

**Coolbaugh Township
Board of Supervisors
October 7, 2008 Meeting
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The Coolbaugh Township Board of Supervisors October 7, 2008 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 7:13 p.m. and led those in attendance in the recitation of the Pledge of Allegiance to the Flag.

Moment of Silence for Jerry Teicher

Mr. O'Boyle regretfully announced the passing of Jerry Teicher, a local gentleman who had been very active in the Township over the years and who will be greatly missed. Mr. O'Boyle asked for a moment of silence in his memory.

Roll Call

Supervisors present for the meeting include: Mr. Joseph O'Boyle, Ms. Lynn Kelly, Mr. James H. Frutchey, Jr., Mr. Robert B. Hutchins and Mr. Robert M. Zito.

Also in attendance were Township Solicitor Jerry Hanna 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.

Approval of September 16, 2008 Meeting Minutes

Ms. Kelly moved to approve the September 16, 2008 Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

Ed White of PREIT will be present to discuss Proposed Development at Route 940 and Industrial Park Drive

Ed White, Associate Development Director for PREIT and Mike Gavin, Attorney for Lowe's were present on behalf of the project referenced above.

Mr. White gave an overview of the proposed Lowe's project located in Coolbaugh Township and the Mount Pocono Borough, noting that the building will be 70% in Coolbaugh Township and the parking lot and out parcels will be in the Borough, where they have a verbal agreement with the Council. Niclaus Engineering is handling the matter of Stormwater going into Pocono Summit Lake, that the applicants propose a permanent buffer in the back, retention basin, natural landscaping with evergreens, and other features to facilitate improvement in this area.

Mr. White also reported that the Borough requests that Coolbaugh Township takes the financial responsibility for the Fire and Police hours at this site. No action was taken by the Board.

Representatives of Pocono Mountains Economic Development Corporation and Johnson & Johnson/Genco will be present to discuss J & J Trailer Drop-lot - Request

Dennis Noonan of Pocono Mountains Economic Development Corporation (PMEDC) and Glen Girardi of Johnson & Johnson Sales and Logistics were present to request a temporary truck trailer drop-lot site to be utilized for a period not to exceed December 31, 2008. The site will be for the temporary parking/storage of approximately 100 empty trailers, where it is estimated there will be approximately 20 to 25 trailers moved over a 24 hour period. There will be no ingress/egress provided from State Route 196 and Niclaus Engineering will stay in contact with the Township Engineer regarding the construction of the temporary road. Discussion followed.

Mr. Frutchey moved to grant PMEDC the ability to put a temporary road on the west side of Route 196 (Simons Road) that could be accessed from Kolb Court (in the Pocono Mountains Corporate Center East) for the purpose of allowing J & J /Genco to park/or store approximately 100 empty trailers to be utilized for a period not to exceed December 31, 2008. Seconded by Mr. Hutchins. Discussion - Mr. Zito requested that the motion include for **use** until December 31, 2008 and the matter will come back before the Supervisors for consideration **if** the use has to be extended. Mr. Hutchins asked that the temporary road be constructed under the guidelines of the Township Engineer. The Supervisors were in agreement with the changes to the motion. The

motion carried 5-0.

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Owen Miller's Garage - Request for partial release (#4) of Performance Guarantees

Before the Board was a letter dated September 26, 2008 from Township Engineer Russ Kresge recommending that the partial release (#4) of the Performance Guarantee for Owen Miller's Garage in the amount of \$11,000 be approved.

Mr. Hutchins moved to grant the partial release (#4) of the Performance Guarantee for Owen Miller's Garage in the amount of \$11,000. Seconded by Ms. Kelly. Discussion - none. The motion carried 4-0 (Mr. Zito was not present to vote at this time).

Minor Subdivision to join lots 66, 67 & 78, Section C, A Pocono Country Place - Property Owners - Michael & Regina Sabric

Ms. Kelly moved to approve the Minor Subdivision to join lots 66, 67 & 78, Section C in A Pocono Country Place for property owners Michael & Regina Sabric. Seconded by Mr. Hutchins. Discussion followed about a note being on the plan regarding the driveway. Solicitor Hanna confirmed that the note was included on the plan. The motion carried 4-0 (Mr. Zito was not present to vote at this time).

Minor Subdivision to join lots 11, 12, 22 & 29, Block 105, Section 4, Arrowhead North - Property Owner - Janet Brugnoni

Mr. Hutchins moved to approve the Minor Subdivision to join lots 11, 12, 22 & 29, Block 105, Section 4 in Arrowhead North for property owner Janet Brugnoni. Seconded by Mr. Frutchey. Discussion - none. The motion passed 5-0.

Adoption of revised Job Description for the position of Road Foreman for the Department of Public Works (DPW)

Ms. Kelly made a motion to adopt the revised Job Description for the position of Road Foreman for the Department of Public Works (DPW). Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

*** Authorization to advertise for the position of Road Foreman**

Ms. Kelly moved to authorize the advertisement for the position of Road

Foreman. Seconded by Mr. Zito. Discussion followed about the timing of the ad and it being placed in the *Pocono Record*, *Scranton Times* and the *Journal of the Pocono Plateau*.

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Ms. Kelly amended her motion to include the names of the newspapers and a closing date of November 4, 2008. Mr. Zito seconded the amended motion. The motion passed 5-0.

Township Fee Resolution # 17-2008 re: updated with sewer and recycling related fees

Mr. Hutchins moved to adopt Township Fee Resolution # 17-2008 updated with sewer and recycling related fees. Seconded by Mr. Frutchey. Discussion followed about the half yard (bucket) of mulch, an extra cost of \$5.00 for double-screened mulch when available, an effective date of November 17, 2008, etc. The motion carried 5-0.

Authorization to schedule 2009 Spring and Fall Clean Up

Discussion ensued about free weekends for the clean ups, charges, people hoarding items, not advertising, using coupons, a tracking system, bar codes, etc.

Mr. Hutchins moved to table further discussion of scheduling the 2009 Spring and Fall Clean Ups until the October 28, 2008 Work Session. Seconded by Mr. Zito. Ms. Kelly asked that the matter be taken to the meeting following the Work Session. The motion passed 5-0.

Blue Ridge Cable Franchise Agreement Extension

Discussion followed about the Blue Ridge Cable Franchise Agreement Extension, in which Solicitor Hanna said the wording "as previously revised and amended" must be added to paragraph two and four of the agreement, as indicated in a draft before the Board.

Mr. Hutchins made a motion to approve the Blue Ridge Cable Franchise Agreement with the wording "as previously revised and amended" added, per the recommendation of the Township Solicitor. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

Cell Phone Contract

Discussion followed about the benefits of the Blackberry cell phone, "Press to Talk", cost per month, new phones for employees Sandra Tigue, Pat Eden and Jeri Inness, etc.

Mr. Zito moved to enter into a cell phone contract as presented by Business Manager Doug Hein, adding new phones for Sandra Tigue, Pat Eden and Jeri Inness.

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Seconded by Mr. Hutchins. A brief discussion followed about the Business Manager and Township Secretary having the same kind of cell phones. The motion carried 5-0.

Authorization to re-advertise Bid for Janitorial Services at the Coolbaugh Township Municipal Center

Mr. Zito moved to authorize re-advertising the Bid for Janitorial Services at the Coolbaugh Township Municipal Center and checking whether the specification requiring insurance is in an amount that is too high. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Request for Proposals - Annual Financial Audit For Fiscal Years ending December 31, 2008, 2009 and 2010

Mr. Zito moved to authorize advertising a "Request For Proposals" for the Annual Financial Audit For Fiscal Years ending December 31, 2008, for one year with an option for a 2 year and 3 year contract (for 2009 and 2010). Seconded by Ms. Kelly.

Discussion followed about changing the language of the advertisement from "Invitation to Bidders" to "Request for Proposals" and whether there was a need for the requirement of a surety bond. Solicitor Hanna said he would discuss the matter with the Business Manager. The motion passed 5-0.

Current Obligations

General Fund	\$ 488,266.60
PLGIT - Capital Construction	\$ 23,790.10
Escrow Account Fund	\$ 9,570.79
Sewer System Fund	\$ 73,288.80
Total Disbursements	<u>\$594,916.29</u>

Mr. Frutchev moved to pay the Current Obligations in the amount of \$594,916.29. Seconded by Mr. Zito. Discussion followed about invoices for Personnel Concepts, Smorcey and Martin and Robbins. The motion carried 5-0.

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Other Business

Authorization to appoint Special Counsel

Mr. Zito moved to retain Richard (Dick) Goldberg from the firm of Hourigan, Kluger & Quinn as our Labor Relations Attorney at a rate of \$215.00 per hour. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

Public Input

Eileen Lawrence - asked for more information about the Lowe's project and for help with cleaning up SR 196, etc. Discussion followed about the S & K property by Ryan's Road. **Werner Frank**, present in the audience, commented that at the time the area was re-zoned, the applicant offered to put a fence around the property.

Board of Supervisors Executive Sessions

Mr. O'Boyle announced that the Board of Supervisors held Executive Sessions on Tuesday, September 23, 2008 at 6:00 p.m. re: Personnel, on Tuesday, September 30, 2008 at 7:30 p.m. re: Pending Litigation / Personnel Issues and one will be held after the meeting re: Personnel.

Adjournment

With no further business before the Board, Mr. O'Boyle moved to adjourn the meeting. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:56 p.m.

Respectfully submitted:

Linda Frutchey
Township Secretary

Joseph O'Boyle
Chairman