

**Coolbaugh Township
Board of Supervisors
September 4, 2012 Minutes
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The Coolbaugh Township Board of Supervisors September 4, 2012 Meeting was held in the Township Municipal Center, in building #3, at 5550 Memorial Boulevard, Tobyhanna, Pennsylvania.

Call To Order

Vice-Chairman Robert M. Zito called the meeting to order at approximately 7:00 p.m. and asked Werner Frank to lead those in attendance in the recitation of the Pledge of Allegiance.

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

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 August 21, 2012 Minutes

Mr. Adams motioned to approve the August 21, 2012 Minutes as presented and dispense with the reading. Seconded by Mr. Frutchey. The motion carried 4-0.

Request to deed in fee simple title Park Court (T-677) To Monadnock Non-Wovens LLC

Chuck Leonard of Pocono Mts. Economic Development Corporation (PMEDC) and Keith Hayward of Monadnock Non-Wovens LLC were present to discuss the above referenced matter.

Mr. Zito moved to approve to deed in fee simple title Park Court (T0677) to Monadnock Non-Wovens LLC per the advise of the Road Foreman. Seconded by Mr. Frutchey. Discussion - Solicitor Hanna went over the process that is required by the Second Class Township Code and suggested using the word, "vacate" in the motion. He went on to say that this will be a three party agreement between Coolbaugh Township, PMEDC and Monadnock Non-Wovens LLC. Mr. Zito amended the motion to approve Coolbaugh Township's willingness to vacate Park Court (T-677) conditioned upon a three party agreement being drawn up between the Township, PMEDC and Monadnock Non-Wovens LLC in accordance with Section 2311 of the Second Class Township Code. Mr. Frutchey seconded the amended motion. The motion carried 4-0.

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Board of Supervisors Vacancy

Mr. Zito went to Agenda #12 - Board of Supervisors Vacancy. He read the following names who sent a letter of interest to serve on the Board of Supervisors in the order of which they were received Michael Stern, Fred Pope, Micky Denig, Wayne Horne, Joe O'Boyle, William Weimer, Phyllis Haase and Eileen Mercado. He asked that comments from the supervisors and the public be kept at a minimum. Discussion - followed. Public Input was heard from Fred Berg.

Michael Stern

Mr. Zito nominated Michael Stern to fill the vacancy on the Board of Supervisors. Discussion- Ms. Kelly commented on Mr. Stern's qualifications. Mr. Zito asked for the votes for Mr. Stern. One aye was heard from Ms. Kelly. The nomination for Michael Stern failed.

Fred Pope

Mr. Zito nominated Fred Pope. Discussion - Mr. Frutchey and Mr. Adams commented on Mr. Pope running and only losing by one vote in the last election. Mr. Zito asked for the votes for Mr. Pope. Ayes were heard from Mr. Frutchey and Mr. Adams. The nomination for Fred Pope failed.

Micky Denig

Mr. Zito nominated Micky Denig. Discussion - Ms. Kelly commented on Mr. Denig's qualifications. Mr. Zito asked for the votes for Mr. Denig. An aye was heard from Ms. Kelly. The nomination for Micky Denig failed.

Wayne Horne

Mr. Zito nominated Wayne Horne. Discussion - Ms. Kelly commented on Mr. Horne's qualifications. Mr. Zito asked for the votes for Mr. Horne. Ayes were heard from Mr. Zito and Ms. Kelly. The nomination for Wayne Horne failed.

Joseph O'Boyle

Mr. Zito nominated Joseph O'Boyle. Discussion - Ms. Kelly commented on Mr. O'Boyle's qualifications. Mr. Zito asked for the votes for Mr. O'Boyle. Ayes were heard from Mr. Zito and Ms. Kelly. The nomination for Joe O'Boyle failed.

William Weimer

Mr. Zito nominated William Weimer. Discussion - Ms. Kelly commented on Mr. Weimer's qualifications. Mr. Zito asked for the votes for Mr. Weimer. An aye was heard from Ms. Kelly. The nomination for William Weimer failed.

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Phyllis Haase

Mr. Zito nominated Phyllis Haase. Discussion - Ms. Kelly commented on Ms. Haase's qualifications. Mr. Zito asked for the votes for Ms. Haase. An aye was heard from Ms. Kelly. The nomination for Phyllis Haase failed.

Eileen Mercado

Mr. Zito nominated Eileen Mercado. Discussion - Ms. Kelly commented on Mr. Mercado's qualifications. Mr. Zito asked for the votes for Eileen Mercado. An aye was heard from Ms. Kelly. The nomination for Eileen Mercado failed.

Discussion followed about there not being a consensus to appoint an individual to serve on the Board of Supervisors; the time frame for arranging a meeting with the Vacancy Board Chairman; Solicitor Hanna was asked to contact Brian Courtright to advise him that a meeting has to be arranged with the Board of Supervisors to fill the vacancy on the board.

Discussion - Mr. Zito said he will not be present for the September 18, 2012 meeting. It was the consensus that Mr. Adams would run the meeting.

Discussion - Mr. Zito said he will step down as Vice-Chairman as there may be a re-organization of the board once a decision has been made to fill the vacancy.

Minor Subdivision to join lots 145 & 146, Section H, APCP - Property Owner - Diane Bayley

Mr. Frutchev made a motion to approve the Minor Subdivision for Diane Bayley in APCP. Seconded by Mr. Adams. The motion carried 4-0.

Authorization to prepare LSA Grant for left hand turning lane from SR 196 into A Pocono Country Place Property Owners Association

Mr. Adams made a motion to authorize Business Manager/Controller Doug Hein to prepare an LSA Grant for a left hand turning lane from SR196 into APCP. Seconded by Mr. Zito. Public Input included David Pope, Harry Smith and Michelle Fairservice. The motion carried 4-0.

Grant - Hemlock Drive Realignment Project

Mr. Zito made a motion to proceed with the Hemlock Drive Realignment Project. Seconded by Ms. Kelly. Discussion followed. Public Input -Michelle Fairservice and Harry Smith. The motion carried 3-1-0 (Mr. Adams opposed).

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Authorization to Township Solicitor and Township Engineer to resume the work involved with the Cayuga Drive Culvert Replacement

Mr. Frutchey made a motion to issue a Purchase Order to Township Solicitor Jerry Hanna to do the work involved with either buying or condemning the property and authorize Township Engineer Russ Kresge to resume the work involved with the Cayuga Drive Culvert Replacement. Seconded by Mr. Adams. Discussion followed about how long of a process it would be to condemn the property. Public Input was heard by David Pope. The motion carried 4-0.

Proposal Request for Banking Services

Mr. Zito made a motion to authorize Business Manager/Controller Doug Hein to send the Request For Proposal to the local banks as per outlined in the documents given to us this evening. Seconded by Mr. Adams. Discussion followed about the various banks that would be contacted about the request for proposal. The motion carried 4-0.

Proposals for Township Health Insurance Coverage

Mr. Zito made a motion to accept Blue Cross NEPA First Priority Life subject to Union approval. Seconded by Ms. Kelly. Discussion followed about the charges to various deductibles.

Mr. Zito amended the motion to include continuing with the \$350.00 reimbursement to the employees once the \$500.00 deductible is met; to reimburse each employee \$75.00 for each emergency room visit and / or complex radiology tests. Ms. Kelly seconded the amended motion. The motion carried 3-1-0 (Mr. Frutchey abstained). Mr. Hein was directed to let staff know about the new health insurance coverage and they are to bring back any concerns to the Board. Mr. Hein said it would cost approximately \$500.00 a month for Millennium Health Administrators to administer the plan.

Final Payment to Joyce Electrical

Mr. Kelly handed out a spread sheet showing what payments have been made by the Township and the Tobyhanna Athletic Association (TAA) and showing the balance due from the Township; a letter from John Joyce outlining the work that was completed to address Ms. Kelly's August 21, 2012 letter to Joyce Electrical; and a Certificate of Use issued to

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Coolbaugh Township from Bureau Veritas. Ms. Kelly explained the spread sheet and the attachments. Ms. Kelly made a motion to issue the final payment of \$25,932.52 to Joyce Electrical (which shows an offset of \$4,000.00, a donation from the TAA). Seconded by Mr. Zito. Discussion - Mr. Frutchey asked if an As Built Plan showing where the underground wires are located was submitted. Ms. Kelly said that an As Built Plan was not in the contract, but a hand drawn plan was submitted showing the conduit routes and sizes. Mr. Hein went to get a copy of the drawings.

Business Manager / Controller's Financial Report

While Mr. Hein went to get the set of drawings, Mr. Zito presented the Financial Report as follows: General Fund revenues are over budget excluding Tan proceeds of \$700,000. Total revenues, excluding TAN proceeds, are 44,922.793. General Fund expenses of \$4,840,412 are at expected levels, Sewer revenues of \$444,519 are above expected levels; Liquid Fuels funds were deposited in the amount of \$406,363, which is \$61,089 more than was budgeted.

Resume discussion - Final Payment to Joyce Electrical

Discussion ensued over the hand drawn plan. Mr. Frutchey said that he could not accept the hand drawn plan and suggested having an As Built Plan prepared as he would feel better especially with the DPW moving dugouts that are close to the wires, etc. Public Input included Fred Berg, Harry Smith and Michelle Fairservice. The motion failed 2-2-0 (Mr. Frutchey and Mr. Adams opposed).

Current Obligations

| | |
|---------------------|---------------------|
| General Fund | \$236,625.97 |
| Capital Projects | \$ 30,319.42 |
| Sewer Fund | \$ 6,994.31 |
| Total Disbursements | <u>\$273,939.70</u> |

Mr. Adams made a motion to approve the Current Obligations less the amount of \$16,344.28 to Joyce Electrical. Seconded by Mr. Zito. The motion carried 3-1-0 (Ms. Kelly opposed).

Other Business

Joyce Electrical

Solicitor Hanna was asked to look into the contract to see if an As Built Plan was required. Ms. Kelly asked Solicitor Hanna if the process of him looking into the contract is in his retainer and if a suit is brought against the Township would those charges be in his retainer. Solicitor Hanna said the process of looking into the contract to see if an as built plan was required would be in his annual retainer. If a law suit is brought against the township, it would be a legal matter.

Budget Work Sessions

Mr. Zito made a motion to authorize the Secretary to advertise Budget Work Session at 6:00 p.m. on Tuesday, September 25, 2012, Tuesday, October 23, 2012 and Tuesday, October 30, 2012. Seconded by Mr. Frutchey. The motion carried 4-0.

Public Input

David Pope - more trash is being dropped off at the old factory on SR 424; asked if something could be done about the "No Tractor Trailers" signs because no one is paying attention to it as another one came on Pope Road. Harry Smith -suggested that a sign be installed on SR 196 and at Laurel Drive. Discussion followed. Dave Pope asked when the mirror would be installed at Echo Lake Road.

Installation of a mirror on Echo Lake Road

Mr. Zito moved to approve the installation of a mirror on the Echo Lake Road. Seconded by Mr. Adams. The motion carried 4-0.

Fred Berg - Thanked the Supervisors for seeing that the trash was picked up on Belmont / Staudts Road; get an as built drawing of the underground wires, etc. at the park..

Welcome - Werner and Ronnie Frank - The Supervisors welcomed Werner and Ronnie Frank and everyone said how nice it was to see them at the meeting.

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Board of Supervisors Executive Sessions

Mr. Zito announced that the Board of Supervisors held an Executive Session on Tuesday, August 7, 2012 at 8:52 p.m. for Personnel.

Adjournment

With no further business before the Board, Mr. Frutchev moved to adjourn the meeting. Seconded by Ms. Kelly. The motion carried 4-0. The meeting adjourned at approximately 8:52 p.m.

Respectfully submitted:

Linda Frutchev
Township Secretary

Robert M. Zito
Board Vice-Chairman