

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
MONDAY, DECEMBER 3, 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; T. Ford; M. Hensel; A. Montanez; S. Stewart-Keeler; and, D. Casole. Mayor M. Penn, Junior Councilmember K. Rinaldi, Solicitor J. Fareri, Borough Secretary/ Treasurer L. Noonan, and Zoning/Codes Enforcement Officer D. Noonan were also present.

Junior Councilmember S. Darwish arrived at 7:16 P.M.

The Pledge of Allegiance was said by all, followed by a moment of silence for the recent shooting at Paradise Township.

PRELIMINARY ANNOUNCEMENTS

Resolution 9 of 2018 Establishing a Code of Conduct Governing Participating at all Public Meetings

A Resolution to establish a Code of Conduct governing participation at all public meetings of the Borough of Mount Pocono, Monroe County, Pennsylvania.

WHEREAS, in order to establish a minimum level of civility and promote an atmosphere of reasoned expression of ideas the Borough Council desires to promulgate rules and regulations for its public meetings, and

WHEREAS, the Borough Council is strong advocates of "free speech" and wish to promote an atmosphere of reasoned expression of ideas;

NOW, THEREFORE, BE IT RESOVLED, that the Borough Council of the Borough of Mount Pocono hereby establishes the following rules and regulations regarding public comment and conduct at public meetings.

1. Management of meetings will be under the direction of the presiding member of Borough Council. Any comments made by the public during the meeting will be for the benefit of Borough Council.
2. Persons to Be Heard shall be limited to three (3) to five (5) minutes per individual. Any additional time to make comments shall be at the discretion of the presiding member of Borough Council.
3. Public Participation shall be limited to one (1) to two (2) minutes per individual. Any additional time to make comments shall be at the discretion of the presiding member of Borough Council.
4. Management of public participation, including public comments, shall be within the discretion and under the direction and control of the presiding member of Borough Council in accordance with the terms of this code.
5. Public comment shall be made only residents or taxpayers of the Borough of Mount Pocono. Recognition of non-residents or taxpayers shall be at the discretion of the presiding member of Borough Council.
6. Public comment may be made only by a person who has been recognized by the presiding member of Borough Council. If necessary, Borough Council will provide a microphone for use by the public. Parties make a forma presentation to Borough Council must use a microphone and designate one (1) person to speak.
7. Public comments shall be conducted in a civil and polite manner. Comments which are personal attacks upon the members of Borough Council, employees of Borough Council, members of the audience or any other persons will not be tolerated.
8. The presiding member of Borough Council shall rule out of order any speaker or comments which is defamatory, contentious, scandalous, impertinent, redundant or disruptive. The presiding member of Borough Council may rule out of order nay speaker whose comments raise a topic or matter which has been acted upon by the Borough Council in the preceding six (6) months.
9. In order to address and conduct the business of the Borough, the presiding member of Borough Council may rule out of order any speaker for comments which are designed to support any specific political candidate to party and which is not, in the discretion of the presiding member, germane to such business of the Borough.
10. The Pocono Mountain Regional Department shall, at the direction of the Borough Council, remove individuals who are deemed to be in violation of the rules established by this Resolution.
11. Placement on the Agenda – Special Requests
To be placed on the Agenda for the night of a scheduled meeting of Borough Council, those with issues that wish to come before Borough Council need to contact the Mount Pocono Borough Secretary and write, fax or E-mail such a request, no later than Thursday, 12:00 P.M. (noon) before the meeting in question and include a brief description (no more than a short paragraph) of the issue in question. Telephone request will NOT be accepted.
12. Recording Devices
Meetings of the Borough Council are open and public. As such, citizens have the right to record the proceedings. In fairness to all parties, and in an attempt to lend order to the process, recordings shall be made upon compliance with the following rules:
 - a. Any individual wishing to record a meeting must state so early in the beginning of the meeting when the question is asked, "Is anyone taping the meeting?"
 - b. No device, either video camera or otherwise, shall have artificial lighting. Video equipment should be set up in the rear of the room and shall not coma any closer than the last row of chairs.
13. These rules may be temporarily suspended or amended, without prior notice or comments, upon the consent of a majority of the Borough Council, or by the presiding member upon the advice of the Borough Solicitor as may be required in the context of Public Hearing or pursuant to applicable law.
14. Rulings by the presiding member of the Borough Council shall be final and not subject to appeal. Where any member of the public is aggrieved by such ruling, he or she shall be entitled to submit a concise written statement of his or her comments to the Borough Secretary within three (3) business days following the meeting. The Borough Secretary shall circulate such statement to the Borough Council and a

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copy of the statement shall be included as a "public comment" addendum to the minutes of the meeting without endorsement or ratification by the Borough Council.

Councilmember A. Montanez moved to adopt Resolution 9 of 2018, setting a meeting code of conduct as outlined. Councilmember S. Stewart-Keeler seconded. Borough resident Mike Oser questioned several sections and how it would be determined who the presiding member of Council is. Motion carried unanimously.

APPROVAL OF MINUTES

Councilmember T. Ford moved to accept the Regular Meeting minutes of Monday, November 5, 2018, with the change of the roll call vote on the Bed and Breakfast Ordinance on page no. 8. Councilmember A. Montanez seconded. Councilmember D. Casole abstained. Motion carried 6 yes and 1 abstention.

OFFICERS' REPORTS

PRESIDENT

President C. Williams announced that Borough Council met a few minutes early this evening to meet and interview several residents for possible appointments to various committees to the Borough and also noted that Borough Council held an Executive Session on Wednesday, November 28, 2018, in regard to a personnel matter that lasted one-half hour.

President C. Williams stated that in the past year, three (3) new Councilmembers joined Borough Council: Aida Montanez; Stacey Stewart-Keeler; and Matt Hensel. We have appointed two (2) new Junior Councilmembers: Kristina Rinaldi and Shawky Darwish. We lost our Mayor, Fred Courtright but gained Mayor Michael Penn. We lost Councilmember Keith Transue but gained Councilmember Tom Ford. We hired Dennis Noonan as the Borough's Zoning/ Codes Enforcement Officer. We held several successful First Fridays, a lighting of the Menorah, a tree lighting and tonight we adopted the Code of Conduct Resolution which went into effect immediately.

MAYOR

UPDATE ON MONTHLY ACTIVITIES

I have just a few things to report this month:

1. I'm working on getting a few businesses to open or to relocate to downtown Mount Pocono. This'll obviously be a work-in-progress, but we've got some good prospects.
I'll keep everyone posted as things materialize.
2. I attended our Christmas Tree Lighting yesterday, at which Claudette spoke and Tom Ford organized, along with the Cookies with Santa event at the Casino Theatre beforehand. Karen, one of the owners of the Casino, told me it was the best turnout ever for Cookies with Santa. Thanks, Tom.
3. After that, we did the Hanukkah Menorah Lighting at Franny's Clock, and if you weren't there, let's just say that I NEVER, NEVER dance, but I did. And we'll leave it at that!

WEDDING CEREMONIES

Weddings this month – there were no wedding ceremonies performed this month.

Married Couple	Locale	Date	License #	Paid

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Married Couple	Locale	Date	License #	Paid
Total				

MAYOR'S OPEN OFFICE HOURS

So, open office hours for anyone, right here in the room behind us. Feel free to walk in, meet, discuss ideas, chat about concerns or problems, offer solutions, whatever's on your mind.

It'll be a work-in progress, flexible, accomodating. Hours will likely change as time goes on, fitting people's needs better. Beginning next week:

Monday's, Noon – 2:00 PM

Thursday's, 3:00 – 5:00 PM

Or by appointment

TREASURER'S REPORT

GENERAL FUND CHECKING ACCOUNT	\$ 129,830.05
PENN SECURITY GENERAL FUND ACCOUNT	6,311.36
CAPITAL RESERVE ACCOUNT	1,281.99
BANNER BEAUTIFICATION ACCOUNT	3,145.30
STATE LIQUID FUELS	21,999.05
PARK & RECREATION FUND	871.83
PLANNING COMMISSION REIMB. FUND	9,759.67
ROAD FUND – GENERAL FUND	516.46
STORMWATER FUND	67,746.92
GENERAL FUND RESERVE ACCOUNT	1,108.18
SANITATION FUND	8,430.14
INTERSECTION& SIGNALIZATION FUND	<u>444,057.20</u>
GRAND TOTAL	<u>\$695,058.15</u>

Councilmember D. Casole moved to pay and approve the bills as outlined in the Treasurer's Report dated Monday December 3,2018, as presented. Vice President F. O'Boyle seconded. Motion carried unanimously.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Alarm Installers Corp.	(motion detector repair)	\$ 164.00
AMTrust North American	(workers comp)	3,199.00
Berkheimer Associates	(LST Commission)	72.77
Blue Ridge Communications	(phones)	416.67
Brown & Brown of Lehigh Valley	(2019 Treasurer's Bond)	275.00
ESSA Bank	(loan)	2,309.20
FNB Visa	(maint. supplies, plumbing supplies)	105.36
Lowe's	(bldg. supplies – radon detector)	62.47
Linder Engineering Inc.	(maintenance building plans)	2,062.25
MetLife	(life/disability)	306.52
PA American Water	(boro bldg., hydrants & maint garage)	754.96
Payrolls Unlimited	(October)	96.10
Plociniak Oil	(heating oil)	1,534.25
Pocono Mountain Regional Police	(December Mortgage Payment)	2,792.12

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PM Public Library	(One Mill dedicated RE Taxes)	\$ 244.21
PM Vol. Fire Co.	(one mill RE Taxes)	244.20
PM Regional EMS	(1/2 mill dedicated RE taxes)	119.41
Response Computers	(security update)	205.00
Selective Insurance	(insurances)	5,640.00
US Bank	(copier lease)	317.54
Verizon Wireless	(cell phones)	138.48
Walmart	(maint. Supplies)	<u>64.40</u>

GRAND TOTAL **\$21,123.91**

BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 11/07/18)	\$ 7,095.49
Mt Pocono Payroll	(w/e 11/14/18)	7,016.02
FP Mailing Solutions	(postage for meter)	400.00
Mt Pocono Payroll	(w/e 11/21/18)	7,447.84
Mt Pocono Payroll	(w/e 11/28/18)	<u>6,680.86</u>

GRAND TOTAL **\$28,240.21**

BILLS TO BE PAID FROM THE LIQUID FUELS ACCOUNT:

Cargill	(de-icing salt)	\$4,169.85
Lehigh Hanson	(anti-skid)	<u>1,296.30</u>

GRAND TOTAL **\$5,466.15**

Health Insurance

Councilmember A. Montanez moved to accept the Geisinger GHP Option 2 Marketplace PPO as the Borough's health insurance for the year 2019. Councilmember T. Ford seconded. Motion carried unanimously.

Electricity Agreement

Vice President F. O'Boyle moved to go with the contract with APG & E as our electric supplier at the rate of 0.05884 for sixty (60) months. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

ARLE Grant HOP Mylars

Councilmember A. Montanez moved to authorize the Borough Secretary/ Treasurer to execute the HOP mylars for the ARLE Grant. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

ZONING/CODES ENFORCEMENT OFFICER

Zoning/ Codes Enforcement Officer D. Noonan reviewed the following report for November 2018:

Permits / Certificates Issued (11/2 to 12/3):

Road Cut – 1
Fence - 2

Fees (11/2 to 12/3): \$301.00

Rental Inspections: 2

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Additional Work / Activities:

- 11/5 Council meeting.
- 11/14 PSAB webinar “Working with District Justices”
- 11/14 PC meeting.
- Worked with Martz (Terrapin Bus LLC) to establish proper ADA compliant parking accommodations.
- Issued 8 sidewalk snow removal notices.

SOLICITOR

Solicitor J. Fareri stated that he will be preparing the bid documents for the two (2) properties that the Borough wishes to sell.

PERSONS TO BE HEARD

Mike Oser, 39 Fairview Avenue

Mr. Oser spoke about complaints filed, and interactions with, the Pocono Mountain Regional Police.

Mayor Mike Penn

Mayor M. Penn stated that his term on the Mount Pocono Municipal Authority (MPMA) is set to expire on December 31, 2018, and he was requesting to be reappointed the MPMA for a full five (5) year term.

There was discussion regarding appointments of the other Boards and no decisions on any appointments were made at this time.

UNFINISHED BUSINESS

Action Items List

The Borough Secretary/ Treasurer reviewed and updated the Action Item List accordingly.

Mike Oser of Fairview avenue stated that in the Fee Schedule the Borough Council has a Telecommunication Fees and as of 1/1/2019 the rental agreement maximum is \$270.00 per year and recommended that Borough Council review its fees on the Permit Fee Schedule.

NEW BUSINESS

Advertise 2019 Budget

Vice President F. O’Boyle moved advertise the proposed 2019 budget. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

STANDING COMMITTEES

Junior Councilmember Report

Junior Councilmember S. Darwish stated that they are working on the Christmas Cookie Swap being held this Saturday, December 8, 2018, from 3:00 P.M. to 6:00 P.M.

Junior Councilmember K. Rinaldi stated that she is working on sheet music and caroling and working with Ron Emelie with the Search and Rescue dog group to come and give a demonstration on a Saturday sometime next year. She stated that they are doing a poetry/ coffee house at the school with all proceeds from sale of the coffee will go to that Search and Rescue group.

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Councilmember D. Casole congratulated both Junior Councilmembers Darwish and Rinaldi on their accomplishments at the mock trial.

Planning

Councilmember D. Casole stated that she could not attend the Planning Commission's work session however it was her understanding that the topics discussed during this work session were the Proposed Fireworks/ Noise Ordinance review and the Proposed Shopping Cart Ordinance was also reviewed. She noted that she cannot relay the Commission's suggestions, comments and recommendations because she was unable to attend the work session.

Department of Public Works

President C. Williams stated that there has been one (1) snowstorm. Between that, the holiday, the road crew has been busy decorating the Borough for the holidays. She noted that there are concerns with garbage cans and reminded everyone to keep them off the roads especially during a snow event.

Utilities

Councilmember M. Hensel state that they have good water quality numbers, and this is a positive sign. He noted that the next invoice in January will be the same except now they can pay on-line and setup automatic payments and have options to pay monthly. He also noted that the second quarter invoice will show a new style invoice and they can still pay on-line, there will be a small service fee for the ability to pay on-line with a credit card. He stated soon people will be able to pay by credit or debit card in the offices.

Water

Councilmember D. Casole gave the following report:

For the previous few months there has been no major water quality, or main breaks in the Boro of Mt. Pocono. Mt. Pocono's Distribution System has been very stable with no issues. During the month of November, the original Summit Pointe Water Well is off-line and a new well has been established replacing the original Summit Pointe Well in the Jack Williams vicinity. A new Varied Frequency Drive Control controlling the output of the well has been installed and is outperforming the original well.

A new Well Pump and Motoring has also been installed. This new installation will sustain better water adjustments to the water distribution system. Work is slated to be completed by the end of December 2018.

Recreation

Councilmember S. Stewart-Keeler stated that the Cookie Swap is this Saturday from 3:00 P.M. to 6:00 P.M. and invited all to come in for some cookies, coffee and hot cocoa.

Sanitation

Councilmember A. Montanez stated that the Sanitation Committee met with County Waste on November 20, 2018, about the delinquencies with the PRDs and a follow-up meeting is scheduled for Monday, December 10, 2018, at 10:00 A.M.

Buildings

Borough Secretary/ Treasurer L. Noonan requested a meeting with the Building Committee to discuss safety measurers to be put in place.

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Budget and Finance

The proposed 2019 budget has been completed and the Public Hearing scheduled for Monday, December 17, 2018.

Personnel

No report.

Regional Police/Regional EMS

Mayor M. Penn gave the following Regional Police Report:

October Police Report – Mount Pocono Statistics

- 205 total calls [183 complaints + 22 accidents]
- 24 criminal arrests
- 58 traffic arrests
- 43 vehicle code warnings
- 2 ordinance arrests
- All down significantly over summer rates

- Patrol hours up slightly and Investigative hours down
- Overall, about 80 hours under budget for the month, YTD +21 hours

- *Mount Pocono Borough Crime Stats:*
 - 16 larceny & theft (14 commercial & 2 residential)
 - 13 disorderly conduct
 - 2 assault
 - 2 fraud
 - 1 vandalism
 - 3 DUI
 - 1 liquor violation
 - 9 domestic

- *Overall Crime Stats:*
 - Assault jumped 12 to 24
 - Burglary also jumped (PCP, 12 burglaries)
 - Chief doesn't feel it's a trend though

2018/2019 Hiring/Interviews:

- Top 10 were ranked. Filling 5 positions, potentially 6 (inclusive of 2 resignations).

Regional EMS

Mayor M. Penn gave the following report: The Regional EMS meeting was canceled this month as it was scheduled the evening of the snow storm. That said, the following budget request was just sent to me:

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Dear Board of Council:

Please allow us to express our deepest gratitude for your continued support over the past years. We may not have been able to provide you with the highest level of service and quality we believe necessary, without your continued support. As Emergency responses increase in our coverage and reimbursements from insurance companies do not, we are asking for your support.

*In addition to your annual contribution of approx. **\$19,500.00** we are kindly requesting that the Council of Mount Pocono possibly allocate another **\$5,000.00 annually** towards your yearly contribution. Though there has been extra contribution made through the years there has not been an increase in a few years*

With this increase, it would allow us to make PMR EMS a career organization by improving recruitment and retention. It would also allow us to make family medical benefits for affordable for employees, begin a retirement program, and many more benefits that are much needed to remain successful.

We greatly appreciate your continued support and look forward to continuing providing the highest quality emergency medical services to your residents and visitors for the coming year!

Sincerely,

*Denise Doremus
Director of Operations*

– Mount Pocono Borough 2017 –

Charges for transports:

ALS - \$1,200.00

BLS - \$800.00

\$12.00 per loaded mile

Treat no Transport \$150.00

Approximate cost to PMR EMS per call \$385.00

- Patient's Transported in 2017 450 collected \$160,236.05 bringing the average reimbursement to \$356.08 per patient (this is calls PMREMS and only PMREMS have transported)*
- Subscriptions & Donations collected from residence of Mount Pocono Borough (153) \$12,115.00*
- Contributions from the Borough in 2017 \$19,441.80*

Total \$191,792.85

COG

No meetings in the months of November and December.

PUBLIC PARTICIPATION

Deb Fulton, Reeder Street, stated that the Park & Recreation Foundation needs more members and if anybody is interested to please contact her or Robin Laforge.

Tom Neville, Knob Road, thanked Borough Council for all their hard work and stated he is glad to see that President C. Williams is remaining on Borough Council. He thanked Tom Ford, the Borough's Webmaster for all his hard work on the webpage and the Facebook page. He stated that Mayor M. Penn is doing a great job and he is happy to see that he's having Mayor's hours.

Jackie Leonard, School Board Member and Resident of Coolbaugh Township, thanked Borough Council for its work on the budget noting that it is never an easy thing to balance a budget with no tax increase.

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Mary Peck, 80 Oak Street, discussed a huge pile of debris on Belmont Avenue

Linda Fleming, 68 Fairview Avenue, discussed the Fairview Avenue plowing, is a disaster.

It was recommended that she contact PennDOT as it is a state road. Borough Council also agreed to contact PennDOT.

Kevin Kirkwood, Fairview Avenue, noted that the Borough used to get paid for plowing Fairview Avenue but no longer does.

Mike Reardon, Cedar Road, stated that he has been thinking a lot about it and the Borough does not need a Hardee's or Wawa and wished everyone a Merry Christmas.

Gary Thomas, 12 Cedar Road, stated that Cedar Road needs street lights.

Richard Varney, 12 Church Avenue, asked Borough Council if it would consider amending the Fire Ordinance to allow chimineas and other contained fire rings in the Borough.

There being no further business or any further public participation coming before the Board, Councilmember A. Montanez moved to adjourn at 8:25 P.M. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary