

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 5, 2016
7:00 P.M.**

President K. Davis opened the Regular Meeting at 7:00 P.M. with the following members present: Vice President J. Woehrle, Councilmembers: F. O'Boyle; D. Casole; C. Williams; K. Transue; and, M. Oser. Mayor F. Courtright, Borough Secretary/ Treasurer L. Noonan and Alternate Solicitor A. DeAngelo were also present.

Solicitor J. Fareri was absent.

The Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

None

APPROVAL OF MINUTES

Councilmember M. Oser moved to accept the Public Hearing minutes of Monday, June 6, 2016, as presented. Councilmember D. Casole seconded. Motion carried unanimously.

Councilmember C. Williams moved to accept the Regular Meeting minutes of June 6, 2016, as presented. Councilmember K. Transue seconded. Motion carried unanimously.

OFFICERS' REPORTS

PRESIDENT

President K. Davis noted that he attended a Dirt & Gravel Low Volume Road Seminar on June 22nd and June 23rd. It was a very informative seminar in regards to available grants. He also noted that the Personnel Committee met last month and that they are looking into a time clock and looking for more information and a possible webinar demonstration on a time clock system.

It was agreed that the Personnel Committee would meet to look at the webinar for the time clock.

President K. Davis noted that sixty to sixty-five (60-65) letters have been sent out to various properties throughout the Borough regarding high grass. He also noted that the Budget & Finance Committee will be meeting in the next week or two (2). He discussed the Farmer's Market and noted that he did not have an answer just yet to the questions raised at the last meeting by Borough resident Tom Neville.

MAYOR

Mayor F. Courtright noted that the Tobyhanna Township "Toby Days" will be held next weekend and that they will have fireworks. He stated that Mountain Landscaping is to begin work this week and will replace the mulch and clean up the playground area. He also noted that work on SR 611 is beginning today, the contracted crew will be working through the evening hours. He further noted that the Pocono Mountain Volunteer Fire Company's Annual Carnival will be held July 24th through July 30th and that on Wednesday, July 27th are the fireworks. He noted that he, Councilmember C. Williams and Council President K. Davis held a brief meeting with some concerned downtown businesses regarding speeding along SR 611. He recognized Vince April who was at the meeting earlier today and who is at the meeting tonight.

Mr. April discussed speeders on SR 611 a.k.a. Pocono Boulevard. He noted that his vehicle was totaled as it sat in front of his business on December 29th and just three (3) weeks ago his girlfriend's car was hit while parked in front of his business. He also discussed a petition he is currently circulating for better traffic control of speeders on SR 611 (Pocono Boulevard). He also noted that the petitions have been placed in all the businesses along Pocono Boulevard and so far, they have five to ten (5-10) pages filled.

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 5, 2016
7:00 P.M.**

TREASURER'S REPORT

The following cash report was given as follows:

GENERAL FUND CHECKING ACCOUNT	\$ 560,553.14
PENN SECURITY GENERAL FUND ACCOUNT	20,692.71
CAPITAL RESERVE ACCOUNT	48,805.46
BANNER BEAUTIFICATION ACCOUNT	2,570.72
STATE LIQUID FUELS	85,677.75
PARK & RECREATION FUND	4,842.95
PLANNING COMMISSION REIMB. FUND	52,775.88
ROAD FUND – GENERAL FUND	127.46
STORMWATER FUND	132,663.71
GENERAL FUND RESERVE ACCOUNT	41,701.02
SANITATION FUND	6,899.08
ROUTE 940 CORRIDOR FUND	53,675.00
FIVE POINT INTERSECTION FUND	<u>443,880.60</u>

GRAND TOTAL **\$ 1,454,865.48**

Councilmember K. Transue moved to pay and approve the bills as outlined in the Treasurer's Report dated Tuesday, July 5, 2016, as presented. Councilmember D. Casole seconded. Motion carried unanimously.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Ace Hardware	(shop supplies, repairs to push mower)	\$ 310.29
Amerihealth Casualty	(workers comp)	2,630.22
Avalanche Services	(repairs to shop septic – April)	1,763.00
Bartonsville Printing	(ZO business cards)	60.00
Blue Ridge Cable	(phones)	360.55
Blue Tarp Financial	(weather station)	35.31
Boston Mutual	(disability insurance)	240.01
Cintas Corp	(uniform/rug service)	281.51
Ed's Auto Service	(2015 Kenworth inspection)	94.38
First National Bank	(DOTgov registration, supplies)	172.75
Gotta Go Potties	(port-o-potties (2))	170.00
Highmark Blue Shield	(health insurance)	6,196.56
Journal of the Pocono Plateau	(advertising)	78.00
J. Kirk, LLC	(DCED Borrowing Base Certificate)	100.00
Russell R. Kresge, Jr.	(engineer)	329.20
Lowe's	(repair window @ Oak St Park)	7.31
Miller's Automotive	(leaking RR wheel – bucket truck)	240.56
Monroe County Control Center	(Fire/EMS)	1,155.47
PPL	(electric)	120.43
Payrolls Unlimited	(June)	84.00
PA American Water	(water bills)	701.59
PA Paper & Supply	(garbage bag liners, towels)	198.67
Pocono Mtn. Regional Police	(July Mortgage Payment)	2,811.27
Pocono Mtn. Public Library	(1 mill RE Tax June 2016)	795.51
Pocono Mtn. Vol. Fire Co.	(1 mill RE Tax June 2016)	795.59
Pocono Mtn. Reg. EMS	(1/2 mill RE Tax June 2016)	397.77
RKR Hess Associates	(115 Knob Road – On Lot SEO)	403.90
Response Computer	(installed updated security/troubleshoot)	560.00
Schoonover & Vanderhoof	(Roof Project)	3,997.50
Selective Insurance	(insurances)	2,416.00
SunnocoCOSTARS	(diesel/ fuel)	681.78

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 5, 2016
7:00 P.M.**

Thyssenkrupp Elevator	(service)	\$ 170.64
Tulpehocken Spring Water	(bottled water)	55.00
United Concordia	(dental insurance)	365.18
US Bank	(copier rental)	317.06
Verizon Wireless	(cell phones & equipment)	128.15
Verizon	(phone)	32.55
Wal-Mart	(printer ink - shop)	<u>107.56</u>

GRAND TOTAL **\$ 29,365.27**

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 06/08/16)	\$ 6,307.52
Mt. Pocono Payroll	(w/e 06/15/16)	6,406.97
Mt Pocono Payroll	(w/e 06/22/16)	6,439.32
Mt Pocono Payroll	(w/e 06/29/16)	<u>11,699.36</u>

GRAND TOTAL **\$ 30,853.17**

BILLS TO BE PAID FROM THE STATE LIQUID FUELS ACCOUNT:

PPL	(traffic signals & street lights – 2 months)	\$ 2,019.85
Reliable Sign & Striping	(sign posts, bases, blades)	<u>2,392.50</u>

GRAND TOTAL **\$ 4,412.35**

Meeting Date Change

Borough Secretary/Treasurer L. Noonan explained that she and the building committee met last week and reviewed the bid specifications for the borough building roof replacement. She stated that the bids will be opened on Wednesday, August 3, 2016 and requested Council postpone the August meeting one week to August 8, 2016.

Councilmember M. Oser moved to postpone the Borough's meeting of August 1st to August 8th and to advertise said change. Councilmember C. Williams seconded. Motion carried unanimously.

SOLICITOR

Solicitor A. DeAngelo discussed the Kevin Fontaine, ETAL vs. Dreamland Amusements, Inc. ETAL and Mount Pocono Borough and the Pocono Mountain Volunteer Fire Company law suit. It was noted that Solicitor J. Fareri has advised Borough Council that we do not have insurance to cover us under this and his litigation matters are handled outside of his retainer fee at his reduced municipal hourly rate which is \$150.00 per hour.

Councilmember K. Transue moved to accept the proposal from Solicitor J. Fareri to represent the Borough outside of our retainer at a reduced municipal hourly rate of \$150.00. Councilmember C. Williams seconded. Motion carried unanimously.

PERSONS TO BE HEARD

Maryann Patterson – We Go Global, was not present this evening.

Tracey Lee – 73 Knox Street

Ms. Lee was present before Borough Council this evening in regards to a letter she received from the Borough's Zoning Officer, Jim Borger, advising her that she is in violation of the Borough's Zoning Ordinance in regards to livestock as she has chickens. Ms. Lee explained that her chickens are her pets. She explained that these pets are very sentimental, they

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 5, 2016
7:00 P.M.**

do not have a negative impact on the surrounding property owners, that she keeps her chickens in an enclosed area and does not allow them to run all over the place. She requested Borough Council to please consider amending the Ordinance to allow chickens as pets within the Borough of Mont Pocono.

Councilmember K. Transue stated that he agrees with Ms. Lee as he used to have chickens until he too received such a letter and had to get rid of his chickens.

In view of this, Councilmember K. Transue moved to request that the Planning Commission review Chapter 215, of the Borough's Zoning Ordinance and consider amending the Ordinance to reflect that chickens are permitted. Councilmember C. Williams seconded. Motion carried unanimously.

UNFINISHED BUSINESS

Park & Recreation Board Appointments

Councilmember F. O'Boyle moved to adopt Resolution 3 of 2016 which increases the Borough's Park & Recreation Board from three (3) members to five (5) members. Councilmember M. Oser seconded. Motion carried unanimously.

Councilmember F. O'Boyle moved to appoint Tom Ford, Terry Cramer and Tom Neville to the Mount Pocono Park & Recreation Board. Councilmember K. Transue seconded. Motion carried unanimously.

Potcher Construction – 3 Year Warranty

Borough Council was in receipt of a letter from Potcher Construction, Inc., providing a three (3) year warranty on a crack if it opens up or displaces to a thickness that is repairable, that the repair would be discussed with the architect and perform the repair on the ramp and front steps.

Councilmember K. Transue moved to request a new letter from Potcher Construction for a three (3) year warranty on any and all cracks on the ramp and front steps from within the warranty period of March 31, 2016 to March 31, 2019. He further noted if the letter was received and approved by the Council President, the Building Committee and legal counsel that the final payment to Potcher Construction in the amount of \$10,164.00 can be made. Vice President J. Woehrle seconded.

There was discussion regarding the request for a five (5) year warranty.

Motion went to a roll call vote: Councilmember K. Transue, "Yes"; Councilmember M. Oser, "No"; Councilmember C. Williams, "No"; Vice President J. Woehrle, "Yes"; Councilmember F. O'Boyle, "No"; Councilmember D. Casole, "No"; President K. Davis, "Yes". Motion denied.

After some discussion of changing the wording to require a five (5) year warranty, it was discussed that there was a fear if we sent a letter asking for a five (5) year warranty that Potcher Construction would not give one and then we would be worse off than if we had a letter with a three (3) year warranty.

In view of this, Councilmember K. Transue moved to request a new letter from Potcher Construction for a three (3) year warranty on any and all cracks on the ramp and front steps from within the warranty period of March 31, 2016 to March 31, 2019. He further noted if the letter was received and approved by Council President, the Building Committee and legal counsel that the final payment to Potcher Construction in the amount of \$10,164.00 can be made. Vice President J. Woehrle seconded. Motion went to a roll call vote: Councilmember K. Transue, "Yes"; Councilmember M. Oser, "Yes"; Councilmember C. Williams, "Yes"; Vice President J. Woehrle, "Yes"; Councilmember F. O'Boyle, "No"; Councilmember D. Casole, "No"; President K. Davis, "Yes". Motion carried 5 – 2.

iPhone Request

Borough Council was in receipt of additional information regarding the cost to upgrade our Borough Road Supervisor to an iPhone at an additional cost of \$17.08 per month.

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 5, 2016
7:00 P.M.**

Councilmember K. Transue moved to approve the transfer of the iPhone at an increase cost of \$17.08 per month. Vice President J. Woehrle seconded. Motion carried unanimously.

Optional Additional Insurance Quotes

Borough Secretary/ Treasurer L. Noonan stated that she has provided Borough Council with more information and brief explanation on each of the two (2) additional optional insurances that were quoted.

Councilmember M. Oser moved to refuse the additional optional insurances. Councilmember K. Transue seconded. Motion carried unanimously.

NEW BUSINESS

PMRP Foundation

Borough Council was in receipt of a letter from the Pocono Mountain Regional Police (PMRP) Foundation requesting to hang a banner announcing their Annual Golf Fundraiser at the Pinecrest Resort. They requested the banner to be in place from Monday, July 25th through Friday, August 5th.

Vice President J. Woehrle moved to hang the banner and waive any associated fees for the PMRP Foundation's Annual Golf Fundraiser and requested that the certificate of insurance name the Borough as an additional insured. Councilmember K. Transue seconded. Motion carried unanimously.

Traffic Safety Solar Powered Radar Speed Signs

There was discussion regarding the quote in front of Borough Council for solar powered radar speed signs and whether or not permits were needed from Penn DOT to place these along SR 611. There was further discussion as to whether these can be obtained from Penn DOT or Regional Police. It was agreed that this would be discussed further at an upcoming work session.

Proposed Shopping Cart Ordinance

Borough Council was in receipt of memo from Councilmember D. Casole regarding a proposed Shopping Cart Ordinance and some sample Ordinances that she received.

Borough Secretary/ Treasurer L. Noonan pointed out that in addition to the Ordinance that Councilmember D. Casole provided, Diana Jackowski, Office Assistant located the Stroud Township Nuisance Ordinance where it discusses shopping carts, however when contacting Stroud Township, they could not remember a time that they have ever had any to enforce this ordinance. Borough Secretary/ Treasurer also noted that there is an Ordinance from the city of Binghamton for their review however she pointed out that most of these Ordinances would require our Road Department to pick up said stray shopping carts and hold them in an enclosed locked area until the fine was paid by the business and then the carts can be released.

Councilmember D. Casole moved to send the proposed Shopping Cart Ordinance to the Planning Commission for their review and recommendation. Councilmember F. O'Boyle seconded. Motion went to a roll call vote: Councilmember K. Transue, "No"; Councilmember M. Oser, "No"; Councilmember C. Williams, "No"; Vice President J. Woehrle, "No"; Councilmember F. O'Boyle, "Yes"; Councilmember D. Casole, "Yes"; and, President K. Davis, "Yes". Motion failed 4 – 3.

Property Maintenance Code

President K. Davis noted that Borough Council reviewed the proposed Property Maintenance Code and it was sent to them by the Planning Commission with a recommendation to be adopted. He asked Borough Council what their pleasure was with this Ordinance.

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 5, 2016
7:00 P.M.**

Vice President J. Woehrle moved to advertise the proposed Property Maintenance Code. Councilmember F. O'Boyle seconded. Motion went to a roll vote: Councilmember K. Transue, "No"; Councilmember M. Oser, "No"; Councilmember C. Williams, "No"; Vice President J. Woehrle, "Yes"; Councilmember F. O'Boyle, "Yes"; Councilmember D. Casole, "Yes"; and, President K. Davis, "Yes". Motion carried 4 – 3.

STANDING COMMITTEES' REPORTS

Planning

Councilmember D. Casole advised due to a lack of agenda items the Planning Commission meeting was not held.

PAWC

Councilmember D. Casole noted that on the water quality side there have been no dirty water complaints from Mount Pocono for the month of June. PAWC has not experienced any system disturbances that resulted in any water quality issues. Not one complaint throughout this holiday weekend typically a high volume weekend for water usage.

Mr. Smidhum spoke with Councilmember K. Transue about installing water services for the Deerfield Park and the baseball fields. Discussion took place regarding where PAWC can install the water service. Councilmember K. Transue advised PAWC that he would get back to them about going forward.

Recreation

Councilmember K. Transue noted that there was no meeting for the month of June. He also noted that he has been in contact with PAWC and he needs to review a few things with our Street Committee before pursuing that matter further.

Mount Pocono Municipal Authority

Councilmember F. O'Boyle stated that in regards to the information on the stream re-designation that was received in the month of June, this does not pertain to us. He noted that they are working with Belmont Knoll and Knob Crest senior housing about reducing their EDUs. If they are successful and Belmont Knoll and Knob Crest are in agreement to reduce their EDUs that would free up an additional twenty-five (25) EDUs.

Sanitation

It was requested that the no pick up lists that are received on a weekly basis be sent to the Sanitation Committee.

Buildings

Vice President J. Woehrle noted that the DCED has approved our loan and we are now waiting for a closing date. It was also noted that the bids for roof repair have been put out for bid and that the roof replacement timeline has been set with the completion before cold weather. The roof may cost \$40,000.00 to \$60,000.00 depending on the level of deterioration. The front door has been replaced and many compliments have been received. It is worth noting that major maintenance looming on the building are new windows, a new boiler, new HVAC or roof air conditioners and carpeting. Unless we want another big mortgage we need to budget for these items.

Councilmember F. O'Boyle stated that he has been in discussion with George Souaid about an approximate of one quarter acre of property contiguous to the Mount Pocono maintenance building and Mr. Souaid is in agreement to sell the property however the Borough needs to get an appraisal.

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JULY 5, 2016
7:00 P.M.**

Councilmember F. O'Boyle moved to instruct the Borough Secretary/ Treasurer to hire an appraiser to obtain an appraisal on the George Souaid one quarter acre property. Councilmember K. Transue seconded. Motion carried unanimously.

Budget & Finance

A meeting will be held in the next couple of weeks.

Personnel

No report

Regional EMS

Mayor F. Courtright noted that four hundred ninety-five (495) dispatches, a 8.3% increase from last year, were received in the month of May. They received \$163,212.00 subscriptions and that EMS is covering a lot of the events over the summer months, such as the various carnivals, Tobyhanna Township Days and the other concerts and event being held at the Pocono Mountain Volunteer Fire Company grounds. He also noted that they have received a LSA Grant for LUCAS Devices for the ambulances.

Pocono Mountain Regional Police

Mayor F. Courtright noted that for the month of May there were two hundred and thirty-two (232) patrol hours, four hundred and ten (410) arrests, one hundred and thirty-nine (139) traffic arrests and eighty-six (86) vehicle code warnings. He also noted that we are four (4) hours to the good on our hours and that our student resource officer is working on Ordinance violations over the summer months. They are looking to hire and they currently have sixty-four (64) applicants. On July 9th physicals will be held and the process will go from there.

COG

Councilmember M. Oser noted that COG has several open items that were discussed, regarding membership, road salt and line painting in the future meeting dates. However, two (2) Monroe County Commissioners attended to discuss the future reassessment project and the \$5.00 vehicle tax and school property tax.

PUBLIC PARTICIPATION

Jeanine Hofbauer, asked if the fee was waived in the motion for the banner for the Regional Police Foundation.

It was agreed that it was.

Ruth Gross, 50 Montovision Road, discussed a recent incident at Pocono Township regarding the Police.

Tom Neville, Knob Road, once again complained about the Farmer's Market under the pavilion.

There being no further business or any further public participation coming before the Board, Councilmember C. Williams moved to adjourn. Councilmember M. Oser seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary