

**Mount Pocono Borough Council
Regular Meeting Minutes
Tuesday, July 6, 2021
7:02 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, July 6, 2021 was called to order at 7:02pm by President F. O’Boyle.

Roll call: Councilmember Patty Bucco, present; Councilmember Stacy Stewart-Keeler, present; Councilmember Claudette Williams, present; Councilmember Ron Emilie, present via telephone; Councilmember Aida Montanez arrived at 7:39 P.M.

In Attendance: Michael Penn, Mayor; Joshua Walker, Borough Manager; Danielle Hewitt, Treasurer, Jim Fareri, Solicitor; Chuck Niclaus, Borough Engineer.

Absent: Vice President Tommy Neville and Zoning/ Codes Enforcement Officer Alexis Wilkinson were absent.

Preliminary Announcements

President F. O’Boyle reminded everyone that cell phones should be off and if anyone is recording the meeting to give their name to Borough Manager J. Walker.

Officer’s Reports

President

President F. O’Boyle stated that we are at full strength in our Public Works Department with four (4) individuals.

Mayor’s Report

Mayor M. Penn spoke on his meeting with Summit Pointe Property Owner’s Association, the first Safety Commission meeting and litter enforcement.

Borough Manager/ Secretary’s Report

Borough Manager J. Walker reported on the completion of the HVAC project, an upcoming meeting at the County to discuss American Rescue Plan Act funds and some office work updates.

Treasurer’s Report

Borough Treasurer D. Hewitt presented her cash report and bills list. Councilmember S. Stewart-Keeler moved to approve and pay the bills for Tuesday, July 6, 2021 as presented. Councilmember P. Bucco seconded.

CASH REPORT FROM 6/1/21 - 6/30/21

NBT General Fund

Beginning Balance (6/1/21)	\$ 783,600.40
Deposit	117,198.07
Interest	10.21
Expense	<u>326,551.56</u>
Ending Balance (6/30/21)	<u>\$ 574,257.12</u>
Uncleared Transactions = \$31,500.29	

NBT Liquid Fuels Fund

Beginning Balance (6/01/21)	\$ 87,778.16
Deposit	0.00
Interest	1.43
Expense	<u>7,675.32</u>
Ending Balance (5/31/21)	<u>\$ 80,104.27</u>

NBT Road Rehab Fund

Beginning Balance (6/01/21)	\$ 100,490.48
Deposit	9,680.08
Interest	3.63
Expense	<u>0.00</u>
Ending Balance (6/30/21)	<u>\$ 110,174.19</u>

NBT Park & Recreation Fund

Beginning Balance (6/01/21)	\$ 140,496.02
Deposit	0.00
Interest	4.73
Expense	<u>0.00</u>
Ending Balance (6/30/21)	<u>\$ 140,500.75</u>

Mount Pocono Borough Council
Regular Meeting Minutes
Tuesday, July 6, 2021
7:02 P.M.

NBT Five Points Intersection Fund

Beginning Balance (6/01/21)	\$ 94,951.87
Deposit	0.00
Interest	3.20
Expense	0.00
Ending Balance (6/30/21)	<u>\$ 94,955.07</u>

NBT Beautification Fund

Beginning Balance (6/01/21)	\$ 2,095.43
Deposit	0.00
Interest	.07
Expense	0.00
Ending Balance (6/30/21)	<u>\$ 2,095.50</u>

NBT Stormwater Fund

Beginning Balance (6/01/21)	\$ 43,266.05
Deposit	0.00
Interest	1.46
Expense	0.00
Ending Balance (6/30/21)	<u>\$ 43,267.51</u>

NBT Planning Commission Fund

Beginning Balance (6/01/21)	\$ 6,751.98
Deposit	0.00
Interest	.23
Expense	0.00
Ending Balance (6/30/21)	<u>\$ 6,752.21</u>

PLGIT General Fund

Beginning Balance (6/01/21)	\$ 104,309.58
Deposit (EIT & LST)	23,536.21
Interest	1.00
Expense	0.00
Ending Balance (6/30/21)	<u>\$ 127,845.79</u>

PLGIT Liquid Fuels Fund

Beginning Balance (6/01/21)	\$ 64.27
Deposit	0.00
Interest	0.00
Expense	0.00
Ending Balance (6/30/21)	<u>\$ 64.27</u>

FNB Payroll Fund

Beginning Balance (6/01/21)	\$ 4,115.37
Deposit	0.00
Interest	0.49
Expense	0.00
Ending Balance (6/30/21)	<u>\$ 4,115.86</u>

FNB General Fund

Beginning Balance (6/01/21)	\$ 32,784.39
Deposit	0.00
Interest	0.00
Expense (Analysis charge)	72.66
Ending Balance (6/30/21)	<u>\$ 32,711.73</u>

NBT Payroll Fund

Beginning Balance (6/01/21)	\$ 2,338.17	(w/e 6/4/21)	\$4,690.43
Deposit	29,748.86	(w/e 6/11/21)	4,821.99
Interest	0.07	(w/e 6/18/21)	7,642.90
Expense	29,748.86	(w/e 6/25/21)	6,111.13
Ending Balance (6/30/21)	<u>\$ 8,164.28</u>	(w/e 6/30/21)	6,482.41

BILLS TO BE APPROVED FROM THE NBT GENERAL FUND CHECKING ACCOUNT:

ARGS Technology, LLC	(IT Service May Remote Service, Cloud Backup)	\$ 549.50
Alarm Installers Corp.	(Monitoring Services 6/1-11/21/21 New Install Uplink)	663.00
AMTrust North America	(PREPAID: Fire Co. Workers Compensation)	2,614.00
Berkheimer Associates	(Local Service Tax Operating Commission)	122.79
Campbell Durant, PC	(General Labor & Employment Matter – June)	3,333.51
Cintas Corporation	(Maintenance Uniform)	224.12
Custom Products Corporation	(3' Delineators for Downtown Bump-Outs)	893.12
Eastern Time, Inc.	(PREPAID: Switched Phone Providers)	350.00
Ehrlich	(Pest Control)	106.00
ESSA	(Building Loan June Payment)	2,309.20
Geisinger Health Plan	(PREPAID: Maintenance Health Plan)	3,769.13
Gotta Go Potties	(P&R: Porto Potties 5/6-6/3/21)	170.00
H. Clark Connor	(PC Meetings, Review Ordinance & Emails)	393.50
	(Clarius Zoning Amendment/Conditional Use)	1,128.50*
Highmark Blue Shield	(PREPAID: Maintenance Vision & Dental)	120.18
Integra Business Center	(Highway: 3-year License & Support Cloud)	891.75

Mount Pocono Borough Council
Regular Meeting Minutes
Tuesday, July 6, 2021
7:02 P.M.

Lowe's	(PREPAID: Highway Supplies)	48.54
Met Life	(PREPAID: Highway Life & Disability Ins.)	11.75
Monroe County Control Center	(Fire/EMS Dispatching Fees 3 of 4)	776.65
NPAP Auto Parts	(P&R Lawn Mower Oil, Highway Tire Socket)	18.27
NBT Cardmember Service	(PREPAID: Miscellaneous)	364.56
Newman, Williams, Mishkin	(1 Summit Zoning Violation)	279.40
PA American Water Co.	(PREPAID: Fire Hydrants – 43)	714.09
	(Water – Garage & Boro Bldg.)	57.64
PA One Call System, Inc.	(PA One Call)	25.55
Payrolls Unlimited	(June 2021)	88.85
Pennoni Associates	(Reimb: Clarius Partner-CU Hearing)	1,189.28*
Pocono Mtn. Public Library	(Delinquent Dedicated Real Estate Tax - Library)	2,511.02
Pocono Mtn. Regional Police Dept.	(July Loan Payment)	2,792.12
Pocono Mtn. Regional EMS	(Delinquent Dedicated Real Estate Tax – EMS)	1,263.28
Pocono Mtn. Regional Police Dept.	(2020 Remaining Payment)	98.29
Pocono Mtn. Regional Police Dept.	(July Payment)	61,758.67
Pocono Mtn. Vol. Fire Co.	(Delinquent Dedicated Real Estate Tax – Fire Co.)	2,511.02
Pocono Record	(February Ad)	92.76
PPL Electric Utilities	(Boro Bldg./Garage/Concession Stand/etc.)	668.05
Quill Corp.	(Office Supplies)	259.76
Selective Insurance	(PREPAID: Insurance)	9,802.00
Signal Service, Inc.	(Maintenance Contract 5/121-4/20/22)	1,700.00
SPW Cleaning Services, Inc.	(Cleaning Boro Bldg. 6/8 & 6/22)	350.00
Sunoco Universal Fleet	(PREPAID VIA PHONE: Gas & Oil)	481.05
Tulpehocken Spring Water	(Bottled Water)	34.99
ULINE	(P&R Trash Liner Bags)	154.37
US Bank	(New Copier Contract 6/12/21-6/30/21)	128.45
Walmart Capital One	(Maintenance Velcro Straps)	11.60
GRAND TOTAL:		<u>\$105,830.01</u>
*Reimbursable Items		

Motion carried unanimously.

Zoning Officer

No report as Zoning/ Codes Enforcement Officer A. Wilkinson was on vacation this week.

Solicitor

Solicitor J. Fareri reported on the status of short-term rental litigation.

Gary Thomas, 12 Cedar Road, voiced his concern about the noise from the renters at 3:00 A.M.

Taco Bell Modifications and Approval of Revised Land Development Plan

Marianne Michalak, Project Manager from Bohler Engineering spoke on the Taco Bell Land Development Plan revisions via telephone.

Councilmember P. Bucco moved to accept the two (2) modifications as stated below:

1. A modification is requested from Section 187-56.F(3) to encroach into the previously approved 10' buffer adjacent to the non-residential property to the east. During sketch plan review by the Borough, it was requested that the amended plan maintain the bypass pass lane, therefore shifting the paved area to the east and encroaching into the approved 10' buffer. The plantings previously proposed within the buffer have been relocated to maintain the required on-site plantings.

Mount Pocono Borough Council
Regular Meeting Minutes
Tuesday, July 6, 2021
7:02 P.M.

2. A modification is requested from Section 187-48.W(5)(a). The previously approved plan included curb design utilizing a 6" curb reveal. The amended plan includes design utilizing extended curb with 18" reveal along portions of the eastern property line. The 18" reveal curb is proposed to provide transition between the higher elevations of the adjacent parcel along the eastern property line to the proposed elevations along portions of the eastern curb line. The design includes re-grading to raise portions of the development area to minimize the limits of extended curb and changes to the previously approved plans.

Seconded by Councilmember S. Stewart-Keeler. Motion carried unanimously.

Borough Engineer C. Niclaus stated that this is a unique project as it is part of a larger plan in which the developer has an overall developer's agreement for the entire project. He questioned whether this could be done as an as built. Solicitor J. Fareri stated that he had no problem with this project being considered as an as built.

Councilmember P. Bucco moved to accept the as built of the Taco Bell as a recorded plan. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

At this time Borough Engineer C. Niclaus left the meeting as he was no longer needed.

Approval Of Minutes

The following minutes were presented for approval: April 5, 2021; April 19, 2021; May 3, 2021; and, May 17, 2021. This item was tabled to give councilmembers more time to review. It was noted that the March 4, 2021, regular meeting minutes that are on cassette will be delivered to the stenographer by the Borough Solicitor.

Persons to be Heard

Ann Shincovich, Pocono Mountain Public Library Director, discussed the petition she is circulating to allow for a referendum on this November's ballot that will ask voters to set a new dedicated millage rate.

Dan Boccia, Pocono Pride Fast Pitch, spoke via Google Meets on his proposed indoor softball practice facility. His organization received a \$92,000.00 grant to build this building at the Deerfield Oak Park. There was discussion. A consensus was reached that a sketch plan and possibly a land development plan would be needed and that starts with the Planning Commission.

Mike Oser, 39 Fairview Avenue, spoke on short-term rentals, council committees, and MPMA billing.

Unfinished Business

New Building Code Policy

President F. O'Boyle stated Mr. M. Oser will work with Zoning Officer A. Wilkinson on this.

Revision to Borough Manager Ordinance

Councilmember P. Bucco moved to advertise an Ordinance that states bonds should not exceed \$400.00 for the Borough Manager, Treasurer and the Tax Collector and if it does the Borough would need to be reimbursed. Councilmember R. Emilie seconded. Motion went to a tie with Mayor M. Penn breaking the tie by agreeing to the motion. Motion carried 4 to 3.

Property Maintenance Ordinance Amendment

Mount Pocono Borough Council
Regular Meeting Minutes
Tuesday, July 6, 2021
7:02 P.M.

Councilmember P. Bucco moved to adopt the amendment to the Property Maintenance Ordinance as presented below. Councilmember S. Stewart-Keeler seconded.

ORDINANCE NO. 4 OF 2021

AN ORDINANCE AMENDING THE PROPERTY MAINTENANCE CODE OF THE BOROUGH OF MOUNT POCONO, BOROUGH CODE §149-1, et seq.

WHEREAS, the Borough of Mount Pocono adopted a Property Maintenance Code, which is codified at Borough Code §149-1, et seq.; and

WHEREAS, Borough Council seeks to amend the Ordinance to include the height limitation for lawns and grassy areas,

NOW THEREFORE, in accordance with the Authority granted the Borough by the Pennsylvania Borough Code, the above referenced Ordinance is amended as follows:

- 1. §149.6 of the Borough Code is amended to add new §149.6(a)(8) to state as follows:
“All lawns or grassy areas must be maintained by the property owner such that all grass and other vegetative matter should not exceed six (6) inches in height”.*
- 2. This Amendment shall be effective immediately upon adoption.*

Motion carried unanimously.

Website Update

Mayor M. Penn reported that the website is live and the e-commerce portion will be live in August.

Grants Update

Updates were given on the BRIC Grant, LSA and the Multimodal Grants.

New Business

Second Street Light Purchase

President F. O’Boyle stated that this street light was damaged approximately four (4) years ago and he thinks we should check with our insurance company to seek a claim on this.

Notary Renewal Request

It was noted that the amount of \$488.35 seems high and Borough Council tabled any action until it receives a cost comparison.

Purchase Playground Mulch

Councilmember P. Bucco moved to purchase the certified mulch for the playground in the amount of \$2,020.00. Councilmember S. Stewart-Keeler seconded. There was discussion. Motion carried unanimously.

Resignation

Councilmember P. Bucco moved to accept the resignation of Nancy Folger from the Planning Commission and the Parks and Recreation Board with regret. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Mount Pocono Borough Council
Regular Meeting Minutes
Tuesday, July 6, 2021
7:02 P.M.

Councilmember P. Bucco moved to advertise the Parks and Recreation Board and the Planning Commission vacancies. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Set Community Day Dates

Councilmember A. Montanez moved to advertise the free yard/ garage sales for: July 23, July 24, July 25th; August 27, August 28, August 29; September 17, September 18, September 19. Councilmember P. Bucco seconded. Motion carried unanimously.

Announcements

Pocono Trailer Conditional Use Hearing is withdrawing their application as the property is being sold.

An update was given on the new Safety Commission Members – Jodi Bohdal, Chair – 2-year term; Don Struckle, Vice Chair – 3-year term; Lori Noonan, Secretary – 2-year term; Kyong Kim – 3-year term; and, Debra Fulton – 2-year term. Councilmember A. Montanez moved to advertise the Safety Commission meeting dates as the second Monday of the month and the fourth Monday of the month if needed. Councilmember P. Bucco seconded. Motion carried unanimously.

Public Participation

Wendy Webster, Summit Pointe Property Owner Association, spoke on short term rental violations and fines.

32 Brunswick Drive, Solicitor J. Fareri, reported that he wrote a letter to the attorney who represents the bank regarding this property and that the bank had a forced insurance of \$42,000.00, and that in accordance to the Borough's Ordinance \$5,600.00 of that was placed in escrow. He is waiting to hear back from the bank's attorney.

Ann Marie Harris, 236 Winona Road, spoke on the upcoming carnival, the GTRP grant for the park and county waste concerns.

Councilmember S. Stewart-Keeler, announced that the Rotary is conducting community service by having a truck to collect shredding and other recyclables on August 7th, and is asking if the truck can be parked out here.

There being no further business or public participation Councilmember S. Stewart-Keeler moved to adjourn the meeting at 9:40 P.M. Councilmember P. Bucco seconded. Motion carried unanimously.

Respectfully submitted,

Joshua Walker
Borough Manager