

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
MONDAY, OCTOBER 6, 2014
7:00 P.M.**

President J. Finnerty opened the Regular Meeting at 7:00 P.M. with the following members present: Vice President R. Gross; Councilmembers, F. O'Boyle; D. Casole; K. Davis and, W. Jabara. Mayor F. Courtright, Solicitor J. Fareri and Borough Secretary/ Treasurer L. Noonan were also present.

Councilmember C. Williams was absent.

The Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

President J. Finnerty noted that Borough Council will be holding an Executive Session immediately after Public Participation for about fifteen (15) minutes and that Borough Council may or may not take action when it reconvenes.

APPROVAL OF MINUTES

Councilmember F. O'Boyle moved to approve the Regular Meeting minutes of September 2, 2014, as presented. Councilmember D. Casole seconded. Motion carried unanimously.

OFFICERS' REPORTS

PRESIDENT

President J. Finnerty distributed photos of tree "butchering" at the Perkins, noting that the beautiful Pin Oaks that were there were butchered and most likely not survive the winter. He noted that he asked the Zoning Officer to call Perkins and return his call but he is still waiting for a return call. President J. Finnerty stated that it does not look there are any trees left and he is very upset our Tree Ordinance has not been enforced.

President J. Finnerty also stated the reason for tonight's executive session is to discuss personnel.

MAYOR

Mayor F. Courtright also discussed some trees at the SR 940 and Park Avenue property that were recently taken down and questioned if the property owner received proper permits and/or approval before the trees were taken down.

There was also a lengthy discussion regarding these trees and their removal and whether proper permit were obtained prior to taking down those trees.

Mayor F. Courtright noted that he held the final First Friday for the year 2014 in September and he stated that he plans to start these back up in the spring.

Mayor F. Courtright also noted that he has been looking into replacing the mulch in the tot lot behind the Borough building and he is speaking with Bill Bracey about an area where the new mulch can be stored while the tot lot is cleared of all the existing mulch.

Mayor F. Courtright further noted that a LSA Grant was submitted for the roof.

Mayor F. Courtright noted that we are up to five hundred (500) followers on the Official Mount Pocono Facebook Page.

Mayor F. Courtright also noted that Harvest Fest was a huge success, they had a beautiful day. He thanked John Scalamandre and the Mount Pocono Association for all of their hard work in putting on the Harvest Fes.

Mayor F. Courtright recognized John Scalamandre who was in attendance this evening.

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Mr. Scalamandre thanked Borough Council, Borough Secretary/y Treasurer and office staff for all of their work in helping make the Harvest Fest a huge success. He thanked Lori and the office staff for obtaining the special event permit that allowed them to close a portion of Fairview Avenue. He thanked Councilmember W. Jabara and the road crew for hanging the banners, putting up the barriers and traffic control devices and decorating the downtown with the mums. He noted that Mr. Bill Bracey of Bracey Shop-Rite donated the mums for downtown. He further stated that he felt that attendance was down due to safety concerns regarding Eric Frein who is suspected of killing a State Trooper and injuring another a few weeks ago.

TREASURER'S REPORT

The following cash report was given as follows:

GENERAL FUND CHECKING ACCOUNT	\$ 516,291.46
PENN SECURITY GENERAL FUND ACCOUNT	20,712.71
CAPITAL RESERVE ACCOUNT	48,433.11
BANNER BEAUTIFICATION ACCOUNT	1,957.37
STATE LIQUID FUELS	59,146.26
PARK & RECREATION FUND	10,670.83
PLANNING COMMISSION REIMB. FUND	52,067.68
ROAD FUND – GENERAL FUND	96,932.17
STORMWATER FUND	132,637.58
GENERAL FUND RESERVE PLGIT ACCOUNT	41,382.87
SANITATION FUND	20,097.40
ROUTE 940 CORRIDOR FUND	53,675.00
FIVE POINT INTERSECTION FUND	<u>326,593.48</u>

GRAND TOTAL **\$ 1,380,597.92**

Vice President R. Gross moved to pay and approve the bills as outlined in the Treasurer's Report dated Monday, October 6, 2014, as presented. Councilmember K. Davis seconded. Motion carried unanimously.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

ACE Hardware	(small tools/ supplies)	\$ 320.89
American Casualty Services	(workers comp down pymt)	2,430.22
Berkheimer Associates	(LST Commission)	430.42
Bill Beekman's Plumbing & Heating	(maintenance dept oil burners)	435.00
Blue Cross of NEPA	(health insurance)	8,080.54
Blue Ridge Cable	(phones)	300.84
Boston Mutual	(life/ disability insurance)	234.15
Burkholder Landscaping	(cut high grass violation)	100.00
CPC Signs	(street signs)	653.30
H. Clark Connor	(October retainer PC Solicitor)	500.00
Cramer's	(material for chipper box)	213.16
Eastern Time, Inc.	(monitoring agreement - year)	310.00
Ehrlich	(pest control)	82.69
Eureka Stone Quarry	(hot patch)	490.90
JoAnn Misuraca-Ficco	(reimb. Supplies)	18.00
G & K Services	(uniforms/ rug service)	298.32
Gilmore & Associates, Inc.	(engineer)	1,303.81
Interstate Road Management	(line painting)	7,700.29
Lowe's	(measuring wheel)	56.98
Robert M. Maskrey, Jr.	(ZHB Solicitor July – Sept.)	1,266.43
McKewon Real Estate	(land appraisal)	400.00
Metz, Inc.	(HVAC – parts)	82.24

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Monroe County Control Center	(4 th quarter)	\$ 1,155.47
Mountain Services	(inspection/ repair Ford F-550)	870.51
NAPA Auto parts	(vehicle parts)	166.88
Neopost	(postage meter)	109.79
Newman, Williams, Mishkin	(Fareri retainer ½)	10,000.00
PPL	(electric)	264.42
PA American Water Co.	(Boro bldg./ maint. Garage)	726.65
PA Papery & Supply	(paper products)	84.87
PA Once Call	(service)	42.88
PSAB	(state aid for Non-Uniform Plan)	22,542.14
Payrolls Unlimited	(payroll service)	80.00
PM Regional Police	(mortgage)	3,010.44
Postage Meter	(ink cartridge)	106.61
Quill	(supplies)	168.94
Response Computers	(update computers to 8.1)	490.00
Rutkoski Fencing Inc.	(Deerfield Oak Park Fencing)	16,775.00
Sherwin Williams Co.	(road paint)	284.46
Sunoco (COSTARS)	(gas/ diesel)	766.65
ThyssenKrupp elevator	(elevator inspections)	159.74
Tulpehocken Spring Water	(1 month)	15.00
US Bank	(copier)	317.06
United Concordia	(dental)	333.50
Verizon	(phone)	45.96
Verizon Wireless	(cell phones)	128.56
Wal*Mart	(bldg supplies)	<u>24.09</u>

GRAND TOTAL **\$ 84,377.80**

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 09/03/14)	\$5,189.28
Mt Pocono Payroll	(w/e 09/10/14)	5,205.74
Mt Pocono Payroll	(w/e 09/17/14)	5,156.19
Mt Pocono Payroll	(w/e 09/24/14)	5,189.98
Mt Pocono Payroll	(w/e 10/01/14)	<u>5,359.89</u>

GRAND TOTAL **\$ 20,769.62**

BILLS TO BE PAID FROM THE STATE LIQUID FUELS ACCOUNT:

PPL	(electric)	<u>\$ 3,827.03</u>
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BILLS TO BE PAID FROM THE FIVE POINT INTERSECTION FUND:

Sunguard	(white thermoplastic)	<u>\$ 5,174.80</u>
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Zoning Hearing Board Variance – Municipal Authority

Borough Secretary L. Noonan brought up a recent Zoning Hearing Board Variance Application was received from the Mount Pocono Municipal Authority. She noted that the fees for such a Zoning Hearing Board Application would be \$2,000.00. She stated that Borough Council would have some out of pocket expenses for advertising, posting, attorney fees and questioned how Borough Council if they would want to waive the fees but request that the Municipal Authority cover out of pocket expenses.

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Vice President R. Gross moved to waive the Zoning Hearing Board fees and for the Borough to cover the out of pocket expenses for the Municipal Authorities Zoning Hearing Board Variance Application. Councilmember D. Casole seconded. Councilmember F. O'Boyle abstained. Motion carried.

Resolution #4 of 2014- LSA Grant on Behalf of the Pocono Mountain Regional EMS

Borough Secretary/ Treasurer L. Noonan presented the Resolution that was needed for the Pocono Mountain Regional EMS LSA Grant Application for a generator.

Vice President R. Gross moved to adopt Resolution #4 of 2014 as noted by the Borough Secretary/ Treasurer. Councilmember K. Davis seconded. Motion carried unanimously.

PSATS Seminar

Borough Secretary/ Treasurer L. Noonan announced a PSATS seminar that is coming to our area entitled "A New Look at Reviewing Subdivision and Development Plans". She noted that the fee for attendance is \$80.00 and it's being held on Monday, November 17th, in Lackawanna County from 8:30 A.M. to 4:00 P.M.

Councilmember K. Davis stated that he would like to attend.

Councilmember D. Casole moved to approve sending Councilmember K. Davis to the PSATS Seminar, "A New Look at Reviewing Subdivision and Development Plans", and give approval to any Planning Commission members who would like to attend. Councilmember K. Davis seconded. Motion carried unanimously.

Planning Commission Opening

Borough Secretary/ Treasurer L. Noonan noted that she's very sad to advise Borough Council that she has received a letter from Oscar Lollis, a member of the Borough's Planning Commission, that he does not wish to be re-appointed to a fourth term on the Planning Commission when his current term expires on December 31, 2014.

Borough Secretary/ Treasurer L. Noonan requested Borough Council to approve putting an advertisement in the newspaper.

Borough Council thanked Mr. Lollis who was in attendance for his many years of service on the Planning Commission and noted that they are extremely sorry to see him leave and tried to talk him into agreeing to serve another term.

Vice President R. Gross moved to instruct the Borough Secretary/ Treasurer to advertise an opening on the Planning Commission. Councilmember K. Davis seconded. Motion carried unanimously.

SOLICITOR

Pula Appeal

Solicitor J. Fareri stated that the Pula Appeal was heard today in the Court of Common Pleas, it was originally to be heard in front of Judge Zulick however when he and Zoning Hearing Board Attorney Maskrey and Attorney Deetz, who is representing Pula, arrived they were advised that it was turned over to Judge Mark. Solicitor J. Fareri also stated that Judge Mark has thirty (30) days to issue a decision on this matter.

PARC

Solicitor J. Fareri stated that there is no change, the notice of intent to withdraw is still before Paradise and Barrett Township and there are no costs to withdraw however, Paradise and Barrett Townships are stating that there will be costs to remove the Borough's name from the deeds, signs and other items such as brochures. They are requesting a monetary amount for the Borough to withdraw. As such there was some discussion regarding the amount that they wanted. Solicitor J. Fareri stated that no set figure was given however he did hear an amount between \$10,000.00-\$15,000.00.

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After some discussion amongst Borough Councilmembers not willing to pay that amount of money and Councilmember F. O'Boyle noting that the Borough should be a friendly neighbor and not cut any ties with a neighboring municipality.

Borough resident Mike Oser, who is a member representative of the Borough's on PARC, suggested that the Borough offer to pay some amount to them so that we can put this matter behind us. His recommendation was to offer to pay them the same amount that we paid this year for our per capita, which is approximately \$9,300.00.

After some discussion regarding this, Vice President R. Gross moved to approve payment to PARC as an exit fee in the amount of \$9,300.00 which will allow Paradise and Barrett Townships to remove our names from the deeds, signs and brochures. Vice President R. Gross further requested that the removal of our name from the deeds happen by the end of January. Councilmember K. Davis seconded. Motion carried unanimously.

Ordinance #5 of 204

Solicitor J. Fareri stated that Ordinance #5 of 2014, is an Ordinance which is approving a certain project being undertaken by the Mount Pocono Municipal Authority consisting of a capital improvement program including a spray irrigation and disposal system and related improvements to the Authority sewer system and paying the costs of issuance the Authority's debt determining the estimated use of the life of the project and setting forth the estimate completion date for the project. He noted that this is a self-liquidating debt. The total project is 13,000,000 plus dollars. He also noted that the Borough has provided all of the documentation to the Municipal Authority's bank and they have advertised the Ordinance and have done all the paperwork for the Commonwealth of Pennsylvania and DCED for the loan.

Vice President R. Gross moved adopt Ordinance #5 of 2014 approving the Mount Pocono Municipal Authority's borrowing of \$13,000,000.00 for the spray irrigation system. Councilmember D. Casole seconded. Motion carried unanimously.

PERSONS TO BE HEARD

None

UNFINISHED BUSINESS

PAWC Fire Hydrant Agreement

Borough Council was in receipt once again of the Fire Hydrant Agreements for the fire hydrant to be located on SR 611 near the Burke's Tavern.

Councilmember W. Jabara moved to approve the PAWC Hydrant Agreement as presented for the installation of a fire hydrant on the west side of SR 611 near Burke's Tavern. Vice President R. Gross seconded. Motion carried unanimously.

NEW BUSINESS

2015 Police Uniform & Non-Uniform Pension MMO

Vice President R. Gross moved to accept the 2015 Minimum Municipal Obligation for the Uniform Pension Plan in the amount of \$80,616.65 and for the Police Non-Uniform Pension Plan in the amount of \$1,082.12. Councilmember F. O'Boyle seconded. Motion carried unanimously.

PennDOT Winter Meeting

It was announced that PennDOT's Annual Winter Meeting is being held on Thursday, October 23rd, at 9:00 A.M. in the conference room at their Stroudsburg location.

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Councilmembers W. Jabara, K. Davis and Mayor F. Courtright along with Road Foreman Jim Trombetta will be attending.

Alarm Monitoring Quote – AIC

Borough Council was in receipt of a quote from Alarm Installers Corporation (AIC) to monitor the Borough's security systems in the three (3) buildings at a total cost of \$720.00 per year.

Councilmember W. Jabara moved to accept the quote from AIC as outlined. Councilmember D. Casole seconded. Motion carried unanimously.

STANDING COMMITTEES

Planning

Councilmember D. Casole noted that the last month's Planning Commission meeting was cancelled however she continued to work on the proposed Air Pollution Control Ordinance and forwarded said proposed ordinance to Mr. Bedrin of DEP and she is looking forward to receiving his review and hopes to have that prior to the next Planning Commission meeting.

Councilmember W. Jabara stated that he was speaking with the Borough Zoning Officer regarding the Lowe's Ordinance which reduced the parking lot aisle width from 24feet to 20 feet. He also stated that there was a five percent (5) reduction in the spaces. He felt that Borough Council may wish to have the Planning Commission review this Ordinance again and possibly increase the driving aisle width back to the 24 feet.

Stormwater

Councilmember W. Jabara stated that the Road Crew has been very busy replacing a pipe on Summit Drive which totally disintegrated. He also stated that the Road Crew put a new grate at the 1 Brunswick Drive property and the property owner is much happier.

Utilities

It was noted that loan guarantee paperwork was done earlier this evening and the next meeting is being held on Thursday, October 9th. It was also noted that the Municipal Authority's variance request before the Zoning Hearing Board will be heard on Tuesday, October 14th.

Water

It was noted that the Fire Hydrant Agreement was taken care of earlier this evening.

Streets

Councilmember W. Jabara noted that they are getting the trucks ready for winter and they have been trimming trees in anticipation of the upcoming winter months.

Sanitation

Borough Secretary/ Treasurer noted that she is working on the bids and she has forwarded those to Jim Lambert with the Monroe County Municipal Waste Management Authority for his assistance.

Buildings

Mayor F. Courtright noted that he put in LSA Grant for funding for the roof.

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Budget and Finance

It was noted that the budget requests will go out prior to the next meeting.

Recreation

It was noted that the new fencing at the Deerfield/ Oak Park was installed.

Personnel

No report.

Councilmember W. Jabara requested Borough Council to consider giving a \$50.00 boot allowance to each of the Road Crew members every year.

Regional Police

It was noted that the next meeting will be held on Tuesday, October 14th, at Tobyhanna Township. It was also noted that moral of the officers is very good; they're getting good feedback on Acting Chief Wagner.

Regional EMS

Mayor F. Courtright noted that the day of the meeting has changed and thanked Borough Council for the Resolution for the LSA Grant for a generator, and he will advise when the new meeting date will be held each month for the calendars.

COG

Councilmember W. Jabara noted that Trick or Treat was scheduled for Friday, October 31st, from 6:00 – 8:00 P.M. He also noted that COG is bidding out vegetation control/ weed killer for the municipalities. He will keep everybody updated on that status of that bid. He also noted that next month's meeting is the COG dinner being held at Peppe's Ristorante in East Stroudsburg.

Open Space

President J. Finnerty stated that Borough Council is looking into an offer to secure some more property on Knob Road and they have an appraisal on the property which is off of Laurel Lane. He scheduled a work session to discuss the said property and the appraisal on Wednesday, October 22nd, at 7:00 P.M.

PARC

No report.

Five Points Intersection/ Traffic

Councilman W. Jabara stated that the legends at the Five Point Intersection were redone with thermoplastic adhesive.

Councilmember D. Casole stated that she thought each of the Councilmembers should take a section of the Borough to act as public relations between the Borough Council and the residents, noting for instance since she lives in Pine Hill Estate she could take Pine Hill Estate or a good portion of Pine Hill Estates and she felt that each area of the Borough should have a point of contact.

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PUBLIC PARTICIPATION

Alice Makla, Knob Road, noted once again that the fire hydrant on Knob Road has not been bled and she noted that the stone fence at the yellow house was knocked down a long time ago and should be put up.

Mike Oser, Fairview Avenue, requested meeting packet information be placed on the website.

There was some discussion regarding this and it was agreed that we could email the information to those who desire it and that the Borough Secretary/ Treasurer will email information to Mike Oser when she emails it to the Councilmembers.

Mr. Agnes Danch, Summit Drive, questioned when the developer is going to start work on his property and restore and replace the drainage pipes on Summit Drive.

Elias Dudash, Holly Forest Road, stated that he has information on how to donate money to the Pennsylvania State Police and that he will provide that to the Borough Secretary to have that information on the Borough's website.

Stacey Stewart-Keeler, 7 Candlewood Lane, questioned when the Candlewood Lane cul-de-sac would be paved.

Councilmember W. Jabara noted that it was patched this year and that next year they plan to pave all three (3) cul-de-sacs in Pine Hill Estates.

John Scalamandre, Belmont Avenue, discussed a traffic light on SR 196 and Pine Hill Road.

At 9:10 P.M. Borough Council went in Executive Session to discuss a personnel issue.

Borough Council reconvened at 9:35 P.M.

There being no further business or any further public participation coming before the Board, Vice President R. Gross moved to adjourn. Councilmember K. Davis seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary