

**Coolbaugh Township
Board of Supervisors
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The Coolbaugh Township Board of Supervisors October 18, 2011 Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

Call To Order

Chairman O'Boyle called the meeting to order at approximately 7:00 p.m. and lead those in attendance in the recitation of the Pledge of Allegiance.

Supervisors present for the meeting included: Mr. Joseph O'Boyle, Ms. Lynn Kelly, Mr. James H. Frutchet, Jr., Mr. Robert B. Hutchins and Mr. Robert M. Zito. Also present were Township Secretary Linda Frutchet, Township Solicitor Jerry F. Hanna and Business Manager /Controller Douglas Hein.

Announcement by Mr. O'Boyle: 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 October 4, 2011 Minutes

Ms. Kelly made a motion to approve the October 4, 2011 minutes as presented and dispense with the reading. Seconded by Mr. Frutchet. Discussion - none. The motion carried 4-0-1 (Mr. Hutchins abstained).

2011 Monthly Reports

Coolbaugh Township Volunteer Fire Company

Fire Chief John Zwally presented the September 2011 reports as follows: 29 calls, 217 staff hour, total year to date of staff hours at 3,472.

Pocono Mountain Regional Emergency Medical Services

Ms. Kelly had no report due to the meeting being on Thursday.

Letter of Support to PMRP re: DCED Grant - Local Shares Monroe Program

Mr. O'Boyle read the Letter of Support for the PMREMS grant application. Mr. Hutchins moved to approve and send the letter as presented. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Pocono Mountain Regional Police

Mr. Frutchey presented the September 2011 PMRPD Monthly Report as follows: 1137 complaints, 69 accidents, 130 criminal arrests, 356 traffic arrests, 291 traffic warnings and 28 ordinance arrests for a total of 1206 calls within the area covered by the regional police, which includes the Borough of Mount Pocono, the Townships of Tobyhanna, Tunkhannock and Coolbaugh. Mr. Frutchey said they are working on the proposed 2012 budget.

SR 196 Sterling Road & Kings Way/Seven Nation Drive Intersection Improvements Project

James Milot of Hanover Engineering was present to discuss the problem at Kings Way with excess water in around the detention basin, it isn't working properly, it appears that once the water fills the wire basin, it runs across the road, backing up water and cuts the side of the road out and overflows onto the roadway, etc. Mr. Milot said he checked the site prior to this meeting and removed some debris from the detention basin and installed a small wire trap. He said there is a maintenance bond on the project if, there is work that needs to be done, the final payment has not been paid to the contractor. Discussion followed about a new design may be needed to try and prevent future flooding onto the roadway. Mr. Milot said he will do some of the elevations and study the as-built plan and come back with a more technical report. Mr. Hein will have the DPW monitor the situation, take pictures and send them to Mr. Milot.

**Request for an extension - PennDOT Highway Occupancy Permit # 0503875
Realignment of SR 611 and Tegawitha Road**

Mr. Hutchins made a motion to move forward with applying to PennDOT for an extension for PennDOT Highway Occupancy Permit #0503875 relating to the realignment of SR 611 and Tegawitha Road with the reason for the extension being due to the slow economic times.

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Seconded by Mr. Frutchey. Public Input - Harry Smith asked when the Township took over the intersection. Discussion followed about this being a utility type project and may have been part of the J & J Project. It was suggested to discuss the matter with Russ at a future Work Session. The motion carried 5-0.

Coolbaugh Township Municipal Park Field Lighting Project

Ms. Kelly explained the following documents that were before the Before the Supervisors:

A Purchase Agreement from Musco Lighting to Coolbaugh Township (Contract Number: Co-stars -008-119 MRO - Expiration-04/23/1012) in the amount of \$40,173.00 for pre-manufacturing engineering and design for the Armed Forces Field (a.k.a. the Little League Field).

A Purchase Agreement from Musco Lighting to Tobyhanna Athletic Association (TAA) in the amount of \$90,281.00 for the lighting equipment for the Volunteer Field (a.k.a. the Senior League Field).

Joyce Electrical Inc. Contract dated September 29, 2011 - Co-Stars Contract Number 2008-004-JOC-ERN (Work Order #011490.00) for the municipal park electrical upgrade and the field lighting for the Armed Forces Field and the Volunteer Field - total labor and material in the amount of \$153,586.72.

The Purchase Agreements from Musco Lighting and Joyce Electrical Contract total \$284,040.72.

Solicitor Hanna went over the following: The Job Order Contract (JOC) is new to Co-Stars members, as it was introduced about a year ago; Coolbaugh Township must meet statutory requirements with respect to competitive bidding requirements; If the JOC Contract is approved, the contractor, Joyce Electrical has to provide a Performance Bond, Payment Bond and Certificate of Insurance. He went on to explain that all the pieces to the contracts are near to being finalized and he is waiting for final clarification and approval from the Dept of General Services (DGS) on the Joyce Electrical JOC Contract.

Discussion ensued with Micky Denig, Treasurer for TAA about him being notified that the Association has been awarded \$95,686.00 from the Major League Baseball Tomorrow Grant for the Municipal Park Field Lighting Project for the Volunteer Field.

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A lengthy discussion followed about whether the matter should be tabled until all the issues are resolved. Outstanding issues include the prices from Joyce Electrical being too high, waiting for confirmation and approval from DGS on the Joyce Electrical JOC Contract.

Public Input included: Harry Smith suggested getting the electrical plan from Joyce Electrical. Fred Pope said Co-stars members have the right to work on getting a better price when working with Co-stars suppliers. Michelle Fairservice said the transfer of funds from the readdressing project was not voted on by the Board. Eileen Mercado asked questions relating to the various funds and about getting a better price on the equipment.

Mr. Hutchins made a motion to table the project. Seconded by Mr. Frutchey. Discussion - none. The motion did not carry 2-3-0 (Mr. O'Boyle, Mr. Zito and Ms. Kelly opposed). Discussion followed.

Mr. Zito said, "in light of the hard work that's been done by all parties concerned, in light of logistical concerns relative to the 2012 TAA baseball season and for all the children who participate in it and based on the information that is before me, I move to proceed with the Municipal Park Base Ball Field Lighting Project at a cost not to exceed of \$284,040.72 of which \$99,686.00 will come from TAA and Coolbaugh Township will contribute \$184,354.72 to come from the General Obligation Bond". Seconded by Ms. Kelly who asked for clarification on the numbers. Discussion followed.

Mr. Zito amended the motion, that contingent upon final clarification, confirmation and approval from DGS or their agent that all Co-Stars requirements have been met. Ms. Kelly seconded the amendment to the motion. Discussion followed. Mr. Hutchins said he is in favor of the project but will not support the motion, due to there being too many issues that need to be resolved. Mr. Frutchey said he will abstain from voting, but requested that Joyce Electrical be contacted to get lower prices. Ms. Kelly said there is 5% added into the contract for the middle man and Joyce Electrical has eaten 2% of the contract already. Mr. O'Boyle said he will vote in favor based on the amended motion. The motion carried 3-1-1 (Mr. Hutchins opposed, Mr. Frutchey abstained).

Minor Subdivision to join lots 22 & 23, Block 1708, Section 17 - Arrowhead Lakes - Property Owners - John & Kathryn Foss and Anthony & Christine Hess

Mr. Frutchey made a motion to approve the Minor Subdivision. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Release of 2011 Allocated Donations

Mr. O'Boyle said the remaining donations to be allocated are: NRHS Pocono Mountain Chapter in the amount of \$3,500.00, Coolbaugh Township Historical Association in the amount of \$3,500.00, VFW Posts in the amount of \$2,000.00 (divided between Post 509 and Post 3448), Senior Center in the amount of \$1,000.00, Pocono Mt. Hunger Ministry in the amount of \$1,000.00 and Tobyhanna Conservation District in the amount of \$1,700.00 and Deer Removal in the amount of \$2,000.00.

Mr. Zito moved to approve the release of the 2011 allocated donations in the amount of \$14,700.00. Seconded by Mr. Hutchins. Discussion - none. Public Input - David Pope questioned the donation for the deer removal. The motion carried 5-0.

Authorization to Township Engineer to proceed with engineering for drainage improvements on Oakview Lane

Mr. Frutchet made a motion to authorize Township Engineer Russ Kresge to start the engineering for the drainage improvements on Oakview Lane. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0-1 (Mr. Hutchins abstained).

Coolbaugh Township's Sewer Line Connection

Before the Board was a scope of work for the project prepared by Dave Kavitski of BCM Engineers to connect an existing lateral to a new manhole. Discussion ensued over the project being time sensitive to get the work completed; coordination with the PMPL on-site contractors; the need for a trench box and safety equipment. Mr. Hein explained that the Scope of Work is being sent to Papillon & Moyer, Slusser, Linde Engineering and LBI.

Due to the time sensitive project, Mr. Frutchet made a motion to authorize the awarding of the quote to the lowest responsible bidder based upon Dave Kavitski's review and recommendations. Seconded by Mr. Zito. Discussion followed about having to bid the project should the price for the work comes in over \$10,000.00; waiting to award the project and wanting to see documentation as to who submitted quotes.

Mr. Frutchet amended the motion to include bidding the project if the price is over \$10,000.00. Mr. Zito seconded the amended motion. Public Input - Michele Fairservice asked why our DPW was not doing the work. Discussion followed about the project

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requiring trench box, the deep ditch and safety issues for our DPW as the township does not have the proper equipment. David Pope said you need a trench box and you have to follow safety requirements. The motion carried 3-2-0 (Ms. Kelly and Mr. Hutchins opposed due to not having all the facts before them).

Township Financial Report

Mr. Hein reported that as of October 12, 2011, total General Fund revenues received were \$7,491,033 which included a \$1,100,000.00 drawn from the TAN to pay back the \$240,000.00 , the year end 2010 borrowing from other funds, and \$860,000.00 to fund current year expenses until tax revenues started flowing in. He gave the balance of \$6,391,033 received to date and how it's broken down, reported on the General Fund expenses, cash balances, the preliminary trial balance, a preliminary revenue and expense report for each fund for the month ending on September 30, 2011.

Current Obligations

General Fund	\$97,043.64
Capital Projects Fund	\$ 1,369.45
Escrow Account Fund	\$ 2,593.84
Liquid Fuels	\$ 3,236.52
Sewer Fund	\$13,063.33
Total Disbursements	<u>\$117,306.78</u>

Mr. Frutchey moved to approve paying the Current Obligations in the amount of \$117,306.78. Seconded by Ms. Kelly. Discussion - None. The motion carried 5-0.

Other Business

Monroe Readdressing - re Coolbaugh Township Solar Farm

Before the Supervisors was an email from Kim Borger, Coordinator for County Readdressing, who received a request from Larry Leonard for a temporary 9-1-1 address of "Luellas Loop Road" for a Solar Farm proposed to be built off of Leonard's Lane. Discussion - it was the consensus of the Supervisors that they

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Michelle Fairservice - said she heard that the Supervisors were going to revisit the contract with Mount Pocono Borough and start plowing the end of Industrial Park Drive and Staudts Road. She was advised that the only thing that would be done is Coolbaugh would put their plow down as they enter and exit Industrial Park Drive.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced the Board of Supervisors held an Executive Session on Tuesday, October 4, 2011 at 6:51 p.m. for potential litigation.

Adjournment

With no further business before the Board, Mr. Frutchey moved to adjourn the meeting. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:51 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Board Chairman