

**Coolbaugh Township  
Board of Supervisors  
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The Coolbaugh Township Board of Supervisors October 20, 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. Robert B. Hutchins and Mr. Robert M. Zito. Mr. James H. Frutchey, Jr. was absent. Also present were Township Solicitor Jerry F. Hanna, Douglas Hein, Business Manager/Controller 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 asked for a moment of silence in memory of Donn Norton, a former DPW employee.

**Approval of October 6, 2009 Minutes**

Mr. Zito moved to approve the October 6, 2009 Meeting Minutes as presented and dispense with the reading. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

**Summerall Estates- Preliminary Land Subdivision Plan / Land Development Plan**

Paul Szewczak of Liberty Engineering was present on behalf of Arcadia Properties, LLC and the above referenced Land Development Plan. Discussion followed about the proposed project.

Mr. Zito moved as per the Planning Commission's recommendation to grant the following waivers for the Summerall Estates Preliminary Land Subdivision Plan and Land Development Plan: 1) relief from Chapter 26 Appendix E-2.3A(6) requiring the basin bottoms to have a minimum slope of 1%, in order to meet DEP requirements for infiltration; 2) relief from Chapter 26 Appendix E-2.3B(1) requiring the basin's emergency spillway to be constructed in virgin soil, due to the grades on the site making it unfeasible to construct the spillways in virgin soil. Seconded by Ms. Kelly. Discussion - public comment was heard from David Pope who stated that SR 423 is a busy road and there may be a need for a traffic light, etc. The motion carried 4-0.

Mr. Hutchins noted comments in a letter dated October 20, 2009 from Township Engineer Russ Kresge referencing the possibility of the project connecting to a "proposed sewage treatment facility". Mr. Szewczak confirmed that it was being proposed. Mr. Hutchins explained that at this time the Township is only planning on revising the Township's Act 537 Plan to go down SR Route 611 to include commercial entities and would not consider sewer in the area of the Summer Estates Project. Mr. Szewczak said they would move forward with doing the required on-lot sewer testing.

Mr. Hutchins also brought up the concern that once preliminary plan approval is given, the applicant has the right to start infrastructure on the property; therefore, he would not be in favor of giving preliminary plan approval. Mr. Szewczak confirmed that his client would not start any infrastructure on the property, as they would not want to spend that kind of money and then find out that water and sewer would not be available on the site.

Mr. Hutchins motioned as per the Planning Commission's recommendation to grant the Summerall Estates Preliminary Land Subdivision / Land Development Plan preliminary approval conditioned upon the following: 1) Township Engineer Russ Kresge's comments in his letter dated September 22, 2009 related to the proposed sewage disposal system, specifically Section 402.(E)(9)(b) of the Coolbaugh Township SALDO, be addressed with the Township Engineer and the Township SEO; 2) the SEO provides a report to the Township Zoning Office regarding the adequacy of the proposed on-lot community sewage system disposal as required by Section 501.2(C)(1) of the Township's Zoning Ordinance.

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and 3) NO infrastructure is to occur on the aforementioned property until all comments are addressed. Seconded by Mr. Zito. Discussion - Harry Smith, present in the audience, said the project is in an area of concern regarding explosives and asked if this situation had been cleared up. Discussion followed. Mr. Smith asked if he could see the file on the matter. Mr. Hein said he would make the files available as per the Open Records Policy. The motion carried 4-0.

**Request for a Modification to Arcadia North Business Park, Section 1 - South Phase - Subdivision Plan re: change in length of the roadway known as Industrial Park Drive North**

Paul Szewczak of Liberty Engineering was present on behalf of Arcadia Properties, LLC and the request for a modification to Industrial Park Drive North. Discussion followed about the illustration on the sketch plan dated September 17, 2009 relating to the proposed modification of the extent of the Industrial Park Drive North project and several proposed changes. It was noted that a revised subdivision plan would be required to formalize the modification of the already approved recorded plan. No action was taken, but it was the consensus of the Supervisors to send, as a courtesy, the sketch plan and modifications to the Planning Commission for their comments.

**Minor Subdivision to join lots 1 & 2, Block A-57, Section 11, Arrowhead Lake, Property Owner - Margaret Plunkett**

Mr. Hutchins moved to approve the Minor Subdivision for joining lots 1 & 2, Block A-57, Section 11, in Arrowhead Lake for Margaret Plunkett. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

**Proclamation - support of Women's Resources of Monroe County in recognizing October as Domestic Violence Awareness Month**

Mr. Hutchins moved to approve the Proclamation in support of Women's Resources in recognizing October as Domestic Violence Awareness Month. Seconded by Ms. Kelly. Discussion - Mr. Zito commented on the good work that Women's Resources does. The motion carried 4-0.

## **2009 Monthly Reports**

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

Mr. Frutchey was not present to give the report.

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

Mr. O'Boyle said he had no report to give as there was no meeting held last week due to the weather.

### **Pocono Mountain Regional Police**

Mr. Hutchins presented the September 2009 PMRPD Monthly Report as follows: 1248 complaints, 77 accidents, 134 criminal arrests, 426 traffic arrests, 274 traffic warnings and 7 ordinance arrests for a total of 1325 calls within the area covered by the regional police, which includes Tobyhanna, Tunkhannock and Coolbaugh Townships and the Borough of Mount Pocono. Mr. Hutchins said that four new officers would be sworn in next month bringing the total number of officers to 44.

## **Enactment of Ordinance #111 re: amending Ordinance #105 re: authorizing and securing the issuance of the General Obligation Bonds**

Ms. Kelly moved to adopt Ordinance #111-2009 thereby amending Ordinance #105 re: authorizing and securing the issuance of the General Obligation Bonds. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

## **Coolbaugh Road Snow Removal Agreement with Adam Beers**

Mr. O'Boyle summarized the above referenced agreement with Adam Beers, noting that each time the road is plowed, Mr. Beers will be paid \$80.00. Mr. Hutchins moved to approve the Coolbaugh Road Snow Removal Agreement with Adam Beers. Seconded by Mr. Zito. Discussion - Ms. Kelly asked if the price ever changes and it was noted that the price went up from \$75.00 to \$80.00 which was the first increase in several years. The motion carried 4-0.

**Joseph Cavoto, Tax Code #03/19C/1/149 - request for a refund of \$100.76 due to house being assessed on wrong lot**

Mr. Hutchins moved to grant Joseph Cavoto his request for a refund of \$100.76 due to a house being assessed on the wrong lot. Seconded by Mr. Zito. Discussion followed regarding a clerical error being made. The motion carried 4-0.

**Earl and Carol McKnight Tax Code #03/16/2/79 0 tax payer's request for a refund due to incorrect building information**

Mr. Hutchins moved to approve Earl and Carol McKnight their request for a refund of \$92.10 due to incorrect building information. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

**On Demand Energy Solutions - electric savings**

Mr. Hutchins moved to approve a 28 month contract with On Demand Energy Solutions for our electricity, hopefully to save \$12,800.00. Seconded by Mr. Zito. Discussion ensued about the start up being November. The motion carried 4-0.

Mr. Hutchins moved to join the Greater Pocono Chamber of Commerce. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

**Release of 2009 Allocated Donations**

Mr. O'Boyle said the remaining donations to be allocated are: Pocono Summit Volunteer Fire Company in the amount of \$35,000.00, Gouldsboro Volunteer Fire Company in the amount of \$20,000.00, NRHS Pocono Mountain Chapter in the amount of \$4,000.00, VFW Posts in the amount of \$2,400 (divided between Post 509 and Post 3448), Senior Center in the amount of \$960.00 and Tobyhanna Conservation District in the amount of \$2,800.00. Mr. Hein noted that the donations are listed in the Current Obligations. No action was taken as the Supervisors said it would be approved during the Current Obligations process.

**Coolbaugh Township Compositing Site - / Profit Point Pass Card- determination of number of swipes and size of load for Mulch**

Discussion ensued about the training that would be given on the Profit Point Pass Card, the number of swipes already decided on for the year round drop off site, etc.

Mr. Zito moved to allow Township Residents only, to get twelve (12) swipes for a 2 ½ yard bucket of double shredded mulch per year on the Profit Point Pass Card; the motion does not include commercial entities or other municipalities; the motion is conditioned upon the mulch being used at the homeowner's property and the size of the vehicle to pick up the mulch does not matter. Seconded by Ms. Kelly. Discussion ensued. The motion carried 3-1-0 (Mr. Hutchins opposed).

**Act 101, Section 902 Municipal Recycling Grant Modification - SAP Document #4100043948 - Authorization to move forward with ordering: Purchase of radial stacking conveyor in the amount of \$51,535.00 through Lackawanna County Co-Operative Purchasing Contract**

Discussion ensued over tabling the matter until Mr. Frutchey could be present to answer any questions, etc. Ms. Kelly moved to table the matter until the next meeting. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0.

**Current Obligations**

General Fund	\$279,752.48
Capital Construction	\$ 94.50
Escrow Account Fund	\$ 13,985.00
Sewer System Fund	\$ 6,163.64
<b>Total Disbursements</b>	<b>\$299,995.62</b>

Mr. Hutchins moved to approve paying the Current Obligations in the amount of \$299,995.62. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0.

**Other Business**

**Ghoulbaugh - Trick or Treat Event**

Mr. O'Boyle announced that the Coolbaugh Township Community Partnership and Coolbaugh Township Park and Recreation Commission are holding a Trick or Treat Event on Saturday, October 31, 2009 from 3:00 p.m. to 5:00 p.m. at the Township Municipal Park.

**Public Input**

**Harry Smith** - asked if the Township bought the former Library Property on Hemlock Drive and wanted to know who is cutting cherry trees down there. Discussion followed about the need to purchase "No Trespassing" signs and post them on the property.

**Board of Supervisors Executive Sessions**

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on Tuesday, October 6, 2009 at 9:30 p.m. and one would be held following the meeting regarding Personnel and possible Litigation.

**Adjournment**

With no further business before the Board, Mr. Hutchins moved to adjourn the meeting. Seconded by Mr. Zito. Discussion - none. The motion carried 4-0. The meeting adjourned at approximately 8:24 p.m.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Joseph O'Boyle  
Board Chairman

