

**Coolbaugh Township  
Board of Supervisors  
March 16, 2010 Meeting  
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The Coolbaugh Township Board of Supervisors March 16, 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. and Mr. Robert B. Hutchins. Also present were Township Solicitor Jerry F. Hanna, Douglas Hein, Business Manager/Controller and Township Secretary Linda Frutchey. Mr. Robert Zito was absent.

**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.

**Acknowledgment of Cub Scout Pack 107**

Mr. O'Boyle introduced the scouts of Cub Scout Pack 107 and welcomed them as special guests on behalf of the Board of Supervisors. Members of the Cub Scout Pack attending the meeting were Cub Scouts Donovan Smith, Michael Upton and Jeremy Montes. Also in attendance were Cubmaster Donald J. Smith, Den Leader Keith Hudson and a parent, John Montes.

**Approval of March 2, 2010 Minutes**

Ms. Kelly moved to approve the March 2, 2010 minutes as presented and to dispense with the reading. Seconded by Mr. Frutchey. Discussion - none. The motion carried 4-0.

It was the consensus of the Supervisors that once the Meeting Minutes are approved, all of the cub scouts will receive a copy of them as a memento of their Pack's visit to a Township meeting.

## **2010 Monthly Reports**

### **Coolbaugh Township Volunteer Fire Company**

No report on the number of fire calls for the month of February was given at this time.

### **Request re: mutual aid calls**

Mr. Frutchey moved to allow the CTVFC Fire Police to respond for mutual aid calls outside of Coolbaugh Township as well as to assist the Monroe Country Fire Police Association with special events as needed. Seconded by Mr. Hutchins. Discussion following about requesting the list of CTVFC Fire Police members for the Township records. The motion carried 4-0.

### **Pocono Mountain Regional Emergency Medical Services**

Ms. Kelly presented the following PMREMS Monthly Reports as follows:  
December 2009 had 353 total calls in the coverage area with 65 calls being in Coolbaugh Township and 22 mutual aid calls. January 2010 had a total of 366 calls with 182 being in Coolbaugh Township and 21 mutual aid calls. Ms. Kelly gave the total response volume for 2010 and 2009, a report on the type of truck, year and mileage on each of the vehicles, etc. She also reported that she would be a month behind in giving the PMREMS reports, because their meeting dates conflict with the Township's meeting schedule, etc.

### **Pocono Mountain Regional Police**

Mr. Hutchins presented the February 2010 PMRPD Monthly Report as follows: 1054 complaints, 91 accidents, 131 criminal arrests, 524 traffic arrests, 573 traffic warnings and 18 ordinance arrests for a total of 1145 calls within the area covered by the regional police, which includes Tobyhanna, Tunkhannock and Coolbaugh Townships and the Borough of Mount Pocono.

Mr. Hutchins reported that the 44<sup>th</sup> Officer was sworn in at the March Meeting and suggested that everyone check their registrations, make sure that turn signals are working, not to speed, drive under the influence, etc., as PMRP has a full force of officers that are out on the road checking and they are giving out fines. He also noted that 2 new dogs (Chase and Viper) are being trained, as 2 of the dogs will be retiring. The options of the shortfall of future MMO's (Minimum Municipal Obligations) were discussed, along with the possibility of all the municipalities within the area being notified of what they have to budget for 2011, etc.

### **CVS Pharmacy - Preliminary / Final Land Development Plan**

Joel DelliCarpini of Bohler Engineering and John Cogan of Summit Realty Advisors were present on behalf of the plan referenced above.

Mr. Frutchey made a motion to grant the applicant's request for a waiver of Appendix E, Section 2.3B 1of Chapter 26, Part 2 - Stormwater and Earth Disturbance Ordinance requiring that the emergency spillway be constructed in undisturbed soil and to approve the CVS Pharmacy Preliminary / Final Land Development Plan with the condition that a final revised plan is submitted which satisfactorily addresses all of the plan comments listed in Township Russ Kresge's review letter dated March 2, 2010. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0.

Mr. Frutchey moved to approve that Coolbaugh Township is the permittee for the PennDOT Application for drainage facilities to be constructed by the developer within the right-of-way of SR 940, conditioned upon an appropriate Stormwater Maintenance Agreement between CVS and the Township being provided to the satisfaction of Township Solicitor Jerry Hanna and Township Engineer Russ Kresge. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0.

### **Request for Extension to May 17, 2010 - Arcadia North Business Park, North Phase, Section 1, Lot 1 - Subdivision and Land Development Plan**

Mr. Hutchins moved to grant an extension until May 17, 2010, per the Planning Commission's recommendation, for the Arcadia North Business Park, North Phase, Section 1, Lot 1 - Subdivision and Land Development Plan, as the applicant waives the benefit of deemed decision through that date. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

**Request for Extension to June 15, 2010 - The Cross, Inc. - Land Development Plan**

Mr. Frutchey moved to grant an extension until June 15, 2010, per the Planning Commission's recommendation, for The Cross, Inc. - Land Development Plan, as the applicant waives the benefit of deemed decision through that date. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0.

**Adoption of an Amendment to the Township Code of Ordinances, Chapter 18, Part 1, "Sewer Connections"**

Mr. Hutchins moved to adopt the amendment to the Township Code of Township Ordinance, Chapter 18, Part 1, "Sewer Connections". Seconded by Mr. Frutchey. Discussion followed on the date that this ordinance will become effective as the User Charges (monthly flat rate) becomes effective on July 1, 2010, notification to the residents affected by the increase in fees, etc. Mr. Hutchins amended his motion to change Section 4. Effective Date, making the ordinance effective on July 1, 2010. Mr. Frutchey seconded the amended motion. The motion carried 4-0.

**Township's Financial Report**

Before the Supervisors was a Financial Report prepared for the March 16, 2010 Board meeting by Business Manager/Controller Doug Hein. Mr. Hein presented a summary of financial information as of March 12, 2010, regarding revenues, expenses and cash balances. Discussion followed.

**Current Obligations**

General Fund	\$64,000.70
Capital Projects Fund	\$ 5,041.52
Escrow Fund	\$ 2,789.75
Sewer System Fund	\$13,822.81
State Liquid Fuels Fund	\$ 112.84
Total Disbursements	<hr/> \$85,767.62

Mr. Frutchey moved to approve paying the Current Obligations in the amount of \$85,767.62. Seconded by Ms. Kelly. Discussion - none. The motion passed 4-0.

## **Other Business**

### **Article in the Pocono Record regarding Open Records Officers**

Doug Hein was complimented on his quick turn around in sending data requested by the Pocono Record for an article about public access to local government documents and information.

### **Flooding on Mountain Drive**

Mr. O'Boyle summarized a Memo from the Planning Commission regarding general discussion about stormwater management issues near the CVS and Tractor Supply projects at their meeting on March 8, 2010. Township Engineer Russ Kresge expressed concerns, also shared by the PC members, about a flooding problem on Mountain Drive. He pointed out that the swale downslope of both the CVS and Tractor Supply projects needs to be improved, even the portion along Commerce Street, and that its capacity was further diminished by a resident who altered a culvert without the Township's knowledge. It was the consensus of the Supervisors that Mr. Kresge and Wayne Regan visit the site and report back to the Board.

### **Escrow Release Request #5 in the amount of \$25,642.52 - Coolbaugh Realty Partners, L.P.**

Mr. Hutchins moved as per the recommendation of Township Engineer Russ Kresge to approve Escrow Release Request #5 for Coolbaugh Realty Partners in the amount of \$25,642.52. Seconded by Mr. Frutchey. Discussion - none. The motion carried 4-0.

### **Notice of Proposed Change of Coolbaugh 3 Polling Place**

Mr. O'Boyle announced that the Township had just received a Notice of a proposed change to the Coolbaugh 3 polling location and a meeting of the Board of Elections to take action on this proposal tomorrow, March 17, 2010. Discussion followed.

Mr. Hutchins moved to send a letter to the Board of Elections advising them that the Board of Supervisors believe the polling place needs to be at the same location for the Primary and General Elections. Seconded by Mr. Frutchey. Discussion followed. Public input was heard from Gratz Washenik, who said that, given the time restrictions for setting up the Primary Elections, insisting on the same location might give the Board of Elections further cause to approve the Clear Run Intermediate School proposal. John Montes, Georgia Sullivan, Eleanore Massaro, Keith Hudson also commented. Mr. Hutchins withdrew his motion and Mr. Frutchey withdrew the second to the motion. A lengthy discussion ensued.

Mr. O'Boyle moved to send a letter to the Board of Elections objecting to the proposed change, wanting to know why the change, and requesting a meeting for the opportunity to assist the Board of Elections in reaching a viable solution to finding a polling place. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0.

#### **Authorization to advertise Notice of Sale of Spare Parts from Sewer Plant**

Mr. Frutchey moved to authorize to advertise a Notice of Sale for the air blowers, muffin monster and spare parts that are from the Township Sewer Plant on the municibid.com web site and in the Pocono Record. Seconded by Mr. Hutchins. Discussion - Mr. O'Boyle asked that the advertisement be put on the State's Web Site. The motion carried 4-0.

#### **Cub Scout Pack 107 - Extra Badge**

Mr. Hutchins complimented Cub Scouts Donovan Smith, Michael Upton and Jeremy Montes for their patience above and beyond the Call of Duty for sitting through a very long and probably to them a very boring meeting and suggested to their Cub Master that they be given an extra badge. Chairman O'Boyle suggested preparing a Resolution. It was the consensus of the Supervisors that the Cub Scouts were very patience throughout the meeting.

#### **Public Input**

**Vincent Massaro** - said the Pocono Mountain Regional Police are doing an excellent job and they work well with the residents who serve on the A Pocono Country Place Crime Watch Program.

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**Eleanor Massaro** - requested that the signs on the trees and telephone poles along SR 196 be taken down as it is an eyesore. She also asked about the bus shelters that Pocono Pony would like to put up along SR 196, etc. Discussion followed.

**Georgia Sullivan** - requested an update on when improvements will be done on SR 196. Discussion followed about her contacting PennDOT for the information, because SR 196 is a state road.

**Eileen Lawrence** - asked what can be done to clean up the area of S & K Construction, as it is an eyesore right before the entrance to APCP, and wanted them to do something with the water that pools in front of the site, etc. Discussion followed.

**Gratz Washenik** - said Pocono Forest resident Shirley Chester came in to pay her property taxes and mentioned that during the winter a large tree fell on her trailer and she has to put up a new trailer. When she came to the Township, she was told she has to do an As Built Survey and she was stressed because she didn't know whether to pay her taxes or keep the money for the survey. Mr. Washenik asked if the preparing an As Built Survey could be waived. Discussion followed about looking into the matter.

**Board of Supervisors Executive Sessions**

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on March 2, 2010 at 8:30 p.m. regarding Personnel Issues and one would be held this evening following this meeting regarding Personnel.

**Adjournment**

With no further business before the Board, Mr. Frutchey moved to adjourn the meeting. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0. The meeting adjourned at approximately 8:27 p.m.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Joseph O'Boyle  
Board Chairman