

**Coolbaugh Township  
Board of Supervisors  
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The Coolbaugh Township Board of Supervisors September 1, 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 were Township Solicitor Jerry F. Hanna, and Township Secretary Linda Frutchey. Douglas Hein, Business Manager/Controller 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 August 18, 2009 Meeting Minutes**

Mr. Zito moved to approve the August 18, 2009 Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Hutchins. Discussion - none. The motion was carried 5-0.

**Mike Gavin will be present to discuss revised plans for the Land Development Plan for Lowe's Home Centers, Inc.**

Mike Gavin of Gavin Law LLC and Cornelius Brown of Bohler Engineering were present to discuss the updated plan for a proposed Lowe's Home Center situated in both Mount Pocono Borough and Coolbaugh Township.

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Mr. Gavin explained that the foot print of the original Lowe's building plan as previously submitted has changed, placing it in the Borough. No development of out parcels are being projected at this time; however, stormwater issues and a traffic signal involving Coolbaugh Township are still being proposed. Mr. Gavin said he would contact the Township Secretary about appearing before the Planning Commission.

**Minor Subdivision to join lots 12 & 13, Block 2109, Section 21 - Arrowhead North, Property Owner - John Paul Rodriguez**

Ms. Kelly moved to approve the Minor Subdivision to join lots 12 & 13, Block 2109, Section 21 in Arrowhead North for Property Owner - John Paul Rodriguez. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Minor Subdivision to join lots 8 through 14, Block 2001, Section 20 - Arrowhead Lakes - Property Owner - Joseph Deiorio**

Mr. Hutchins made a motion to approve the Minor Subdivision to join lots 8 through 14, Block 2001, Section 20 in Arrowhead Lakes for Property Owner - Joseph Deiorio. Seconded by Ms. Kelly. Discussion - none. The motion passed 5-0.

**The Cross, Inc. request a waiver of the fees for the use of the Township Park Pavilion**

Mr. Frutchey moved to waive the fees for use of the Township Park Pavilion for The Cross, Inc., per the normal procedures for granting this type of request. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Authorization to Solicitor Jerry F. Hanna to seek Court approval to reconvey the real estate premises known as "The Red Barn Property" to the living heirs of T. M. Lynch**

Mr. Frutchey moved to authorize Solicitor Jerry F. Hanna, Esquire to seek Court approval to reconvey the real estate premises known as "The Red Barn Property" (and being Tax Code Number 3/11/2/51) to the living heirs of T. M. Lynch, the original Grantor of the

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property to the Township of Coolbaugh on December 18, 1914. Seconded by Mr. Hutchins. Discussion followed in which it was noted that it would take approximately three months to go before a Judge and get court approval. The motion carried 5-0.

**Attorney Joseph McDonald's request for annual review to amend the Order of Court dated June 22, 1999 - Tobyhanna Camp Corporation**

Mr. Hutchins moved to authorize Solicitor Hanna to move forward to amend the Order of Court dated June 22, 2009 relating to the Tobyhanna Camp Corporation (a.k.a. Tobyhanna Olympic Sports Camp). Seconded by Mr. Zito. Discussion followed about the Order of Court being over 10 years old, no problems of sewage malfunctions reported, the SEO doing routine inspections, etc.

Mr. Hutchins amended the motion to include a stipulation be given to the Tobyhanna Camp Corporation that they continue to agree to limit its camp population so as not to cause or create any further onsite sewage malfunctions, the SEO does a site inspection of the property prior to and at the end of the camp season. Discussion followed about the need to still require some kind of security to ensure that Coolbaugh Township does not incur any expenses in the event that there is a possible cleanup or enforcement of any onsite sewage malfunctions caused by the Sports Camp.

Mr. Hutchins and Mr. Zito withdrew their previous motions.

Mr. Hutchins moved to authorize Solicitor Hanna to move forward to dissolve the Order of Court dated June 22, 2009 provided that the Tobyhanna Camp Corporation draws up and submits a Maintenance Agreement that is satisfactory to the Coolbaugh Township Board of Supervisors and Solicitor Hanna. Seconded by Mr. Zito. Discussion - Dave Pope said there are wetlands on the property and suggested telling the owners of the camp to fix the problems with the sewage. Harry Smith asked if he would be allowed to have a holding tank. Discussion followed.

Mr. Hutchins amended the motion to include that any engineering costs associated with Hanover Engineers or any expenses incurred by Coolbaugh Township for the implementation of the Maintenance Agreement will be paid by Tobyhanna Camp Corporation (Bella Kireyeva). Seconded by Mr. Zito. Discussion - none. The motion carried 4-1-0 (Ms. Kelly opposed).

**American Red Cross of Monroe County request for permission to utilize roads within Coolbaugh Township for the fifth annual Pocono Mountain "Run for the Red" Marathon on Sunday, May 16, 2010**

Mr. Frutchey moved to approve the American Red Cross of Monroe County's request for permission to utilize roads within Coolbaugh Township for the fifth annual Pocono Mountain "Run for the Red" Marathon on Sunday, May 16, 2010. Seconded by Mr Hutchins. Discussion - none. The motion passed 5-0.

**Authorization to advertise Coolbaugh Township Leaf Collection**

Mr. O'Boyle read the Leaf Collection advertisement. Mr. Hutchins made a motion to authorize the advertisement of the Coolbaugh Township Leaf Collection. Seconded by Mr. Frutchey. The motion passed 5-0.

**Coolbaugh Township Historical Association requests: 1) authorization to install a fire and intrusion detection system and 2) Township pay the monthly monitoring fee**

Mr. O'Boyle read the details of the Historical Associations communications regarding the requests referenced above.

Mr. Hutchins moved to approve the Coolbaugh Township Historical Association's request to install a fire and intrusion detection system in the Wills Mansion and for the Township to pay the \$24.95 monthly monitoring fee for the service. Seconded by Ms. Kelly. Public comment was heard from Gregory Vinci about the location of the Wills Mansion. The motion carried 5-0.

**Confirmation of converting the boilers to dual fuel (natural gas and oil) and retain the existing oil tank, lines, etc.**

Discussion followed about an email from Mr. Hein and a conversation held with Scott Koch of UGI regarding the boiler conversion and information about the cost issues associated with a gas only system as opposed to a dual fuel boiler, etc.

It was the consensus of the Supervisors to invite Mr. Koch to the October 15, 2009 regular Board meeting.

**Memorandum of Understanding between the Northeastern Pennsylvania Alliance and Coolbaugh Township regarding Traffic Signal Conversion Program Grant Funding Agreement**

Mr. Frutchey moved to accept Option 1 where NEPA can provide \$13,500 of funding which would require Coolbaugh Township to provide funding in a local match of \$13,500 to convert the traffic signals' lights into LEDs. Seconded by Mr. Zito. Discussion followed about the Memorandum of Understanding. Mr. Frutchey and Mr. Zito amended the motion to include approving the Memorandum of Understanding for the Energy Savings Assistance Program Traffic Signal Conversion Program Grant Funding Agreement. Discussion followed about engaging Econ Opportunities to perform a traffic signal energy audit, etc. The motion carried 5-0.

Ms. Kelly moved to utilize the services of Econ Opportunities to perform a traffic signal energy audit and prepare a project scope for the conversion project as NEPA will cover the expenses of the pre-project energy audit at a cost of \$100 per intersection. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Current Obligations**

General Fund	\$282,731.11
Capital Projects Fund	\$ 9,902.75
Escrow Account Fund	\$ 8,394.07
Sewer System Fund	\$ 25,537.52
Liquid Fuels Fund	\$172,609.87
<b>Total Disbursements</b>	<b>\$499,175.32</b>

Mr. Hutchins moved to pay the Current Obligations in the amount of \$499,175.32. Seconded by Ms. Kelly. A brief discussion followed about one payment of \$179,865.28 from the General Fund going to the Pocono Mountain Regional Police Department. The motion carried 5-0.

**Other Business**

**Coolbaugh Township "Proposed" News Letter**

Mr. O'Boyle asked that the September 22, 2009 Work Session Agenda include the proposed newsletter.

**Traffic Signal Modification - S.R. 196 & Echo Lake Road - Dennis and Gricel Bloom**

Mr. O'Boyle read a letter from Marshall Anders the attorney representing Dennis and Gricel Bloom re: advertisement in the Pocono Record soliciting bids for the installation of the traffic signal modification, vendors being notified of the project, etc. Mrs. Frutchey was directed to send a letter to Mr. and Mrs. Bloom advising them that the Board of Supervisors took no action at this meeting, but the name of the vendor who will be doing the traffic signal modification work and a copy of the proposal is to be submitted to Coolbaugh Township prior to the September 15, 2009 meeting.

**Township Resolution 17-2009 - 24 Mill Street**

Ms. Kelly moved to adopt Township Resolution 17-2009 thereby allowing the Board of Supervisors to commence enforcement action under the Coolbaugh Township Dangerous Building Ordinance against All American Factory Building, LLC, 24 Mill Street and to move forward with getting an estimate for the demolition of the structure to be put on the proposed 2010 budget. Seconded by Mr. Zito. Discussion - Mr. Zito suggested to direct DPW staff to investigate the site and to take whatever measures they can to board up the structure and have the Zoning Officer tape off the property. The motion carried 5-0.

**Wal-Mart Distribution Center - request to use softball field to hold a tournament to benefit the Children's Miracle Network**

Mr. Zito moved to approve the Wal-Mart Distribution Center's request to use the Municipal Park's softball field (near the Tobyhanna Army Depot) on September 28 and 29, 2009 to hold a tournament to benefit the Children's Miracle Network. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

**BCM Engineers - Rate Structure Study - WWTP**

Based on the recent WWTP Upgrade, Mr. Hutchins moved to authorize the BCM Engineers Plymouth Meeting Office to prepare a Rate Structure for Residential, Commercial 1, 2 and 3 and Institutional at a cost not to exceed \$5,000.00 to be completed by October 15, 2009. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**WG Malden - re: Installation and removal of flowmeter**

Mr. Hutchins moved to authorize WG Malden to install and remove a flow meter with confined space equipment in the manhole in front of the Township municipal center for monitoring at a cost not to exceed \$1,200.00. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Authorization to advertise September 29, 2009 Work Session**

Mr. Hutchins moved to authorize the advertisement for a Work Session for September 29, 2009 at 7:00 p.m. for a one item agenda. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

**Mr Zito** - announced that the dead tree just off SR 196 and Green Road discussed at the last meeting was taken down by PennDOT, and he thanked everyone involved for their help.

**Public Input**

**Gregory and Barbara Vinci** - presented the Supervisors with an outline of actions they believe need to be taken to improve and define the aesthetics of residential and commercial property in the Township. Discussion followed about junked pontoon boats dumped at 2706 Echo Lake Road near the Vinci's property line, the razing of dilapidated structures (photos provided), restriction of commercial vehicle parking on streets and residential property, etc. Public input was heard from David Pope and Harry Smith. It was the consensus of the Supervisors that the Township Zoning Officer and the Monroe County Municipal Waste Management Authority would be contacted to look into the matter.

**Board of Supervisors Executive Sessions**

Mr. O'Boyle announced that the Board of Supervisors held Executive Sessions on Tuesday, August 4, 2009 at 8:02 p.m. re: Legal Issues and at 9:26 p.m. re: Legal and Personnel Issues. An Executive Session was held this evening at 6:00 p.m. re: Personnel/Legal Issues, and another followed the meeting re: Personnel. Mr. Zito requested an Executive Session to discuss Personnel Issues be held before or after the September 15, 2009 meeting. No objection was heard.

**Adjournment**

With no further business before the Board, Mr. Hutchins moved to adjourn the meeting. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:50 p.m.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Joseph O'Boyle  
Board Chairman