

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JANUARY 2, 2018
715 P.M.**

President C. Williams opened the Regular Meeting at 7:15 P.M. with the following members present: Vice President F. O'Boyle; Councilmembers: S. Stewart-Keeler; D. Casole; K. Transue; A. Montanez; and, M. Hensel. Mayor F. Courtright, Solicitor J. Fareri and Borough Secretary/ Treasurer L. Noonan were also present.

The Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

Councilmember K. Transue advised Borough Council that he will be having surgery on January 19th and is expected to be out of commission from the January 19th through the 25th. He will keep Borough Council apprised of his condition, but he does not expect to be out of commission longer than one (1) week.

APPROVAL OF MINUTES

Councilmember D. Casole moved to approve the Public Hearing minutes of Monday, December 18, 2017, as presented. Vice-President F. O'Boyle seconded. Motion carried unanimously.

Councilmember K. Transue moved to accept the Special Meeting minutes of Monday, December 18, 2017, as presented. Councilmember D. Casole seconded. Motion carried unanimously.

OFFICERS' REPORTS

PRESIDENT

President C. Williams asked everyone to be patient with her for the next ninety (90) days in her new position. She stated that she is looking to grow Mount Pocono and to have a successful 2018.

MAYOR

Mayor F. Courtright recognized Karen Bloom from the Mount Pocono Post Office who recently retired after thirty-eight (38) years of service at the Mount Pocono Post Office. Mayor F. Courtright presented Karen Bloom who was in attendance this evening with a plaque thanking her for her dedicated service to the residents of the Borough of Mount Pocono and to the United States Postal Service.

Mayor F. Courtright thanked everyone present at tonight's meeting and congratulated newly appointed President C. Williams and Vice President F. O'Boyle and stated he looks forward to working with everyone.

TREASURER'S REPORT

The following cash report was given as follows:

GENERAL FUND CHECKING ACCOUNT	\$ 20,250.25
PENN SECURITY GENERAL FUND ACCOUNT	2,042.21
CAPITAL RESERVE ACCOUNT	1,280.83
BANNER BEAUTIFICATION ACCOUNT	3,142.60
STATE LIQUID FUELS	41,536.34
PARK & RECREATION FUND	871.05
PLANNING COMMISSION REIMB. FUND	9,747.01
ROAD FUND – GENERAL FUND	3,545.32
STORMWATER FUND	67,659.01
GENERAL FUND RESERVE ACCOUNT	1,107.19
SANITATION FUND	20,144.18
INTERSECTION& SIGNALIZATION FUND	<u>482,490.40</u>

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GRAND TOTAL

\$653,816.39

Councilmember D. Casole moved to pay and approve the bills as outlined in the Treasurer's Report dated Tuesday, January 2, 2018, as presented. Councilmember K. Transue seconded. Councilmember M. Hensel abstained Motion carried.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Alarm Installers Corp	(replace batteries)	60.50
AmTrust North America	(workers comp)	3,015.00
Anthracite Electric	(replace camera on security system)	200.00
Blue Ridge Communications	(phones)	409.74
James A. Borger	(2017 mileage reimbursement)	219.35
Donaghy Insurance	(Tax Collectors Bond)	570.00
Ed's Auto	(97 Ford inspection/oil change)	494.90
ESSA	(loan payment)	2,309.20
FNB Visa	(office supplies)	11.98
JoAnn Misuraca-Ficco	(supplies)	16.33
Highmark Blue Shield	(health insurance)	9,208.56
Monroe County Control Center	(1 st quarter fees)	694.23
MetLife	(life/disability insurance)	284.75
Newman, Williams, Mishkin	(Fareri: ZHB & Gelt Properties)	495.00
One Eight Five Media, LLC	(Matt Hensel/website admin)	75.00
Pennoni Associates	(June 2017 Inv – ARLE Grant)	375.00
PA American Water	(boro bldg.)	26.26
PP & L	(electric)	1,569.17
Panko Reporting	(ZHB)	567.95
Plociniak Fuel	(boro bldg. & Maint heating oil)	1,752.53
Pocono Mountains COG	(2018 Membership dues)	200.00
Pocono Mountain Regional Police	(January Mortgage Payment)	2,792.12
Quill	(chairs & supplies)	535.91
Response Computers	(networking issues)	210.00
Selective Insurance	(insurances)	5,290.00
Steele's Hardware	(lights)	23.96
Summit Welding	(repair plow)	250.00
Sunoco	(gas/diesel)	1,045.54
Thyssenkrupp Elevator	(elevator)	182.31
Tulpehocken Spring Water	(water for coolers)	35.00
US Bank	(copier lease)	294.10
United Concordia	(dental insurance)	182.59
Verizon	(phone)	35.12
Verizon Wireless	(cell phones)	139.80
Wal*Mart	(bldg. & Maint. Supplies)	<u>220.68</u>

GRAND TOTAL

\$33,792.58

BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 12/06/17)	\$ 6,672.00
Mt Pocono Payroll	(w/e 12/13/17)	6,990.52
Mt Pocono Payroll	(w/e 12/20/17)	6,353.81
Mt Pocono Payroll	(w/e 11/27/17)	<u>6,972.56</u>

GRAND TOTAL

\$26,988.89

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BILLS TO BE PAID FROM THE LIQUID FUELS ACCOUNT:

Cargill	(de-icing salt)	\$4,483.37
CPC Signs	(sign posts)	847.12
Edwards Sand & Stone	(anti-skid)	1,213.62
EM Kutz, Inc.	(chains, tarps, roller bar etc.)	1,786.22
PP&L	(traffic signals)	<u>2,720.07</u>

GRAND TOTAL **\$11,050.40**

Resolution #1 of 2018 – Allow Participants & Voting by Telecommunications Device

Vice President F. O’Boyle moved to adopt Resolution #1 of 2018, allowing participants and voting by telecommunications device as follows:

***WHEREAS**, Act 43 of 2012 amended the Borough Code (Act 581 – 1966) and also amended 53 PS § 46001, section § 1001 of the Borough Code to allow a council member’s participation in a council meeting by telecommunication device;*

***WHEREAS**, council has discretionary powers to adopt a policy to authorize a council member to participate by telecommunication device by speaker phones or computer terminals after a physical quorum has been established in (without the official participating on the device) at the meeting place;*

***WHEREAS**, the council and the public shall be able to hear the comments and the votes of the council member participating by telecommunication device;*

***WHEREAS**, council may only authorize participation by telecommunication device for one or more of the following reasons: illness or disability of the council member; care for the ill or newborn in the member’s immediate family; an emergency; and, family or business travel;*

Councilmember M. Hensel seconded. Motion carried unanimously.

Resolution #2 of 2018 – Adopting Robert’s Rules of Order

Councilmember K. Transue moved to adopt Resolution #2 of 2018, adopting Robert’s Rules of Order as follows:

***WHEREAS**, section 10, rules and Regulations for Conduct of Meetings, of the Sunshine Act, Act July 3, 1986, P.L. 388, No. 84, 68 Pa.C.S. A. § 701 et seq. (amendments inclusive) provides for boroughs to adopt, by official action, the rules and regulations necessary for the conduct of its meetings and the maintenance of order; and*

***WHEREAS**, as the Borough Council of Mount Pocono Borough, Monroe County deems it be in the best interest of maintaining the rules of order to adopt Robert’s Rules of Order by General Henry M. Robert, U.S. Army;*

***NOW THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Mount Pocono, Monroe County, Pennsylvania, shall adopt Robert’s Rules of Order by General Henry M. Robert, USA latest edition, as the procedural guidelines for the conduct of its meetings and the maintenance of order.*

Councilmember M. Hensel seconded. Motion carried unanimously.

SOLICITOR

Solicitor J. Fareri stated that the Chadha short term rental Zoning Hearing Board decision was rendered. Mr. Chadha appealed that to the Monroe County Court of Common Pleas and Judge Zulick remanded it back to the Zoning Hearing Board. The Zoning Hearing Board has now rendered its decision and Mr. Chadha has thirty (30) days to appeal.

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Solicitor J. Fareri stated the Mount Pocono v. Gelardi short term rental in Summit Point in a R-1 Zone, the Zoning Officer filed action against them at District Justice Riley and noted that they have not been able to serve them. Solicitor J. Fareri recommended that Council refile this in the Court of Common Plea as we have more avenues to get them served. For example the Court of Common Pleas can serve by notice in the newspaper.

Councilmember A. Montanez moved to file the Gelardi short term rental violation in the Court of Common Pleas. Vice President F. O'Boyle seconded. Motion carried unanimously.

Gelt Properties

Solicitor J. Fareri stated that the Gelt Properties is also known as the Fairview Lake property, noting there are numerous liens on the property and a dam. It is a possibility that the owner is willing to donate the property to the Borough and the Borough may need to act on receiving that donation.

It was agreed that this would be discussed further at the work session being held on January 16, 2018.

PERSONS TO BE HEARD

None

UNFINISHED BUSINESS

Ordinance Establishing the Millage Rate

This Ordinance has not been properly advertised and will be voted on at the next meeting.

Ordinance #2 of 2018 Reducing the Planning Commission from Seven to Five

There was some discussion on whether there was a need to reduce the membership of the Planning Commission from seven (7) to five (5) with some members of Borough Council voicing that they would like to wait a month before they advertise this Ordinance to see if it would be possible to fill these vacancies.

Councilmember A. Montanez moved to table to the February 5, 2018, meeting. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Monroe County Planning Commission Comments Proposed Bed and Breakfast Ordinance

Councilmember D. Casole read her comments regarding the proposed Ordinance amendment below:

The Homeowners of 67 Center Avenue are requesting Borough Council to change the Schedule of Uses to permit a Commercial Bed and Breakfast Business as a Conditional Use in a Residential Single-Family Zoning District. The intent of a "Residential Low Density" Single-Family District is to provide for the continued development of low density single family residential neighborhoods with High-quality living conditions and without the hazards of high traffic volume or conflicts with non-residential uses. Currently, a Commercial Bed & Breakfast Business is only permitted in a Multi-family, and Commercially Zoned Districts.

Is it fair or justified for our Commercial Property Owners that paid more money for Commercial Real Estate, taxed at a higher tax base, and pay more for commercial sewer rates and garbage disposal?

I strongly appeal to Council not to consider changing our Residential Zoning Ordinance to permit one (1) Residential Property Owner the advantage of paying Residential Taxes and operating a Commercial Business just because the Homeowners cannot afford the taxes will indeed set an extremely dangerous precedent. Amending our Residential Zoning Ordinance for one (1) exclusive Property according to this Property's specifications discriminates against Residential and Commercial Property Owners and leads towards turning the rest of Mount. Pocono's Residential Properties into one big Commercial Entity.

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After a lengthy discussion, Councilmember K. Transue moved to advertise the Ordinance and to hold a Public Hearing at 6:30 P.M. on February 5, 2018. Councilmember M. Hensel seconded. Motion went to a roll call vote: Councilmember K. Transue, "Yes"; Councilmember A. Montanez, "No"; Councilmember M. Hensel, "Yes"; Councilmember S. Stewart-Keeler, "Yes"; Vice President F. O'Boyle, "No"; Councilmember D. Casole, "No"; and, President C. Williams, "Yes". Motion carried 4 to 3.

NEW BUSINESS

Board Appointments and Resignations

Councilmember K. Transue moved to appoint Danielle Rake to a three (3) year term on the Pocono Mountain Public Library Board. Vice President F. O'Boyle seconded. Motion carried unanimously.

Councilmember K. Transue moved appoint Stacy Stewart- Keeler to a three (3) year term on the Pocono Mountain Public Library Board. Councilmember D. Casole seconded. Motion carried unanimously.

Councilmember K. Transue moved to appoint Shirley Lansdowne to a five (5) year term to the Zoning Hearing Board. Vice President F. O'Boyle seconded. Motion carried unanimously.

Councilmember M. Hensel moved to accept the resignation from Bernadette Sanborn from the Zoning Hearing Board. Councilmember A. Montanez seconded. Motion carried unanimously.

Vice President F. O'Boyle moved to appoint Kevin Kirkwood and Rich Dorkoski each to a four (4) year term to the Planning Commission. Councilmember D. Casole seconded. Motion carried unanimously.

Councilmember M. Hensel moved to accept the resignations of Jacob Seip from the Mount Pocono Municipal Authority and to accept the decisions of Board members Paul Sanborn and Vincent Paoletti who are not seeking re-appointments. Councilmember A. Montanez seconded. Motion carried unanimously.

Mount Pocono Municipal Authority Request to Reduce from Seven to Five Board Members

Councilmember K. Transue moved approve the request from the Mount Pocono Municipal Authority to reduce the Board from seven (7) to five (5) members. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Park & Recreation Appointments

Councilmember K. Transue moved to appoint Debra Fulton, Robin LaForge and Erin Melbert to the Park and Recreation Board. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

STANDING COMMITTEES

Appointments will be made at the next meeting.

PUBLIC PARTICIPATION

Tom Neville, Knob Road, welcomed the new members and wished everyone a Happy and Healthy New Year. He thanked the Board Members for their time and asked them to govern with an open mind and open heart. He stated that he feels that everybody does a great job for the residents.

There being no further business or any further public participation coming before the Board, Councilmember K. Transue moved to adjourn. Councilmember A. Montanez seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary