

**Coolbaugh Township  
Board of Supervisors  
September 18, 2012 Minutes  
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The Coolbaugh Township Board of Supervisors September 18, 2012 Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

**Call To Order**

Mr. Adams called the meeting to order at approximately 7:00 p.m. and asked PMREMS Director Scott Toppings to lead those in attendance in the recitation of the Pledge of Allegiance.

Supervisors present for the meeting included: Mr. Juan Adams, Mr. James H. Frutchey, Jr., and Ms. Lynn Kelly. Also present were Township Solicitor Jerry F. Hanna and Township Secretary Linda Frutchey. Mr. Robert M. Zito and Business Manager/Controller Douglas Hein were absent.

**Announcement:** 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 Minutes**

Mr. Frutchey motioned to approve the September 4, 2012 Minutes as presented and dispense with the reading. Seconded by Mr. Adams. The motion carried 3-0.

**Additional construction financing - New Pocono Mountain Public Library Building**

Ms. Ann Shincovich Director of the Pocono Mountain Public Library was present to represent the above referenced matter.

The documents before the Supervisors were: First Amendment to Remittance Agreement, Consent to Second Lien Lease Hold Mortgage and Agreement, First Amendment to Consent to Leasehold Mortgage and Agreement, and Resolution No 8-2012; and the First Amendment to Collateral Assignment of Lease.

Solicitor Hanna summarized the documents explaining that these new documents submitted to the Township, are the same as previously approved and do not change or add any further legal responsibility, or risk, to the Township, and recommended approval and adoption of the Resolution which includes all the documents.

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Mr. Frutchey motioned to adopt Resolution #8-2012. Seconded by Ms. Kelly. Public Input - David Pope - asked when will all the loans stop. Ms. Shincovich explained the documents, etc. The motion carried 3-0.

**7:10 pm tp 7:20 pm Break in meeting to sign the Pocono Mountain Public Library Loan Documents**

**2012 Monthly Reports**

**Coolbaugh Township Volunteer Fire Company**

Mr. Frutchey presented the August 2012 monthly report as follows: Emergency calls at 21 with a year to date calls at 170; the volunteer hours at 124.5 with a year to date of 2,203.79.

**Pocono Mountain Regional Emergency Medical Services**

Director Scott Toppings presented the August monthly report for Coolbaugh Township as follows: 190 calls with a year to date of 1428, last year at this time it was 1396 year to date calls. The total inside service area calls were 3414. The subscription rate drive is up again this month. He expressed appreciation to the DPW for the work that was done to improve the parking lot.

**Pocono Mountain Regional Police**

Mr. Frutchey presented the 2012 PMRPD Monthly Report as follows: 1235 complaints, 89 accidents, 124 criminal arrests, 203 traffic arrests, 185 traffic warnings and 41 ordinance arrests for a total of 1324 with 9298 year to date calls within the area covered by the regional police.

**Pocono Mountains Office Commons - Phased Stormwater Plan**

No action was taken on the above referenced matter due to not having the Improvements Agreement.

**Extension Requests:**

Ms. Kelly made a motion to approve the extension request per the Planning Commission's recommendation as follows: Pocono Mountains Office Commons Phase 1 Final Land Development Plan to January 31, 2013; Arcadia North Business Park, North Phase, Section

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1, Lot #1 - Subdivision and Land Development Plan to January 31, 2013; Pocono Mountains Corporate Center East and Lot 20 Land Development Plan to September 30, 2013 and Alvaro Rodriguez Land Development Plan to January 31, 2013. The motion was seconded by Mr. Frutchey. The motion carried 3-0.

**Authorization to advertise Coolbaugh Township Leaf Collection Notice**

Ms. Kelly made a motion to authorize the advertisement of the Township Leaf Collection Notice. Seconded by Mr. Adams. The motion carried 3-0.

**2013 Minimum Municipal Obligation for:**

Mr. Frutchey made a motion to approve the 2013 Minimum Municipal Obligation (as follows): Coolbaugh Township Non-uniform Pension Plan - \$54,388.46; Pocono Mountain Regional Police Non-uniform Pension Plan - \$3,413.30 and Pocono Mountain Regional Police Pension Plan - \$266,017.00. The motion was seconded by Ms. Kelly. The motion carried 3-0.

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

Mr. Frutchey motioned to authorize Solicitor Hanna to sign the Stipulation of Council - Petition to release the \$15,000.00 Cash Bond to Tobyhanna Camp Corporation. Seconded by Mr. Adams. Discussion followed about amending the motion to include requiring the owner to fix or replace the broken/unsafe lids prior to releasing the cash bond. Solicitor Hanna said there is nothing in the Order with discretion for safety concerns to the sewage disposal facilities. It was suggest that the SEO could be directed to send a letter to the owner to require this be done prior to the opening of the camp next season. Public Input - Michelle Fairservice asked for a copy of the pumping schedule. The motion carried 3-0.

**Final Payment to Joyce Electrical**

Ms. Kelly made a motion to approve the final payment to Joyce Electrical in the amount of \$16,344.28 (tabled from September 4, 2012 meeting) and one is in the Current Obligations in the amount of \$9,588.24. Seconded by Mr. Frutchey. The motion carried 3-0.

Mr. Frutchey made a motion to authorize Township Engineer Russ Kresge and DPW Road Foreman Steve Weber to hire a locator service to locate the underground wires at the site

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so that the details are placed on the park plan. Seconded by Mr. Adams. Discussion ensued over an approximate cost. Mr. Frutchey amended motion at a Not to Exceed cost of \$800.00. Seconded by Mr. Adams. Public Input - David Pope - commented that this is a good thing and is something that is needed as you wouldn't want anyone to get hurt. Discussion - it was the consensus of the Supervisors to work out the details of a proposed Maintenance Electrical Contract to be discussed at the next work session. The motion carried 3-0.

**Business Manager / Controller's Financial Report**

Ms. Kelly presented a short version of the Financial Report with the General Fund revenues received as of September 13, 2012, excluding TAN receipts of \$700,000 were \$5,143,392 with the largest categories of Real estate taxes of \$3,496,026, Earned income tax at \$840,231, Local service tax at \$180,953, etc. The total General Fund expenses at \$4,375,355. The Financial Report was accepted as presented.

**Current Obligations**

General Fund	\$108,598.08
Capital Projects	\$ 9,693.24
Escrow Fund	\$ 2,841.34
Sewer Fund	\$ 8,566.41
Total Disbursements	<u>\$129,699.07</u>

Mr. Frutchey moved to pay the Current Obligations in the amount of \$129,699.07. Seconded by Ms. Kelly. The motion carried 3-0.

**Other Business**

**Authorization to advertise Vacancy Board Meeting**

Ms. Kelly made a motion to authorize the advertisement of the Vacancy Board Meeting to be held on Tuesday, October 2, 2012 at 6:00 p.m. Seconded by Mr. Frutchey. Fred Berg - asked if the public would be given an opportunity to voice their opinion. Fred Pope said he would like to take a few minutes at the meeting to clear up some mis-communications that are out in the public. Mr. Adams said there would be public input at the meeting. The motion carried 3-0.

**Interview the candidates for the vacancy on the Board of Supervisors**

Discussion ensued over scheduling a date to interview the candidates who submitted a letter to serve on the Board of Supervisors. Ms. Kelly said she would prefer an open meeting. Discussion followed on whether it was legal to hold an executive session or should it be an advertised meeting open to the public. Solicitor Hanna said interviews could be held in an Executive Session for Personnel, it could be an advertised work session or a special meeting. If the Board choose to go with holding an executive session, it has to be clear, that no formal action is to be taken to select or appoint an individual. He read a few sentences of Section 708 of the Sunshine Law. The date of Wednesday, September 26, 2012 starting at 5:30 p.m. to approximately 7:30 p.m. was selected to hold the interviews.

**Forward the updated Zoning Ordinance and Saldo to Monroe County Planning Commission**

It was the consensus of the Supervisors that the updated Zoning Ordinance and the SALDO could be forwarded to the MCPC for their technical/MPC review.

**2012 PSATS Resolution - Monroe County**

Discussion ensued about PSATS seeking legislation to amend Section 3205 of the Second Class Township Code to authorize the board of supervisors to levy an annual tax, not to exceed five mills, to establish, fund, and/or operate a township or regional police department or to contract with another municipality for police protection. The reason for the resolution is townships that provide police protection to their residents do not have a dedicated means to pay for this expensive service. Additional sources of revenue are needed to continue to fund municipal police departments. Comments were made by the Supervisors that by sending the letter of support does not mean that they are going to impose the tax, but it does offer the option if needed.

Mr. Frutchev motioned to send a letter of support to the legislators in support of the amendment to Section 3205 of the Second Class Township Code. Seconded by Ms. Kelly. The motion carried 3-0.

**Public Input**

**Robert Keating** - said he was at the Supervisors July 19, 2011 meeting to ask if the Township could adopt an ordinance requiring home owners to keep their properties from getting run down and mentioned his neighbors property on Lakeside Drive as being an eyesore, etc. Mr Keating said he never heard anything from the township so, he and his family bought the property, had a company demolish the structures, remove trees, etc. He handed out copies of the invoices that totaled \$120,215.63. He asked if the township would reimburse him \$24,811.30 that would cover the demolition of the structures, the removal of the oil tank and the permit fees. Discussion followed. Mr. Keating was told they would discuss the matter with Solicitor Hanna and get back to him.

**Aleta and Keith Whisner** - asked if something could be done with the ditch that was dug up on SR 611 in front of their home as it was not covered properly. Mr. Whisner said he had to have his vehicle re-aligned. It was determined that PAWC did the work and the Township would contact them about correcting the problem.

**Board of Supervisors Executive Sessions**

Mr. Adams announced that the Board of Supervisors held an Executive Session on Tuesday, August 7, 2012 at 8:52 p.m. for Personnel. He said an Executive Session on Personnel to interview candidates who put a letter in to serve on the Board of Supervisors is scheduled for Wednesday, September 26, 2012 at 5:30 p.m. to approximately 7:30 p.m.

**Adjournment**

With no further business before the Board, Mr. Frutchey moved to adjourn the meeting. Seconded by Ms. Kelly. The motion carried 3-0. The meeting adjourned at approximately 8:27 p.m.

Respectfully submitted:

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Linda Frutchey  
Township Secretary

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Juan (John) Adams  
Assistant Treasurer