

**Coolbaugh Township  
Board of Supervisors  
March 3, 2009 Meeting  
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The Coolbaugh Township Board of Supervisors March 3, 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 was Township Secretary Linda Frutchey. Township Solicitor Jerry F. Hanna 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 for other issues.

**Approval of February 17, 2009 Meeting Minutes**

Ms. Kelly moved to approve the February 17, 2009 Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Roy and Vera Roper Zoning Enforcement**

Mr. Hutchins moved to table Roy and Vera Roper Zoning Enforcement until the next meeting. Seconded by Mr. Frutchey. Discussion - None. The motion carried 5-0.

**Monroe County Financial Assistance Program Application and Grant Agreement for the Development of Official Map**

Mr. Hutchins moved to sign the Monroe County Financial Assistance Program Application and Grant Agreement. Seconded by Mr. Frutchey. Discussion ensued as to whether the \$2,500.00 fee is to do the "Official Map" or is it a portion of Coolbaugh Township's allocation of \$5,610.00 that was adopted by Resolution at our February 3, 2009 meeting to ensure that our Ordinances are consistent with the Regional Comprehensive Plan, whether there would be meetings with each municipality to explain the project, the details of what is considered an "Official Map" verses the Official Zoning Map, etc. The motion carried 5-0.

Mr. Hutchins moved to authorize Solicitor Clark Connor and Township Engineer Russ Kresge to assist the Zoning Officer in completing documents needed to ensure the Township's Ordinances are consistent with the Regional Comprehensive Plan for Coolbaugh, Tobyhanna, Tunkhannock Townships and the Borough of Mount Pocono. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Appointment of Alternate Municipal Representative to serve on the Inter-Municipal Building Code Enforcement Program Administrative Committee**

Mr. Hutchins gave summaries of the Building Code Board of Appeals Meeting and the Inter-Municipal Building Code Enforcement Program Administrative Committee Meeting held on Monday, February 23, 2009.

Mr. O'Boyle moved to appoint Jim Frutchey as the alternate Municipal Representative to the Administrative Committee. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

**Authorization to forward Mylar to PennDOT - Modification of the Traffic Signal at the Intersection of State Route 196 - Echo Lake Road - Dennis and Gricel Bloom's Private Driveway**

Mr. Hutchins moved to approve "for discussion purposes" the authorization to forward the Mylar to PennDOT for the Modification of the Traffic Signal at the Intersection of State Route 196 and Echo Lake Road for the Private Driveway for Dennis and Gricel Bloom. Mr. Zito said he would second the motion "for discussion purposes".

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Discussion followed about not getting any response from the Bloom family on the Certified Letter sent by our Zoning Officer regarding the expired Temporary Certificate of Use and Occupancy, etc. Mr. Hutchins and Mr. Zito withdrew their motion.

Mr. Hutchins moved to approve forwarding the signed Mylar to PennDOT conditioned upon the private driveway not being used. A second to the motion was not made. Discussion followed. Mr. Hutchins withdrew the motion.

Discussion followed about the conditions listed in the Zoning Officer's letter not being followed, the Mylars needing to be redone to handle the ADA requirement, etc.

Mr. Hutchins made a motion to forward the Mylar to PennDOT for the Modification of the Traffic Signal at the Intersection of State Route 196 and Echo Lake Road for the Private Driveway for Dennis and Grisel Bloom. Seconded by Mr. Zito. Discussion followed about wanting a written status report from Zoning Officer Todd Schollhammer, Solicitor Hanna and Township Engineer Russ Kresge as to what can be done to shut down the use of the private driveway. The motion carried 5-0.

**Saturday Hours - Township Zoning Office**

Ms. Kelly moved to have the Township Zoning Office open the first Saturday of each month beginning in May (the hours to be scheduled with a day off in the week). Seconded by Mr. Zito. Discussion - Mr. Frutchey asked why not just schedule by appointment for Saturdays. Further discussion ensued in which it was pointed out that things are slow, zoning revenue is down, we are short-staffed, and it does not make sense having wasted hours, added fuel costs, etc. The motion was called and failed 2-3 (Mr. O'Boyle, Mr. Frutchey and Mr. Hutchins opposed).

Mr. Hutchins made a motion that, effective immediately, the Township Zoning Office hours will be 8:00 a.m. - 4:30 p.m. Monday through Friday. Seconded by Mr. Frutchey. A lengthy discussion followed about consistency, visibility of the Zoning Office truck traveling around the Township, etc. Mr. Hutchins withdrew his motion. Mr. Frutchey did not withdraw the second. Discussion ensued over the aforementioned items.

Ms. Kelly moved to table discussion until the next meeting. Mr. Hutchins seconded the motion for time to rethink the matter and went on to say that Pocono Community Church was able to get a Temporary Certificate of Occupancy on a Saturday, etc. The motion carried 5-0.

### **Establishing the Township's "Rainy Day" Fund**

Mr. Zito moved to establish a new bank account to be designated our "Rainy Day Fund" and to authorize deposits/transfers of \$5000.00 monthly, retroactive to January 2009, from the General Fund to fund this account. In addition, at the completion of each capital project pertaining to the 2008 General Obligation Bond an accounting analysis of the completed project will be done by our Business Manager and 90% of any excess monies (completed price vs. budgeted price) be transferred into this account. These excess funds will be used to pay down the principal on the General Obligation Bond as soon as we are legally able to do so. Seconded by Ms. Kelly. Discussion followed. Mr. Zito said he would withdraw his motion. Ms. Kelly withdrew the second. A brief discussion followed.

Mr. Zito moved to establish a new bank account, location to be recommended to the Board of Supervisors by the Treasurer and Business Manager, to be designated our "Rainy Day Fund" and to authorize deposits/transfers of \$5000.00 monthly, retroactive to January 2009, from the General Fund to fund this account. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

Mr. Zito made a motion to establish a new bank account, location to be recommended to the Board of Supervisors by the Treasurer and Business Manager, to be designated our "2008 General Obligation Bond Paydown Fund" where the following monies will be deposited:

At the completion of each capital project pertaining to the 2008 GOB an accounting analysis of the completed project will be done by our Business Manager and 90% of any excess monies (completed price vs. budgeted price) be transferred into this account. These excess funds will be used to pay down the principal on the General Obligation Bond as soon as we are legally able to do so. A brief discussion followed. The motion carried 5-0.

### **Janitorial Services at the Coolbaugh Township Municipal Center**

Ms. Kelly moved to continue with the current cleaning contract with the cleaning company until December 2009, requesting that a proposal for 2010 be brought in by October. Seconded by Mr. Hutchins. Discussion followed about this service being bid out. The motion was changed to reflect a rebidding of the project and doing bid specifications starting in October. The motion carried 5-0.

Discussion - the cleaning person is to be advised to turn out the lights, clean the ladybugs off the window sills, shut the doors and to do whatever he sees as necessary in the process of cleaning.

**2000 Gallon Double Wall above ground bulk storage tank Proposal**

Proposals for the 2000 Double wall above ground bulk storage tank were received from Keystone Petroleum Equipment Ltd. of Mechanicsburg, PA in the amount of \$5,142.20 and from Howard E. Groff Co. Petroleum Products of Quarryville, PA in the amount of \$7,006.00.

Mr. Frutchey moved to approve the proposal from Keystone Petroleum Equipment Ltd. in the amount of \$5,142.20. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Profit Point Proposal for Pass Card for the Township Recycling Center**

Discussion followed about the proposal referenced above, the swipe system, design of the pass card, etc. Questions arose about the transaction and monthly support fees and other details of the written Gift & Loyalty Merchant Agreement. It was the consensus of the Supervisors to invite a representative from Profit Point to attend the next meeting to give a more comprehensive presentation and answer questions.

**Current Obligations**

General Fund	\$ 262,967.03
Capital Projects Fund	\$ 39,906.94
Escrow Fund Account	\$ 15,749.10
Sewer System Fund	\$ 10,871.14
<b>Total Disbursements</b>	<b>\$ 329,494.21</b>

Mr. Frutchey moved to approve the Current Obligations in the amount of \$329,494.21. Seconded by Ms. Kelly. Discussion - Mr. Hutchins asked why \$13,675.10 was being paid to Larry Oswald. Ms. Frutchey explained that it was a fire escrow. The motion carried 5-0.

## **Other Business**

### **Tobyhanna Post Office - Draft Letter regarding possible relocation**

Before the Board was a draft letter from the Supervisors to the Tobyhanna Postmaster re-visiting the subject of a possible relocation of the local post office to a two acre piece of property on the Municipal Center grounds. Discussion followed about the inadequate size of the current post office, safety hazards with parking, lack of ADA approval, etc. Mr. Hutchins moved to send the letter to the Tobyhanna Postmaster. Seconded by Mr. Zito. Discussion - none. The motion passed 5-0.

### **Proposed International Residential Code Sprinkler Requirement**

Before the Board was a draft letter from the Board of Supervisors to the Pennsylvania Builders Association, PSATS, Senator Robert Mellow, Representative Mario Scavello and Governor Ed Rendell written in support of opposing the adoption into the IRC of a new single family residence home sprinkler system requirement. Mr. Hutchins said the issue is time sensitive and explained the process of adopting new requirements into the UCC, ICC, IRC, etc. He also noted that PSATS is in opposition to the proposed adoption, due to the expense for home buyers and the impact on home builders. Mr. Frutchev moved to send the letter to the Pennsylvania Home Builders Association, PSATS, Senator Robert Mellow, Representative Mario Scavello and Governor Ed Rendell. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

### **Amendment to the Recycling and Compost Fee Schedule**

Mr. Frutchev explained that another line needed to be added to the Fee Schedule for the Recycling Center for dropping off single items. Mr. Frutchev moved to approve adding a line to the Fee Schedule as follows: "Single item - \$1.00 - \$5.00 depending on size". Seconded by Ms. Kelly. Discussion followed about the action of adding a line being an amendment to the Township's Fee Schedule. Ms. Frutchev said she would do an amendment for signatures. The motion passed 5-0.

### **Road Foreman Position**

Ms. Kelly brought up the subject of advertising the Road Foreman position, the prior ad, job description, cost of the ad and where it was placed, etc. It was the consensus of the Supervisors to discuss the matter at the next Work Session.

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**Announcements**

Mr. O'Boyle announced that the March 9, 2009 Planning Commission meeting is canceled. The next PC meeting is scheduled for April 13, 2009 at 6:30 p.m.

Mr. O'Boyle recommended that Board send letter on behalf of residents to Senator Mellow and Governor Rendell in support of keeping the Scranton State School for the Deaf open.

**Public Input - None.**

**Board of Supervisors Executive Sessions**

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on Tuesday, February 17, 2009 at 6:00 p.m regarding Personnel and another was held this evening at 6:00 p.m. regarding Legal Issues. An Executive Session is scheduled for Tuesday, June 2, 2009 at 6:00 p.m. for Legal Issues.

**Adjournment**

With no further business before the Board, Mr. O'Boyle moved to adjourn the meeting. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:20 p.m.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Joseph O'Boyle  
Board Chairman