-0.

Current Obligations

General Fund	\$221,003.30
Capital Projects Fund	\$ 2,572.50
Sewer System Fund	\$ 4,804.33
State Liquid Fuels Fund	\$ 1,504.87
Total Disbursements	\$264,885.00

Ms. Kelly moved to approve paying the Current Obligations in the amount of \$264,885.00. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0. Mr. Hutchins asked if we are holding checks, and Mr. Hein responded that everything has been paid.

Other Business

Authorization to advertise Bid for Laurel Drive Intersection Improvements

Mr. O'Boyle read a cover letter dated June 1, 2010 from Township Engineer Russ Kresge for his draft copy of Contract Documents (including bid documents) for the Laurel Drive Intersection Improvements. Ms. Kelly moved to authorize the advertisement as outlined in the Bid. Seconded by Mr. Frutchey. Discussion - Mr. Hutchins stated that there were thirty-six comments in the letter from PennDOT and he does not want to see any additional charges from Hanover Engineering. The motion passed 5-0.

Jack & Jill Day Care - Use of Community Service Center

An employee from the day care, Cassandra, was present on behalf of the request referenced above. She explained that they would only need about an hour and a half for a small graduation ceremony and skit involving pre-school children. Mr. Frutchey made a motion to approve the Jack & Jill Day Care's request to hold their graduation in the Community Services Center in Building #2. Seconded by Ms. Kelly. Discussion - public comment was heard from Michelle Fairservice. The motion carried 5-0.

Public Input

Robert Sciarrone - asked about the new traffic light being installed on SR 196 and expressed concerns about a construction project going on in A Pocono Country Place at the location of the H Pool and asked that a letter be sent to OSHA listing the violations, etc. . Discussion followed. No action was taken.

Chris Hickler - of Block Auto on Main Street in Tobyhanna was present on behalf of concerns he has about requirements of the Township Engineer and Zoning Officer regarding his business. Discussion followed about a highway occupancy permit, the sign, etc. It was the consensus of the Supervisors to check with the township Engineer regarding the highway occupancy permit.

Marie Evelyn - brought up issues of public safety with regard to tractor trailer parking on shoulders and the need for No Parking signs. Discussion followed in which Mr. O'Boyle said they were looking into the matter.

Michelle Fairservice - commented that she thought the Township's web site was out of date and commended Chris Hickler for doing improvements to Main Street.

Harry Smith - asked when the Tobyhanna Camp will be back on the Agenda.

Vince Massaro - asked if SR 196 paving is on schedule.

Eileen Lawrence - asked Mr. Zito if the letter was sent to property owners along SR 196 asking them to clean up their properties. Mr. Zito said he is working a draft that has to be approved by the Board before sending it.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on Tuesday, May 17, 2010 at 8:30 p.m. re: Personnel and there will be an Executive Session re: Personnel on Thursday, June 10, 2010 at 6:30 p.m. An Executive Session for this evening at 6:00 p.m. was canceled.

Adjournment

With no further business before the Board, Mr. Frutchey moved to adjourn the meeting. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:28 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Board Chairman