

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
MONDAY, MARCH 2, 2020
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; S. Stewart-Keeler; T. Neville, P. Bucco, and, A. Montanez. Solicitor J. Fareri, Mayor M. Penn, Junior Councilmember K. Crosby, Borough Secretary/ Treasurer L. Noonan, and Zoning/Codes Enforcement Officer D. Noonan were also present.

The Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

Solicitor J. Fareri advised that Borough Council held a brief executive session prior to the meeting this evening on a personnel matter. No votes were taken.

APPROVAL MINUTES

Councilmember S. Stewart-Keeler moved to accept the minutes from the February 3, 2020 Regular Meeting as presented. Councilmember A. Montanez seconded. Motion carried unanimously.

Mayor M. Penn announced that he was video recording tonight's meeting and the video will be uploaded to the Borough's website.

OFFICERS' REPORTS

PRESIDENT

President C. Williams introduced Arissa Joy Chambers, a Junior at Pocono Mountain East High School who is interested in serving as a Junior Councilmember.

Councilmember P. Bucco moved to appoint Arissa Joy Chambers as a Junior Councilmember. Councilmember A. Montanez seconded. Motion carried.

President C. Williams discussed a recent Legislative Luncheon she attended at Mount Airy with our State Senators and State Representatives. President C. Williams stated that State Senator Mario Scavello spoke about the Route 80 Improvements and noted that every time the project is delayed by one (1) year, the costs increase by 2.3%. President C. Williams discussed the LSA Grant for the traffic signal at SR 611 & Pine Hill Road and the numerous extensions and the increased costs involved with those extensions.

Councilmember A. Montanez moved to send a letter to PA DOT and request that they take lead on the SR 611 & Pine Hill Road Project. Councilmember S. Stewart-Keeler seconded.

Solicitor J. Fareri stated that PA DOT is interested in the warehouse projects and the connection road.

Mike Oser, 39 Fairview Avenue stated that there have not been any fatalities at the SR 611 & Pine Hill Road intersection.

Motion carried.

President C. Williams stated that she has added two (2) new committees: Safety and Grant Writing.

MAYOR

Mayor M. Penn discussed the POSH LDP – which will be on SR 940 between the Perkins Restaurant & the Auto Zone. The development will be for a Starbucks and Aspen Dental.

TREASURER'S REPORT:

GENERAL FUND CHECKING ACCOUNT

\$ 57,055.78

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PENN SECURITY GENERAL FUND ACCOUNT	245.56
BANNER BEAUTIFICATION ACCOUNT	3,788.73
STATE LIQUID FUELS	115,520.50
PARK & RECREATION FUND	883.53
PLANNING COMMISSION REIMB. FUND	12,531.39
ROAD FUND – GENERAL FUND	116,893.76 ¹
STORMWATER FUND	49,274.06 ²
SANITATION FUND	577.97
INTERSECTION & SIGNALIZATION FUND	148,772.99
 GRAND TOTAL	 <u>\$505,544.27</u>

Councilmember A. Montanez moved to make the following motions, seconded by Councilmember S. Stewart-Keeler:

1. A MOTION TO PAY AND APPROVE THE BILLS AS OUTLINED IN THE BOROUGH SECRETARY/TREASURER'S REPORT DATED MARCH 2, 2020.
2. A MOTION TO TRANSFER \$10,000.00 FROM THE PLANNING COMMISSION REIMB. FUND TO THE GENERAL FUND, WHICH REPRESENTS FUNDS PAID FROM GENERAL FUND FOR PROFESSIONAL SERVICES ON LAND DEVELOPMENTS (POSH, McDonald's, HIRSHLAND & LOT 28.)
3. A MOTION TO PAY BOROUGH EMPLOYEE KEVIN SEESE \$3,506.65 WHICH REPRESENTS THE "OPT OUT" OF HEALTH INSURANCE FOR JULY – NOVEMBER 2019.

Motion carried unanimously.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Barry Isett & Associates	(Munic., Hirshland, POSH Prop.)	4,871.48*
Berkheimer Associates	(LST Commission)	36.97
Blue Ridge Communications	(phones)	355.38
Cintas	(uniforms/rugs)	371.61
H Clark Connor	(PC Solicitor)	615.00
EM Kutz, Inc.	(plow truck parts)	1,647.50
Eastern Time	(batteries for fire alarm)	78.00
ESSA Bank	(loan payment)	2,309.20
FNB Visa	(microphone/PSAB Membership Training)	781.80
Geisinger	(health insurance)	17,088.96#
Highmark Blue Shield	(eye/dental)	409.57#
JNK Hydrotect & Extinguisher	(fire extinguisher testing)	525.45
Met Life	(life/disability)	360.74
Metz, Inc.	(repairs to oil burner)	2,404.25
NAPA Auto Parts	(hydraulic coupler)	35.67
PA American Water Co	(water)	747.07
Payrolls Unlimited	(Jan & Feb. Payroll)	231.60
Pennoni Associates	(ARLE Grant & Lot 28)	1,838.50*
PP&L	(electric)	918.81
Plociniak Oil	(heating oil – Maint & boro bldg.)	3,926.14
Pocono Mountain Regional Police	(March Mortgage Payment)	2,792.12
PM Public Library	(1 mill dedicated delinq.RE Taxes)	209.31
PM Vol. Fire Co.	(1 mill dedicated delinq.RE Taxes)	209.31
PM Regional EMS	(1/2 mill dedicated delinq. RE Taxes)	104.65
Pocono Record	(advertising)	535.38
Response Computers	(install security on computers)	280.00

¹ \$20,000.00 LTS Money is contained in this figure

² \$40,000.00 transferred to the Park & Recreation Account on August 12, 2008. Reimbursement has not taken place as of this date & Reimbursement should be made to the Buildings Fund

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Rarick Welding Supply, Inc.	(cutting torch fuels)	143.43
Scott's Signs & Printing	(name plates)	120.00
Selective Insurance	(insurances)	2,809.00
Stroudsburg Electric	(repairs to boiler circulator & motors)	670.00
Stratix Systems	(large format copier maint. Contract)	1,104.00
Service Tire Truck Centers	(repairs to tire valve on loader)	193.45
Sunoco	(gas/diesel)	373.59
Tulpehocken Spring Water	(water)	68.99
Underdog Computer	(website maintenance)	75.00
Verizon Wireless	(cell phones)	138.16
Walmart	(building/cleaning supplies)	102.44

GRAND TOTAL **\$49,482.53**

*Engineer Reimbursable
(K. Seese & Children added on plan 12/1/19)

BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 02/05/20)	\$ 6,704.66
FP Mailing	(Postage for meter)	400.00
Mt Pocono Payroll	(w/e 02/12/20)	6,478.32
US Bank	(copier lease)	278.04
Mt Pocono Payroll	(w/e 02/19/20)	6,205.77
Mt Pocono Payroll	(w/e 02/26/20)	<u>\$6,283.12</u>

GRAND TOTAL **\$26,349.91**

BILLS TO BE PAID FROM THE LIQUID FUELS ACCOUNT:

Cargill	(de-icing salt)	\$15,063.15
Locust Ridge Quarry	(anti-skid)	1,519.67
P P & L	(electric)	<u>231.35</u>

GRAND TOTAL **\$16,841.17**

ZONING/CODES ENFORCEMENT OFFICER

Permits / Certificates Issued (2/1 to 2/29):

Excavation Permit – 1

Sign - 1

Fees (2/1 to 2/29): \$400

Rental Inspections: 1

Additional Work / Activities:

- 2/3 - Council meeting.
- PennDOT Scoping meeting re: Clarius Project
- 2/19 – Planning Commission
- Multiple plan reviews and Project monitoring re:

Hirshland
Posh Properties
McDonalds
LTS single-family Summit Point
Barone single-family – Kinney Ave.
LPC – Lot 28 PMBP
Verizon – Fairview Ave

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SOLICITOR

Solicitor J. Fareri discussed the following items:

1. Gelt Properties and a recent sale of some of the properties. Solicitor J. Fareri stated our judgement is on the Fairview Avenue property, which is scheduled for judicial sale later this year, which will wipe out our lien. Our lien is for \$10,164.50 plus 6% interest from July 7, 2018.
2. Latzanich Property regarding compensation for the declaration of taking the Borough filed in 2017. He was offered \$3,500 in 2017 but never accepted or made a counteroffer.
3. Pocono Snowmobile is also owed compensation for property for the declaration of taking, offer was not accepted, and he did not make a counteroffer. Solicitor J. Fareri will keep council up to date on these matters.

LOT 28 CONDITIONAL USE

Solicitor J. Fareri stated he is working on the developer's agreement and is waiting for response from the developer on traffic.

Vice-President F. O'Boyle discussed a road cut on Devonshire Lane that was made when new house was built a few years ago. Solicitor J. Fareri stated he would write a letter to the developer if he is given the information.

JUNIOR COUNCILMEMBER

Junior Councilmember K. Crosby congratulated Arissa Chambers on her appointment. She also stated she spoke with Councilmember S. Stewart-Keeler and will be working with the Park & Recreation Committee. She further advised that she attended the second meeting with Senator Blake, where they discussed new development and the new voting laws. She has three more meetings with Senator Blake.

PERSONS TO BE HEARD

Karen Struckle, Mount Pocono Association (MPA)

Karen Struckle was present and advised Council that the MPA is planning a Summer Kick Off, on June 6, 2020, which will be held between the Casino Theatre Property and Owen Millers Property. They plan on having face painting, magicians, food, and balloons. Further information/details will follow.

Jodi Bohdal, President of the MPA was also present and questioned the crosswalks, signs and banners for the downtown.

UNFINISHED BUSINESS

Ordinance #2 of 2020 – Planning Commission Reduction in Membership Ordinance

Councilmember A. Montanez moved to adopt Ordinance #2 of 2020 reducing the planning commission membership from seven (7) members to five (5). Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Resolution #1 of 2020 – Land Bank

Borough Council had before them Resolution #1 of 2020, a Resolution approving an Intergovernmental Cooperation Agreement between the Redevelopment Authority of Monroe County, the County of Monroe, the Borough of Mount Pocono and the Pocono Mountain School District, relative to the operation by the authority of a Land bank pursuant to Monroe County Ordinance #4 dated October 4, 2019.

Councilmember T. Neville stated he was not convinced we need to participate in the land bank, noting if we had a more aggressive Zoning Officer, the Borough could do this on our own. There was discussion on this issue, with Councilmember T. Neville moving to NOT adopt the Land Bank Resolution. Vice-President F.

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O'Boyle seconded. Motion went to Roll Call: S. Stewart-Keeler – No; P. Bucco No; A. Montanez No; T. Neville Yes; F. O'Boyle Yes; C. Williams No. Motion fails 4-2.

Councilmember P. Bucco moved to adopt Resolution #1 of 2020. Councilmember A. Montanez seconded. Motion went to Roll Call: P. Bucco Yes; A. Montanez Yes; S. Stewart-Keeler Yes, Vice-President F. O'Boyle No; T. Neville No; C. Williams Yes. Motion carries 4-2.

Sale of Vacant Lots

Solicitor J. Fareri opened the following bids received for the sale of the vacant lots:

Property: 103 Section 4 – Brunswick Drive – An offer of \$1,000.00 from Kahleem Mohammed

Property: Timberbrook Terrace – An Offer of \$1,000.00 from Kahleem Mohammed

Vice-President F. O'Boyle moved to accept the offer of \$1,000.00 from Kahleem Mohammed for the property located on Timberbrook Terrace. Councilmember S. Stewart-Keeler seconded. Motion carried.

Councilmember A. Montanez moved to reject the bid received for the sale of the Brunswick Drive Property. Councilmember P. Bucco seconded. Motion carried.

Vice-President F. O'Boyle moved to re-advertise the Brunswick Drive property for sale. Councilmember T. Neville seconded. Motion carried.

Junior councilmembers K. Crosby and A. Chambers left at 8:05 pm.

Action Items List

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

2020 Road Rehabilitation Bids

Councilmember S. Stewart-Keeler moved to advertise the 2020 Road Rehabilitation Bid Specifications for opening at the April 6, 2020 meeting. Councilmember P. Bucco seconded. Motion carried.

Crosswalk Thermoplastic

Councilmember A. Montanez moved to engage Sunguard from Bethlehem, PA to stripe the five (5) crosswalk locations along Pocono Boulevard at a cost of \$3,200.00. Councilmember S. Stewart-Keeler seconded. Motion carried.

Speed Limit Solar Powered Signs

Councilmember A. Montanez moved to purchase two (2) solar powered "your speed is" speed signs at a cost of \$6,400 each, to be installed along Pocono Boulevard. Councilmember S. Stewart-Keeler seconded. Motion carried.

NEW BUSINESS

Council Resignation

Vice-President F. O'Boyle moved to accept with regret, the resignation of Donna Casole from the Borough Council. Councilmember S. Stewart-Keeler seconded. Motion carried.

Advertise Council Vacancy

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Councilmember S. Stewart-Keeler moved to advertise the Council Vacancy, accepting letters of interest until March 13, 2020, advertise a Public Hearing for the Bed & Breakfast Amendment, and a Special Meeting beginning at 6:30 pm on Thursday, April 2, 2020. Councilmember P. Bucco seconded. Motion carried.

Mount Pocono Planning Commission 2019 Annual Report

Councilmember P. Bucco moved to accept the 2019 Annual Report of the Mount Pocono Planning Commission. Councilmember T. Neville seconded. Motion carried.

Park & Rec Financial Report

Councilmember T. Neville stated that the by-laws of the Park Foundation state the foundation is supposed to submit a financial report each year by March. It was further noted that the foundation, as a 501c3 will have to file a 990 each year, which is required by the IRS.

Employee Raises

Councilmember T. Neville moved to raise Oliver Van Buskirk and Ronald Miller's hourly rate to \$15 per hour. Councilmember S. Stewart-Keeler seconded. Roll Call Vote: S. Stewart-Keeler Yes; F. O'Boyle No; T. Neville Yes; P. Bucco Yes; A. Montanez Yes; C. Williams Yes. Motion carries 5-1.

Councilmember N. Neville moved to raise Kevin Seese and Ronald Kollmer's hourly rate to \$19 per hour. Councilmember P. Bucco seconded. Roll Call Vote: S. Stewart-Keeler Yes; F. O'Boyle No because it is not fair to the other employees; T. Neville Yes; P. Bucco Yes; A. Montanez Yes; C. Williams Yes. Motion carried 5-1.

Time Clocks

Councilmember P. Bucco moved to purchase two fingerprint time clocks at a cost of \$289 per clock. Councilmember T. Neville seconded. Motion carried.

Cameras

President C. Williams stated that they are working on replacing the existing security cameras and moving the locations of the cameras.

Standing Committees

Planning: Mayor M. Penn stated that the Planning Commission reviewed the land development plans for POSH and the McDonald's rebuild.

Department of Public Works

Road Safety

Utilities: Vice-President F. O'Boyle stated he does not want to be on this committee and asked to be replaced.

Recreation: Councilmember S. Stewart-Keeler stated that the First Friday dates have been set, they are working on a flyer listing all the dates for the 2020. The first one will be held on Friday, April 3, 2020 at 6:00 pm.

Sanitation: Councilmember A. Montanez stated she is reaching out to the County about getting the Borough on the list for the litter pickup crew. Borough Secretary/Treasurer L. Noonan stated that the Borough is already on that program and the litter along SR 611 and SR 940 have been picked up numerous times since last Summer.

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Councilmember S. Stewart-Keeler moved to have the Joseph Battisto Cleanup Day on Saturday, April 25, 2020. Councilmember A. Montanez seconded. Motion carried.

Buildings: Vice-President F. O'Boyle stated he will review the ramp for spots that need to be caulked and our seasonal worker, Ron Miller can caulk the spots this spring.

Councilmember T. Neville stated he would like to have a tour of the Maintenance Garage.

Budget & Finance: The Budget & Finance Committee will hold a meeting on March 18, 2020 at 1:00 pm.

Personnel: President C. Williams stated that there are no meetings scheduled. They will continue reviewing/updating the personnel policy at the next work session.

Regional Police/EMS: Mayor M. Penn reviewed the PMRP stats and stated that the EMS Subscription Drive is in full swing and they now offer individual and business subscriptions.

COG: The next meeting is scheduled for Monday, March 30, 2020.

Grants: The committee will be applying for grants.

Terminate Employment of Zoning Officer

Mayor M. Penn requested a motion to terminate the employment of Dennis Noonan as the Borough Zoning/Codes Enforcement Officer.

Councilmember S. Stewart-Keeler moved to terminate the employment of Dennis Noonan as the Borough Zoning/Codes Enforcement Officer, effective immediately. Councilmember T. Neville seconded.

Question on the Motion: Dennis Noonan asked the reason for the termination. Mayor M. Penn responded "conflict of interest."

Motion went to a Roll Call Vote: P. Bucco Yes; A. Montanez Yes; C. Williams Yes; S. Stewart-Keeler Yes; F. O'Boyle No; T. Neville Yes. Motion carries 5-1.

Councilmember P. Bucco moved to hire Jean Simchak as the Part-time/ temporary Zoning Officer at a rate of \$15.00 per hour for 20 hours a week, as long as she accepts. Councilmember S. Stewart-Keeler seconded.

Question on the Motion: Borough Secretary/Treasurer L. Noonan questioned if Ms. Simchak can be the Zoning Officer, as she is the Chair of the Zoning Hearing Board. Solicitor J. Fareri stated she cannot remain on the Zoning Hearing Board if she is the Zoning Officer. Motion carried.

PUBLIC PARTICIPATION

Mike Oser, Fairview Avenue, discussed the reduction in Municipal Authority delinquencies.

Debra Fulton, Reeder Street, discussed the park and recreation officers.

Mr. Kim, Pocono Boulevard, discussed the Pedestrian Crossing Banners.

There being no further public participation or any further business coming before the Council, the meeting adjourned at 9:25 pm.

Respectfully submitted,


Lori Noonan, Borough Secretary

