

**MOUNT POCONO BOROUGH COUNCIL  
REGULAR MEETING MINUTES  
MONDAY, JUNE 6, 2016  
7:00 P.M.**

President K. Davis opened the Regular meeting at 7:00 P.M. with the following members present: Councilmembers: F. O’Boyle; D. Casole; C. Williams; K. Transue; and, M. Oser. Mayor F. Courtright Solicitor J. Fareri and Borough Secretary/ Treasurer L. Noonan were also present.

Vice President J. Woehrle was absent.

The Pledge of Allegiance was said by all.

**PRELIMINARY ANNOUNCEMENTS**

None

**APPROVAL OF MINUTES**

Councilmember K. Transue moved to accept the Regular Meeting minutes of May 2, 2016, as presented. Councilmember D. Casole seconded. Motion carried unanimously.

**OFFICERS’ REPORTS**

**PRESIDENT**

President K. Davis presented Certificates of Recognition for Litter Clean-Up Day to the youth volunteers. It was noted that these volunteers collected more than one hundred (100) large bags of litter in our area. Certificates of Recognition were given to: Marilyn Baez; Rafael Baez; Daniel Dempster; Andrew Dempster; Diana Dempster; Declan Courtright; Rose Mercedes Courtright; Brant Degroat; Mary Degroat; Brian Degroat; Cordell Degroat; Ronald Degroat; Alexanderick Newport; Jacob Transue; Spencer Transue; and, Elizabeth Transue.

President K. Davis noted that he and Vice President J. Woehrle met last week with State Representative Jack Rader, as he is interested in helping them promote and is in favor of growing Mount Pocono and they are looking into options to do this.

President K. Davis stated that Nathaniel Staruck of the Monroe County Planning Commission who is on tonight’s agenda under Person to be Heard will not be present this evening however he is expected to be in attendance at the June 20, 2016, work session.

**MAYOR**

Mayor F. Courtright noted that the Memorial Day Ceremony was held at the VFW due to the inclement weather. He also noted that this past Friday messed with the First Friday event and had to be cancelled. The next First Friday will be held on Friday, July 1, 2016, at 6:00 P.M. He also noted that the first concert being held at the Pocono Mountain Volunteer Fire Company grounds is scheduled for Thursday, June 9, 2016. He further noted that he recently talked with Logan Evans of Mountain Landscaping regarding the playground area and they are hoping to start working on it in the coming weeks.

President K. Davis thanked Coolbaugh Township for stepping up and keeping the library afloat and encouraged participation from Borough Council and its residents at the library’s upcoming fundraising activities.

**TREASURER’S REPORT**

The following cash report was given as follows:

GENERAL FUND CHECKING ACCOUNT	\$ 565,934.62
PENN SECURITY GENERAL FUND ACCOUNT	20,692.71
CAPITAL RESERVE ACCOUNT	48,805.46
BANNER BEAUTIFICATION ACCOUNT	2,570.72
STATE LIQUID FUELS	92,212.74

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PARK & RECREATION FUND	\$ 4,842.95
PLANNING COMMISSION REIMB. FUND	52,775.88
ROAD FUND – GENERAL FUND	127.46
STORMWATER FUND	132,663.71
GENERAL FUND RESERVE ACCOUNT	41,701.02
SANITATION FUND	6,899.08
ROUTE 940 CORRIDOR FUND	53,675.00
FIVE POINT INTERSECTION FUND	<u>443,880.60</u>

**GRAND TOTAL** **\$ 1,466,781.95**

Councilmember K. Transue moved to pay and approve the bills as outlined in the Treasurer’s Report dated Monday, May 2, 2016, as presented removing the Potcher Construction bill. Councilmember C. Williams seconded. Motion carried unanimously.

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

Ace Hardware	(shop supplies, small tools)	\$ 204.89
Amerihealth Casualty	(workers comp)	6,645.02
Berkheimer Associates	(LST Commission)	316.34
Blue Ridge Cable	(phones)	380.98
Boston Mutual	(disability insurance)	240.01
DG Nicholas Co.	(lights for bucket truck/ supplies)	46.34
CS-Graphx	(support & maint agmt – Permit Mgr.)	1,850.00
Ehrlich	(quarterly pest protection)	85.00
First National Bank	(postage, battery back UPS, supplies)	91.36
Fry Communications	(PA Bulletin)	82.00
Gleco Paint	(traffic paint)	260.97
G & K Services	(uniforms & rug service)	254.98
Gotta Go Potties	(port-o-potties (2))	170.00
Highmark Blue Shield	(health insurance)	6,196.56
Hartman Electrical Contracting	(repairs to pole lights)	627.20
H. Clark Connor	(PC Solicitor – two months)	1,200.00
Hilltop Sales & Service	(additional keys for mower)	20.18
Home Depot	(flowers for bldg.)	309.15
Journal of Pocono Plateau	(advertisement – property for sale)	221.00
Russell R. Kresge, Jr.	(engineer)	359.20
Lowe’s	(wet mop, cleaning supplies, lock)	60.57
Metz, Inc.	(parts per annual contract)	39.06
NAPA Auto Parts	(truck wash)	6.86
Newman, Williams, Mishkin	(expenses – DCED review fee)	70.46
Overhead Doors	(service/ repairs to maint. Garage doors)	569.91
Payrolls Unlimited	(May)	84.00
PPL	(electric)	1,629.90
PA American Water	(water bills)	703.66
PA One Call System	(monthly fee – 2 months)	32.20
PACCAR Financial	(truck payment)	32,932.69
Pocono Record	(advertising – 2 months)	633.80
Pocono Mtn. Regional Police	(June Mortgage Payment)	2,811.27
Pocono Mtn. Public Library	(1 mill RE Tax May 2016 & Delinq. Taxes)	22,161.16
Pocono Mtn. Vol. Fire Co.	(1 mill RE Tax May 2016 & Delinq. Taxes)	22,162.26
Pocono Mtn. Reg. EMS	(1/2 mill RE Tax May 2016 & Delinq. Taxes)	11,081.14
Quill	(office supplies)	277.62
Reliable Sign	(nuts & bolts for signs)	127.50
Response Computer	(external hard drive)	140.00

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Selective Insurance	(insurances)	\$ ,950.00
Signal Service	(SR 940 & Oak St/ junction box location)	3,137.40
Stratix Systems	(supplies for wide format copier)	450.00
SunnocoCOSTARS	(diesel/ fuel)	542.57
United Concordia	(dental insurance)	365.18
US Bank	(copier rental)	317.06
Verizon Wireless	(cell phones)	170.94
Verizon	(phone)	32.55
Wal-Mart	(shop & bldg. supplies)	63.52
Zee Medical Service	(medicine cabinet restock)	<u>38.63</u>

**GRAND TOTAL** **\$ 135,317.09**

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

Mt Pocono Payroll	(w/e 05/04/16)	\$ 7,605.02
Mt. Pocono Payroll	(w/e 05/11/16)	6,373.65
Mt Pocono Payroll	(w/e 05/18/16)	6,247.88
Mt Pocono Payroll	(w/e 05/25/16)	6,352.76
Mt Pocono Payroll	(w/e 06/01/16)	<u>6,209.45</u>

**GRAND TOTAL** **\$ 32,788.76**

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

JET-Way, LLC	(cold patch)	\$ 2,339.25
PPL	(traffic signals & street lights – 2 months)	3,895.29
TEAM Supply	(drainage boxes/tops)	<u>300.45</u>

**GRAND TOTAL** **\$ 6,534.99**

**Potcher Construction**

Councilmember F. O’Boyle moved to authorize Solicitor J. Fareri to draft a letter regarding the Borough Council’s concerns on the warranty of the ramp and present to Borough Council for their review. Councilmember K. Transue seconded. Motion carried unanimously.

**Postage Meter**

Borough Secretary/ Treasurer L. Noonan presented two (2) quotes for postage meters. One (1) from Hasler at a monthly rate of \$48.95 for thirty-six (36) month lease and one (1) from FP Mailing Solutions at a cost of \$25.00 per month for a thirty-six (36) month lease.

Councilmember F. O’Boyle moved to enter into a thirty-six (36) month lease agreement with FP Mailing Solutions for a postage meter, PostBase 20 Meter/Base, at a cost of \$25.00 per month. Councilmember C. Williams seconded. Motion carried unanimously.

**ARLE Grant**

Borough Secretary/ Treasurer L. Noonan advised Borough Council that we have been awarded a 2015 Automated Red Light Enforcement (ARLE) Funding Grant in the amount of \$41,997.00. This money is to be used on PA SR 940 and Oak Street/ Wal-Mart Drive for signal improvement upgrades including the installation of a preemption device.

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**Smartphone**

Borough Secretary/ Treasurer stated that she was asked by Vice President J. Woehrle in his absence to bring up the request of the Borough's Maintenance Supervisor to upgrade his Borough cell phone to a smartphone at an additional cost of \$14.99 per month.

There were some questions regarding the fee for the data and also if there were any other unforeseen extra fees associated with the smartphone.

It was agreed that this items will be discussed at the next meeting.

**SOLICITOR**

Solicitor J. Fareri stated that DCED requested some revisions be made to the debt statement and those revisions have been made and were forwarded to DCED. We are hoping that DECD will close on this matter soon. He noted that Borough Council held a Public Hearing earlier this evening in regards to a liquor license transfer and that the Resolution #2 of 2016 was adopted at said Public Hearing.

**PERSONS TO BE HEARD**

**Sherman Theater**

Mr. Tim Gasiewski was present on behalf of the Sherman Theater, Mr. Gasiewski explained that the Sherman Theater would like to display a banner across SR 611 for thirty (30) days to promoted the August 20<sup>th</sup>, Pocono Mountains Beer Festival.

There was some discussion regarding the length a banner could stay up across SR 611.

After a review of the Resolution that Borough Council adopted with PennDOT and also noting that the proper certificate of insurance was received for said banner, Councilmember K. Transue moved to permit a banner to be in place to promote the Pocono Mountains Beer Festival being held on August 20<sup>th</sup>, for fifteen (15) days prior to the event plus an additional two (2) days after to allow for takedown of said banner. Councilmember C. Williams seconded.

There was some discussion regarding the cost. It was further noted that the \$100.00 fee charged for the erection of said banner would be paid by the Sherman Theater. Motion carried numinously.

**UNFINISHED BUSINESS**

**Short-Term Rental Ordinance**

Solicitor J. Fareri stated that Borough Council advertised and held a Public Hearing in regards to the Short Term Rental and the Drop-off Collection Boxes in April, however the Monroe County Planning Commission had reviewed and suggested some changes. The Mount Pocono Planning Commission reviewed and made some changes in response to the Monroe County Planning Commission comments. He also stated that he has reviewed all changes and they are minor in nature and stated this Ordinance does not have to be re-advertised.

In view of that, Councilmember F. O'Boyle moved to adopt Ordinance #2 and #3 of 2016 which, Ordinance # 2 was an Ordinance amending the Zoning Chapter 215 of the Code of the Borough of Mount Pocono to provide for Short-Term Rental of dwelling units and donation drop-off boxes. Ordinance #3 of 2016 was an Ordinance amending Chapter 154 of the Code of the Borough of Mount Pocono in regards to short-term rentals. Councilmember M. Oser seconded.

Councilmember F. O'Boyle then discussed the definition of bedroom that was proposed by the Monroe County Planning Commission. It was noted that the Borough's Ordinance under Chapter 215 Standards and Condition outlines the size of

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bedrooms, noting that a bedroom shall not be less than seven (7) feet in any planned dimension and that every bedroom shall contain not less than seventy (70) square feet, thus there was not a need to amend the definition of bedroom.

Motion went to a roll call vote: Councilmember K. Transue, "Yes"; Councilmember M. Oser, "Yes"; Councilmember C. Williams, "No"; Councilmember F. O'Boyle, "Yes"; Councilmember D. Casole, "Yes"; and, President K. Davis, "Yes". Motion carried 5 – 1.

**Sale of Property**

Solicitor J. Fareri opened sealed bids that were received for the sale of property as follows:

In regards to the sale of the property located at 20 Fork Street, Mr. & Mrs. Bohdal submitted a bid in the amount of \$10,000.00 and submitted the necessary bond in the amount of \$1,000.00. Mr. Yoni Ramirez submitted a bid for 20 Fork Street in the amount of \$5,000.00 and submitted the necessary bond for \$500.00.

In regards to the sale of Section 4 on Timberbrook Terrace, Yoni Ramirez submitted a bid in the amount of \$1,500.00 and included a \$150.00 check for the bond.

Councilmember F. O'Boyle moved to accept the bid of \$10,000.00 for the sale of the property located at 20 Fork Street. Councilmember D. Casole seconded.

There was discussion regarding the property with Councilmember K. Transue, noting that he is against selling this property as he feels that this a prime location for a pole barn or other structure to house Borough equipment, most specifically the new ten (10) ton dump truck.

Motion went to a roll call vote: Councilmember K. Transue, "No"; Councilmember M. Oser, "No" Councilmember C. Williams, "Yes"; Councilmember F. O'Boyle, "Yes"; Councilmember D. Casole, "Yes"; and, President K. Davis, "Yes". Motion carried 4 -2.

Councilmember F. O'Boyle moved to accept the bid from Yoni Ramirez for the sale of Section 4 Timberbrook Terrace in the amount of \$1,500.00. Councilmember D. Casole seconded.

There was discussion regarding the location of Timberbrook Terrace.

Motion went to a roll call vote: Councilmember K. Transue, "No"; Councilmember M. Oser, "No"; Councilmember C. Williams, "No"; Councilmember D. Casole, "Yes"; Councilmember F. O'Boyle, "Yes"; President K. Davis, "Yes"; Mayor F. Courtright broke the tie voting, "Yes", in agreement to sell Timbrook Terrace. Motion carried 4 – 3.

**Mount Pocono Municipal Authority Vacancy**

Councilmember F. O'Boyle moved to appoint John Scalamandre to fill the vacancy created by the resignation of George Wolff to the Mount Pocono Municipal Authority (MPMA). Due to a lack of a second the motion died.

Councilmember C. Williams moved to appoint Paul Sanborn to the MPMA to fill the vacancy created by the resignation of George Wolff. Councilmember M. Oser seconded. Motion went to a roll call voted: Councilmember K. Transue, "Yes"; Councilmember M. Oser, "Yes"; Councilmember C. Williams, "Yes"; Councilmember D. Casole, "Yes"; Councilmember F. O'Boyle, "No"; President K. Davis, "Yes"; Motion carried 5 – 1.

**NEW BUSINESS**

**Property Maintenance Code**

Borough Secretary/ Treasurer L. Noonan noted that the Property Maintenance Code will be discussed at the next work session to be held on Monday, June 20, 2016, and requested that all Councilmembers review the

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Property Maintenance Code and provide any comments and or questions as soon as possible prior to the work session.

**Optional Insurance Quotes**

Borough Secretary/ Treasurer L. Noonan noted that Borough Council has several optional insurance quotes that they may choose to take, those being: an increase from the current umbrella \$4,000,000.00 to \$5,000,000.00 which is an additional premium of \$701.00; or to add an employee benefits liability up to \$1,000,000.00 for an additional premium of \$323.00; and also, CyCurity Coverage with a \$100,000.00 limit and \$2,500.00 deductible for an additional premium of \$654.00.

There was much discussion regarding the increase in the umbrella and also the added employee benefits liability with Borough Council requesting that the Borough Secretary/ Treasurer obtain a little more information on each of these policies.

In regards to the CyCurity Coverage, Councilmember M. Oser moved to take the additional coverage for CyCurity Coverage with an additional premium of \$654.00. Councilmember D. Casole seconded. Motion carried unanimously.

**STANDING COMMITTEES' REPORTS**

**Planning**

Councilmember D. Casole stated that she attended the recent Planning Commission meeting held on May 18<sup>th</sup>, and gave a detailed report on the meeting noting that they reviewed and recommended to Borough Council to adopt the Property Maintenance Code.

**Department of Public Works**

Councilmember F. O'Boyle noted that he and Vice President J. Woehrle met with Mr. Souaid regarding the possibility of purchasing some of his property near the maintenance garage. However, it does not look like that a deal can be negotiated with Mr. Souaid.

**Utilities**

Councilmember D. Casole noted that PAWC has completed the fire hydrant program for the Mount Pocono area and achieved satisfactory scouring of the system resulted in very minimal system disturbances. This was accomplished by targeting the suspected troubled areas during off peak hours. PAWC's water treatment parameter and results were analyzed and adjusted to minimize sediment accumulation. Noting that PAWC will continually monitor both the source water and distribution system so that PAWC may have a proactive approach to reduce their susceptibility to unforeseen system disturbances. If there any questions and/ or concerns regarding this report, we may contact Mr. George Smidhum – 24/7 on his cell and email with the contact information given to the Councilmembers.

**Recreation**

Councilmember K. Transue stated that there was no meeting this past month and he has been looking for a rain free weekend to begin the painting work that needs to be completed.

**Sanitation**

Mayor F. Courtright noted that three (3) months ago the Sanitation Committee met with the PRDs and last Thursday, we held a follow-up meeting with J. P. Mascaro and representatives of the PRDs and things are going very well and there will be no amendments made to the contract. He also noted that they are looking to adjust quarterly invoices.

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**Buildings**

No report.

**Budget & Finance**

It was agreed that the Budget and Finance Committee will be held after July 1<sup>st</sup>, to have a good look at a six (6) month picture of where we stand with the budget versus actual.

**Personnel**

President K. Davis requested that a Personnel Committee meeting be set up.

**Regional Police/ EMS**

Mayor F. Courtright noted that Lieutenant Will Laverty will be retiring from the force somewhere the end of July. He also noted that the Regional Police will be looking into the ATV's in the Pine Hill area and also at the Oak Street Park.

**COG**

Councilmember M. Oser noted that he attended the May 23, 2016, dinner meeting with twenty-nine (29) people were in attendance and the discussion of the night at the meeting was the ineffectiveness of COG and how to resolve this issue.

**PUBLIC PARTICIPATION**

**Tom Neville, Knob Road**, thanked Borough Council for their work and their dedication to the Borough. He also discussed the farmer's market that is held behind the Borough building on Wednesdays and Saturdays and whether or not the farmer paid fees to be here.

**Hildy Franzo, Knob Road**, also discussed the farmer's market held at the Tractor Supply and at Hoffman's on SR 940 and questioned if they pay fees.

**Alice Makla, Knob Road**, complained about the Murray's towing truck on School Drive.

**Councilmember F. O'Boyle** discussed the high grass areas in the Borough.

There being no further business or any further public participation coming before the Board, Councilmember F. O'Boyle moved to adjourn at 9:38 P.M. Councilmember M. Oser seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary