

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
MONDAY, JULY 6, 2020
7:10 P.M.**

President C. Williams opened the Regular Meeting at 7:10 P.M. with the following members present: Vice President F. O'Boyle, Councilmembers; S. Stewart-Keeler; T. Neville, A. Montanez, P. Bucco and, R. Emilie. Mayor M. Penn, Solicitor J. Fareri, Acting Zoning Officer J. Simchak and Borough Secretary/ Treasurer L. Noonan were also present.

Junior Councilmembers K. Crosby and A. Chambers were absent.

The Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

President C. Williams stated that there was an executive session this evening regarding a personnel matter. The executive session began at 6:30 P.M. and ended at 7:08 P.M.

APPROVAL MINUTES

Councilmember S. Stewart-Keeler moved to accept the Regular Meeting minutes of Monday, June 1, 2020, as presented. Councilmember P. Bucco seconded. Motion carried unanimously.

Vice President F. O'Boyle moved to accept the Special Meeting minutes of Monday, June 15, 2020, as presented. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

OFFICERS' REPORTS

PRESIDENT

President C. Williams stated that she would like to set the agenda and add to the agenda credit card points and sanitation PRDs. President C. Williams also stated that she has received complaints from residents on Heath Lane and Mountain Drive regarding the Hirshland property and she noted that this will be discussed later in the meeting, however she is requesting a meeting with Borough Engineer to review these complaints. She noted that St. Mary's was purchased by American Legion 903 for a Veterans Center and that they hope to place a replica of the Vietnam Wall War Memorial on the grounds.

MAYOR

Mayor M. Penn welcomed everybody to the green phase of COVID-19 and wished everybody a belated 4th of July holiday. He discussed and thanked Topp Hat Professional Tree Service, President C. Williams, Councilmembers P. Bucco and T. Neville and Adrian Bohdal who helped hang all the American Flags along SR 611 this past weekend. He further thanked Geno Murray and Andy Campbell and his son Angel who did an excellent job and Councilmember P. Bucco's brother Steve. He presented an invoice for reimbursement in the amount of \$1,007.01 for the flags and the flag poles.

Councilmember T. Neville moved to reimburse Mayor M. Penn for the American Flags in the amount of \$1,007.01. Councilmember S. Stewart-Keeler seconded. Vice President F. O'Boyle asked from what fund? After some discussion Councilmember T. Neville moved to amend his motion to state that the money would be taken out of the Park & Recreation Account. Councilmember S. Stewart-Keeler seconded the amendment. Motion carried unanimously.

Mayor M. Penn also discussed fireworks going off over the weekend and the history of the fireworks being legalized in 2017 with limitations and that he himself called Regional Police and did not get any response from Regional Police on his complaints.

At this time Mike Oser Borough resident Fairview Avenue read a statement on fireworks and the lack of police presence this past weekend. He also noted that the Acting Temporary Zoning/ Codes Enforcement Officer Jean Simchak was out trying to control matters. It was agreed the fireworks would be further discussed at the next work session.

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TREASURER'S REPORT:

GENERAL FUND CHECKING ACCOUNT	\$ 319,460.07
PENN SECURITY GENERAL FUND ACCOUNT	500.56
BANNER BEAUTIFICATION ACCOUNT	3,791.50
STATE LIQUID FUELS	88,076.66
PARK & RECREATION FUND	201,940.17
PLANNING COMMISSION REIMB. FUND	4,535.95
ROAD FUND – GENERAL FUND	196,008.14
STORMWATER FUND	39,107.96
SANITATION FUND	3,660.34
INTERSECTION & SIGNALIZATION FUND	<u>149,382.25</u>
 GRAND TOTAL	 <u>\$1,006,463.60</u>

Councilmember A. Montanez moved to pay and approve the bills as outlined in the Borough Secretary/ Treasurer's report dated July 6, 2020. Councilmember R. Emelie seconded. Motion carried unanimously.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Berkheimer Associates	(LST commission)	\$ 283.79
Blue Ridge Communications	(phones)	60.99
Campbell Durrant, PC	(Labor Attorney)	2,522.00
Cintas	(uniforms/rugs)	377.16
Ed's Auto Service	(2012 Pete inspection)	2,341.64
Law Office of Michael V. Gazza	(McDonald's ZHB)	1,220.00
Geisinger	(health insurance)	4,668.78
Highmark Blue Shield	(eye/dental)	409.57
Long Life Spring, Inc.	(2009 Ford – Leaf Spring Replacement)	1,462.30
Lowe's	(road marking paint, highway supplies)	95.00
Met Life	(life/disability)	313.14
Mt Pocono Municipal Authority	(Reimb. Judicial Sale proceeds)	465.69
NAPA Auto Parts	(shop supplies/oil)	51.44
Newman, Williams, Mishkin	(Additional Fees – LPC -1 Lot 28)	1,505.00*
Payrolls Unlimited	(payroll service)	101.15
PA One Call	(services)	12.60
PA American Water Co	(water)	737.10
Palmerton Garage Doors, Inc.	(replace springs on door)	530.00
Pennoni Associates	(traffic engineer)	2,330.25*
Pocono Mountain Regional Police	(June Mortgage Payment)	2,792.12
PM Regional Police	(July's monthly payment)	60,964.91
PM Public Library	(dedicated RE Taxes)	835.40
PM Vol. Fire Co.	(dedicated RE Taxes)	835.37
PM Regional EMS	(dedicated RE Taxes)	417.69
Pocono Record	(advertising)	205.04
Steele's Hardware	(shop masks)	34.99
STR Business Solutions	(ink for postage meter)	130.00
Quill	(paper, USB Drives, clips)	164.43
Sunoco	(gas/diesel)	637.39
Thyssenkrupp Elevator Corp.	(elevator maintenance)	194.46
Tulpehocken Spring Water	(bottled water)	56.99
Underdog Computer	(website maintenance)	75.00
Verizon Wireless	(cell phones)	<u>138.20</u>
 GRAND TOTAL		 <u>\$87,120.39</u>

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*Engineer & Solicitor Reimbursable

BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 06/03/20)	\$ 7,314.40*
Verizon Wireless	(cell phones)	138.24
Blue Ridge Communications	(office internet & phones)	355.07
AM Trust North America	(workers comp)	3,231.00
US Bank	(copier lease)	353.04
Mt Pocono Payroll	(w/e 06/10/20)	6,039.33
Mt Pocono Payroll	(w/e 06/17/20)	5,658.12
Mt Pocono Payroll	(w/e 06/24/20)	10,183.01#
ESSA Bank	(loan payment)	2,309.20
PP & L	(electric)	653.16
SPW Cleaning Services, Inc.	(heavy general cleaning of Boro bldg.)	380.00
Selective Insurance	(premium monthly payment)	8,998.85
Mt Pocono Payroll	(w/e 07/01/20)	<u>\$6,072.50</u>

GRAND TOTAL

\$51,685.92

*Tax Collector was paid this pay period.

#Council was paid this pay period

BILLS ALREADY PAID FROM THE LIQUID FUELS ACCOUNT:

P P & L	(electric)	<u>\$1,741.19</u>
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BILLS TO BE PAID FROM THE LIQUID FUELS ACCOUNT:

Lehigh Hanson	(modified stone)	<u>\$2,291.99</u>
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BILLS TO BE PAID FROM THE STORMWATER FUND:

Central Clay Products, Inc.	(stormwater risers & inlets)	<u>\$3,126.00</u>
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BILLS TO BE PAID FROM THE INTERSECTION FUND:

Sunguard	(crosswalks & intersection thermoplastic)	<u>\$16,353.35</u>
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Councilmember P. Bucco discussed the need for a forensic audit and wanted Borough Council to move forward with this audit.

Councilmember A. Montanez stated that she is for it however she feels that it needs to be discussed further in a work session.

Again, after some discussion, Councilmember P. Bucco moved to bid for a forensic audit noting that she has researched firms from the Allentown and Scranton areas. She further noted that she would like to stay away from CPA's in Mount Pocono and East Stroudsburg and Monroe County and would like the forensic audit be a minimum of seven (7) years and a maximum of ten (10) years depending on the costs. Councilmember S. Stewart-Keeler seconded.

Borough resident Deb Fulton questioned the need for this, especially in the current economic climate. Is this something that is really needed?

There was further discussion with the Borough Secretary/ Treasurer noting that someone would need to write up the "request for proposals (RFP)" as this will be needed prior to her being able to advertise for bids. She further stated that she does not feel that she should be the one to write the RFP.

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There was further discussion regarding the costs of the forensic audit with Councilmember P. Bucco stating that from her research it would be a maximum of \$9,000.00 to \$10,000.00 for a forensic audit. Solicitor J. Fareri disagreed stating that he felt it would be close to \$100,000.00 total for a seven (7) to ten (10) year forensic audit.

Motion went to a roll call vote: Councilmember R. Emilie, "Yes"; Councilmember A. Montanez, "Yes"; Councilmember P. Bucco, "Yes"; Councilmember S. Stewart-Keeler, "Yes"; Councilmember T. Neville, "Yes"; Vice President F. O'Boyle, "No"; and, President C. Williams "Yes". Motion carried 6 to 1.

ZONING/CODES ENFORCEMENT OFFICER

Acting Temporary Zoning Officer Jean Simchak reported that she emailed everyone on Borough Council a copy of her report. She noted that she has received two (2) inquiries for new homes. She also stated that KFC will be undergoing a facelift inside. Wal-Mart is also undergoing a facelift and that Lot 28 she will be signing off on permits for this project in the very near future. She discussed that she has received a lot of inquiries for fences and sheds noting that the Borough Ordinance only allows for 180 square foot shed and this is not adequate for most people's needs. She suggested Borough Council entertain increasing the maximum square footage of a shed in our Ordinances.

SOLICITOR

Solicitor J. Fareri stated he has worked with the Zoning Officer on a short-term rental violation at 1 Summit Drive and has filed a civil action suit on the short-term rental. He noted that he has reviewed the Posh Properties Land Development Agreement (LDA) it is ready for Borough Council's adoption. He further noted that the LDA calls for a Park & Recreation impact fee of \$1,375.00 on this development.

Councilmember A. Montanez left at 8:44 P.M.

Vice President F. O'Boyle moved to approve the LDA for the Posh Properties. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Solicitor J. Fareri also discussed the Clarius Warehouse Project and that they are proceeding with plans to permit. It was noted that Taivo Tammaru has requested to meet with Borough Council at its work session on July 20, 2020. Borough Council agreed to add this to the work session agenda.

JUNIOR COUNCILMEMBER

None present.

PERSONS TO BE HEARD

Deb Fulton, Park & Recreation

Ms. Fulton discussed with Borough Council an email she sent requesting to purchase four (4) picnic tables, two (2) for Oak Street and two (2) for behind the Borough building at a cost of \$3,340.00. They would be purchased under the Costars contract and they are made in the state of Pennsylvania.

Councilmember T. Neville questioned why the tables were needed?

Ms. Fulton replied that it was always in the original plans of the Park & Recreation for additional picnic tables, but they never had the money to purchase them. Also there never is enough seating under the pavilions.

Vice President F. O'Boyle moved to allow the Park & Recreation Board to purchase four (4) picnic tables at \$835.00 each for a total of \$3,340.00 paid out of the Park & Recreation Fund. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

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Jodi Bohdal, Mount Pocono Association

Mrs. Bohdal advised Borough Council that the Mount Pocono Association has moved its Harvest Fest to October 10th, and they are looking for vendors. The MPA will not be charging the vendors fees until the end of September to allow time to see if there is enough interest in participating in the Harvest Fest. She thanked Borough Council for the white delineators, the ped-Xing signs and crosswalks.

UNFINISHED BUSINESS

Emergency Operations Plan

Borough Secretary/ Treasurer L. Noonan noted that Rich Gannon supplied a draft Emergency Operations Plan. She has completed some of the blank sections but there are other sections that need to be completed by the Borough Council. She reminded Mayor M. Penn, and President C. Williams that she had brought this to their attention last week at the budget meeting. From that meeting there was discussion in forming a committee to work on these areas of the emergency operations plan. The record should note that no committee was formed, and no further discussion ensued about the Emergency Operations Plan.

Zoning Officer Position

President C. Williams stated that at the work session last month, Council discussed they would hire two (2) part time individuals for the Zoning Officer position. Those being Alexis Wilkinson and Juan Rosario and hire each part time at twenty (20) hours per week.

Councilmember P. Bucco moved to hire Alexis Wilkinson and Juan Rosario as Zoning Officer for part time, twenty (20) per week at \$15.00 per hour and after ninety (90) days they will be evaluated for a possible raise. Councilmember S. Stewart-Keeler seconded.

Vice President F. O'Boyle asked who will be training them?

President C. Williams stated Jean Simchak will be training them.

Motion carried unanimously.

It was further noted that Alexis Wilkinson is available ready to start on July 13, 2020 and Juan Rosario needs to give two (2) weeks' notice to his current employer, Mr. Rosario will be available on July 21, 2020 however he has two (2) week reserves starting July 25, 2020.

Councilmember P. Bucco moved to allow Alexis Wilkinson to begin work on Monday, July 13, 2020, and Juan Rosario to begin work on July 21, 2020, and for Jean Simchak to figure out their hours. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Alexis Wilkinson thanked Borough Council for the opportunity and will do her best to be a good steward. Also, Juan Rosario thank Borough Council for the opportunity.

Email Problems

Borough Council tabled this item for now.

Action Items List

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

Regarding the Nuisance Ordinance, Borough Council requested that the new Zoning Officers research items that can be added to the Nuisance Ordinance.

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Credit Card Points

There was discussion on the points on the credit card.

After some discussion, Councilmember P. Bucco moved to get a \$150.00 credit using the points on the credit card. Councilmember T. Neville seconded. Motion carried unanimously.

NEW BUSINESS

Pocono Mountain Volunteer Fire Company – 2020 Annual Contract

Councilmember S. Stewart-Keeler moved to approve and execute the 2020 Pocono Mountain Volunteer Fire Company Annual Contract. Councilmember T. Neville seconded. Vice President F. O'Boyle abstained. Motion carried.

Bureau Veritas

President C. Williams asked Mr. Oser to give a clarification on Bureau Veritas.

Mr. Oser stated that the Borough can save money if we deal with our own codes enforcement and for building and electrical permits send to a third-party engineering firm who would produce OSHA regulated plans. The third-party engineer would work with the applicant to get everything in order.

Further discussion on Bureau Veritas will occur at the work session.

Hirshland Stormwater

Hirshland Stormwater was discussed further, and it was agreed that Borough Engineer Chuck Niclaus should be at the next meeting and have a report on the Heath Lane stormwater drainage from the Hirshland project.

Sanitation Bid Specifications

Councilmember P. Bucco moved to send a letter to the PRDs advising them that they will not be included in the sanitation bid contract that will begin January 2021 through December 2023. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Display Fireworks Fees

Councilmember P. Bucco also moved to set fees for firework displays at \$1,000.00 and to waive any fees for the Pocono Mountain Volunteer Fire Company. Councilmember S. Stewart-Keeler seconded. Vice President F. O'Boyle abstained. Motion carried.

STANDING COMMITTEES

Buildings – Vice President F. O'Boyle discussed that Metz Company came and measured for the louver and the relief valve on the furnace.

Mayor M. Penn discussed the Standing Committees reports be moved to the work session agenda. Borough Council agreed that Standing Committee reports will be given at the work sessions and not on the regular meeting agenda.

On-Lot Septic & Rental Inspection Update

Borough Secretary/ Treasurer L. Noonan provided an update on the on-lot septic and rentals that was given to her by Office Assistant, Diana Jackowski, noting that regarding the on-lot septic, Diana had sent forty-eight

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(48) letters and nineteen (19) have responded and now have current permits. There are three hundred and ten (310) registered rental properties in the borough. Some are now under new ownership and Diana is checking to see if they are still rental properties. There are eighty (80) current rental permits and two hundred and thirty (230) expired permits and Diana is in the process of sending out letters for updates.

Flea Market/ Farmers Market

Councilmember T. Neville discussed the flea and farmers market behind the Borough building and that the fee would be \$10.00 to \$15.00 for a 12x12 spot for up to sixteen (16) weeks. This should cover the additional insurance cost of \$400.00.

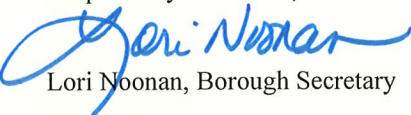
Councilmember T. Neville moved to move forward with flea market/ farmers market and that he would be the Chair of the committee. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

PUBLIC PARTICIPATION

None

There being no further public participation or any further business coming before the board, the meeting adjourned at 9:52 P.M.

Respectfully submitted,


Lori Noonan, Borough Secretary

