

Coolbaugh Township
Board of Supervisors
June 16, 2009 Meeting
Page 1

The Coolbaugh Township Board of Supervisors June 16, 2009 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 M. Zito. Also present were Township Solicitor Jerry F. Hanna 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 for other issues.

Moment of Silence

Mr. O'Boyle announced the recent passing of Zoning Officer Todd Schollhammer's brother, Jerry, and asked for a moment of silence in his memory.

Approval of June 2, 2009 Meeting Minutes

Mr. Zito moved to approve the June 2, 2009 Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Hutchins. Discussion - on page 5, first paragraph under "Employee Raises", the effective date should read May 1, 2009. The motion carried 5-0.

BCM's Proposal - Coolbaugh Township Waste Water Treatment Plant Expansion: Scope of Work - Phase 1 in a not to exceed amount of \$24,662.00 and Phase 2 Budget @ \$849,554.70

Dave Kavitski of BCM Engineers was present to discuss the proposal referenced above. Mr. Kavitski explained the Phase 1 Scope of Services as follows: 1. Complete Act 537 Plan Special Study along SR 611; 2. Request Permit Limits from PADEP and DRBC for WWTP Expansion to 0.104 mgd; 3. Review Act 537 Plan with Supervisors; 4. Prepare Advertisement of Act 537; 5. Address any comments made during the 30 day comment period; 6. Submit 537 to PADEP for approval. He said it will take approximately three months to complete Phase 1, and noted that some costs are reimbursable. Mr. Kavitski also summarized the Scope of Services for Phase 2, which will follow the completion of Phase 1.

Mr. Hutchins moved to approve the proposal from BCM Engineers for the Coolbaugh Township Waste Water Treatment Plant Expansion, Scope of Work, Phase 1 in the amount of \$24,662.00. Seconded by Mr. Frutchey. Discussion - public comment was heard from Dave Pope. The motion carried 5-0.

2009 Monthly Reports

Coolbaugh Township Volunteer Fire Company
No report was available for the CTVFC.

Monroe County Road Task Force

Mr. Frutchey reported that he attended the Monroe County Road Task Force Meeting on Thursday, June 11, 2009. The Agility Program was discussed - we may be doing a drainage project between Coolbaugh Township and PennDOT on Main Street above the Children's Fishing Area to Redmen's Hall. Main Street in Tobyhanna will be paved from Prospect Street down to SR 611 (to the gas station). Tom Cramer of PennDOT will get back to us about the Warnertown Bridge Replacement Project regarding whether there will be a temporary bridge or detour while the bridge is being replaced. Mr. Cramer also reported that SR 196 will be getting crack sealing. Approximately 60 miles of roads will be tarred and chipped throughout Monroe County this year.

Pocono Mountain Regional Emergency Medical Services
No report was available for the PMREMS.

Pocono Mountain Regional Police

Ms. Kelly presented the May 2009 PMRPD Monthly Report as follows: 1312 complaints, 82 accidents, 147 criminal arrests, 383 traffic arrests, 381 traffic warnings and 11 ordinance arrests for a total of 1394 calls within the area covered by the regional police, which includes Tobyhanna, Tunkhannock and Coolbaugh Townships and the Borough of Mount Pocono. Ms. Kelly also reported the following: race weekend was a success with only eight arrests; 175 people took the 2009 police exam, 53 people will take the fitness portion of the exam; Chief Lewis has applied for several grants; Flip, one of the police dogs will have to be retired later this year.

Monadnock Non-Wovens Warehouse Addition Land Development Plan

Township Improvements Agreement

Mr. Frutchev asked Solicitor Jerry Hanna if everything was in order. With that being confirmed, Mr. Frutchev moved to approve the Township Improvements Agreement for the Monadnock Non-Wovens Warehouse Addition Land Development Plan. Seconded by Ms. Kelly. Discussion - none. The motion passed 5-0.

Stormwater Management Maintenance Agreement

Mr. Zito made a motion to approve the Stormwater Management Maintenance Agreement for the Monadnock Non-Wovens Warehouse Addition Land Development Plan. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Township Resolution #12-2009 - The Cross, Inc. Land Development Plan - Sewage Facilities Planning Module

Pastor Lakeram Sahadeo of The Cross, Inc. was present in the audience on behalf of the Sewage Facilities Planning Module referenced above.

Before the Supervisors was an email dated June 16, 2009 from Township SEO Jake Schray of Hanover Engineering asking that discussion of The Cross, Inc. planning module be tabled, while he awaits further information regarding a change to the sewage flows which may eliminate the need for a planning module. Mr. Frutchey moved to table further discussion of The Cross, Inc. Sewage Facilities Planning Module, per the recommendation of SEO Jake Schray. Seconded by Ms. Kelly. A brief discussion followed about an extension on the project. The motion passed 5-0.

Pocono Farms Country Club Association, Inc. letter re: Laurel Drive / State Route 611
Intersection relocation

Before the Supervisors was a letter dated May 30, 2009 from Dave Timko, General Manager of PFCCA confirming that the Board of Directors is willing to cooperate with the Township regarding acquisition of property in Pocono Farms for the Laurel Drive relocation. Discussion followed about issues associated with the acquisition of property from PFCCA and their bylaws, purchase price, financial responsibility for surveying and assessment expenses, etc. It was the consensus of the Supervisors that the letter was an FYI and they would continue moving forward with the project.

Requests for Extensions until September 15, 2009

Apache Summit, Pocono Farms, Section N - Final Minor Subdivision Plan
Mr. O'Boyle summarized a Memo dated June 10, 2009 from the Planning Commission recommending that the Board of Supervisors deny the extension request as well as the plans for Apache Summit for failure to address engineering comments in review letters sent out since the date of submission on April 14, 2008. A lengthy discussion followed in which the Supervisors noted that it is unusual to go against a Planning Commission recommendation; however, there are other plans that have been granted extensions over longer periods of time than this project, etc.

Mr. Hutchins moved to grant an extension until July 21, 2009 for the Apache Summit Final Minor Subdivision Plan. Seconded by Mr. Zito. Discussion - it was the consensus of the Supervisors to stress in the letter for Apache Summit, that the

Board of Supervisors
June 16, 2009 Meeting
Page 5

Board expects to see some substantial movement on the plans or they will have to deny any further extensions. The motion passed 5-0.

Arcadia North Business Park, North Phase, Section 1, Lot 1 - Subdivision and Land Development Plan
Summerall Estates - Final Land Development Plan
The Cross, Inc. - Land Development Plan

Mr. Hutchins moved to grant extensions until September 15, 2009 for the Arcadia North Business Park, North Phase, Section 1, Lot 1 - Subdivision and Land Development Plan, Summerall Estates - Final Land Development Plan and The Cross, Inc. - Land Development Plan, per the recommendations of the Planning Commission. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

Taxpayer James Morris request for a tax refund of \$103.47 on an overpayment of real estates taxes due to a fire

Ms. Kelly made a motion to grant a tax refund in the amount of \$103.47 for taxpayer James Morris, due to an overpayment of real estate taxes due to a fire. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

PADEP letter re: 20 Equivalent Dwelling Units granted by PADEP \ Sewer Connection Allocation clarification - Request for Sewer Connections - Frank and Betty Mazuk

Discussion followed about reserving the following Equivalent Dwelling Units (EDUs): 3 to the Pocono Mountain Public Library, 4 to the Wal-Mart Distribution Center, 2 to Mazuk, 1 to Quinones.

Mr. Hutchins moved that EDUs are to be given out as "first come - first served". Seconded by Mr. Zito. Discussion - it was the consensus of the Supervisors that an additional EDU would be held for the Township's Social Services Center. Further discussion followed about Treasurer Pat Eden keeping track of EDU requests, collecting all monies, keeping a running

balance of available EDUs and filing the Quarterly Status Reports of Sewage Allocation with PADEP. The Treasurer should also keep Zoning Officer Todd Schollhammer advised of all EDU requests. The motion carried 5-0.

Wal-Mart Settlement

Based on the recommendation of our legal counsel, Mr. Hutchins moved to sign the Settlement Agreement with Release and Capacity Agreement between Coolbaugh Township and Wal-Mart Stores East, L.P. Seconded by Mr. Frutchey. Discussion followed. The Supervisors were in agreement to proceed with the remaining agenda items and after public input go into a recess followed by an Executive Session to discuss the Agreement and come back to the meeting and take further action on the motion.

Township Employee Wayne Regan promoted to the Position of Road Foreman

Mr. Zito moved to promote Wayne Regan to the position of Road Foreman/Facilities Manager effective immediately. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Current Obligations

General Fund	\$178,398.66
Capital Projects Fund	\$ 856.55
Liquid Fuels	\$ 18,829.04
Sewer System Fund	\$ 59,534.89

Total Disbursements \$257,619.14

Mr. Frutchey moved to approve paying the Current Obligations in the amount of \$257,619.14. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Other Business

Drop-off Site

Mr. Frutchev asked that the recycling center be open for a weekend in July instead of having to wait for the first weekend in August, due to a number of residents requesting that it be opened. Ms. Kelly moved to open the Year-Round-Drop-Off-Site on July 10 and 11, 2009 and the weekend following any subsequent holiday. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Amendment to Grant Recycling Agreement SAP 4100043948

Mr. Frutchev gave an FYI about an email that he received earlier on this date from Chris Fritz of PADEP confirming that the Department concurs with a modification to the Recycling Grant (spending) schedule. Mr. Frutchev said he will continue to get prices for the equipment and present it to the Board once the formal Letter of Mutual Consent for the amendments is received.

Announcement - Property Tax/Rent Rebate information online

Mr. O'Boyle announced that there is a new web tool that allows eligible older adults and residents with disabilities in Pennsylvania to check the status of Property Tax/Rent Rebate applications online. The web address is www.papropertytaxrelief.com. Use of this online service should help reduce taxpayer costs for the Revenue Department.

Pocono Summit Railroad Station

Mr. Zito said he has been in contact with Congressman Kanjorski about a grant that could be utilized to renovate the Pocono Summit Railroad Station into a civic center that would be a benefit to the citizens. He said he would inform everyone once a meeting is confirmed with Mr. Kanjorski and asked that everyone attend, if possible.

Code of Ordinance Amendment

Mr. Hutchins moved to authorize that work be started on an amendment to the Code of Ordinances regarding: residents not being eligible for a Zoning Permit if they are behind in their real estate taxes, sewer bills, etc. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Zoning Matter - Joe DiMattia

Mr. Hutchins moved to issue a Certificate of Occupancy to Joe DiMattia with the condition that all facts are finalized to the satisfaction of our Solicitor Jerry Hanna and our Zoning Officer Todd Schollhammer. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

E-911 Re-Addressing Project Status

Mr. Frutchey said he has been in contact with Kim Borger, Coordinator for the Re-addressing Project who informed him that the data would be coming back from the U.S. Post Office in September. The Municipalities are expected to take one more check on the data and then we would have to move forward to adopt an ordinance regarding sign regulations, etc.

Mr. Frutchey gave an FYI about:

Two (2) "No Dumping" signs were posted on the Green Road in hopes that it will keep down the number of people throwing trash along side of the road.

The Traffic Light at Wal-Mart and SR 611 was recently repaired due to a problem with the pedestrian push button being corroded from road salt which caused the red light stay to stay on too long as the timing control thought that someone was waiting to cross SR 611, making the signal cycle faster.

Summer Camp Program at Township Park

Mr. O'Boyle said that given the tough economic times and concern the Board has shown for parents and children in the past, he would like the Supervisors to consider allowing the price for camp to be cut in half this year. A lengthy discussion followed about waiving the fees altogether, cutting the cost from \$10 per week to \$5 per week, asking parents to make a donation of \$5 per week, instead of paying a fee, with the money collected going to one of the local non-profits organizations, etc. Further discussion followed about not singling out one organization to receive the funds, but rather holding a raffle using the Township's list of donations in the Budget.

Mr. Zito moved to cut the fee for the Summer Camp Program from \$10.00 per week to a suggested donation of \$5.00 per week, and that the money collected will be raffled and given to one of the organizations the Township normally contributes to in our budgetary process. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

Public Input

Jane Juska - identified herself and reported on a complaint against her next door neighbor, whose swimming pool is partially over her property line. She presented photos, confirmed that it was surveyed, and went on to say the pool is not usable and in bad shape and she does not want it encroaching on her property. Discussion followed about visits already made to the property by the Township's Zoning Officer and Business Manager in response to her Service Requests. The Supervisors commented that it may be a matter between neighbors which must be solved civilly or in the District Court. Mr. O'Boyle said the additional information Ms. Juska brought to the meeting will be forwarded to the Zoning Office for a response, and if there are code violations, they will be addressed, otherwise this is a civil matter.

Werner Frank - asked questions relating to a proposed ordinance amendment for the signs.

The Cross, Inc.

Mr. O'Boyle summarized a letter from Pastor Lakeram Sahadeo requesting that the administrative charges be waived for the church's Land Development Plan - The Cross, Inc. Ms. Frutchey was directed to schedule it on the next meeting agenda.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that an Executive Session was held on Tuesday, June 2, 2009 at 8:10 p.m. re: Personnel and that Supervisors would go into an Executive Session now and hold the meeting open.

The Supervisors went into an Executive Session at 8:29 p.m. and the meeting reconvened at 9:27 p.m.

Board of Supervisors
June 16, 2009 Meeting
Page 10

Wal-Mart Settlement

Discussion ensued relating to page 3 - 4f of the Settlement Agreement not having an effective date, etc. Solicitor Nick Haros was contacted by telephone (speaker), discussion followed and the matter was addressed to everyone's satisfaction. The motion was called and carried 5-0.

Adjournment

With no further business before the Board, Mr. Zito moved to adjourn the meeting. Seconded by Ms. Kelly. Discussion followed about having an Executive Session regarding Personnel. The motion carried 5-0. The meeting adjourned at approximately 9:43 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Board Chairman