

MEETING OF THE MOUNT PENN BOROUGH COUNCIL

December 28, 2021

The Mount Penn Borough Council met in regular session on December 28, 2021. President Goodman brought the meeting to order at 7:30 P.M. and led the Pledge of Allegiance. Responding to roll call were, President Troy Goodman and Council Members: Rick Lombardo, Jim Cocuzza, Tom Staron and Roger Reto. Also in attendance were Mayor Josh Nowotarski, Solicitor Tom Klonis, Engineer Chris Falencki, Chief Serafin, Teresa Dietrich, Secretary, and Assistant Secretary, Rochelle Gresh. Ryan Maurer arrived at 7:31 PM and Councilman John Fielding arrived at 7:38 PM.

I. EXECUTIVE SESSION- None

II. AUDIENCE PARTICIPATION:

Special Guest appearance by State Representative, Mark Rozzi.

He presented Councilman Tom Staron (25 years) and Councilmen, Jim Cocuzza (15 years) with plaques to commemorate their time and service to Mt Penn Borough.

Their terms are up on December 31, 2021.

Councilmen elect, Roger Stief and Joseph Cunliffe were also in the audience.

III. ENGINEERING

- Engineering Report November 20- December 20, 2021 submitted to Council.
- **ADA Handicap Ramp Projects**- Resolution adopted. Work to be scheduled.
- **Handicap Ramp Center/Cumberland** – Work being done with DCED grant. Preparing letter response to FHWA.
- **Endlich Avenue Pipe Restoration-DEP**- Convinced DEP to re-look at application, granting extension for submission.
- **DCED Multimodal Grant**- Design 95% complete. Awaiting Design work from the Water Authority.
- **Code issues** –. Occupancy permit created U & O cert. for the Borough. A motion was made by Tom Staron to approve the Occupancy permit created by McCarthy Engineering for the U&O. Seconded by Roger Reto. All Ayes.
- **2451 Fairview**- Action needed, will resume at next meeting. Resident sent in a RTK for other neighbor permits for pools, etc. Per Solicitor, he will have to file an appeal in order to get court transfers.
- **Construction Projects (Subdivision & Land Development)**- Mt. Penn Townhomes. Presentation followed by Builder, Bryan Boyer. Falencki recommended another presentation. Motion for contingency on easement & final plans- Retaining wall (Geogrids). Recommended variance for separation between buildings, they did get one and will put in a row of trees, per planning commission- no need for visual barrier. McCarthy review sent letter dated December 13th. Replacing Sidewalk & curbing. Sidewalk permit needed when time comes. Homeowner owns curb. Asking for contingency for clean-up plan and improvements, final plan approval...subject to the review letter. Security and Storm water agreement. No easement needed for Geogrid. Waste removal is private by Homeowner Assoc.. Solicitor will review Homeowner Assoc Agreement. Discussion Continued further.
Motion for final plan approval contingency of satisfactory execution of Municipal improvement agreement & storm water agreement and review letter from McCarthy dated Dec 13th by Rick Lombardo, Seconded by Roger Reto. All Ayes.

Chris Falencki commended our Planning Commission.

IV. APPROVAL OF MINUTES

Motion was made by Troy Goodman to approve the minutes of the November 30, 2021 meeting. Seconded by John Fielding. All Ayes.

V. FINANCE REPORT

Finance report for November 2021 were presented by Ryan Maurer

A motion was made by Mr. Fielding to accept the Treasurer's Report for November 2021 as presented. Seconded by Mr. Lombardo. The motion carried unanimously. The following balances were reported:

Checking	112,520.63
Savings	395,151.73
Liquid Fuels	83,139.27
PIB Loan	40,360.62
Fire Tax	5,805.87
Ambulance Tax	5252.77
Petty Cash	50.00
Street Light Tax	10,598.48

A motion was made by Mr. Maurer for payment of all borough bills in all accounts including checks 18939-18970 for \$140, 708.58 as well as payroll of 19,450.48 in October and November 2021. Seconded by Mr. Fielding. The motion carried unanimously.

Motion to adopt 2022 Budget w/ no tax increase made by Mr. Maurer, seconded by Mr. Fielding. All Ayes.

VI. COMMITTEE REPORTS:

A. STREETS: Bob Cat waiting on Charlie Parrish approval through Liquid Fuels. Part Time streets person, use for snow removal as well, would like to keep Dustin.

Tom Staron discussed need for person with plowing experience. 3rd person to strictly plow snow. Rochelle stated we had some applicants with plowing experience.

B. PARKS & PUBLIC PROPERTY: Parking Lot and Municibid. Need deed and parcel #. Discussion regarding the need for the actual address to advertise. Motion was made at a prior to advertise.

C. SOLID WASTE & PUBLIC UTILITIES: No report. Trash is being collected when problems arise.

D. PERSONNEL: Email from Adam Bender about Medical Bills and deductibles resulting from being forced onto a new plan. Out of pocket expensed for him. Would like reimbursement. A motion was made to reimburse Adam for his out of pocket medical expenses for deductible to accept by Mr. Fielding, Seconded by Jim C. Not to exceed maximum of \$750.00 with receipts. Email from Adam for hourly rate match with Jim Surgeoner. 2.5 raise that he did not get for 2021. Denied, No action taken.

E. INSURANCE/PENSION: Motion by Mr. Fielding to accept the new Insurance & Workman's Comp Ins., Seconded by Jim Cocuzza. All Ayes.

- F. **CODES:** Rental program, letters sent. Question on rental ordinance and how family is defined. Ordinance needs to reflect specifics. Email ordinance to Solicitor and he will make adjustments.

VI: LIASION REPORTS:

- A. **Fire Company:** 60 sets of gear, total \$78,000.00 16,000.00 came out of Fire Budget.
- B. **MPBMA:** Reorganization January, letter from Josh to fill vacancy. Wait for new Council to run interviews.
- C. **AVMA:** Vacancies and bill for gate.
- D. **Planning Commission:** No report
- E. **Police Commission:** Next meeting Thursday, January 6, 2021 at 6:30PM.
- F. **MT. PENN PRESERVE:** No report

VI. OTHER REPORTS:

- A. **Mayor:** No Report.
- B. **Police Report:** No Report
- C. **Solicitor:** Borough Manager position, needs more information from Council to write ordinance, needs guidance. Sent samples, inquiring on if she can hire or fire people. Mr. Lombardo said it was basically to monitor the day to day operation as per previous discussion. Discussion continued on what authority Rochelle is capable of.
- D. **Secretary:** Rochelle, Assistant Secretary wanted to make all of Council aware that she will fill in at the Police Dept for Claudia until they find someone. President Goodman set a time limit on that until the end of January to find someone. Motion to approve, Mr. Staron, Seconded by Mr. Lombardo. Rental letters went out beginning of December. Need to clarify Family in rental ordinance and update to forego rental for renting to an immediate family member.

VII. ORDINANCES:

- a. **Withdraw of Mount Penn Preserve #870-** Motion to adopt withdrawal by Mr. Staron, Seconded by Mr. Lombardo. All Ayes.
- b. **Lutz Funeral Home Parking - #871** – Motion to adopt by Mr. Fielding, Seconded by Mr. Reto. All Ayes.
- c. **Recinding handicap parking #872** – Motion to Rescind Handicap parking on Grant St. & others by Mr. Fielding, Seconded by Mr. Reto. All Ayes.
- d. **Borough Manager** – Solicitor Klonis asked for more information, needs guidance and more specifics to write ordinance. More to be discussed at next meeting.

VIII. RESOLUTIONS

Resolution 35-21 Business Privilege Tax- Motion to adopt resolution made by Mr. Fielding, Seconded by Mr. Reto. All Ayes.

Resolution 36-21 Local Services Tax- Motion to adopt resolution made by Mr. Fielding, Seconded by Mr. Reto. All Ayes.

Resolution 37-21 Per Capita Tax- Motion to adopt resolution made by Mr. Fielding, Seconded by Mr. Reto. All Ayes.

Resolution 38-21 Real Estate Transfer Tax- Motion to adopt resolution made by Mr. Fielding, Seconded by Mr. Reto. All Ayes.

Resolution 39-21 Charge for trash, recycling and yard- Motion to adopt resolution made by Mr. Fielding, Seconded by Mr. Reto All Ayes..

Resolution 40-21 Tax rate for assessed property value -Motion to adopt resolution made by Mr. Fielding, Seconded by Mr. Reto. All Ayes.

Resolution 41-21 Operating Budget- Motion to adopt resolution made by Mr. Maurer, Seconded by Mr. Reto.

Resolution 42-21 Salaries- M All Ayes. Motion to adopt resolution made by Mr. Fielding, Seconded by Mr. Reto. All Ayes.

- IX. UNFINISHED BUSINESS: Crossing Guard...** Keep advertising
Joseph Cunliffe asked about volunteering to be the Crossing Guard, Mr. Klonis will check into that. Mentioned being hired by the School District.
A Motion by Mr. Lombardo to retroactively approve the sprint phone contract.
Seconded by Mr. Fielding. All Ayes.
- X. CORRESPONDENCE:** None
- XI. NEW BUSINESS:**
- a. Council Resignations and vacancies for 2022-** Tenure resignation Effective Dec 31st. Mr. Fielding, Mr. Maurer have their letters. Motion to accept Mr. Fielding/ Mr. Reto. All Ayes.
 - b. Recycling Grant:** 10,000 leftover for advertising or newsletter, Rochelle will talk to them. It will be an IN KIND donation. Needed by March 31st.
 - c. Codes Vehicle Decal :** Cost \$700.00, supposed to do this a while ago. Questions on why the Borough has to pay for this. Motion by Mr. Reto. No Second. No action taken.
 - d. Scheduling Council Meetings/ Workshops for 2022 & times:** Discuss Tues. Keeping at 7:30- Mr. Cunliffe agreed to 7:30, Mr. Maurer cannot make it any earlier than 7:30. Last Tues of the Month 7:30. Motion by Tom Staron to hold Council Meetings at 7:30PM, Seconded by Mr. Reto Reto. Workshop agreed on as well. All Ayes.
 - e. Zoning Hearing Board Attorney:** Sobotka to be re-appointed. Do this at reorganization meeting.
 - f. Bank Signers:** Motion made by Mr. Lombardo to add Rochelle Gresh as a bank signer. Seconded by Mr Fielding. All Ayes.
 - g. Guns Down Gloves Up:** No action taken, no donation.
- XII. OLD BUSINESS:** Bank is cooperating with loan for Center & Glenn Terrace. .Mr. Maurer said he feels better with bank. Best to stay with our current bank or they will ask us to move accounts.

Mr. Staron & Mr. Cocuzza both made statements thanking everyone while they served on Council.

XIII. ADJOURNMENT:

Mr. Staron made the motion for adjournment at 9:45P.M., seconded by Mr. Cocuzza. The motion carried unanimously.

Workshop meeting scheduled for 7:30 P.M. Tuesday, January 18, 2022 is now a Business meeting.

The next regularly scheduled Council meeting will be held 7:30 P.M., Tuesday, January 25, 2022.

Respectfully Submitted,

Teresa A. Dietrich
Secretary