

**Coolbaugh Township  
Board of Supervisors  
September 16, 2008 Meeting  
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The Coolbaugh Township Board of Supervisors September 16, 2008 Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

**Public Hearing** - a Public Hearing was held prior to this meeting at 6:30 p.m. at the Coolbaugh Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania to consider public comment on a request by the Pocono Mountains Municipal Airport Authority to amend the Township's Official Zoning Map by changing Tax Parcel Account Numbers 03/93825 and 03/93935 from the Industrial (I) Zoning District to the Industrial Airport (I-A) Zoning District.

**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 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 2, 2008 Meeting Minutes**

Ms. Kelly moved to approve the September 2, 2008 Meeting Minutes as presented and dispense with the reading. Seconded by Mr. Zito Discussion - none. The motion carried 4-0-1 (Mr. Hutchins abstained, as he was not at the meeting).

**Parks and Recreation Commission members will be present to discuss  
Ghoulbaugh's Haunted Halloween Adventure**

Clare Colgan was present on behalf of the Parks and Recreation Commission and gave an overview of their plans for a trunk or treat event at the Township Park on Sunday, October 19, 2008 from 4:00 p.m. to 7:00 p.m. Discussion followed about getting the word out, that the Fire Company will bring their Haunted House characters, the EMS and Library will attend, businesses can participate by sponsoring a trunk, etc. No motion was made, but it was the consensus of the Supervisors that the Parks and Recreation Commission could go forward with their plans.

**Blue Ridge Cable Franchise Agreement**

Robert Miller and Skip Hunsinger were present to discuss the status report on cable service in Pocono Farms. Discussion followed about accomplishing the work along a time line, the difficult terrain for underground cable, the BRC Franchise Agreement with added language regarding Pocono Farms, added service given to certain entities last year, construction schedule, Internet services, etc. Public comment was heard from Jim Ott of Pocono Farms. It was the consensus of the Supervisors that Mr. Miller and Mr. Hunsinger did not need to be present when the BRC Franchise Agreement is considered at the next meeting.

**Pocono Farms Fitness Center Land Development Plan**

Jim Ott was present on behalf of the plan referenced above, representing the management team at Pocono Farms. He gave an overview of the project and went through comments in a letter dated September 15, 2008 from Township Engineer Russ Kresge.

Mr. Zito moved, per the recommendation of the Planning Commission, to approve the Pocono Farms Fitness Center - Land Development Plan, contingent upon all comments in Township Engineer Russ Kresge's letter dated September 15, 2008 being satisfactorily addressed. Seconded by Ms. Kelly. Discussion followed about the existing gravel drive, fire hydrant, etc. Solicitor Hanna said the maintenance guarantee and cost estimate are being worked out with Russ Kresge. The motion carried 5-0.

**Proposed Amendment to Coolbaugh Township Code of Ordinances, Chapter 27, Zoning, Part 3 - Zoning Map and Zoning Districts - request by Pocono Mountains Municipal Airport Authority to change property currently listed as Industrial to Industrial Airport**

Mr. Frutchey moved to adopt the Amendment to the Coolbaugh Township Code of Ordinances, Chapter 27, Zoning, Part 3 - Zoning Map and Zoning Districts requested by Pocono Mountains Municipal Airport Authority to change property currently listed as Industrial to Industrial Airport. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Pocono Mountains Municipal Airport Authority - Extend and Widen Runway Project - Request for waivers from the Township Code of Ordinances, Chapter 26, Part 2 Stormwater Management and Earth Disturbance**

Joseph Kellicut, Project Manager for McFarland Johnson was present on behalf of the project referenced above and explained the waiver requests regarding Section 221.E and Section 2.3..A.6.

Mr. Hutchins made a motion to grant the waivers of Section 221.E and Section 2.3..A.6. of the Township Code of Ordinances, Chapter 26, Part 2 Stormwater Management and Earth Disturbance, per the applicant's request. Seconded by Mr. Zito. Discussion - none. The motion passed 5-0.

**2008 Monthly Reports**

**Coolbaugh Township Volunteer Fire Co.**

Mr. Frutchey said the Fire Company members are working on the Haunted House; therefore, no report will be given.

**Monroe County Road Task Force**

Mr. Frutchey reported that the 35<sup>th</sup> meeting of the Monroe County Road Task Force was held on Thursday, September 4, 2008, and only 12 members were present. Mr. Frutchey was asked to send a letter out to the other municipalities to see if they were still interested in attending the meetings and to try and get a

consensus of what day and time during the week would be best to hold the meetings in 2009, etc.

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**Pocono Mountain Regional Police**

Ms. Kelly presented the July 2008 PMRPD Monthly Report as follows: 1382 complaints, 73 accidents, 156 criminal arrests, 284 traffic arrests, 167 traffic warnings, and 23 ordinance arrests for a total of 1455 calls within the area covered by the regional police, which includes Tobyhanna, Tunkhannock and Coolbaugh Townships and the Borough of Mount Pocono. She also reported that Coolbaugh Township is running even and improving in over all hours, but we are still over by 228 hours. Further discussion ensued about a PennDOT grant, that the police dogs are doing well, a new officer was sworn in, Lucas Bray was promoted to Corporal, a new car went into service, donations, etc. Public comment was heard from Harry Smith.

**Pocono Mountain Regional Emergency Medical Services**

Mr. O'Boyle presented the monthly report for the number of hours/calls in the municipalities served as follows: Coolbaugh Township 147, Tobyhanna Township 88, Tunkhannock 47, Barrett Township 25, Chestnuthill Township 2, Paradise 4, etc. He also thanked the Township on behalf of the PMREMS for their assistance in replacing the septic system.

**The Cross, Inc., Land Development Plan - Request for Extension**

Mr. O'Boyle summarized the request for an extension on the plan referenced above. Mr. Hutchins moved to grant the extension on The Cross Inc. Land Development Plan until November 19, 2008, as the applicant waives the benefits of deemed decision through that date. Seconded by Ms. Kelly. Discussion - none. The motion carried 5-0.

**Lands of Pennsylvania American Water Co. Minor Subdivision Plan  
Lands of Pocono Country Place POA, Inc. Minor Subdivision Plan  
Request for Extension**

Mr. O'Boyle summarized the request for an extension on the plans referenced above. Mr. Hutchins made a motion to grant the extension on the Lands of Pennsylvania American Water Co. Minor Subdivision Plan and the Lands of Pocono Country Place POA, Inc. Minor Subdivision Plan until December 2, 2008, as the applicants waive the benefits of deemed decision through that date. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Apache Summit Final Minor Subdivision Plan - Request for Extension**

Mr. O'Boyle summarized the request for an extension on the plan referenced above. Mr. Frutchey moved to grant the extension on the Apache Summit Final Minor Subdivision Plan until December 15, 2008, as the applicant waives the benefits of deemed decision through that date. Seconded by Mr. Zito. Discussion - none. The motion passed 5-0.

**Summerall Estates Subdivision Plan / Land Development Plan - Request for Extension**

Mr. O'Boyle summarized the request for an extension on the plan referenced above. Mr. Zito moved to grant the extension on the Summerall Estates Subdivision Plan / Land Development Plan, per the Planning Commission's recommendation, until October 21, 2008, as the applicant waives the benefits of deemed decision through that date. Seconded by Mr. Frutchey. Discussion followed about meeting dates. The motion passed 5-0.

**Minor Subdivision Plan to join lots 2 & 3, Block 1903, Section 19, Arrowhead North - Property Owners - James and Barbara Russell**

No one was present on behalf of the Minor Subdivision referenced above. Mr. Hutchins moved to approve the Minor Subdivision Plan to join lots 2 & 3, Block 1903, Section 19, in Arrowhead North for Property Owners James and Barbara Russell. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Minor Subdivision Plan to join lots 383 & 384, Section H, A Pocono Country Place - Property Owner - Joseph Current**

No one was present on behalf of the Minor Subdivision referenced above. Ms. Kelly moved to approve the Minor Subdivision Plan to join lots 383 & 384, Section H, in A Pocono Country Place for Property Owner Joseph Current. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.

**Coolbaugh Township Planning Commission - Request for a work session**

Mr. O'Boyle summarized a letter dated September 11, 2008 from Clark Connor, Solicitor for the Planning Commission, requesting a joint Work Session with the Board regarding

the Arcadia North Business Park, Lot 2 plan. Discussion followed about a time and date for the work session, who should attend, etc.

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It was the consensus of the Supervisors to meet with the PC on Tuesday, October 28, 2008 at 6:00 p.m., prior to their regular Work Session at 6:30 p.m., provided Township Engineer Russ Kresge and Solicitor Connor are available and to ask them how they feel about having Arcadia Properties present.

Mr. Zito moved to re-advertise the October 28, 2008 Work Session to start at 6:00 p.m., contingent upon the scheduling of Mr. Connor, Mr. Kresge, and others who should attend. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0.

**Minimum Municipal Obligation for 2009**

**Coolbaugh Township Non-uniform Pension Plan - \$95,931.00**

**Pocono Mountain Regional Police Non-uniform Pension Plan - \$2,860.11**

**Pocono Mountain Regional Police Pension Plan- \$164,182.00**

Mr. Hutchins made a motion to approve the MMO for 2009 as follows: Coolbaugh Township Non-uniform Pension Plan in the amount of \$95,931.00; Pocono Mountain Regional Police Non-uniform Pension Plan in the amount of \$2,860.11; Pocono Mountain Regional Police Pension Plan in the amount of \$164, 182.00. Seconded by Mr. Frutchey. Discussion - none. The motion passed 5-0.

**Resignation of Township Employee Charles Fitzhugh**

Ms. Kelly moved to accept with regret the resignation of Township Employee Charles Fitzhugh and to wish him good luck in his future endeavors. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Authorization to advertise for position if necessary**

Ms. Kelly moved to advertise the DPW position, with applications being submitted within seven days from the date of the ad, to allow the Business Manager to review all applications. Seconded by Mr. Zito. Discussion - it was the consensus that anyone requesting an application for the job must acknowledge that they have read and understand the job description, that the Business Manager will review all applications, do the interviewing for the position and submit 2 or 3 candidates ranked in numerical order to the Supervisors. The motion carried 5-

0. Public input was heard from Clare Colgan and Eileen Lawrence.

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**Authorization to proceed with the possibility of placing a hydrant in the Pocono Summit Lake Community**

Mr. O'Boyle went over his email to Township Engineer Russ Kresge regarding the above referenced matter, stating that the idea of a dry hydrant will not work. Discussion followed. It was the consensus of the Supervisors to move ahead with investigating running a line from the industrial park into the community and installing a regular hydrant.

**Authorization to apply for an extension - PennDOT Highway Occupancy Permit #05038202**

Discussion followed about an email dated September 16, 2008 from Township Engineer Russ Kresge regarding the matter referenced above. Mr. Kresge suggested considering postponing the renewal of the permit until the Township has a more complete understanding of what PennDOT may require with respect to rework or incomplete work. Mr. Frutchey moved to table discussion of the Authorization to apply for an extension - PennDOT Highway Occupancy Permit #05038202. Seconded by Mr. Hutchins. Discussion - Mr O'Boyle pointed out we have not taken over ownership of this road. The motion carried 5-0.

**Acceptance of Coolbaugh Township's 2007 Annual Audit and Financial Report prepared by CPA Todd J. Bushta**

Mr. Zito moved to accept Coolbaugh Township's 2007 Annual Audit and Financial Report prepared by CPA Todd J. Bushta. Seconded by Ms. Kelly. Mr. Zito expressed disappointment in the lateness of the report and asked that his opinion be recorded in the Minutes. Further discussion - none. The motion carried 5-0.

**Authorization to advertise Coolbaugh Township Leaf Collection**

Mr. Hutchins made a motion to authorize the advertisement of the Coolbaugh Township Leaf Collection. Seconded by Mr. Zito. Discussion followed about a disclaimer for weather, culverts, etc. The motion passed 5-0.

**Additional parking at the DPW - Road Department Garage - 242 Laurel Drive**

Discussion followed about a Memo from Mr. Frutchey suggesting additional parking at the DPW Road Garage and explaining how this project would be accomplished.

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Mr. Hutchins moved to approve the additional parking at the DPW Road Garage. Seconded by Ms. Kelly. Discussion - none. The motion passed 5-0.

**Request for a refund due to incorrect building info - Victoria Debarbieri  
#03/9B/1/175**

Mr. Hutchins made a motion to approve the request for a refund due to incorrect building information from Victoria Debarbieri, Tax ID #03/9B/1/175. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Authorization to Solicitor Jerry Hanna to sign Stipulation of Council - Petition  
to Release \$15,000.00 Cash Bond - Tobyhanna Camp Corporation**

As per a letter dated September 8, 2008 from Hanover Engineering, Mr. Frutchey moved to authorize Solicitor Jerry Hanna to release the \$15,000.00 cash bond to the Tobyhanna Camp Corporation. Seconded by Mr. Hutchins. Public comment was heard from Clare Colgan. The motion carried 5-0.

**Request for a Hearing re: Revocation of Sewage Permit Z 028839 - Kenneth  
E. Plank - Lot 5724 - Pocono Farms**

Mr. Frutchey moved to authorize the advertisement of the Hearing for September 30, 2008 at 6:30 p.m. and to contact Attorney Edmund Flynn to represent Hanover Engineering at the Hearing. Seconded by Mr. Hutchins. Discussion followed relating to the Hearing, having a Court Stenographer, the Supervisors being able to go into an Executive Session after the Hearing to discuss the matter, whether the decision could be made at this meeting or rescheduled to another meeting. The motion carried 5-0.

**Owen Millers' Garage - Request for partial release (#3) of Performance  
Guarantees**

Mr. Frutchey made a motion to grant the partial release #3 of Performance Guarantees for the Owen Millers' Garage Project in the amount of \$51,419.57, per the recommendation of Township Engineer Russ Kresge in a letter dated September 15, 2008. Seconded by Mr. Hutchins. Discussion - none. The motion passed 5-0.



**Release of Performance Guarantee - J & J Sales & Logistics Co., L.L.C.**

Mr. Hutchins moved to approve, per the recommendation of Township Engineer Russ Kresge in a letter dated September 15, 2008, to release the J & J Sales & Logistics Co, L.L.C. financial security for the performance guarantee, in full, subject to providing a satisfactory maintenance guarantee. Seconded by Mr. Zito. Discussion - none. The motion carried 5-0.

**Current Obligations**

General Fund	\$111,175.77
PLGIT - Capital Construction	\$ 3,779.66
Escrow Account Fund	\$ 8,012.75
Sewer System Fund	\$ 6,492.91
Total Disbursements	<u>\$129,461.09</u>

Ms. Kelly moved to pay the Current Obligations in the amount of \$129,461.09. Seconded by Mr. Frutchey. Discussion - none. The motion carried 5-0.

**Coolbaugh Township Waste Water Treatment Plant - Membrane Process Upgrade - Change Order Summary**

LB Industries -	\$ 55,856.91
Hoffman -	\$ 29,128.00
GE Zenon -	\$ 30,000.00
BCM Engineers-	\$ 28,000.00
Spares -	\$ 31,000.00
<u>Total</u>	<u>\$173,984.91</u>

Mr. Hutchins moved to approve the Change Order Summary (referenced above) for a total amount of **\$179,984.91**. Seconded by Mr. Frutchey. Discussion - Mr. Frutchey noted that the total project cost was \$4,400,209.87 and even with the Change Orders there is \$235.13 remaining. Engineer Dave Kavitiski was commended for doing a fantastic job as Manager for the project. The motion carried 5-0.

## **Other Business**

### **Stream Analysis**

Ms. Kelly moved to authorize EcoAnalysts to do a stream analysis in the amount of \$4,820.00. Seconded by Mr. Hutchins. Discussion - none. The motion carried 4-0-1 (Mr. Zito abstained).

### **Budget Work Sessions**

Discussion ensued about cutting the time spent at Budget Work Sessions, as the Business Manager will be doing the bulk of the work. It was the consensus to advertise the proposed budget being available for public inspection at the November 18, 2008 meeting and to adopt the 2009 Budget at their December 16, 2008 Meeting. It was also the consensus of the Supervisors to authorize the advertisement to hold Budget Work Sessions on Sunday, October 19, 2008 and Sunday, November 16, 2008 starting at 8:00 a.m. to 10:30 a.m.

## **Public Input**

**Mr. Frutchey** - asked that Walt McGrath be kept in everyone thoughts and prayers, as he is in Lehigh Hospital following a stroke, but he was doing better and the family is hoping to get him into Pocono Medical Center.

**Holly Stroker** - in response to questions being asked at the office of Mario Scavello asked if the Supervisors were aware that trees were being cut on a property located on SR 196 and wanted to know if any permits were issued. It was noted that the proper permits were secured and the property, owned by Roman Gil, is for sale.

## **Board of Supervisors Executive Sessions**

Mr. O'Boyle announced that the Board of Supervisors held an Executive Session on Tuesday, September 2, 2008 at 8:00 p.m. on Legal/Personnel Issues; Thursday, September 11, 2008 at 4:00 p.m. on Personnel Issues and one will be held after the meeting on Personnel Issues.

**Adjournment**

With no further business before the Board, Mr. Zito moved to adjourn the meeting. Seconded by Mr. Hutchins. Discussion - none. The motion carried 5-0. The meeting adjourned at approximately 8:41 p.m..

Respectfully submitted:

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Linda Frutchey  
Township Secretary

Joseph O'Boyle  
Chairman