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, Borough Secretary/ Treasurer L. Noonan and Zoning/Codes Enforcement Officer D. Noonan were also present.

Junior Council Members S. Darwish and K. Rinaldi were absent.

The Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

President C. Williams announced that Borough Council held Executive Sessions on July 16, 2018 and August 2, 2018, regarding a personnel matter.

APPROVAL OF MINUTES

Councilmember M. Hensel moved to accept the Regular Meeting minutes of Monday, July 2, 2018, as presented. Vice President F. O'Boyle seconded. Motion carried unanimously.

OFFICERS' REPORTS

PRESIDENT

President C. Williams stated that Borough Council postponed last week's First Friday due to weather and it has been rescheduled for this Friday, August 10, 2018. It was noted that the Park & Recreation Commission is still working and hoping to hold a Movie Night on Saturday, August 18th, with more information to follow.

MAYOR

Mayor F. Courtright stated the first "First Friday" held for 2018 was a great success and gave huge props to the Junior Councilmembers S. Darwish and K. Rinaldi for securing a jazz band and working the grill. He thanked Borough resident, Tom Neville for the donated pizza and Bailey's for the hamburgers, hot dogs and buns. He noted that the paving is continuing in Pine Hill and he also noted that Pocono Mountain Regional EMS Roundup is being held this Thursday, August 9, 2018, at Skytop. He stated that effective September 30, 2018, he will be resigning as Mayor and will be moving to Parkland, Florida, ¾ of his kids are currently in Florida with his wife and he is getting his house ready to be put on the market. He also stated that Borough Council will need to appoint a replacement after September 30th. He noted that he will complete five (5) years as Mayor, before that he was a Councilmember and before that he was a Planning Commission member.

Borough Council expressed sorrow at his resignation but wished him well.

TREASURER'S REPORT

A current cash report was given as follows:

GENERAL FUND CHECKING ACCOUNT	\$ 465,407.14
PENN SECURITY GENERAL FUND ACCOUNT	2,621.36
CAPITAL RESERVE ACCOUNT	1,281.99
BANNER BEAUTIFICATION ACCOUNT	3,145.30
STATE LIQUID FUELS	71,505.16
PARK & RECREATION FUND	871.83
PLANNING COMMISSION REIMB. FUND	9,759.67
ROAD FUND – GENERAL FUND	109,991.17
STORMWATER FUND	67,746.92

GENERAL FUND RESERVE ACCOUNT	\$ 1,108.18
SANITATION FUND	5,038.69
INTERSECTION& SIGNALIZATION FUND	460,651.95

GRAND TOTAL \$1,199,129.36

Councilmember D. Casole moved to pay and approve the bills as outlined in the Treasurer's Report dated Monday, August 6, 2018, as presented. Councilmember A. Montanez seconded. Councilmember M. Hensel approved all bills and abstained from the bill to One Eight Five Media, LLC. Motion carried.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

ACE Hardware	(bldg., park & maint supplies) \$	371.48
AMTrust North American	(workers comp)	3,199.00
Barry Isett & Associates	(engineer – Hirshland, Hardees & Boro)	901.30
Berkheimer Associates	(LST Commission)	132.32
Blue Ridge Communications	(phones)	412.94
Cintas	(uniforms & rugs)	397.28
EM Kutz, Inc.	(tool caps)	17.86
Ed's Auto	(2015 Kenworth & 2012 Pete)	1,657.78
FP Mailing Solutions	(lease on postage meter)	75.00
FNB Visa	(shop light, keys, back up lights)	164.36
H. Clark Connor	(PC Solicitor – July)	510.00
Highmark Blue Shield	(health insurance)	7,612.91
Lowe's	(plant cart)	29.13
Robert M. Maskrey, Jr.	(HB 2 nd Qtr 2018)	1,390.50
NAPA Auto Parts	(shop supplies & a/c recharge for 06 Pete)	236.41
Newman, Williams, Mishkin	(Fareri – Gelardi, Lepre, Gelt)	954.83
Lori Noonan	(reimb. supplies/cards)	62.08
One Eight Five Media, LLC	(web administration)	75.00
PP & L	(electric)	1,303.77
PA American Water	(boro bldg. & maint garage)	871.00
Payrolls Unlimited	(July)	95.05
PA Paper & Supply	(paper supplies)	274.33
PA One Call System, Inc.	(monthly activity fee)	8.00
Pocono Mountain Regional Police	(3 rd quarter)	80,279.26
Pocono Mountain Regional Police	(August Mortgage Payment)	2,792.12
PM Public Library	(One Mill dedicated RE Taxes)	2,369.61
PM Vol. Fire Co.	(one mill RE Taxes)	2,369.73
PM Regional EMS	(1/2 mill dedicated RE taxes)	1,184.86
Pocono Record	(Advertising & subscription)	546.10
Response Computers	(internet problems)	75.00
STTC Service Truck Centers	(2015 Kenworth – tires)	1,020.66
Sunoco	(gas/diesel)	1,741.31
Tulpehocken Water	(bottled water)	104.50
TuWay Communications	(troubleshoot router problem)	255.00
Verizon Wireless	(cell phones)	<u>138.60</u>

GRAND TOTAL \$213,629.08

BILLS ALREADY PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll	(w/e 07/04/18)	\$ 6,897.48
Mt Pocono Payroll	(w/e 07/11/18)	6,966.07
Mt Pocono Payroll	(w/e 07/19/18)	6,912.83
Mt Pocono Payroll	(w/e 07/26/18)	6,809.84
Mt Pocono Payroll	(w/e 08/02/18)	6,885.36
US Bank	(copier lease)	268.75
FP Mailing Solutions	(postage for meter)	300.00
ESSA	(loan payment)	2,309.20
Selective Insurance	(auto/liability)	11,019.00
Met Life	(life/disability insurance)	<u>366.21</u>

GRAND TOTAL \$48,734.74

BILLS TO BE PAID FROM THE LIQUID FUELS ACCOUNT:

CPC Signs	(sign posts/bolts/signs)	\$ 958.55
Locust Ridge Quarry	(blacktop/hot patch)	806.78
PP&L	(traffic signals)	<u>2,345.64</u>

GRAND TOTAL \$4,110.97

BILLS TO BE PAID FROM THE INTERSECTION FUND:

Signal Services (replace battery backup @ 5 pts) \$3,374.00

BILLS ALREADY PAID FROM THE INTERSECTION FUND:

Sunguard (thermoplastic of intersections) <u>\$12,527.00</u>

ZONING/CODES ENFORCEMENT OFFICER

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

Permits / Certificates Issued (7/2 to 8/3): 13

Construction Permits – 1 Sign Permits – 1

Roof Permits – 3

Deck/Patio - 1

Road Cut/Excavation -2

Driveway - 3

Pool-2

Fees (7/2 to 8/3): \$1,660.10

Rental Inspections: 0

Additional Work / Activities:

Attended Sanitation Committee meeting

- Fee Schedule review meeting
- Attended Borough Council and Planning Commission meetings

He also discussed with Borough Council several properties in the Borough that need attention. They are abandoned properties and he would like to have an Administrative Search Warrant issued so it would allow him access to the properties and board up windows and doors, cut grass and those sorts of things.

Borough Council agreed for the Zoning/ Codes Enforcement Officer D. Noonan to obtain Administrative Search Warrants on those properties.

SOLICITOR

Solicitor J. Fareri presented Ordinance #3 of 2018, Authorizing the Entry Into An Intergovernmental Cooperation Agreement with Tobyhanna, Coolbaugh, Tunkhannock and Barrett Townships Titled Amended and Restated Agreement On Pocono Mountain Regional Police. Solation J. Fareri stated that this will clean up the existing agreement and terminate the ongoing litigation.

Councilmember T. Ford moved to adopt Ordinance #3 of 2018 the amended and restated with the Pocono Regional Police.

ORDINANCE NO. 3 OF 2018

AN ORDINANCE AUTHORIZING THE ENTRY INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH
TOBYHANNA TOWNSHIP,
COOLBAUGH TOWNSHIP, TUNKHANNOCK TOWNSHIP AND BARRETT
TOWNSHIP TITLED AMENDED AND RESTATED AGREEMENT ON
POCONO MOUNTAIN REGIONAL POLICE

WHEREAS, the Mount Pocono Borough Council is authorized under the provisions of the Pennsylvania Intergovernmental Cooperation Act, 53 Pa. C.S.A. §2301 et seq. (the "Act") to enter into agreements with other political subdivisions for the purpose of carrying out essential governmental functions; and

WHEREAS, the Borough of Mount Pocono ("Borough") entered into the November 19, 1996 Agreement of the Pocono Mountain Regional Police, as amended, establishing and governing the Pocono Mountain Regional Police Commission; and,

WHEREAS, the Borough intends to enter into an Intergovernmental Cooperation Agreement with Tobyhanna Township, Coolbaugh Township, Tunkhannock Township and Barrett Township in order to amend and restate the Agreement on Pocono Mountain Regional Police dated November 19, 1996 which shall be in a form substantially similar to the attached Exhibit "A".

NOW, THEREFORE, be ENACTED and ORDAINED as follows:

Section 1. <u>Authorization of Entry Into Intergovernmental Cooperation Agreement.</u> The proper officers of the Borough are hereby authorized and directed to execute and deliver on behalf of the Township, the Amended and Restated Agreement on Pocono Mountain Regional Police (the "Agreement"), in substantially the form attached hereto as Exhibit "A", with respect to amending and restating the November 19, 1996 Agreement of the Pocono Mountain Regional Police, as amended.

Section 2. <u>Authorization of Further Action</u>. The proper officers of the Borough are hereby authorized and directed to take all such actions, execute, deliver, file and/or record all such documents, publish all notices and otherwise comply with the provisions of this Ordinance and the Act insofar as the transaction contemplated by this Ordinance, in the name and on behalf of the Borough.

Section 3. <u>Severability</u>. In case any one (1) or more of the provisions contained in this Ordinance or in the Amendment pursuant hereto shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Ordinance or of said Amendment, and this Ordinance or said Amendment shall be construed and enforced as if such invalid, illegal or unenforceable provision had never been contained herein.

Section 4. Repealer. This Ordinance shall repeal any inconsistent Ordinances.

Section 5. Effective Date. This Ordinance shall be effective immediately.

Councilmember M. Hensel seconded. Motion went to a roll call vote: Vice President F. O'Boyle, "Yes"; Councilmember S. Stewart-Keeler, "Yes"; Councilmember D. Casole, "No"; Councilmember A. Montanez, "Yes"; Councilmember M. Hensel, "Yes"; Councilmember T. Ford, "Yes"; and, President C. Williams, "Yes". Motion carried 6 to 1.

Solicitor J. Fareri stated that Borough Council also needs to sign the mutual release of claims.

Councilmember M. Hensel moved to authorize the Borough Council President and the Borough Secretary/ Treasurer to execute the mutual release of claims regarding the ongoing litigation. Councilmember T. Ford seconded. Motion went to a roll call vote: Vice President F. O'Boyle, "Yes"; Councilmember S. Stewart-Keeler, "Yes"; Councilmember D. Casole, "No"; Councilmember A. Montanez, "Yes"; Councilmember M. Hensel, "Yes"; Councilmember T. Ford, "Yes"; and, President C. Williams, "Yes". Motion carried 6 to 1.

Solicitor J. Fareri noted that the LePre property at 103 Brunswick Drive, the Borough now owns. He also noted that the Gelardi short-term rental on Summit Drive has agreed to pay the \$1,000.00 fine and as of July 23, 2018, the property has sold. He further noted that the Gelt property has \$10,000.00 judgement against it in favor of the Borough.

PERSONS TO BE HEARD

None

UNFINISHED BUSINESS

Action Items

Fireworks Ordinance

Vice President F. O'Boyle moved to send the sample draft Fireworks Ordinance and the Pennsylvania Fireworks Law to the Mount Pocono Planning Commission to work on a draft Ordinance for the Borough. Councilmember T. Ford seconded. Mayor F. Courtright noted that it was suggested at the Pocono Mountain Regional Police Commission meeting that the Borough and Coolbaugh Township work together and develop an Ordinance that both municipalities would adopt to make it easier to enforce, especially for the those complaints that we have been getting from the Mount Pocono Campground which is located in Coolbaugh Township but the fireworks that were being set off were located in Mount Pocono Borough. Motion carried unanimously.

Anthony LePre Property - Lot 103 Section 4, Brunswick Drive

Vice President F. O'Boyle moved to pay the sewer bill and the school taxes on this property and to also obtain an appraisal and put up for sale. Councilmember A. Montanez seconded. There was a lot of discussion regarding the motion. Vice President F. O'Boyle and Councilmember A. Montanez both withdrew their motions

Vice President F. O'Boyle moved to pay the sewer bill and the school taxes for Lot 103, Section 4, Brunswick Drive property. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Vice President F. O'Boyle moved to secure an appraisal on the Lot 103, Section 4, Brunswick Drive property. Councilmember M. Hensel seconded. Motion carried unanimously.

AED

Borough Council was advised earlier this year from Rachel Moyer that the AED located in the Borough building needed to be replaced. Former Councilmember K. Transue was researching other AEDs available at a lower cost. Borough Secretary/ Treasurer was looking for direction on whether to invite Mrs. Moyer to the next Council work session. The Borough Council agreed to discuss at the next work session however stated it was not necessary for Mrs. Moyer to attend.

Pick-Up the Poconos

Borough Secretary/ Treasurer L. Noonan explained that a County wide litter pick-up initiative is being spear headed by the Pocono Mountain Vacation Bureau to be held on Saturday, September 29th. She noted that she attended the planning on meeting held on July 29th and forwarded names of roads to be picked up to the Pocono Mountains Vacation Bureau. Pick-Up the Poconos is requesting 100% cooperation from the County municipalities to make this event as successful as possible. They are also requesting the public works departments to assist with flagging, traffic control and disposing of the litter.

Councilmember M. Hensel moved to authorize overtime for the road crew working the Pick-Up the Poconos event on Saturday, September 29, 2018. Councilmember T. Ford seconded. Motion carried unanimously.

Emergency Management Coordinator

This will be discussed further at an upcoming meeting.

NEW BUSINESS

Hirshland/ Mt. Pocono Crossing Shopping Center

Borough Council was in receipt of a request from Mt. Pocono Crossing Shopping Center with a petition for a Zoning Ordinance Text Amendment on Free Standing Signs.

Councilmember T. Ford moved to forward this Zoning Ordinance Text Amendment to the Mount Pocono Planning Commission for its review and recommendation and to hold a Public Hearing on September 4, 2018, on this matter. Councilmember M. Hensel seconded. Motion carried unanimously.

Resignation of Kasey T. Doleiden

Councilmember M. Hensel moved accept the resignation of Kasey T. Doleiden as the Borough's seasonal worker/ grass mower. Vice President F. O'Boyle seconded. Motion carried unanimously.

Hire Ron Miller

Vice President F. O'Boyle moved to hire former road employee Ron Miller at a rate of \$12.00 per hour to finish out the season as the Borough's mower and grounds keeper. Councilmember M. Hensel seconded. Motion carried unanimously.

Mayor F. Courtright discussed the situation with the mower and recommended that Borough Council figure something out whether we sell the mower and contract out for next season. He stated that when Mountain Landscaping was under contract to do this work we didn't have as many problems as we have since we tried to do it ourselves.

Resignation of Zoning Hearing Board Solicitor Robert M. Maskrey, Jr.

Councilmember M. Hensel moved to accept the resignation of Robert M. Maskrey, Jr. as the Borough's Zoning Hearing Board Solicitor with regret. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Zoning Hearing Board Solicitor Advertisement

Councilmember M. Hensel moved to advertise the Zoning Hearing Board Solicitor opening. Councilmember D. Casole seconded. Motion carried unanimously.

Clymer Library Sign Fee Waiver

Councilmember M. Hensel moved to allow the Clymer Library to put up signs for their used book sale from August 16th through August 18th. Councilmember T. Ford seconded. Motion carried unanimously.

Pocono Mountain Regional Police Foundation Banner

Councilmember D. Casole moved to waive the fees and to erect the banner from August 27th through September 10, 2018, for the Pocono Mountain Regional Police K-9 and bike units' fundraiser. Councilmember T. Ford seconded. Motion carried unanimously.

2109 Non-Uniform Pension Plan Minimum Municipal Obligation

Vice President F. O'Boyle moved to accept the 2019 Minimum Municipal Obligation for the Borough's Non-Uniform Pension Plan in the amount of \$30,018.00. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Pocono Mountain Regional EMS Contribution

Borough Council will take this request under review.

Proposed Bed & Breakfast Ordinance

Councilmember T. Ford moved to forward the Amendment on the proposed Bed & Breakfast Ordinance to the Monroe County Planning Commission for their review and comment. Councilmember M. Hensel seconded. Motion went to a roll call vote: Vice President F. O'Boyle, "Yes"; Councilmember S. Stewart-Keeler, "Yes"; Councilmember D. Casole, "No"; Councilmember A. Montanez, "Yes"; Councilmember M. Hensel, "Yes"; Councilmember T. Ford, "Yes"; and, President C. Williams, "Yes". Motion carried 6 to 1.

Borough Council will review the proposed Bed & Breakfast Amendment at a future work session.

Mayor's Resignation

It was noted that the Mayor's resignation is for September 30, 2018, and that Borough Council will be accepting letters of interest until Friday, August 31st. Anyone interested should submit a letter or an email to the Borough Secretary/ Treasurer by the close of business of August 31st. Borough Council will interview the candidates at its September 17th, work session and will make the appointment at its regular meeting on Monday, October 1, 2018

Vice President F. O'Boyle moved to advertise the Mayor's vacancy and to accept letters of interest until Friday, August 31, 2018. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Webpage

Councilmember M. Hensel advised Borough Council that he is resigning as the Borough's Webmaster however Councilmember T. Ford is interested in taking it over.

Councilmember A. Montanez moved to accept Councilmember M. Hensel's resignation as the Borough's Webmaster. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

President C. Williams assigned Councilmember T. Ford as the Borough's Webmaster at no additional fee.

STANDING COMMITTEES

Planning

Councilmember D. Casole reported that The Planning Commission held its regular meeting on July 18, 2018.

The Planning Commission reviewed submissions from CKE Restaurants – Hardee's Sketch Plan, location on Route 940 West and Walmart Access Road, Mt. Pocono. Project Narrative to be a Hardee's Drive-Thru Restaurant, and a Convenience Store with Gas Pumps located in a C-2 Commercial - General Zoning district. No representation by Applicants/Owners, or their respective Engineer were present. Borough Engineer Chuck Niclaus submitted his June 20, 2018 report addressing the Zoning Ordinance Review and the Subdivision and Land Development Ordinance indicating 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 be altered.

The second Submission on the Agenda was the Hirshland - Amended Final Land Development Plan - located on Route 940 West across from Lowe's. Mr. Cornelius Brown, Professional Engineer for the Hirshland Project gave a very comprehensive presentation of his June 26, 2018 letter to the Borough outlining proposed changes and updates related to this Project. On July 17, 2018 Borough Engineer submitted an extensive report consisting of Zoning Ordinance Review, Subdivision and Land Development Ordinance, Stormwater Management and pertinent General Comments. .

Department of Public Works

President C. Williams stated to keep a look out for the road crew who have been very busy working on the Borough roads.

Buildings

Vice President F. O'Boyle stated that he met with Brick Linder and advised that on the parcel that we purchased last year from George Souaid we can't put much of a building on there, so Mr. Linder is coming up with a plan of what we can do with the property that we have and once he has that plan he will forward it to Borough Council.

LSA Grant

Councilmember M. Hensel moved that once we have the plans and the cost estimates from Mr. Linder to apply for an LSA Grant. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Utilities

Councilmember M. Hensel stated that the Mount Pocono Municipal Authority has appointed a new Solicitor, Scott Lipson and at their meeting this week they will be appointing a new engineer. He also stated that the project is back on schedule and that they are approximately a month ahead of schedule. He noted that the increase in your sewer bill will show up on your October bill.

Water

No update.

Recreation

Councilmember S. Stewart-Keeler noted that a work session was be held on July 19, 2018, she believes she has another person interested in serving on Recreation Foundation.

Mr. Tom Neville stated that he would be interested in serving on the Recreation Foundation.

Sanitation

Councilmember A. Montanez stated that we are waiting for a delinquency report since our last meeting on July 10, 2018, if one is received our next meeting will be on August 21st. She noted that if anybody received a letter noting that there would be \$5.00 monthly increase to collect your recyclables everybody in the Borough should ignore that as we are under a contract and the prices cannot be raised. The letter was sent in error.

Budget and Finance

Budget and Finance Committee will meet this month.

Personnel

There will be an Executive Session on personnel issue at the end of the meeting.

Regional Police

Mayor F. Courtright stated our police hours are under about thirty (30) hours so we are in good shape. He noted that there is approximately one (1) accident a day which eats up a lot of the Borough's hours.

Regional EMS

Mayor F. Courtright stated that the Regional EMS Roundup is being held on Thursday, August 9th, at Skytop. He noted that all proceeds are going to purchase heart monitors.

COG

There was no meeting.

Junior Councilmembers

No report.

PUBLIC PARTICIPATION

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

Mary Peck, Oak Street, stated that there are a number of shopping carts that have been thrown over the edge at Fairview Avenue down by the lake.

Jim Moore, Seneca Road, discussed the hazardous municipal encroachment onto his property.

Margo Hollingsworth, Fairview Avenue, stated that she is interested in serving on the Recreation Foundation and stated that she will make a \$250.00 donation to the Regional EMS for the purchase of their power stretchers if the Borough would match that.

Councilmember A. Montanez moved to make a \$250.00 donation to Regional EMS and match Margo Hollingsworth's contribution. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Borough Council went into an Executive Session at 9:00 P.M. regarding a personnel matter.

Borough Council reconvened from Executive Session at 9:17 P.M.

Councilmember M. Hensel moved to hire Zoning Officer Dennis Noonan as the Zoning/ Codes Enforcement Officer at a rate of \$20.00 contingent upon signing a letter of agreement. Vice President F. O'Boyle seconded. Motion went to a roll

call vote: Vice President F. O'Boyle, "Yes"; Councilmember S. Stewart-Keeler, "Yes"; 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.

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

Respectfully submitted,

Lori Noonan, Borough Secretary