

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 2, 2014
7:00 P.M.**

President J. Finnerty opened the Regular Meeting at 7:00 P.M. with the following members present: Vice President R. Gross; 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 was absent.

The Pledge of Allegiance was said by all.

PRELIMINARY ANNOUNCEMENTS

President J. Finnerty stated that Borough Council will be holding an Executive Session after Public Participation this evening to discuss an offer to purchase some adjoining property to other municipal owned property. He also stated that there may or may not be action taken when Borough Council reconvenes.

APPROVAL OF MINUTES

Councilmember F. O'Boyle moved to approve the Regular Meeting minutes of August 4, 2014, as presented. Councilmember D. Casole seconded. Motion carried unanimously.

OFFICERS' REPORTS

PRESIDENT

President J. Finnerty thanked the Regional Police for the crackdown at the Five Points Intersection. He has noticed improvements and their presence the last few weeks.

MAYOR

Mayor F. Courtright welcomed and introduced Acting Chief Chris Wagner to the Borough Council and to the public this evening. Mayor F. Courtright stated that the Mount Pocono Association's Annual Harvest Fest will be held on Saturday, September 27th. He also stated that there will be a table for the Borough and he invited all Councilmembers to join him during the festival. Mayor F. Courtright read an email from a resident in regards to their recycling and garbage pick-up. The resident complained that for several weeks now he has witnessed his recyclables being thrown in the garbage truck. Mayor F. Courtright also stated that this Friday, September 5th will be the Final First Friday for 2014 and he invited anyone interested to please stop by.

President J. Finnerty once again thanked Vice President R. Gross and Mayor F. Courtright for their work on the Regional Police Commission.

TREASURER'S REPORT

The following cash report was given as follows:

GENERAL FUND CHECKING ACCOUNT	\$ 610,712.30
PENN SECURITY GENERAL FUND ACCOUNT	20,712.71
CAPITAL RESERVE ACCOUNT	48,433.11
BANNER BEAUTIFICATION ACCOUNT	1,957.37
STATE LIQUID FUELS	61,248.51
PARK & RECREATION FUND	10,670.83
PLANNING COMMISSION REIMB. FUND	52,067.68
ROAD FUND – GENERAL FUND	96,932.17
STORMWATER FUND	132,637.58
GENERAL FUND RESERVE PLGIT ACCOUNT	41,382.87

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SANITATION FUND	\$ 20,097.40
ROUTE 940 CORRIDOR FUND	53,675.00
FIVE POINT INTERSECTION FUND	326,593.48

GRAND TOTAL **\$ 1,477,121.01**

Vice President R. Gross moved to pay and approve the bills as outlined in the Treasurer's Report dated Tuesday, September 2, 2014, as presented. Councilmember K. Davis seconded. Motion carried unanimously.

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

American Casualty Services	(workers comp down payment.)	\$ 2,430.22
American Computing Services	(telephone alarm trouble shoot)	90.00
ACE Hardware	(small tools/ supplies)	160.31
Berkheimer Associates	(LST Commission)	56.46
Blue Cross of NEPA	(health insurance)	8,080.54
Blue Ridge Cable	(phones)	306.54
Boston Mutual	(life/ disability insurance)	234.15
CPC Signs	(street signs)	935.40
H. Clark Connor	(September retainer PC Solicitor)	500.00
Dosch King Co., Inc.	(tar & chip 2014 project)	27,607.83
Eastern Time, Inc.	(dialer upgrade)	715.00
Eureka Stone Quarry	(hot patch)	136.42
JoAnn Misuraca-Ficco	(reimb. Supplies)	32.67
First National Bank	(tools)	222.10
G & K Services	(uniforms/ rug service)	360.44
Gleco Paint	(road paint (white))	359.96
Gilmore & Associates, Inc.	(engineer)	2,254.10
Gotta Go Potties	(1 month)	170.00
Kirk & Summa & Co.	(2013 Audit)	5,750.00
Locust Ridge Quarry	(hot top)	355.93
Lowe's	(replace water cooler/ maint supplies)	228.69
NAPA Auto parts	(vehicle parts)	51.22
PPL	(electric)	668.49
PA American Water Co.	(Boro bldg./ maint. Garage)	715.75
PACCAR Financial	(truck payment)	31,648.79
PSAB	(RANDOM DRUG TESTING)	65.00
Payrolls Unlimited	(payroll service)	100.00
Piociniak fuel Services	(heating oil both buildings)	2,068.41
<i>Pocono Record</i>	(advertising)	290.00
PM Regional Police	(mortgage)	3,010.44
Response Computers	(printer issue)	140.00
RKR Hess Associates	(Septic tank replacement)	228.31
Selective Insurance	(insurances)	2,179.00
Signal Service, Inc.	(SR 940 & Industrial)	200.00
Summit Welding	(stand for Knob Road Plaque)	162.50
Sunoco (COSTARS)	(gas/ diesel)	1,179.30
Titan Signs (formerly Reliable Sign)	(brackets/ posts, bolts, nuts, etc.)	2,099.10
Tulpehocken Spring Water	(1 month)	15.00
US Diary	(2015 Calendar Planners)	143.84
US Bank	(copier)	396.80
United Concordia	(dental)	333.50
Verizon	(phone)	45.96

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Verizon Wireless (cell phones) \$ 126.90

GRAND TOTAL **\$ 96,855.07**

BILLS TO BE PAID FROM THE GENERAL FUND CHECKING ACCOUNT:

Mt Pocono Payroll (w/e 08/07/14) \$5,234.35
 Mt Pocono Payroll (w/e 08/14/14) 5,200.60
 Mt Pocono Payroll (w/e 08/20/14) 5,155.50
 Mt Pocono Payroll (w/e 08/28/14) 5,179.17

GRAND TOTAL **\$ 20,769.62**

BILLS TO BE PAID FROM THE STATE LIQUID FUELS ACCOUNT:

PPL (electric) **\$ 2,102.25**

Belmont Knoll Update

Borough Secretary L. Noonan stated that she reviewed the files for Belmont Knoll and found fully executed copies of the agreement for the \$200,000.00 grant. She explained that it states that once the mortgage is paid by Belmont Knoll in the year 2033 the Borough Council would be receiving a \$200, 0000.00 check with one percent (1%) per annum interest over the last thirty (30) years.

Borough Secretary/ Treasurer L. Noonan also updated the Borough Council on several properties in the Borough that were noted at the last meeting as being run down and needing to be inspected. She noted that the Borough's Zoning Officer inspected the Kinney Avenue property and he reported that the entire building is secure and there are no open doors or other areas for anyone or wild animals to enter the building. She noted that the Quatrocchi house on Pocono Boulevard has a sale pending and the Weisblatt house on SR 196 a letter has gone out to them to mow the grass. She discussed the Kanofsky property over on Summit Drive noting that this is in the hands of Bureau Veritas who is in the process of trying to get Mr. Kanofsky served to take care of that property.

Sanitation Bid Results

Borough Secretary/ Treasurer L. Noonan noted that she opened the sanitation bid amounts at 11:00 this morning, and she read through the four (4) bids that were received as seen below:

Trash Hauler	Year 2015	Year 2016
Waste Management	\$317,651.40	\$317,651.40
County Waste	\$373,559.00	\$389,639.00
J. P. Mascaro	\$287,505.00	\$294,757.80
Kreitzer Sanitation	\$248,802.00	\$256,686.00

She noted that late last week she was advised that there was an error in the bid specifications with the wording for the landfill that is to be used. The bid specs that were advertised stated that the hauler must use a Monroe County Municipal Waste Management Authority (MCMWMA) approved landfill. However, MCMWMA has changed the "approved landfills" that there are only two (2) landfills that can be utilized; Waste Management's landfill and Allied. She also noted that she sent out an addendum late in the week and she received many complaints from the haulers as they had already prepared the bids and because of the holiday and that they were not given adequate notification.

In view of that, Vice President R. Gross moved to reject all bids received this evening and to re-bid with the changes in regards to the landfill and that also the Sanitation Committee review the bid specs and possibly amend further if needed. Councilmember D. Casole seconded. Motion carried unanimously.

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SOLICITOR

Solicitor J. Fareri notified Borough Council that he properly advertised the Notice of Intention to Adopt Ordinance Amending the Borough of Mount Pocono Municipal Authority Articles of Incorporation and that it is now ready to be adopted should Borough Council desire to do so. He noted that this Ordinance will extend their charter meaning that the Municipal Authority will exist until the year 2064.

Councilmember W. Jabara moved to adopt the Municipal Authority’s Articles of Incorporation as outlined by our Solicitor. Vice President R. Gross seconded. Motion carried unanimously.

Solicitor J. Fareri discussed another Ordinance that will need to be adopted in regards to the Mount Pocono Municipal Authority authorizing a loan for capital improvements for the spray irrigation with a debt of \$4,993,000.00. He stated that this Ordinance needs to be advertised.

Vice President R. Gross moved to advertise the Ordinance for the next Borough Council meeting on October 6, 2014, authorizing the capital improvements loan of \$4,993,000.00. Councilmember D. Casole seconded. Motion carried unanimously.

PERSONS TO BE HEARD

Randy Altemose, Chair of the Park & Recreation Commission

Mr. Altemose was present and discussed that he received three (3) telephone bids to replace the fencing at the Deerfield Oak Park. He explained not knowing what kind of prices he would receive, he requested five (5) different bid quotes on five (5) sections of fences:

- Bid #1 – “Field #1, 3rd base side of field from existing 20’ outfield fence to existing 8’ fence”.
- Bid #2 – “Field #1, 3rd base side of field, existing 8’ fence”.
- Bid #3 – “Field #1, from existing 20’ outfield fence in center field to approximately 10LF beyond the right field foul pole”.
- Bid #4 – “Field #2, 1st & 3rd base side of field from existing 4’ outfield fence to existing 6’ fence in front of the 1st & 3rd base dugouts. This for 2 separate runs of fence one (1) on the 1st base sided and one (1) on the 3rd base side”.
- Bid #5- “Field #1, existing bottom fence on existing backstop”.

He outlined the three (3) quotes that he received as follows:

Bid Price	Rutkoski Fencing	Mt. Pocono Fencing	Monroe Fence
#1	\$6,000.00	\$5,575.00	\$9,870.00
#2	\$3,475.00	\$3,475.00	\$4,290.00
#3	\$6,850.00	\$7,250.00	\$10,380.00
#4	\$5,600.00	\$6,260.00	\$10,800.00
#5	\$450.00	\$475.00	\$1,500.00
Total	\$22,375.00	\$23,035.00	\$36,840.00
Total: 1, 2, 3 & 5	\$16,775.00	\$16,775.00	\$26,040.00

After review of the quotes and discussion of the fence to be replaced, Mr. Altemose recommended to Borough Council to accept the quote from Rutkoski Fencing Inc., in the amount of \$16,775.00 which would include Bid #1, #2, #3 and #5.

Vice President R. Gross moved to award the quote to Rutkoski Fencing Inc. for Bids #1, #2, #3 and #5 in the total amount of \$16,775.00. Councilmember K. Davis seconded.

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Mayor F. Courtright discussed that mulch is needed for the playground behind the Borough building and also noted that the pavilions need to be painted.

Motion carried unanimously.

George Azal, Knob Road

Mr. Azal discussed a problem with his neighbor and his burning pit and provided Borough Council a photograph showing the amount smoke that comes from the pit.

Solicitor J. Fareri discussed the letter that Zoning Officer J. Brady sent out to the neighbor advising them of the Open Burning Ordinance. Solicitor J. Fareri noted that should the neighbor use the fire pit and cause this type of nuisance the Zoning Officer can take the neighbor to court.

John Protheroe, 1 Brunswick Drive

Mr. Protheroe discussed the drain box in front of his house and that this drain box was replaced last year. It's a "C" type drain box and it used to be an "M" grate and he feels it is unsightly and needs to be removed and put back an "M" grate in its place.

There was much discussion on this subject with part of the discussion becoming heated between Mr. Protheroe and Councilmember W. Jabara. In the end it was agreed that next summer Borough Council would review the situation in regards to the grates that are further down the hill on Brunswick Drive and at that time possibly they can replace his grate with an "M" grate and move the "C" drainage grate further down the road.

President J. Finnerty asked for a motion to replace the "C" drain box with an "M" grate. No motions were made so it was agreed that the proposal to wait until summer will be the action taken.

Mike Oser, Fairview Avenue

Mr. Oser discussed Pocono Area Recreation Commission (PARC) and the rumors he has heard that they are requesting that the Borough Council pay a large monetary amount to get out of PARC. He noted that he filed Right to Know Request looking for anything that the Borough Council would have signed along with Paradise and Barrett Townships, noting that a monetary figure would be needed to be removed from PARC.

Solicitor J. Fareri explained that the amount has not been determined and he has not received a figure from the other municipalities. He did explain that there will be a cost associated with the removal of the Borough's name from the deeds, signs and other material that PARC distributes.

UNFINISHED BUSINESS

PARC

After a lengthy discussion in regards to this, it was agreed that Solicitor J. Fareri would talk to the Solicitors representing Paradise and Barrett Townships regarding what type of figure they are thinking will be needed for Borough Council to exit and PARC and he will bring that information back to Borough Council.

NEW BUSINESS

2015 Non-Uniform Pension MMO

Councilmember W. Jabara moved to accept 2015 Non-Uniform Pension Minimum Municipal Obligation in the amount of \$19,309.00. Councilmember K. Davis seconded. Motion carried unanimously.

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Hanover Engineering Proposal for Construction Service – UGI Pipeline Project

Borough Council was in receipt of a quote from Hanover Engineering to inspect all work being done by UGI in regards to the Kalahari Pipeline Project. Borough Council acknowledged receipt of the proposed hourly rates.

Vice President R. Gross moved to accept the proposal from Hanover Engineering per the rates submitted. Councilmember D. Casole seconded. Motion carried unanimously.

RKR Hess A Division of UTRS

Borough Council was in receipt of correspondence from RKR Hess A Division of UTRS in regards to the Mount Pocono Municipal Authority's design of spray irrigation cooling system and wastewater treatment improvements in regards to its NPDES permit.

Borough Council was requested to submit a land use letter of response and the Borough Secretary/ Treasurer L. Noonan noted that she would get that back to RKR Hess in a timely fashion.

Pocono Mountain Regional Police Commission Meeting Request

Borough Council was in receipt of two (2) separate letters, one from Tobyhanna Township and one from Coolbaugh Township regarding the Pocono Mountain Regional Police Commission and request for meetings.

Borough Council noted that there was no need to respond to these letters at this time.

STANDING COMMITTEES

Planning

Councilmember D. Casole gave an update on the last Planning Commission meeting noting that it began review of the sample Air Quality Pollution Control Ordinance and that she and Planning Commission Recording Secretary D. Jackowski are working on obtaining other sample Ordinances and they have provided the Ordinance to Carson Helfrich for his review.

Stormwater

Councilmember W. Jabara discussed the stormwater projects that they have been working on in the past few weeks and thanked Borough Council for its support.

Utilities

Councilmember F. O'Boyle noted that Margaret Dillon, Office Manager has retired. The Municipal Authority promoted Barbara Krems to the Office Manager position and hired Suzan Hanc to fill Barbara's position. He also noted that the Act 537 Plan is in the thirty (30) day review process. He further noted that Plant Manager Steve Vaccaro is out on disability and not sure when or if he will return and Charlie Costanzo is now the new Plant Manager and they hired new two (2) gentlemen to help Charlie; Dan Heckman and Rich Gannon.

Water

Councilmember D. Casole stated that they are still waiting for a response from PAWC in regards to the fire hydrant agreement and Borough Secretary/ Treasurer L. Noonan also noted that after the last meeting she notified Dave Altmiller, Manager of PAWC that the last hydrant on Knob Road needs to be bled as per Borough resident, Alice Makla.

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Streets

Councilmember W. Jabara noted that the tar and chip was completed last month and that it turned out very nice.

Sanitation

Previously discussed.

Buildings

Vice President R. Gross noted that the roof needs to be repaired and it was discussed that the Borough Council should apply for a LSA Grant to help offset the cost of the roof.

Budget and Finance

Mayor F. Courtright noted that there is a new monthly report in everybody's packet and the Budget and Finance Committee will meet this month.

Recreation

Councilmember K. Davis noted that at the last meeting they talked about the Barrett Elementary School and its playground equipment will be up for bid. It was also noted that it is between 15-16 years old and that there would be a cost for removing the equipment and rebuilding wherever we would decide to put it.

Regional Police

Vice President R. Gross noted that there was a special meeting last week, where the Regional Police Commission agreed to provide a Resource Officer to Pocono Mountain East High School and that the school district would be refunding Regional Police for that work. It was also noted that the next meeting will be held at Tobyhanna Township, on Tuesday, September 9, 2014, at 7:00 P.M.

Regional EMS

Mayor F. Courtright noted that they are going through internal review Strengths/Weaknesses/Opportunities/Threats (SWOT) analysis; they are looking at replacing ambulances and noted that the Borough has provided a letter of support to apply for a LSA Grant.

COG

Councilmember W. Jabara noted that no bids were submitted for the stormwater pipes and boxes for the bid that was advertised, so the bid from last year will be extended.

Open Space

No report.

PARC

No report.

Five Points Intersection/ Traffic

Councilman W. Jabara noted that there was a meeting last week at the Pocono Mountain Economic Development Corporations offices regarding the SR 611 Pine Hill Road traffic light. He also noted that a concept plan has been reviewed and accepted are they are hoping that this will go to bid next spring.

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PUBLIC PARTICIPATION

Alice Makla, Knob Road, discussed the Knob Overlook and it is overgrown and that there a graffiti on the rocks and once again she requested that the paint that she donated to the Borough be returned to her so that she can have somebody paint over the graffiti. She also complained about the Mount Pocono Motel and that it is used not as a motel but as apartments.

There was an update given by the Solicitor noting that nothing has been proven.

Hildy Franzo, Knob Road, stated that she recently held a yard sale and that several people from the motel came over to p her yard sale and she was told by two (2) of them that they were so happy that they were able to get a two (2) room apartment at the motel and that one (1) particular was happy because she was not able to secure this two bedroom or she would lose her children.

It was agreed that that the motel would be looked into and the information received will be reviewed.

Alice Makla, Knob Road, discussed her neighbor shooting a “BB”gun onto her property.

At 10:00 P.M. Borough Council went in Executive Session to discuss possible land acquisition.

Borough Council reconvened at 10:25 P.M.

Vice President R. Gross moved to hire an appraiser for a six (6) acre tract of property off of Knob Road and also instructed the Borough Secretary/ Treasurer to check on the taxes for this property. Councilmember K. Davis seconded. Motion carried unanimously.

There being no further business or any further public participation coming before the Board, Vice President R. Gross moved to adjourn. Councilmember K. Davis seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary