

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
MONDAY, APRIL 13, 2015
7:00 P.M.**

President J. Finnerty opened the Regular Meeting at 7:05 P.M. with the following members present: 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 arrived at 8:15 P.M.

The Pledge of Allegiance was said by all, followed by a moment of silence for Vice President Roy J. Gross who passed away last week.

PRELIMINARY ANNOUNCEMENTS

President J. Finnerty stated that Borough Council met in Executive Session this evening at 6:00 P.M. for a approximately one (1) hour to discuss possible litigation with the Pocono Mountain Regional Police Commission and the Pula Crematorium possible appeal.

APPROVAL OF MINUTES

Councilmember F. O'Boyle moved to approve the Regular Meeting minutes of March 2, 2015, with the noted change in the motion regarding the Pocono Mountain Regional Police Commission. Councilmember K. Davis seconded. Motion carried unanimously.

Councilmember f. O'Boyle moved to approve the Special Meeting minutes of March 25, 2015, as submitted. Councilmember K. Davis seconded. Councilmember W. Jabara and President J. Finnerty abstained as they were absent. Motion carried.

OFFICERS' REPORTS

PRESIDENT

President J. Finnerty stated that we have a big hole to fill with the recent passing of Roy Gross. He served on the Board in excess of thirty (30). Years and thirty (30) years just can't be replaced. He noted that Roy had a lot of respect from all of the Borough Councilmembers and the public as well the respect from the other Municipalities that served along with him on the Pocono Regional Police Commission. President J. Finnerty discussed Roy's legacy and in his involvement in the Borough. He also noted that Borough Council would need to appoint somebody to fill his vacancy at the next meeting on May 4th, however at this time he appointed Councilmember Claudette Williams to be Pocono Mountain Regional Police Commission to fill the spot left open from his passing.

MAYOR

Mayor F. Courtright stated that Roy was the first person he met from the Borough Council when he moved here. He has a lot of respect for Roy and he enjoyed sitting next to him and serving with him on the Pocono Mountain Regional Police Commission.

Mayor F. Courtright also sated that Wednesday, April 22nd, is the first Annual Joseph Battisto Litter Pick-Up. He noted that everybody will be meeting behind the Borough building at 9:00 .AM. an supplies will be given and a list of locations for litter pick-up. He discussed the smoke this afternoon, noting that there was a fire on Sullivan Trail.

Mayor F. Courtright further stated that as everybody has read in the newspaper in the past week that K-Mart will be closing in July. He noted that Kalahari is still on track to open in June and he recently spoke with Mr. Barry regarding the Camelback Indoor Water Park and they plan to open this month. He stated that if anyone has applied to Kalahari or to Camelback they have not hired all of the employees and they will be making call back in the coming weeks.

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TREASURER'S REPORT

The following cash report was given as follows:

GENERAL FUND CHECKING ACCOUNT	\$ 213,440.33
PENN SECURITY GENERAL FUND ACCOUNT	20,692.71
CAPITAL RESERVE ACCOUNT	48,627.33
BANNER BEAUTIFICATION ACCOUNT	2,032.89
STATE LIQUID FUELS	83,197.07
PARK & RECREATION FUND	11,004.90
PLANNING COMMISSION REIMB. FUND	51,925.54
ROAD FUND – GENERAL FUND	96,932.17
STORMWATER FUND	131,689.43
GENERAL FUND RESERVE PLGIT ACCOUNT	41,548.82
SANITATION FUND	10,795.37
ROUTE 940 CORRIDOR FUND	53,675.00
FIVE POINT INTERSECTION FUND	<u>443,849.90</u>

GRAND TOTAL **\$ 1,209,411.46**

Councilmember D. Casole moved to pay and approve the bills as outlined in the Treasurer's Report dated Monday, April 13, 2015, as presented. Councilmember W. Jabara seconded. Motion carried unanimously.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

ACE Hardware	(shop/ building supplies)	\$ 75.77
American Casualty Services	(workers comp ins)	1,841.22
Berkheimer Associates	(LST commission)	306.56
Blue Cross of NEPA	(health insurance)	6,511.15
Blue Ridge Cable	(phones/ internet)	313.49
Blue Tarp Financial	(small pump for fuel)	165.15
Boston Mutual	(life/ disability insurance)	234.15
CPC Signs	(signs)	611.23
Cargill	(Clear Lane Deicer)	1,729.27
Dept. of Labor & Industry	(boiler inspection)	62.00
Eastern Time	(fire alarm inspection contract)	873.00
Fastenal	(cotton pin kits)	39.20
First National Bank	(maint. Computer, supplies)	634.94
G & K Services	(uniforms/ rugs)	298.04
Gilmore & Associates	(engineer)	3,463.16
H. Clark Connor	(PC Solicitor)	450.00
EM Kutz	(plow parts)	267.42
International Code Council	(dues)	125.00
Long Life Spring	(rear springs 2006 Pete)	1,753.88
Lowe's	(door knob – restroom)	32.26
Miller Automotive	(repairs to F-550)	262.46
Monroe County Control Center	(Fire/EMS)	1,155.47
Monroe County Info Services	(RE bills)	649.04
Mountain Services	(inspection 2014 Kenworth)	104.00
Murray's Towing	(tow Pete)	400.00
Neopost	(postage meter)	109.79
Newman, Williams, Mishkin	(Fareri ½ year ret PMRP & Cond. Use)	10,391.50
Payrolls Unlimited	(March payroll)	79.00
PA One Call	(service)	31.86

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PA American Water	(bldgs. & fire hydrants)	\$ 782.12
PPL	(electric – 2 months)	2,039.96
Plociniak Oil	(heating oil both buildings)	1,769.03
Pocono Mtn. Reg. Police	(mortgage)	3,010.44
Pocono Mtn. reg. Police	(monthly payment)	57,216.72
Pocono Mtn. Public Library	(2015 RE taxes rec'd March – 1 mil)	3,966.11
Pocono Mtn. Vol. Fire Co.	(2015 RE taxes rec'd March – 1 mil)	3,966.41
Pocono Mtn. Reg. EMS	(2015 RE taxes rec'd March ½ mil)	1,983.19
<i>Pocono Record</i>	(advertising)	442.20
Quill	(office supplies)	45.46
Reliable Sign	(brackets & signs)	947.75
Response Computers	(computer problems – maint)	475.00
Sunoco (COSTARS)	(gas/diesel)	1,575.82
ThyssenKrupp	(elevator inspection)	164.93
Tulpehocken Spring Water	(water for coolers)	25.00
United Concordia	(dental insurance)	312.10
US Bank	(copier lease)	317.06
Verizon	(phone)	85.98
Verizon Wireless	(phones)	70.23
Wal-Mart	(building supplies)	<u>39.10</u>

GRAND TOTAL **\$ 112,204.62**

BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 02/04/15)	\$ 8,710.80
Mt Pocono Payroll	(w/e 03/11/15)	5,304.66
Mt Pocono Payroll	(w/e 03/18/15)	5,286.61
Mt. Pocono Payroll	(w/e 03/25/15)	4,942.91
Mt Pocono Payroll	(w/e 04/01/15)	4,966.21
Mt Pocono Payroll	(w/e 04/08/15)	<u>4,611.83</u>

GRAND TOTAL **\$ 33,823.02**

BILLS TO BE PAID FROM THE STATE LIQUID FUELS ACCOUNT:

Cargill	(de-icing salt)	\$ 16,683.67
Hanson Aggregates	(anti-skid)	4,582.94
Locust Ridge Quarry	(high performance cold patch)	1,032.50
PPL	(traffic signals/street lights – 2 mos.)	<u>3,787.30</u>

GRAND TOTAL **\$ 26,086.41**

Tobyhanna United Methodist Sign Request for Annual Election Day Spaghetti Dinner

Councilmember W. Jabara moved to allow the Tobyhanna United Methodist Church to put up a sign in regards to their Election Day Spaghetti Suppers one (1) week prior to the Primary Election and one (1) week prior General Election in November. Councilmember D. Casole seconded. Motion carried unanimously.

Mount Pocono United Methodist Church Yard Sales

Councilmember K. Davis moved to allow the Mount Pocono United Methodist Church to hold two (2) yard sales; one (1) on Saturday, June 6th and another on Saturday, August 1st. Councilmember D. Casole seconded. Motion Carried unanimously.

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Fly-In Drive-In Rotary Breakfast

Councilman W. Jabara moved to allow the Rotary to put up a sign at the Five Points Intersection in regards to the Memorial Day Weekend Fly-In Drive-In Breakfast. Councilmember F. O'Boyle seconded. Motion carried unanimously.

Mount Pocono United Methodist Church Mother's Day Flowers Sale

Councilmember D. Casole moved to allow the Mount Pocono United Methodist Church to hold a flower sale on Friday, May 8th, and Saturday, May 9th, of Mother's Day weekend. Councilmember F. O'Boyle seconded. Motion carried unanimously.

Borough Wide Free Yard Sale Dates

Councilmember K. Davis moved to allow residents in the Borough to hold free yards sales the weekends of: May 29th, 30th and 31st and the weekends of August 27th, 28th and 29th. Councilmember D. Casole seconded. Motion carried unanimously.

Borough Employee Ernest Rath's Resignation

Councilmember D. Casole moved to accept the resignation of Ernest Rath effective March 13, 2015. Councilmember K. Davis seconded. Motion carried unanimously.

Borough Secretary/ Treasurer L. Noonan noted that application deadline was last week and that she has forwarded copies of the applications to the Councilmembers on the Street Committee and also on the Personnel Committee. She further noted that she waiting from them to set up interviews.

4-H Clubs Emblem

Borough Council was in receipt Jacqueline A. Hakim, the Program Advisory Committee Member for the Monroe County's 4-H Club, requesting to put a 4-H Emblem on the Borough's welcome sign.

Councilmember K. Davis moved to allow the Monroe County 4-H Club on our sign. Councilmember D. Casole seconded. Motion carried unanimously.

Mountain Landscaping

Borough Council was in receipt of Mountain Landscaping's quote for the proposal for bulk area grass mowing, proposal for bulk area dirt infield maintenance and also the application of a weed control and fertilizer with at total cost of \$9,975.00

Councilmember W. Jabara moved to approve the contract with Mountain Landscaping for bulk area grass mowing, infield maintenance and fertilizer application at a total cost of \$9,975.00 Councilmember K. Davis seconded. Motion carried unanimously.

Metz Company HVAC Contract

Councilmember W. Jabara moved to accept the Metz 2015 HAC Contract in the amount of \$1,776.00. Councilmember D. Casole seconded. Motion carried unanimously.

ZONING OFFICER

Borough Council received the Zoning Officer's report for the month of March, noting that he issued one (1) vending permit for the flower tenant, he issued three (3) violation letters to three (3) separate condominiums in regards to having the proper screening for their trash bins. He also prepared for a court date with Bureau Veritas for Monday, April 6th, at District Justice Riley's office against Alvin Kanofsky of 28 Summit Drive. He had numerous rental inspections.

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SOLICITOR

Ordinance Amending Leaving PARC

Solicitor J. Fareri stated that he has properly advertised the notice of intention to adopt an Ordinance authorizing the Borough to enter into a certain amendment to Inter-Governmental Cooperation Agreement (ICA) with Paradise and Pocono Townships, dated April 8, 2004, memorializing the withdrawal of the Borough of Mount Pocono from the ICA and the transfer of interest in the three (3) co-owned properties by the Borough of Mount Pocono to the Townships of Barrett and Paradise, and further amending the ICA for the purpose of establishing a Board composed exclusively of resident of the Townships of Barrett and Paradise. Solicitor J. Fareri noted that this is the final action needed to be officially removed from PARC.

Councilmember K. Davis moved to adopt Ordinance No. 2 of 2015 as explained by Solicitor J. Fareri. Councilmember D. Casole seconded. Motion carried unanimously.

Conditional Use Decision for the Application of Zoraya Curiel-Rodriguez

Solicitor J. Fareri prepared the decision that was before everyone this evening in regards to the Conditional Use Hearing for the application of Zoraya Curiel-Rodriguez.

Councilmember K. Davis moved to approve the written decision as presented by Solicitor J. Fareri. Councilmember D. Casole seconded.

Councilmember F. O'Boyle requested that an additional condition be added to the decision noting that the owner cannot rent out the large room inside the building that used cars are going to be displayed in.

Councilmembers K. Davis and D. Casole agreed to the additional condition. Motion carried with Councilmember W. Jabara abstaining.

PERSONS TO BE HEARD

None

UNFINISHED BUSINESS

Pula Funeral Home – Judge Mark's Decision

This item was discussed in Executive Session. .

NEW BUSINESS

Pocono Mountain Volunteer Fire Company 2014 Annual Report & 2015 Fire Contract

Councilmember K. Davis moved to accept the 2014 Annual Alarms and Drills Report of the Pocono Mountain Volunteer Fire Company and also to execute the 2015 Annual Fire Contract. Councilmember D. Casole seconded. Motion carried with Councilmember F. O'Boyle abstaining.

Mount Pocono Municipal Authority (MPMA) Permission to Add a Link to Website

Borough Council was in receipt of a letter from the Municipal Authority asking for permission to add a link to the Borough's website for a "Pay My Bill" or similar button that will be a link to the member bank and debit sponsor, Elavon, Inc. This would allow users on the sewer system to pay their bills on-line.

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Borough Secretary/ Treasurer L. Noonan stated that there would be a fee involved as far as getting the link on to our page which would have to be our IT/ Webmaster and that we expect that this would not be more than an hour or two of time.

Councilmember D. Casole moved to grant permission to the MPMA to add a link to the Borough's website. Councilmember C. Williams seconded. Motion carried with Councilmember F. O'Boyle abstaining.

Coolbaugh Township Wood Grinder Inter-Municipal Agreement

Borough Council was in receipt of a letter from Coolbaugh Township Supervisors regarding the Inter-Municipal Agreement for use of the wood grinder. In the letter the Township was now asking Borough Council share in the costs of the upkeep of the wood grinder at an approximate cost of 12% or \$3,446.25 with it noting that all future repairs, maintenance and fuel for the wood grinder will be billed using the above percentages. It was noted that the cost would be billed at the end of each compose season to include all pertain repair, maintenance and fuel records and invoices and all participating municipalities will be entitled to mulch at no cost.

After discussion, Councilmember F. O'Boyle that the Borough engage and to enter into a Inter-Municipal Agreement with Coolbaugh Township for the use of the wood grinder. Councilmember D. Casole seconded. Motion carried unanimously.

Grange Road Re-Paving

Borough Council was in receipt of an estimate for paving the Borough's portion of Grange Road from Paradise Township. It was explained that Paradise Township plans on re-paving their portion of Grange Road and it makes sense that the Borough piggy back their bid as there is only approximately 600 feet located in the Borough.

There was discussion the estimated cost that was received from Paradise Township for re-repaving of the 600 feet of Grange Road coming in an estimated cost of \$14,993.00

Councilmember K. Davis stated that he didn't feel the road was in that bad of condition and that the almost \$15,000.00 could be better used on the Borough's roads that are in far worse condition.

Councilmember W. Jabara moved to piggy back the Paradise Township road rehabilitation re-paving work for Grange Road that is going out to bid in the month of May 2015. Councilmember F. O'Boyle seconded. Motion went to a roll call vote: Councilmember F. O'Boyle, "Yes"; Councilmember D. Casole, "No"; Councilmember K. Davis, "No"; Councilmember C. Williams, "Yes"; Councilmember W. Jabara, "Yes"; President J. Finnerty, "Yes". Motion carried 4-2.

Barrett Township Application to PMRPD & Resolution Authorization

Borough Council was in receipt of a Resolution of the Borough Council of Mount Pocono Borough Authorizing the Pocono Mountain Regional Police Commission (PMRPC) to consent to Barrett Township, Monroe County, Pennsylvania becoming a member municipality of the PMRPC consistent with paragraph 11 of the agreement of Pocono Mountain Regional Police dated November 19, 1996 and amendments thereto. This would be Resolution No. 2015-03.

Councilmember K. Davis moved to adopt Resolution 2015-03. Councilmember F. O'Boyle seconded. Motion carried unanimously.

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STANDING COMMITTEES

Planning

Councilmember D. Casole stated what took place at the Planning Commission's meeting last month, noting that they also review the two (2) Conditional Use Applications and discussed the Air Quality Pollution Ordinance.

Stormwater

Councilmember W. Jabara discussed a recent phone conversation he had with Borough Engineer D. Alker in regards to stormwater issues.

Utilities

Councilmember F. O'Boyle stated that the reservation chart for the twenty (20) commercial EDUs have all been reserved, three (3) residential reservations have been received and no subdivision EDUs were requested.

Water

Councilmember D. Casole stated that PAWC hopes to install the fire hydrant by Burke's this week, also they will be flushing the hydrants in the Borough and will be doing this at night and will be calling auto caller to call all users on the system to let them know about this flushing.

Streets

Councilmember O'Boyle stated that they had a list of roads to be put out to bid for road rehabilitation and that a meeting is being scheduled with Jeff Rohbach, our PennDOT representative, for next week.

Mayor F. Courtright asked when the street sweeping this year.

It was stated that the street sweeper will be in the Borough Wednesday, April 22nd, Thursday, April 23rd, and Friday, April 24th.

Sanitation

No report

Buildings

Borough Secretary/ Treasurer presented Borough Council the Schoonover and Vanderhouf proposal for preparing the necessary paperwork for the architectural services for Borough building renovations. These will include the following items that will be repaired: wood railing at flat roof above entry; concrete steps at front entry; handicap ramp, railing and steps at left side in rear building; concrete window sills; cornice and/ or fanciest; small entry roof at rear building; and, basement wall water infiltration. The total cost of Schoonover and Vanderhouf architectural work is \$9,850.00.

There was some discussion regarding the proposal.

Councilmember K. Davis moved to accept the proposal from Schoonover and Vanderhouf in the amount of \$9,850.00, noting that work needs to begin as soon as possible as the ramp and the roof are in very bad condition. Councilmember F. O'Boyle seconded. The motion went to a roll call vote: Councilmember F. O'Boyle, "Yes"; Councilmember D. Casole, "No"; Councilmember C. Williams, abstained; Councilmember W. Jabara, "Yes"; Councilmember K. Davis, "Yes". Motion carried with a vote of 4-1 and 1 abstention.

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Budget

No report

Recreation

No report

Personnel

This was discussed earlier.

Regional Police

It was noted once again that President J. Finnerty appointed Councilmember C. Williams to the Pocono Mountain Regional Police Commission.

Mayor F. Courtright noted that the meeting is tomorrow at the Tobyhanna Township Municipal Building.

Regional EMS

Mayor F. Courtright stated that the Regional EMS thanks the Pocono Mountain Volunteer Fire Company and Logan Evans for allowing them to hold an Easter Egg Hunt their grounds.

COG

Councilmember W. Jabara noted that the Borough will host the next COG meeting on Monday, April 27th and invited all Borough Councilmembers to attend. He also noted that refreshments will be served.

Open Space

Councilmember D. Casole noted that the Fairview Avenue Lake property is once again is for sale.

Five Points Intersection

Councilmember W. Jabara noted that there will be a meeting held on Wednesday, May 20th, at PennDOT.

PUBLIC PARTICIPATION

Alice Makla, 138 Knob Road, it should be noted that Borough resident, Mike Oser stood up on behalf of Alice Makla to discuss several items, noting that the garbage pick-up on Tuesdays was a wrong choice and questioned what the Borough is going to do for the part time resident who are only here on the weekend.

Councilmember F. O'Boyle stated that Borough Council might want to consider adopting an action item list so things are not forgotten, such as he was asking for a LSA Grant update.

It was noted by Mayor F. Courtright that the LSSA Grants have not been awarded yet and there's hopes that they will be awarded in late May or early June.

There was also discussion regarding the last PARC meeting that Borough resident Mike Oser attended.

Mike Oser who was in attendance, stated that the PARC meeting was held and they had to put a point listing on their plans for their grant application. He also noted that they decided to go for an infrastructure first and ADA walking trails. The grant is a DCNR Grant and they requested an amount of \$400,000.00 which is a matching grant, meaning that DCNR

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would have possibly give \$200,000.00 and PARC would give \$200,000.00. They also approved their budget and approved the minutes of November and December.

Mayor F. Courtright noted that Pocono Mountain Regional Police Commission rename the Officer of the Year Award in Roy's name.

Alice Makla, 138 Knob Road, complained about a house under construction on Laurel Lane.

There being no further business or any further public participation coming before the Board, Councilmember W. Jabara moved to adjourn at 10:05 P.M. Councilmember K. Davis seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary