

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
MONDAY, FEBRUARY 4, 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; T. Ford; M. Hensel; A. Montanez; and, S. Stewart-Keeler. Mayor M. Penn, Solicitor J. Fareri, Borough Secretary/ Treasurer L. Noonan, and Zoning/Codes Enforcement Officer D. Noonan were also present.

Junior Councilmembers S. Darwish and K. Rinaldi were absent.

The Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

President C. Williams announced that Borough Council held an Executive Session on Tuesday, January 22, 2019, regarding a personnel matter.

APPROVAL MINUTES

Vice President F. O'Boyle moved to accept the Regular Meeting minutes of Monday January 7, 2019, as presented. Councilmember S. Stewart-Keeler seconded. Councilmember D. Casole abstained as she was not present. Motion carried.

OFFICERS' REPORTS

PRESIDENT

President C. Williams stated that the road crew has been busy, they are out on the roads even if you don't see them, please note that it takes them a while to get around. She also advised the residents to be aware if the temperatures are below 25° the d-icing salt and anti-skid does not work, you need slightly warmer temperatures and ideally sunshine to activate the de-icing salt. She noted that if the Borough Building is cleared before your roads, there are reasons for that. It could be because of a piece equipment being down and keeping an employee busy using heavy piece equipment. She also noted that one (1) of the Borough road employees had another accident and he was offered to retire early. Lewis Gardner took that retirement and the road crew is managing with four (4) employees and four (4) trucks. She further noted that Public Participation is open for all to speak. She also stated that all of our meetings are open for Public Participation. If anyone has a particular item of concern, they want Council to discuss, they should email the Borough Secretary/ Treasurer and she will add that item to Borough Council's work session for them to discuss.

MAYOR

UPDATE ON MONTHLY ACTIVITIES

LAND BANK – MONROE COUNTY RE-DEVELOPMENT AUTHORITY

- Mount Pocono was the only borough that responded to the Redevelopment Authority with a letter of intent as a party of interest in the Land Bank.
- The Zoning Officer and I attended a meeting at the Redevelopment Authority offices with a representative of the school board in attendance.
- School district support is needed to share tax revenue with the land bank as properties are returned to the tax rolls. This is the next step in the process – a public hearing at the school board's meeting this week.

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Mayor M. Penn reported that there were no weddings in the month of January, however he does have one (1) scheduled for Saturday, February 9, 2019.

TREASURER'S REPORT

GENERAL FUND CHECKING ACCOUNT	\$ 10,719.83
PENN SECURITY GENERAL FUND ACCOUNT	311.36
CAPITAL RESERVE ACCOUNT	1,289.38
BANNER BEAUTIFICATION ACCOUNT	3,163.44
STATE LIQUID FUELS	2,871.01
PARK & RECREATION FUND	876.86
PLANNING COMMISSION REIMB. FUND	9,865.43
ROAD FUND – GENERAL FUND	2,791.77
STORMWATER FUND	48,481.02
GENERAL FUND RESERVE ACCOUNT	1,114.58
SANITATION FUND	1,005.84
INTERSECTION& SIGNALIZATION FUND	<u>344,057.20</u>
 GRAND TOTAL	 <u>\$429,547.72</u>

Vice President F. O'Boyle moved to approve the transfer of \$50,000.00 from the Intersection Signalization Fund to the General Fund. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Councilmember A. Montanez moved to approve the Treasurer's Report dated Monday January 7, 2019, and pay the bills as presented. Councilmember D. Casole seconded.

Borough resident Mike Oser questioned a bill to Geisinger on the cost and questioned the increase in medical care coverages over last year. Motion carried unanimously.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

AMTrust	(workers comp insurance)	\$ 3,457.00
Barry Iset & Associates	(engineering - Hirshland)	55.00*
Berkheimer Associates	(LST Commission)	279.82
Blue Ridge Communications	(phones)	417.18
Cintas	(uniforms/rugs)	427.18
ESSA Bank	(loan)	2,309.20
FP Mailing Solutions	(postage meter)	75.00
FSSolutions	(CDL drug testing)	133.31
Geisinger	(two months)	20,746.36
Medico Industries	(replace window in loader)	866.84
MetLife	(life/disability)	306.52
Payrolls Unlimited	(January)	109.80
PA American Water Co	(water)	741.49
Palmerton Garage Door	(repairs to maint. Garage doors)	1,810.00
Plociniak Oil	(heating oil)	1,984.96
Pocono Mountain Regional Police	(February Mortgage Payment)	2,792.12
PM Public Library	(1 Mill dedicated RE & Delinq Taxes)	358.53
PM Vol. Fire Co.	(1 mill RE & Delinq. Taxes)	358.54
PM Regional EMS	(1/2 mill dedicated RE & Delinq. taxes)	179.26
Pocono Record	(advertising – December)	213.45
Quill	(battery back UPS for Diana's Computer)	144.95
Selective Insurance	(insurances)	2,814.00
Sunoco	(gas/diesel)	611.97

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Tulpehocken Spring Water	(water)	\$ 73.48
Verizon Wireless	(cell phones)	138.47
Walmart	(maint. Supplies)	23.60
GRAND TOTAL		<u>\$41,428.03</u>

*Reimbursable

BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 01/09/19)	\$ 7,391.35
Mt Pocono Payroll	(w/e 01/16/19)	7,025.68
Mt Pocono Payroll	(w/e 01/23/19)	8,448.10
Mt Pocono Payroll	(w/e 01/30/19)	<u>7,746.90</u>
GRAND TOTAL		<u>\$30,612.03</u>

BILLS TO BE PAID FROM THE LIQUID FUELS ACCOUNT:

Lehigh Hanson Aggregates	(anti-skid)	\$1,443.55
P P & L	(electric – 2 months)	316.14
GRAND TOTAL		<u>\$1,759.69</u>

ZONING/CODES ENFORCEMENT OFFICER

Zoning/ Codes Enforcement Officer D. Noonan reviewed the following report for December 2018:

Permits / Certificates Issued (1/7 to 2/1):

Fence – 1
Deck - 1
Solar Installation - 1

Fees (1/4 to 2/1): \$562.25

Rental Inspections: 2

Additional Work / Activities:

- 1/7 - Council meeting.
- 1/16 - PC meeting.
- 1/17 – Information session re: Monroe County Land Bank.
- Final draft of revised Fee Schedule.
- Review of Zoning / SALDO ordinances ongoing.

Zoning/ Codes Enforcement Officer D. Noonan also noted that Permit Fee Schedule was reviewed by the committee and they believe they have finalized the schedule to be discussed by Borough Council. It was requested that this would be added to the next work session agenda on Tuesday, February 19, 2019.

SOLICITOR

USDA Loan - MPMA

Solicitor J. Fareri noted that the government is now back up and running the Mount Pocono Municipal Authority's (MPMA) USDA Loan and the paperwork is being reviewed and a Special Meeting is needed for Tuesday, February 19, 2019, to adopt the Ordinance. It was noted that the legal counsel for MPMA will be advertising that Special Meeting.

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PERSONS TO BE HEARD

PMRP Foundation/ Pocono Raceway Fundraiser

Jeanine Hoffbauer was present on behalf of the Pocono Mountain Regional Police (PMRP) Foundation and explained to Borough Council that beginning February 9th, anyone who wishes to purchase tickets for the 2019 event schedule at the Pocono Raceway, if they go to poconoracway.com/K9, 15% proceeds will be donated to the PMRP K-9 Unit. She noted that their goal is to reach \$4,900.00 to help train and feed K-9 Officers Creed & Milo. The events that people can purchase tickets to benefit the K-9 Unit are the June 2nd, Pocono 400; July 28th, Gander Outdoors 400; August 18th, ABC Supply 500; and August 24th, and 25th, The Great Pocono Raceway Air Show.

Robin LaForge, Park & Recreation Foundation

Ms. LaForge was present before Borough Council, advising them that the Foundation is having a basket raffle which contains \$350.00 worth of merchandise. Tickets are \$5.00 each and are available at the Casino Theatre and Pocono Rocks. She stated that the Foundation would like to hold some events and requested that the vendor fees be waived.

After some questions regarding the fundraising and if the Foundation is raising for only Borough parks or other parks, Councilmember A. Montanez moved waive fees for the Park & Recreation Foundation events for up to four (4) events a year and that funds raised be allocated to Park & Recreation in the Borough. Councilmember S. Stewart-Keeler seconded. Motion went to a roll call vote: Councilmember T. Ford, "No"; Councilmember A. Montanez, "Yes"; Councilmember M. Hensel, "Yes"; Councilmember S. Stewart-Keeler, "Yes"; Vice President F. O'Boyle, "Yes"; Councilmember D. Casole, "Yes" and, President C. Williams, "Yes". Motion carried 6 to 1.

Ms. LaForge asked if they could utilize the Borough address for the foundation or they would have to spend funds for PO Box.

Solicitor J. Fareri stated that they he would prefer they not use the Borough address.

Ms. LaForge noted that they are working on golf outing in August and they could use committed volunteers.

UNFINISHED BUSINESS

Action Items List

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

Proposed Fireworks Ordinance

Vice President F. O'Boyle stated that this only applies to the Fire Company noting that this would be very costly to them. He requested that we notify the Fire Company and discuss this with them at a work session.

Mayor M. Penn read a statement from the PMRP Chief Wagner regarding fireworks complaints, noting there were forty-one (41) incidents in all jurisdictions of the PMRP listed as fireworks complaints last year.

Sale of the Chevy Tahoe

Borough Secretary/ Treasurer noted that she received two (2) bids for the 2010 Chevy Tahoe:

Yousef Dabbagh in the amount of \$1,368.00
Mike Veneciano in the amount of \$2,106.00

Vice President F. O'Boyle moved to award the bid to the highest bidder to Mike Vencziano in the amount of \$2,106.00. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

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Sale of Timberbrook & Brunswick Properties

No bids received.

NEW BUSINESS

1st Amendment to Traffic Signal Easement Agreement

It was noted that this was in regard to the Hirshland Land Development.

Vice President F. O'Boyle moved to accept the 1st Amendment to the Hirshland Traffic Signal Easement Agreement. Councilmember D. Casole seconded. Motion carried unanimously.

STANDING COMMITTEES

Junior Councilmember Report

Borough Secretary/ Treasurer L. Noonan stated that she received a report from Junior Councilmember K. Rinaldi that the high school raised \$150.00 for the local rescue dogs and that she will be reaching out to Mr. Ron Emilie to donate those funds.

Planning

Councilmember D. Casole submitted the following report:

The Planning Commission Meeting on Wednesday, January 16, 2019, the commission re-organized and the results are as follows: Kevin Kirkwood – Chairman; Rich Dorkoski-Vice-Chairman; Norman Delano-Secretary; and, Zoning Hearing Board Liaison – Mayor Mike Penn.

Chairman Kirkwood welcomed newly appointed Commissioner Richard Varney to the Planning Commission and explained the different aspects, duties and responsibilities of serving on the Commission.

The Purpose of Chapter 163 of the Borough's Proposed Shopping Cart Ordinance underwent further discussion. Abandoned shopping carts create potential hazards to the health and safety of the public and interferes with pedestrian and vehicular traffic within the Borough. Wrecked, dismantled and/or abandoned shopping carts on public or private property create conditions that reduce property values and promote blight and deterioration within the Borough's neighborhoods. The removal of shopping carts from the premises of a business establishment will be a Violation of Borough Code. This Ordinance will ensure Storeowners take appropriate action to reduce the removal of shopping carts from the business establishment's premises. It also requires Business Owners to facilitate the retrieval of shopping carts removed from the establishments' premises.

- ✚ Enforcement-Zoning/Code Enforcement Officer-Letters to Business Owners by Registered or Certified Mail
- ✚ Mandatory –Identification Posted on Carts and Premises.
- ✚ Impoundment of Abandoned Carts-Code Enforcement Officer or Designated Borough Employee
- ✚ Costs & Fines for Impounded Carts-Released to Owner upon notification within 3 business days-no charge
- ✚ Disposition of Carts after 30 Days – Discretion of the Borough

Department of Public Works

President C. Williams stated that this update was given earlier in the meeting.

Utilities

Councilmember M. Hensel stated that they are continuing the rebirth of the MPMA. He thanked the MPMA's Executive Director Jonathan Klotz for his work. The MPMA reorganized; the Chair is Mike Oser; Vice Chair Ron Emelie; and, the Treasurer is Aida Montanez.

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Water

There were no water quality issues reported or major Main Water Lines broken due to the recent very extreme frigid temperatures of wind chill factors of -30 degrees below zero.

There were 4 - 5 Mt. Pocono Residential interior Frozen Pipe issues adding to the approximately 30 total of Residential interior Frozen Pipes covering PA American's District in this entire area.

Frozen Interior Water Lines pose serious problems for PA American even though the frozen pipes are inside of the home.

Residents must be made aware that if the house water lines are not properly winterized; and/or precautionary measures taken to keep their crawlspaces warm preventing frozen pipes are the equivalent of major water line breaks and exhausting water reserves from tank reservoirs when the frozen pipes become thawed.

Recreation

Councilmember S. Stewart-Keeler noted that the new officers are: Chair, Randy Altemose; Vice Chair is Deb Fulton; and, Secretary is Erin Melber.

Sanitation

Councilmember A. Montanez stated that the Sanitation Committee met on January 14th, with some representatives from the PRDs and County Waste. She also stated that the committee is doing what we can to get the PRDs to help with the delinquencies. There is a follow-up meeting scheduled for Friday, February 22nd, at noon.

Buildings

Vice President F. O'Boyle stated that there was water in the basement coming from the front side of the building. He noted that the downspout extenders needed to be hooked up. He also mentioned flooding on Center Avenue that has been affecting Shirley Lansdowne. He also noted that the road crew has been cleaning the ditch often but once the weather breaks the pipes need to be installed to alleviate this flooding concern. He further noted that he requested that sand bags be placed on her property.

Budget and Finance

President C. Williams stated that the Budget & Finance Committee will meet possibly this Wednesday or next Wednesday afternoon after 2:00 P.M. She will let the Borough Secretary/Treasurer know which date works best.

Personnel

President C. Williams noted that Lewis Gardner has retired and that we are now down to four (4) road crew members and that this is working out well.

Regional Police

December Police Report – Mount Pocono Statistics

- 166 total calls [138 complaints + 28 accidents]
- 25 criminal arrests
- 46 traffic arrests
- 38 vehicle code warnings

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- 7 ordinance arrests
- Overall down from prior month, except criminal arrests, which went from 13 to 25.
- Patrol hours were down, and Investigative hours were up a bit
- Overall, about 37 hours under budget for the month
- End of year targets: we were 43 hours under budget vs our purchased hours
- Cumulative carry-over from the previous year: 73 hours under balance, about 0.06%
- *Mount Pocono Borough Crime Stats:*
 - 14 larceny & theft (14 commercial & 0 residential)
 - 7 disorderly conduct
 - 10 domestics
 - 4 assault
 - 1 forgery
 - 2 vandalism
 - 1 DUI
 - 2 drug violations
 - 2 stolen vehicles
 - 1 burglary
 - 1 rape
- *Trends:*
 - Burglaries were high in the borough. They're all retail, and it was the holiday season. Burglaries were also high in Tobyhanna and Coolbaugh, notably PCP.
 - 2018 over 2017 trends:
 - Homicides down
 - Rapes up
 - Robberies up
 - Assaults up
 - Burglaries up
 - Fraud up
 - Sex crimes up
 - Drug crimes down
 - DUI's down
 - Minor offenses down
 - Major offenses up
- *Hiring:*
 - One new officer started. Another 4 started Police Academy training and will graduate in July. An offer was extended for another officer to start in July.

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Regional EMS

- Reorganization meeting – re-elected Chair, Vice-Chair, Treasurer, and Secretary
- Approved the 2019 Budget
- The March Subscription drive has begun via Hofbauer Strategies and a social media and mailer campaign. EMS is asking all municipalities to include subscription signup information on our websites and newsletters (March 1).

COG

Borough Secretary/ Treasurer L. Noonan stated that she attended the COG meeting on January 28, 2019, noting that they didn't have a guest speaker but are continuing working on the DARE program and the opioid epidemic. They are also continuing in looking into bidding out safety measures for municipal buildings.

Councilmember A. Montanez stated that a woman from the Center of Excellence with Pocono Medical Center will be on an upcoming meeting agenda to discuss the opioid epidemic.

PUBLIC PARTICIPATION

Mike Oser, 39 Fairview Avenue, noted that the municipal elections are coming up and if anyone needs help passing their petition, he is willing help pass the petitions if they are a Republican. He also noted that he filed a lawsuit against the Borough alleging unconstitutional free speech. It is case file number 915 CV 19.

Mike Reardon, 14 Cedar Road, discussed the opioid epidemic and stated that the Borough needs a decent YMCA for the young people to go.

Tom Neville, 209 Knob Road, advised Council that he spoke with businesses in town. He noted that the businesses would like to see the Harvest Fest be moved back down on SR 611 with it being moved up to the Fire Company it does not promote the downtown area. He also noted that come May the Old Village Trader will be closing.

Karen Struckle, Owner of the Casino Theatre and resides on Devil's Hole Road, stated with the Harvest Fest moving up to the Fire House and now the Fire Company moving their carnival this will hurt their business as they don't see the business that they would if the Harvest Fest was held downtown and now the carnival has been moved up two (2) weeks near the 4th of July this will also impact their business as it is during the first two (2) weeks of July when they make most of their money for the year.

There being no further business or any further public participation coming before the Board, Councilmember A. Montanez moved to adjourn at 8:33 P.M. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Respectfully submitted,



Lori Noonan, Borough Secretary

2019-020