

**Coolbaugh Township  
Board of Supervisors  
March 5, 2013 Minutes  
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The Coolbaugh Township Board of Supervisors March 5, 2013 Meeting was held in the Township Municipal Center, 5520 Municipal Drive, Tobyhanna, Pennsylvania.

**Call To Order**

Chairman Juan Adams called the meeting to order at approximately 7:00 p.m. and led those in attendance in the recitation of the Pledge of Allegiance.

Mr. Adams asked for a moment of silence in memory of Hubert (Buck) Hutchins (former Supervisor Robert Hutchins's father) who passed away.

Supervisors present for the meeting included: Mr. Juan Adams, Mr. Robert M. Zito, Mr. James H. Frutchey, Jr., Ms. Lynn Kelly and Mr. Fred Pope (Via-Skype). Also present were Township Solicitor Jerry Hanna and Secretary Linda Frutchey. Business Manager/Controller Mr. Douglas Hein was absent.

Announcement: Mr. Adams 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.

**February 19, 2013 Minutes**

Mr. Frutchey moved to approve the February 19, 2013 minutes as presented and dispense with the reading. Seconded by Ms. Kelly. The motion carried 5-0.

**Mount Pocono Self Storage Minor Subdivision Plan to combine lots and vacated Tiffany Court**

Mr. Frutchey moved to approve the Mount Pocono Self Storage Minor Subdivision plan conditioned upon the three items listed in Township Engineer Russ Kresge's February 22, 2013 letter being addressed. Seconded by Mr. Zito. The motion carried 5-0.

**Arcadia North Business Park, South Phase, Section 1 - request for release of Financial Security**

Mr. Frutchey moved to grant Arcadia Properties their request for the release of the security associated with the cul-de-sac work at Arcadia North Business Park, South Phase, Section 1 as outlined in Township Engineer Russ Kresge's February 28, 2013 letter as follows: \$39,600 to be retained in Bond #B10 010 457. The performance security in the amount

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of \$122,023.00 for the bridge and emergency access road should be retained. The performance security in the amount of \$65,587.50 can be released in full since this work has been completed. Bond #B10 010 458 - the security is for the maintenance of the road, stormwater and utility improvements and can be released as the improvements have been in place and the responsibility for the road improvements which haven't been completed has been assumed by Clarius Partners, LLC. Ms. Kelly second the motion. The motion carried 5-0.

**Proposal - Maintenance and repair of electrical facilities on various properties owned by Coolbaugh Township**

Proposals were received from Richard Mellow Electrical and G.R. Noto Electrical.

Mr. Frutchey motioned to approve engaging G.R. Noto Electrical for the remainder of 2013 for the maintenance and repair of electrical facilities on properties owned by Coolbaugh Township. Seconded by Mr. Pope. The motion carried 5-0.

**Authorization to advertise Bid for the Hemlock Drive Project**

Discussion ensued over the 90° turn off of SR 611 into Hemlock Drive. It was the consensus of the Supervisors that the matter should be discussed with Jim Milot of Hanover Engineering and Township Engineer Russ Kresge prior to advertising the bid. Ms. Kelly moved to table. Seconded by Mr. Frutchey. The motion carried 5-0.

**Business Manager / Controller's Financial Report**

Mr. Zito presented the Financial Report which included an accounting on the final Trial Balance and final Budget Trial Balance for all funds as of January 31, 2013, General Fund revenues and expenses, debt service payments, sewer revenues, all capital project and liquid fuels funding. The Report was accepted as presented.

**Current Obligations**

General Fund	\$382,776.43
Sewer Fund	\$ 12,907.83
Total Disbursements	<u>\$395,684.26</u>

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Ms. Kelly moved to pay the Current Obligations in the amount of \$395,684.26. Seconded by Mr. Frutchev. The motion carried 5-0.

**Settlement Agreement with Release by and between Coolbaugh Township and Wal-Mart Stores East**

Solicitor Hanna advised that this matter be tabled. Mr. Frutchev moved to table. Seconded by Mr. Adams. The motion carried 5-0.

**Other Business**

**Letter to Blue Ridge Cable requesting a public access television**

Mr. Zito motioned to authorize Solicitor Hanna to prepare a modification to our Franchise Agreement with Blue Ridge Cable about getting a public access channel. Seconded by Ms. Kelly. The motion carried 5-0.

**Amendment to Ordinance to increase membership in the Parks and Recreation Commission**

Mr. Zito motioned to authorize an amendment be prepared to the Parks and Recreation Commission Ordinance to expand the membership from five to seven members. Seconded by Ms. Kelly. The motion carried 5-0.

**Letter to Pocono Mountain School District to request donation of the Coolbaugh Learning Center**

Mr. Adams motioned to send a letter to the Pocono Mountain School District requesting that they donate the Coolbaugh Learning Center to the Township for the purposes of forming a Police Athletic League and a Community Service Center. The motion was seconded by Mr. Zito. Discussion followed on doing a walk through of the building, what repairs would need to be made, etc. Mr. Adams and Mr. Zito amended the motion that it is contingent upon economic feasibility. The motion carried 5-0.

**Need clear title to the land that Waste Water Treatment Plant is on**

Mr. Frutchev moved to authorize Solicitor Hanna looking into getting a clear title to the land that the Waste Water Treatment Plant is on. Seconded by Mr. Pope. The motion carried 5-0.

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**Coolbaugh Township's request for information from the Pocono Mountain Regional Police Commission from**

Mr. Frutchey said that the PMRPC had a special meeting on Tuesday, February 26, 2013 to go over the Township's concerns. They have answered the questions that were asked of them and those answers have been sent via email to all of us. One of the things that came out of the special meeting was even if we pulled out of the Police Commission we are responsible for 41% of the unfunded portion of the Police Pension Plan which comes out to \$615,000.00 and went on to say that there is no way we have this kind of money and Coolbaugh Township is still responsible to pay the mortgage. I went over to the Police Department and was showed a full year of time sheet and how the fees are broken down which looks okay to me but, I am no CPA. The Board has to let the Police Department know when and if we still want to do an audit. If we still want to do an audit, we have to decide if we are going to have our Business Manager and CPA do the audit.

**Rescind the letters sent to Pocono Mountain Regional Commission**

Mr. Frutchey motioned to rescind both letters that were sent to Pocono Mountain Regional Police Commission relating to Coolbaugh Township's intent to withdraw from the Commission at the end of 2013. Seconded by Mr. Pope. Discussion - Mr. Adams - all I wanted was a sub station in Coolbaugh Township, it was never my intent to withdraw from the Commission as they are doing a great job. Ms Kelly - we should do our due diligence first. Public Input - John Lamberton, former Police Chief - his opinion is that this is a smart decision, one good thing that happened was that it opens some lines of communications will be positive and now its time to move on with police contract negotiations. The motion carried 3-2-0 (Mr. Zito opposed reluctantly. Ms. Kelly opposed).

**Public Input**

**David Pope** - recently had to use the services of the Pocono Mountain Regional Emergency Medical Services and said they did an excellent job. He mentioned concerns about how much water will be taken out of the aquifer with the proposed water park coming to the area.

**Board of Supervisors Executive Session**

Mr. Adams announced that the Supervisors held an Executive Session on Tuesday, February 19, 2013 at 5:30 pm and 6:35 pm for Personnel. He announced that an Executive Session for personnel would be held following this meeting.

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**Adjournment**

With no further business before the Board, Mr. Adams moved to adjourn the meeting. Seconded by Mr. Pope. The motion carried 5-0. The meeting adjourned at 7:49 p.m.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Juan A. Adams  
Board Chairman