

## MOSCOW BOROUGH COUNCIL

### MINUTES OF THE JUNE 6, 2016 MEETING

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A meeting of the Moscow Borough Council was held on June 6, 2016 at 7:00 p.m. at the Moscow Borough Building, 123 VanBrunt Street, Moscow, PA. The following Council members were either present or absent:

Daniel F. Edwards – Mayor	Present	Marc Gaughan	Present
Arthur Pencek – President	Present	William Heim, Vice-President	Present
Joseph Castrogiovanni	Present	Thomas Lynch	Present
Edward Gaughan	Present	Rosemarie Warner, Secretary	Absent

Also present were Constance Sanko (Secretary/Treasurer), Ivy Brenzel (Police Chief), David Lamm (Building Inspector), Bruce Zero (Solicitor), Lisa Duffy and Merabeth Moore (North Pocono Cultural Society), Theresa Ripley, Barbara Giovagnoli (Lackawanna County Office of Sustainability), Maura Farr (North Pocono Middle School), and several students and parents from the North Pocono Middle School.

**Citizen's Comments:** Maura Farr, North Pocono Middle School, was in attendance, with several students, to report that the Middle School received a second place award and \$750.00 for recycling from the Philadelphia Zoo Unless Contest. The students each gave a brief description of what was involved with the contest. Barbara Giovagnoli, Lackawanna County Office of Sustainability, reported that the middle school received a second place award and \$500.00 from the Lackawanna County GreenSylvania Competition. Barbara thanked Moscow Borough, in particular Connie Sanko and Mark Mecca, for working together with the school district with recycling matters. Art Pencek said he is very proud of North Pocono students. Council members congratulated Maura, Barbara, and the students for a job well done and for their involvement in the school and community.

Theresa Ripley, 210 Jennifer Street, asked about the status of the Market Street sidewalk/crosswalk issue. Art Pencek reported that the Borough received a plan from Greenman-Pedersen, and is trying to set up a meeting with PennDOT and is looking into funding sources.

Merabeth Moore, speaking on behalf of the North Pocono Cultural Society, asked if the upper parking lot on Main Street across from the firehouse can be closed down for the Moscow Country Street Fair to be used by vendors. Lisa Duffy said there will be parking at the schools with shuttle buses running. Council approved but noted the following: Bill Heim said that posts with tents will not be allowed to be driven into the pavement. Chief Brenzel said that the tenants that use the parking lot should be notified about other parking options, Art Pencek said the tenants can park at the end of the parking lot where there is no pavement and also suggested that the back side of the tents be put up against the concrete divider so that the people will be walking on the inside of the parking lot, and Marc Gaughan suggested putting up signage a week ahead of time saying that the lot will be closed.

**Minutes of the May 16, 2016 meeting:** Bill Heim made a motion to accept the minutes of the May 16, 2016 meeting as written. Tom Lynch seconded the motion. The motion carried unanimously.

**Treasurer's Report:** Connie Sanko presented the Treasurer's Report for the month of May and lists of bills to be paid from the General Fund and Liquid Fuels Fund. Bill Heim made a motion to accept the Treasurer's Report and to pay the bills as presented. Ed Gaughan seconded the motion. Marc Gaughan and Art Pencek both abstained from voting on reimbursements to themselves for gas used when they drove to Harrisburg to pick up the street sweeper. The motion carried unanimously with a roll call vote.

Certificate of Deposit #00005191 in the amount of \$13,437.48 will automatically renew on June 19, 2016.

**Secretary's Report:** Clean and Green 2016 went very well: disposal at Keystone Landfill - 60.29 tons; truck and crew hours - 58 hours.

#### **Correspondence:**

- The North Pocono Public Library will be holding a Flag Day celebration on June 14, 2016.
- There will be a Lackawanna County Association of Boroughs meeting on June 16, 2016.

- Council members were invited to a ribbon cutting ceremony on August 21, 2016 for Wonderful.

### **Police Report:**

- Chief Brenzel gave the police report for the month of May. There were 131 911 calls and 129 cleared calls.
- Council members received copies of Special Order #2016-01 defining grooming and personal appearance standards for members of the Moscow Borough Police Department. Art asked everyone to review the information for the next meeting. Chief Brenzel would like to have it in place before any more hiring is done.
- A National Night Out Committee Meeting is scheduled for June 20, 2016

**Building Permits:** Dave Lamm reported that three building permits were issued in the month of May.

**Building/Zoning Officer's Report:** Dave Lamm reported on the following:

- A Zoning Hearing is scheduled for Wednesday, June 22, 2016 at 7:00 p.m. to consider the Application of Peter and Kathleen Rubando for a Special Exception for the purpose of a business growing mushrooms for wholesale use only at their property at 700 North Main Street. The Planning Commission reviewed the application and sent it to the Zoning Hearing Board.
- Council members were provided with a copy of a letter to Marianne Sizelove and the Findings of Fact and Conclusions of Law with the decision of the Zoning Hearing Board. The Special Exception was approved for the Sizelove's only and not to the property. Mr. and Mrs. Puchalski, current owners of the property, are concerned that if the agreement of sale doesn't go through they will only be able to sell the property as commercial. Attorney Zero advised them to consult with the Zoning Hearing Board solicitor, and stated that once the proposed amendment to the zoning ordinance pertaining to residential properties in a commercial zone is approved there is nothing that can be done.
- He has been sending letters to several residents regarding the length of their grass.

### **Planning Commission:**

- Mr. Frank Hubbard sent a letter requesting waivers for his duplex project on Main Street: Art Pencek said that he spoke to Harry Andes who has no objections to the waivers. Marc Gaughan explained that the roadways are private and will be maintained by a Homeowners Association. There were some concerns with fire protection. Attorney Zero said the roadways are private and do not have to be accepted as Borough streets. Marc Gaughan stated that the Planning Commission recommends approval of the waivers. Attorney Zero prepared a resolution for approval of the waivers. Marc Gaughan made a motion to adopt Resolution #258 - 2016. Ed Gaughan seconded the motion. The motion carried unanimously with a roll call vote.
- A brief discussion was held on Mr. Hubbard's eligibility for LERTA. Attorney Zero said he is eligible and should apply when he applies for the building permit for the project. The application will be sent to Lackawanna County and the North Pocono School District. Tom Lynch asked if the LERTA will go from commercial to residential when the units are sold.
- A brief discussion was held on Ordinance #238 - 2016, Amendment to the Zoning Ordinance pertaining to residential properties in a commercial zone. The intent of the ordinance is to keep the commercial zone on Main Street. Bill Heim made a motion to dispense with the first reading of proposed Ordinance #238 - 2016. Joe Castrogiovanni seconded the motion. The motion carried unanimously with a roll call vote. Bill Heim made a motion to advertise Ordinance #238 - 2016. Marc Gaughan seconded the motion. The motion carried unanimously with a roll call vote.

### **Recreation:**

- Art Pencek said that he contacted Ron Donati to see when he can put in the concrete pad for the pavilion at Golden Park.
- Connie Sanko reported that Rose Warner and Mark Mecca met with an Eagle Scout candidate to discuss a potential project involving putting in walking trails at Golden Park.

**Recycling:** Council members were provided with photos of non-recyclable items being left to be recycled which the Borough has to pay to get rid of.

**Municipal Building:** Jim Cook provided an estimate for painting several entrance doors into the building in the amount of \$1,235.00 and \$450.00 to paint one of the overhanging garage doors. Dan Edwards said that shutters also need to be painted. Art asked Tom Lynch to get an estimate for the shutters and if it is not too exorbitant to give permission to go ahead with painting of the shutters.

**Financial Report:** Council members were provided with proposed Ordinance #239 - 2016, an ordinance increasing the indebtedness of Moscow Borough, Lackawanna County, Pennsylvania, by the issue of a general obligation note in the amount of \$200,000.00 for sundry purposes; fixing the form, number, date, interest, and maturity thereof; making a covenant of the payment of the debt service on the note providing for the filing of the required document; providing for the appointment of a sinking fund depository for the note; and authorizing execution, sale and delivery thereof. Bill Heim said that this is included in the 2016 budget. Joe Castrogiovanni made a motion to dispense reading Ordinance #239 - 2016. Bill Heim seconded the motion. The motion carried unanimously with a roll call vote. Marc Gaughan made a motion to advertise Ordinance #239 - 2016. Ed Gaughan seconded the motion. The motion carried unanimously with a roll call vote.

**Streets:** Marc Gaughan reported on the following:

- Theresa Ripley asked if Willow Street will be paved this year. Marc Gaughan said that something other than paving may be used.
- No applications were submitted for the DPW part-time summer position. Matthew Gallagher is interested in the position however he does not have a driver's license. Mark Mecca said this will not be a problem. Marc Gaughan made a motion to hire Matthew Gallagher as a temporary part-time employee for the Department of Public Works. Tom Lynch seconded the motion. The motion carried unanimously with a roll call vote.
- There is a concern that there is not enough time to cross at the crosswalk at the intersection of Main and Market Streets. A letter was received from PennDOT stating that all traffic in all directions can be stopped but that there are consequences so a meeting with PennDOT will be arranged. Chief Brenzel said that traffic will be delayed and there are concerns with juveniles hitting the button to stop all the traffic. Tom Lynch said the traffic does get backed up at that intersection sometimes.
- Marc is not impressed by the new lighting, which is downward not broadcast, that PPL is proposing to install.
- Funds are budgeted for the cleaning of the retention ponds.
- The street sweeper worked out well.

**Solicitor's Report:**

- The sale of New Street Park is still pending since we are still waiting for approval from the Department of Community and Natural Resources.
- Council members were given copies of Resolution #259 - 2016 officially naming parks in the Borough. Ed Gaughan made a motion to adopt Resolution #259 - 2016. Marc Gaughan seconded the motion. The motion carried unanimously with a roll call vote. This resolution includes the naming of the new park on Market Street "Old Mill Park".
- Attorney Zero will contact Frank Yevitz again about getting the title search done for the drainage issue on Maple Street.

**Old Business:**

A brief discussion was held on an email from William Lombardi pertaining to an animal control ordinance from Moosic Borough. Attorney Zero said Moscow Borough's ordinance is stricter. Chief Brenzel said the issue has been resolved.

**New Business:**

Chief Brenzel said a resident inquired if he can hunt on his own property. Bruce Zero said hunting and discharging of firearms in the Borough is prohibited.

**Adjournment:** Bill Heim made a motion to adjourn the meeting. Joe Castrogiovanni seconded the motion. The motion carried unanimously.

**Minutes submitted by Constance Sanko**