

**MOUNT POCONO BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
MONDAY, JULY 2, 2018  
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; D. Casole; T. Ford; M. Hensel; S. Stewart-Keeler; and, A. Montanez. Mayor F. Courtright, Solicitor J. Fareri, Junior Council Members S. Darwish, K. Rinaldi, 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**

None

**APPROVAL OF MINUTES**

Vice President F. O'Boyle moved to accept the Regular Meeting minutes of Monday, June 4, 2018, as presented. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

**OFFICERS' REPORTS**

**PRESIDENT**

President C. Williams announced that Borough Council held an Executive Session at 6:25 P.M. this evening. regarding a litigation and a personnel matter. The executive session lasted until 7:00 P.M.

**MAYOR**

Mayor F. Courtright announced that garbage pick-up this week will be held on Thursday due to the 4<sup>th</sup> of July holiday. He noted that the Pocono Mountain Regional EMS Round Up will be held on Thursday, August 9<sup>th</sup> at Skytop. He stated that the road improvement project work started this past weekend on certain roads in the Pine Hill area. He presented Borough Council with the Mayor's 2<sup>nd</sup> Quarter Wedding Report, noting that he performed four (4) weddings during the 2<sup>nd</sup> quarter.

**TREASURER'S REPORT**

A current cash report was given as follows:

GENERAL FUND CHECKING ACCOUNT	\$ 436,557.78
PENN SECURITY GENERAL FUND ACCOUNT	42.21
CAPITAL RESERVE ACCOUNT	1,281.99
BANNER BEAUTIFICATION ACCOUNT	3,145.30
STATE LIQUID FUELS	74,700.31
PARK & RECREATION FUND	871.83
PLANNING COMMISSION REIMB. FUND	9,759.67
ROAD FUND – GENERAL FUND	105,276.21
STORMWATER FUND	67,746.92
GENERAL FUND RESERVE ACCOUNT	1,108.18
SANITATION FUND	5,038.69
INTERSECTION& SIGNALIZATION FUND	<u>473,178.95</u>
 GRAND TOTAL	 <u>\$1,178,708.04</u>

Councilmember A. Montanez moved to pay and approve the bills as outlined in the Treasurer's Report dated Monday, July 2, 2018, as presented. Councilmember T. Ford seconded. Councilmember M. Hensel approved all bills and abstained from the bill to One Eight Five Media, LLC. Motion carried unanimously.

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**BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:**

ACE Hardware	(shop supplies, paint, drag mats)	\$ 153.03
AMTrust North American	(workers comp)	3,199.00
Anthracite Electric, LLC	(repairs to security camera)	95.49
Berkheimer Associates	(LST Commission)	258.47
Blue Ridge Communications	(phones)	413.04
Cintas	(uniforms & rugs)	397.28
DG Nicholas Co.	(supplies & small tools)	63.39
FNB Visa	(shop supplies, new tires for trap rake, work gloves, Angle grinder, safety vests)	434.83
H. Clark Connor	(PC Solicitor – March – June)	1,065.00
Highmark Blue Shield	(health insurance)	7,612.91
Jack Williams Tire Company	(tire tube for trap rake)	25.90
Lowe's	(side boards for F-350, tble)	74.54
Medico Industries, Inc.	(part for wacker roller brake)	373.51
Monroe County Control Center	(quarterly Fire/EMS)	694.23
NAPA Auto Parts	(to repair tarp on 2006 Pete)	14.18
Newman, Williams, Mishkin	(Fareri – C. Maldonado, Gelt & Gelardi)	153.08
One Eight Five Media, LLC	(web administration)	75.00
PP & L	(electric)	948.45
PA American Water	(boro bldg. & maint garage)	714.10
Panko Reporting	(Chadha ZHB Decision)	155.00
Payrolls Unlimited	(June)	123.80
Pocono Mountain Regional Police	(July Mortgage Payment)	2,792.12
PM Public Library	(One Mill dedicated RE Taxes)	553.98
PM Vol. Fire Co.	(one mill RE Taxes)	554.03
PM Regional EMS	(1/2 mill dedicated RE taxes)	277.01
Pocono Record	(ZHB Advertising)	107.90
Scott's Signs & Printing	(name plate)	23.00
Sunoco	(gas/diesel)	1,170.84
Thyssenkrupp Elevator Corp.	(elevator inspection)	182.31
Tulpehocken Water	(bottled water)	60.50
Verizon Wireless	(cell phones)	138.59
Wal-Mart	(bldg. supplies)	4.05
Zee Medical	(re-stock medical cabinets)	<u>233.76</u>

**GRAND TOTAL** **\$23,142.32**

**BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:**

Mt Pocono Payroll	(w/e 06/06/18)	\$ 8,497.48
Mt Pocono Payroll	(w/e 06/13/18)	6,866.03
Mt Pocono Payroll	(w/e 06/20/18)	8,957.63
Mt Pocono Payroll	(w/e 06/27/18)	8,416.34
US Bank	(copier lease)	268.75
ESSA	(loan payment)	2,309.20
Met Life	(life/disability insurance)	<u>366.21</u>

**GRAND TOTAL** **\$35,681.64**

**BILLS TO BE PAID FROM THE LIQUID FUELS ACCOUNT:**

Locust Ridge Quarry	(blacktop/hot patch)	\$ 833.78
PP&L	(traffic signals)	<u>2,361.37</u>

**GRAND TOTAL** **\$ 3,195.15**

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**BILLS TO BE PAID FROM THE INTERSECTION FUND:**

Signal Services	(repair to junction box)	\$ 619.76
Signal Services	(Repairs to pre-empt device)	<u>4,554.00</u>

<b>GRAND TOTAL</b>		<b><u>\$ 5,173.76</u></b>
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**MCTA Bus Stops on SR 940**

Borough Secretary/ Treasurer L. Noonan presented Borough Council a series of emails that transpired between herself and Richard Schlameuss about the bus stop located on SR 940 and the entrance to Rite Aid and Burger King properties. MCTA claims that Borough Council approved all the bus stops in the Borough and that in order to change a location the Borough would have to make the new bus stops updated to ADA rules which require sidewalks that connect to other establishments, signalized crosswalks and pitch and elevation gradient that may be impossible for the Borough to implement.

Solicitor J. Fareri stated that he would review this.

**ZONING/CODES ENFORCEMENT OFFICER**

Permits / Certificates Issued (6/2 to 7/1): 11

Construction Permits – 1  
Sign Permits – 1  
Roof Permits – 1  
Deck/Patio – 1  
Shed – 1  
Certificate of Occupancy – 1  
Road Cut/Excavation – 1  
Driveway – 3  
Change of Use - 1

Fees (5/7 to 6/4): \$1,825

Rental Inspections: 3 performed; 0 no-show

Additional Work / Activities:

- Hirshland project meeting.
- Zoning Hearing Board re: Chada Decision
- Attended Planning Commission meeting
- Meeting with affected property owner re: Pine Hill Road Project

**SOLICITOR**

Solicitor J. Fareri stated that Borough Council has until June 12, 2018, to file an appeal to the Chadha short-term rental that was allowed as a nonconforming use.

Councilmember T. Ford moved not to appeal the Chadha Zoning Hearing Board decision. Councilmember M. Hensel seconded. Motion went to a roll call vote: Vice President F. O'Boyle, "Yes"; Councilmember S. Stewart-Keeler, "Yes";

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Councilmember D. Casole, “Yes”; Councilmember A. Montanez, “No”; Councilmember M. Hensel, “Yes”; Councilmember T. Ford, “Yes”; and, President C. Williams, “Yes”. Motion carried 6 to 1.

**PERSONS TO BE HEARD**

**Chris Sarajian, Owner Bailey’s Rib & Steakhouse**

Mr. Chris Sarajian the owner of Bailey’s Rib & Steakhouse was present this evening. Also present were his wife Rebekah Sarajian and his brother Michael Sarajian all from Bailey’s Rib & Steakhouse. The Sarajian’s expressed their concerns regarding the Pine Hill Road/SR 611 Intersection and questioned the status of the traffic signal project.

Zoning/Codes Enforcement Officer D. Noonan provided a status on the signalization project. He noted that the project design is 95% complete. PA DOT Legal is reviewing documents forwarded to them to confirm compliance with PA DOT regulations. Due to inability to obtain contiguous property owner sign offs additional PA DOT procedures will need to be adhered to.

**James Moore, 5 Seneca Road**

Mr. James Moore was present regarding unauthorized dumping and erosion of hazardous municipal waste from an adjacent property located at 83 Winona Road. Mr. Moore stated that he has talked with the Borough’s Zoning Officer, DEP and the Monroe County Municipal Waste Management Authority and nobody seems to take any action.

Zoning/ Codes Enforcement Officer D. Noonan explained that he cannot verify what he is referring to from the road, which is as far as he is authorized to go.

It was agreed that the Zoning/ Codes Enforcement Officer D. Noonan would be meeting with Mr. Moore to walk his property to look at the problems he is concerned about.

**UNFINISHED BUSINESS**

**Anthony Lepre – ¾ Acre Parcel Brunswick Drive**

It was explained that Mr. Lepre is willing to donate his property, Lot 103 Brunswick Drive. Solicitor J. Fareri stated that the title search came up lien free and is clear. Mr. Lepre wants to donate the property to the Borough.

Councilmember A. Montanez moved to accept the donation of Lot 103 Brunswick Drive from Mr. Lepre. Councilmember S. Stewart-Keeler seconded. Councilmember M. Hensel questioned why we would want it. Further review stated that school taxes total \$541.00 and the County and Borough taxes total \$120.00. Motion carried.

**NEW BUSINESS**

**Barry Isett & Associates – Potential Conflict**

Borough Council was in receipt of a letter from Borough Engineer Chuck Niclaus advising Borough Council of a possible potential conflict for engineering services for the LPC Logistics project which is being proposed at the Pocono Mountain Business Park South Lot 28.

Councilmember A. Montanez asked Solicitor J. Fareri if there is a conflict since Mr. Niclaus did surveying work when he owned his company prior to joining Barry Isett & Associates.

Solicitor J. Fareri stated that he did not feel that this was a conflict.

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Councilmember A. Montanez moved to send a letter to Mr. Niclaus advising him that Borough Council would use its Alternate Engineer Reilly & Associates for any work in regard to the LPC Logistics Project. Councilmember D. Casole seconded.

Borough Secretary/ Treasurer L. Noonan pointed out that Reilly & Associates was twice as much money per hour. The developer would have to reimburse the Borough for Engineering but also Coolbaugh Township's Engineer as the property is in both municipalities. Motion carried unanimously.

**First Friday & Movies in the Park Update**

It was noted that the first First Friday for 2018 will be held this Friday, July 6<sup>th</sup>, behind the Borough building at 6:00 P.M. and another First Friday event is planned for August 3<sup>rd</sup>. They plan on having a jazz band at both First Friday events and they are working on a Movie in the Park Day for Saturday, August 18<sup>th</sup>, at the Oak Street Park beginning at 8:00 P.M. They are also looking into having Yoga in the Park events.

The Park & Recreation Fund Raising Foundation was discussed, and it was noted that members are needed for the foundation to begin raising funds. The next meeting for Park & Recreation Board will be on Thursday, July 19<sup>th</sup>.

**STANDING COMMITTEES**

**Planning**

Councilmember D. Casole gave the following report:

The Mt. Pocono Planning Commission Regular Meeting held on June 20, 2018.

A new application and Sketch Plan were submitted by CKE Restaurants –Hardees and reviewed by Borough Engineer Chuck Niclaus for proposed development on SR 940W and Walmart Access Road within the C-2 Commercial General Zoning District for a Hardee Restaurant Convenience Store with Gas Islands.

Zoning Ordinance and Subdivision and Land Development Review Comments were offered by Borough Engineer Chuck Niclaus with the understanding that this is NOT a Comprehensive List as a Sketch Plan Review and other comments may be added as additional information becomes available or should change.

Chapter 215 – Borough Code Ordinance to amend Conditions for Bed & Breakfast Inns were reviewed and discussed regarding parking restrictions, neighborhood disturbances and health, fire and safety issues.

The Proposed Chicken Ordinance prepared, endorsed, and was extensively elaborated by Councilmember Tom Ford. Some of the issues raised were predators, waste disposal, and neighborhood disturbances.

Borough Zoning Officer expressed concerns accessing a Backyard Chicken property posing a real problem for inspection of related complaints. An attempt to inspect a Backyard Chicken Property for suspected violations from the street would make enforcement extremely difficult and very time consuming.

The Planning Commission Solicitor pointed out some discrepancies of the Proposed Chicken Ordinance, and Tom Ford, Council Member acknowledged same.

The Codes/ Zoning Enforcement Officer gave an updated Hirshland Project (across from Lowe's) Meeting held in June indicating that Mr. Hirshland would like to proceed with the proposed project after all the approvals. Present were: Attorney Fareri, Borough Secretary Lori Noonan, Mount Pocono- Council Members – Donna Casole and Tom Ford, Planning Commission Chairman K. Kirkwood, Coolbaugh Township Supervisors - Lynn Kelly and Claire Hogan, Coolbaugh Township Engineer Mr. Kresge, Hirshland Engineer and Hirshland Solicitor, with Mr. Hirshland attending via Skype.

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**Department of Public Works**

Vice President F. O'Boyle noted that several roads have been paved and the road department has been busy clearing the land for the proposed pole barn.

Borough Secretary/ Treasurer L. Noonan noted that the process for the ARLE Grant is that the Borough is required to receive bids. We will attempt to bid everything through Penn Bid but there is a possibility that we will need to advertise for the ARLE Grant in the newspaper.

Councilmember M. Hensel moved to advertise the ARLE Grant bids once prepared by our Traffic Engineer, Pennoni Associates. Councilmember T. Ford seconded. Motion carried unanimously.

**Utilities**

Councilmember M. Hensel stated that the sewer rates are going up beginning in the October billing. The Authority has been busy interviewing engineers and solicitors.

**Water**

Councilmember D. Casole gave the following report:

The Distribution System Flushing has improved the Water Quality for the Borough and has minimized the susceptibility to System Disturbances.

Pennsylvania American has been continually monitoring the area.

The System Improvement Project in the Pine Hill Section has seen the completion of paving and the work on the shoulders is near completion.

**Recreation**

Report given earlier.

**Sanitation**

It was noted that the trash pick-up will Thursday this week due to the holiday and that the Sanitation Committee will be meeting on July 10<sup>th</sup>, with the trash hauler and the PRDs at 10:00 A.M.

**Buildings**

Vice President F. O'Boyle noted that he has been talking with Mr. Brick Lindner about getting together some bids for the pole barn and he requested that the Borough Secretary/ Treasurer research when the concrete warranty is expiring for the work done on Borough sidewalks and the ramp area.

**Budget and Finance**

Budget and Finance Committee will meet this month.

**Personnel**

The Personnel Committee is meeting on July 6, 2018, at 10:00 A.M.

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**Regional Police/ EMS**

Mayor F. Courtright stated that he was not able to attend the last Regional Police Commission meeting and he noted that the Regional EMS is having their Regional Round Up Fundraiser scheduled for Thursday, August 9<sup>th</sup>, at Skytop and that the proceeds of the Round Up for the purchase of four (4) cardiac monitors.

Vice President F. O'Boyle noted that today Senator Mario Scavello held a dedication and unveiled signs for the Roy J. Gross, Sr. Memorial Boulevard.

**COG**

It was noted that COG is working on House Bill 620 and Cell Towers. There wasn't a representative at the last meeting and the next meeting will be in September.

**Junior Councilmembers**

Junior Councilmember Darwish stated that they are working on a survey for the First Fridays to find out what activities the residents would like to see at the First Fridays. They also noted that they are going to make a flyer for the Saturday Night in the Park and questioned if they could have some carnival games at the First Fridays. It was agreed that games could be incorporated into the First Friday events.

Vice President F. O'Boyle noted that the Annual Pocono Mountain Volunteer Firemen's Carnival is being held from Sunday, July 22<sup>nd</sup> through Sunday, July 28<sup>th</sup>.

**PUBLIC PARTICIPATION**

**Ron Emilie, Brunswick Drive**, discussed the \$500.00 stipend that every Municipal Authority member gets however since he is not a new member he is not eligible, and he is asking Borough Council to reconsider this rule.

It was explained that Borough Council doesn't set the rules and that they are done by state law and regulations.

**Debbie Roberts, Owner of the Mt. Pocono Campground**, was present and discussed fireworks, noting that the residents at 42 Brunswick were setting off fireworks last weekend from 5:45 pm until after midnight.

**Tom Neville, 209 Knob Road**, thanked Borough Council for all their hard work.

There being no further business or any further public participation coming before the Board, Councilmember M. Hensel moved to adjourn at 9:30 P.M. Councilmember A. Montanez seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary