

**MOUNT POCONO BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
MONDAY, DECEMBER 9, 2019  
7:00 P.M.**

President C. Williams opened the Regular Meeting at 7:00 P.M. with the following members present: Vice President F. O'Boyle; Councilmembers; D. Casole; M. Hensel; A. Montanez; and, S. Stewart-Keeler. Solicitor J. Fareri, Borough Secretary/ Treasurer L. Noonan, and Zoning/Codes Enforcement Officer D. Noonan were also present.

Mayor M. Penn and Councilmember T. Ford were absent.

The Pledge of Allegiance was said by all.

**PRELIMINARY ANNOUNCEMENTS**

None

**APPROVAL MINUTES**

Councilmember S. Stewart-Keeler moved to accept the Conditional Use Hearing Minutes of Wednesday, October 23, 2019; the Regular Meeting minutes of Monday, November 4, 2019; the Public Hearing minutes of Wednesday, November 13, 2019; the Special Meeting Minutes of Monday, November 25, 2019, as presented. Councilmember D. Casole seconded. Motion carried unanimously.

**OFFICERS' REPORTS**

**PRESIDENT**

President C. Williams moved the agenda item "*Petition to Change Zoning Map (25-27 Fairview Avenue)* up and recognized Mr. William Robinson with Youth Star. Mr. Robinson explained that he was the first individual interested in purchasing the property at 25-27 Fairview Avenue. He explained that Youth Star has been in existence since 2008 and is currently located at 2 Ryan's Road in Tobyhanna, PA. He went on to explain the Youth Star proposed project and transaction regarding the St. Mary's Church Property and expressed Youth Star's disappointment in the LSA Grant process and not being able to move forward at that location.

**Resignation of Councilmember Matt Hensel**

Councilmember M. Hensel moved to deny the Petition to Change the Zoning Map for property located at 25-27 Fairview Avenue. Councilmember D. Casole seconded. Motion carried unanimously.

President C. Williams discussed the resignation of Councilmember Matt Hensel which was received with an effective date of January 31, 2020. President C. Williams asked Solicitor J. Fareri for clarification of the effective date. Solicitor J. Fareri explained that it was his opinion that the statute states the effective date is the date stated in the tendered resignation.

Councilmember A. Montanez moved to accept the resignation of Matt Hensel effective January 31, 2020. Vice-President F. O'Boyle seconded. Motion carried.

**Employee Health Insurance**

Vice-President F. O'Boyle moved to amend the Personnel Policy to state "If an employee opts out of the Borough's Health Insurance Policy there will be NO cash reimbursement of health insurance benefits, effective immediately. Councilmember S. Stewart-Keeler seconded. Roll Call Vote: Councilmember D. Casole Yes; Vice-President F. O'Boyle Yes, Councilmember A. Montanez Yes; Councilmember S. Stewart-Keeler Yes, President C. Williams Yes, Councilmember M. Hensel No. Motion carries 5-1.

**Vacation Days**

President C. Williams discussed the amending the Personnel Policy regarding Vacation Days. She explained currently an employee received 5 vacation days after 1 year of employment and 10 days after 2 years of employment. She suggested

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that Council change that to read 5 vacation days after 1 year and 2 additional days after 2 years and 1 additional day given per year to a maximum of 20 days.

Deb Fulton, 65 Reeder Street questioned if Council was worried about losing employees and suggested grandfathering existing employees.

Mike Oser, Fairview Avenue suggested getting "PTO" Personal Time Off instead of vacation time.

Councilmember A. Montanez moved to amend the vacation time portion of the personnel policy to read: 5 Vacation Days after 1 year of employment, 2 additional Vacation Days after 2 years of employment and 1 additional day each year until a maximum of 20 days. Councilmember S. Stewart-Keeler seconded.

Vice-President F. O'Boyle suggested keeping the vacation as it is. There was discussion regarding vacation time.

Councilmember A. Montanez amended her motion to grandfather employees who have received the ten days' vacation after 2 years employment. Councilmember S. Stewart-Keeler seconded the amended motion. Roll Call: Councilmember D. Casole Yes, Vice-President F. O'Boyle Yes, Councilmember S. Stewart-Keeler Yes, President C. Williams Yes, Councilmember M. Hensel No. Motion carries 5-1.

**Council Pay Raise**

President C. Williams presented an Ordinance amending a 1989 Ordinance setting the salary of the Borough Councilmembers at \$900 per year and the Mayor's salary at \$1,000 per year. The proposed amendment would provide a salary increase to Councilmembers and the Mayor of \$1,850 per year and become effective January 2020 for the newly elected & re-elected officials.

Councilmember A. Montanez moved to advertise the proposed salary increase ordinance for adoption at the December 23, 2019 Special Meeting of Council. Councilmember S. Stewart-Keeler seconded.

Vice-President F. O'Boyle stated he is not in favor of the salary increase.

Councilmember M. Hensel noted that this item is not on the agenda.

Councilmember T. Ford called in to participate in the meeting via telecommunication.

Solicitor J. Fareri noted that there are some errors in the proposed ordinance, and he will need to correct prior to advertising.

Motion went to a Roll Call Vote: Councilmember D. Casole Yes, Vice-President F. O'Boyle No, Councilmember S. Stewart-Keeler Yes, Councilmember A. Montanez Yes, Councilmember M. Hensel No, Councilmember T. Ford No, President C. Williams Yes. Motion carries 4-3.

**TREASURER'S REPORT:**

GENERAL FUND CHECKING ACCOUNT	\$ 84,450.77
PENN SECURITY GENERAL FUND ACCOUNT	1,896.56
CAPITAL RESERVE ACCOUNT	1,297.25
BANNER BEAUTIFICATION ACCOUNT	3,783.07
STATE LIQUID FUELS	33,201.53
PARK & RECREATION FUND	882.21
PLANNING COMMISSION REIMB. FUND	9,988.54
ROAD FUND – GENERAL FUND	113,870.96
STORMWATER FUND	49,090.25
GENERAL FUND RESERVE ACCOUNT	1,121.36
SANITATION FUND	8,353.19

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INTERSECTION & SIGNALIZATION FUND	<u>\$251,350.23</u>
GRAND TOTAL	<u>\$559,285.92</u>

Councilmember A. Montanez moved to approve the following motions to pay the bills and transfer funds as outlined below:

1. A MOTION TO PAY AND APPROVE THE BILLS AS OUTLINED IN THE BOROUGH SECRETARY/TREASURER'S REPORT DATED DECEMBER 9, 2019.
2. A MOTION TO CLOSE THE CAPITAL RESERVE ACCOUNT AND THE GENERAL FUND RESERVE ACCOUNT AND TRANSFER FUNDS TO THE GENERAL FUND CHECKING ACCOUNT
3. A MOTION TO TRANSFER \$8,000 FROM THE SANITATION FUND TO THE GENERAL FUND
4. A MOTION TO TRANSFER \$1,800.00 FROM THE PENN SECURITY (PEOPLE'S SECURITY) GENERAL FUND TO THE GENERAL FUND CHECKING ACCOUNT.

Councilmember D. Casole seconded. Motion carried unanimously.

**BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:**

AMTrust North America	(workers comp due 12/20/19)	\$ 2,526.00
Barry Isett & Associates	(Munic., Hirshland, McD's & POSH Prop.)	4,587.61*
Berkheimer Associates	(LST Comm)	336.95
Blue Ridge Communications	(phones)	482.54
Brown & Brown of LV	(Treasurer's Bond Renewal)	275.00
Cintas	(uniforms/rugs)	388.28
CPC Signs	(signs)	98.76
Cramer's	(burlap & ethanol fuel)	38.92
EM Kutz, Inc.	(chain wheels & bolts)	1,486.26
FNB Visa	(solar light kits)	56.31
Joann Misurca-Ficco	(supplies/postage)	36.67
Geisinger	(health insurance)	9,421.16
Highmark Blue Shield	(eye/dental)	591.76
Lowe's	(outlet cover & boards & tarp for roof)	77.51
Metz, Inc.	(oil burner repair)	971.80
Monroe County Info Services	(taxpayer notices (mandated))	66.07
Nagle Elevator Inspection	(hydraulic testing)	270.00
NAPA Auto Parts	(gear oil, safety glasses, hoses)	268.81
Payrolls Unlimited	(payroll service)	117.25
Panko Reporting	(Hoops, International)	215.00**
PP & L	(electric)	860.94
PA American Water Co	(water)	685.77
PA One Call	(monthly service)	7.41
PA Paper & Supply	(paper towels, garbage liners)	185.16
Pennonni Associates	(traffic engineer - Lot 28, ARLE)	4,653.20***
Plociniak Oil	(heating oil - Maint & boro bldg.)	1,959.72
Pocono Mountain Regional Police	(December Mortgage Payment)	2,792.12
Pocono Mountain Regional Police	(monthly service)	60,964.91
PM Public Library	(1 mill dedicated RE Taxes)	361.84
PM Vol. Fire Co.	(1 mill dedicated RE Taxes)	361.87
PM Regional EMS	(1/2 mill dedicated RE Taxes)	180.83
Pocono Record	(advertising)	452.64
Quill	(legal size paper)	45.23
Reliable Sign & Striping	(delineator posts)	663.00
Response Computers	(internet security & software)	332.00
Schaedler Yesco	(lights/tape)	5.56
Sunoco	(gas/diesel)	671.13

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Tulpehocken Spring Water	(water)	56.99
US Bank	(copier lease)	273.61
Underdog Computer	(website maintenance)	75.00
Verizon Wireless	(cell phones)	139.79
Walmart	(shop supplies, fluid pump)	<u>97.78</u>

**GRAND TOTAL** **\$98,138.96**

\*Engineer Reimbursable \$4,147.61

\*\*Petition to Change Zoning Map Reimb.

\*\*\*Traffic Engineer Reimbursable \$3,551.20

**BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:**

Mt Pocono Payroll	(w/e 11/06/19)	\$ 6,296.73
Mt Pocono Payroll	(w/e 11/13/19)	6,081.45
Mt Pocono Payroll	(w/e 11/20/19)	6,287.67
AMTrust North America	(workers comp)	2,526.00
ESSA	(loan payment)	2,309.20
Kirk, Summa & Co	(audit)	6,500.00
Met Life	(life/disability insurance)	481.61
Selective Insurance	(insurances)	2,817.00
US Bank	(copier)	309.50
FHI Roofing	(2 cks \$1,705.00 ea)	3,410.00
Mt Pocono Payroll	(w/e 11/27/19)	6,396.91
Mt Pocono Payroll	(w/e 12/04/19)	<u>10,061.90</u>

**GRAND TOTAL** **\$53,477.97**

**BILLS TO BE PAID FROM THE LIQUID FUELS ACCOUNT:**

Locust Ridge Quarry	(hot blacktop)	\$ 327.01
P P & L	(electric)	<u>2,055.41</u>

**GRAND TOTAL** **\$2,382.42**

**BILLS TO BE PAID FROM THE TRAFFIC SIGNAL & INTERSECTION FUND:**

Signal Service	(repairs to traffic signals 940 & Lowes)	<b><u>\$2,577.24</u></b>
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**Donna Sporaco, 40 Montovision Road Request for Reimbursement**

Borough Secretary/Treasurer L. Noonan presented Council with a letter from Donna Sporaco seeking reimbursement of \$300 for tree removal that resulted from PP&L cutting down trees and leaving the debris on her property in November of 2017.

Councilmember A. Montanez moved to deny the request as the Borough is not obligated to cover these costs.  
Councilmember D. Casole seconded. Motion carried unanimously.

**CONDITIONAL USE DECISION LPC POCONO I, LP (LOT 28)**

President C. Williams recognized representatives in attendance for the LPC Pocono I, LP (Lot 28) regarding the Conditional Use Decision.

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Solicitor J. Fareri reviewed the Conditional Use Decision for the Application of LPC Pocono I, LP which was prepared and forwarded to council prior to the meeting. Solicitor J. Fareri advised Council that the applicant was kind enough to extend the time deadline from December 2, 2019 to this evening due to last week's snowstorm, which delayed the Council meeting until this evening.

Councilmember A. Montanez moved to approve the Conditional Use Decision for the Application of LPC Pocono I, LP as prepared and reviewed by Solicitor J. Fareri. Councilmember S. Stewart-Keeler seconded.

Councilmember T. Ford was still participating in the meeting via telecommunication.

Motion went to a Roll Call Vote: Councilmember D. Casole No, Vice-President F. O'Boyle No, Councilmember S. Stewart-Keeler Yes, Councilmember A. Montanez Yes, Councilmember M. Hensel Yes, Councilmember T. Ford Yes, President C. Williams No. Motion carries 4-3.

**ZONING/CODES ENFORCEMENT OFFICER**

Zoning/ Codes Enforcement Officer D. Noonan gave the following monthly report:

Permits / Certificates Issued (11/1 to 11/30):

Shed - 1  
Driveway - 2  
Sidewalk - 1

Fees (11/1 to 11/30): \$804.00

Rental Inspections: 1

Additional Work / Activities:

- 11/4 - Council meeting.
- 11/13 - Public Hearing re: zoning map change
- ZHB application review re: Posh Properties.

**SOLICITOR**

No report.

**PERSONS TO BE HEARD**

**Alexis Delavera, Women Veterans Museum**

Ms. Delavera discussed continuing the First Friday's at the Women Veterans Museum for the winter months.

Deb Fulton, member of the Park & Recreation Board was present and stated that First Friday's were a Park & Recreation Board function and she will bring this to the board for consideration.

There was discussion that it is difficult to get participation during the winter months on a Friday evening and perhaps the event could be changed to a weekend afternoon.



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**Karen Struckle, Mount Pocono Association (MPA)**

Ms. Karen Struckle was present and discussed the upcoming weekend events the MPA has planned for Sunday, December 15, 2019.

**UNFINISHED BUSINESS**

**Action Items List**

The Borough Secretary/ Treasurer reviewed and updated the Action Item List accordingly.

**Zoning Storage Containers Amendment**

Councilmember A. Montanez moved to adopt the Amendment to the Zoning Ordinance regarding the definition of a storage trailer and that the amendment become effective immediately. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

**Land Bank**

Councilmember S. Stewart-Keeler moved to table discussion on the Land Bank until the January 2020 Work Session. Councilmember D. Casole seconded. Motion carried unanimously.

**NEW BUSINESS**

**Advertise Public Hearing & Special Meeting to Adopt Proposed 2020 Budget**

Councilmember S. Stewart-Keeler moved advertise a Public Hearing for 6:00 pm on Monday, December 23, 2019 regarding the Proposed 2020 Budget with a Special Meeting to be held immediately after on Monday, December 23, 2019. Councilmember D. Casole seconded. Motion carried unanimously.

**Hirshland LOC Payment Request**

Solicitor J. Fareri explained that the Hirshland Development will be seeking a reduction in the amount of their Letter of Credit as work is being completed on the stormwater work. These requests will be received only if the Borough Engineer has signed off and approved the requested amount to be released. Solicitor J. Fareri suggested since these will be ongoing over the next several months that Council approve the Borough Secretary/Treasurer to issue the necessary paperwork needed for the bank to reduce the amount of the LOC as it is received.

Councilmember A. Montanez moved to authorize the Borough Secretary/Treasurer to complete the necessary paperwork to reduce the Hirshland LOC as long as the Borough Solicitor & Borough Engineer have approved the release. It is further requested that the Borough Secretary/Treasurer report to council when these reductions are approved. Councilmember S. Stewart-Keeler seconded. Motion carried.

**Committee Re-Appointments & Resignations**

Vice-President F. O'Boyle moved to re-appoint Ron Emilie to the Mount Pocono Municipal Authority for a five (5) year term, to reappoint Patty Bucco to the Mount Pocono Planning Commission for a four (4) year term, to reappoint Stacy Stewart-Keeler to the Pocono Mountain Public Library for a three (3) year term, and to accept the resignation of Oscar Ramos from the Zoning Hearing Board. Vice-President F. O'Boyle further moved to advertise the vacancies on the Zoning Hearing Board, Planning Commission, Park & Recreation Board and Borough Council. Councilmember M. Hensel seconded. Motion carried unanimously.

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**STANDING COMMITTEES**

**Planning**

Councilmember D. Casole reported that the Planning Commission did not meet during November.

**Department of Public Works**

President C. Williams stated that the crews have been out several times for snow & ice removal and have had minor vehicle repairs that have kept them busy.

**Utilities/ Mount Pocono Municipal Authority (MPMA)**

Councilmember M. Hensel stated that the MPMA had a Christmas Party at the Fork Street Bistro and it was very nice.

**Water**

No Report

**Recreation**

No Report

**Sanitation**

Borough Secretary/ Treasurer L. Noonan announced that 24.65 tons of recycling and 74.20 tons of garbage have been collected for the month of October 2019.

**Buildings**

No report.

**Budget and Finance**

No Report

**Personnel**

No report.

**Regional Police**

President C. Williams stated there is a Regional Police meeting tomorrow evening and that there will be no increase in police costs for 2020.

**Regional EMS**

No Report

**COG**

No report. Next meeting of COG is January 27, 2020.

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**Ordinance to Provide Healthcare Benefits for Elected Officials**

President C. Williams presented Council with a proposed ordinance to provide the same healthcare benefits for the Elected Officials as the Borough Employees.

Councilmember A. Montanez moved to advertise the Ordinance providing healthcare benefits for the elected officials. Councilmember S. Stewart-Keeler seconded.

There was a great deal of discussion on the proposed ordinance. Vice-President F. O'Boyle was opposed to the ordinance. Councilmember M. Hensel strongly opposed the proposed ordinance and pointed out that this was not on the agenda. Further discussion followed on how the healthcare benefits of the elected officials would be paid and if this has been planned for in the proposed 2020 budget.

Public Comment on the proposed Healthcare Ordinance:

Deb Fulton, Reeder Street questioned why the Ordinance needs to be advertised.

Tom Neville, Knob Road stated that this is an incentive to be more involved.

After a lengthy and often heated discussion, Councilmember A. Montanez moved to withdraw her motion to advertise the Healthcare Ordinance and table action to a later date. Councilmember S. Stewart-Keeler seconded. Motion carried.

**PUBLIC PARTICIPATION**

**Mary Peck, Oak Street**, discussed an Air B&B being run at 84 Center Avenue.

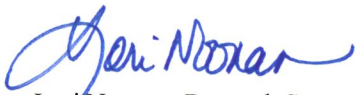
**Tom Neville, 209 Knob Road**, personally thanked Mike Penn, Mike Oser and Claudette Williams for their time and stated that there will be a new Council in 2020 and stated that he personally will be the "voice of the residents."

**Mike Oser, 39 Fairview Avenue**, announced the VFW 3448 on SR 196 will be holding the Children's Christmas Party with food & a visit from Santa on December 21, 2019 from 12-3:00 pm.

**Colleen McGuire, 36 Fairview Avenue**, stated that DNA Property has not been taking care of the property located on Pocono Boulevard across from Pocono Rocks.

There being no further public participation or any further business coming before the Board, Councilmember A. Montanez moved to adjourn. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Respectfully submitted,



Lori Noonan, Borough Secretary

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