

**Mount Pocono Borough Council
Work Session Agenda
Borough Council Chambers
Tuesday, April 16, 2024
6:30 PM**

Call To Order

Pledge of Allegiance

Roll Call:

_____Norman DeLano, _____Debra Fulton, _____Ann Marie Harris, _____Joe Simeone,
_____Erin Melbert, _____Donald Struckle, _____Claudette Williams, _____Mayor Altemose

Public Comment (agenda items only)

Newsletter Options
Excessive Police Calls Ordinance
Driveway Pipe Blockage Ordinance

Committee Reports:

Budget- Donald Struckle
COG- Ann Marie Harris
Newsletter- Deb Fulton
HR- Norman DeLano
Public Infrastructure– Randy Altemose
Regional Police – Randy Altemose

Public Comment

Reminders:

Adjournment

Quote #58290

QUOTE

Newsletter

Thank you for your business!



Center City Print
 119 Penn Ave
 Scranton, Pennsylvania 18503
 (570) 209-7343
<https://www.centercityprint.com/>
sales@centercityprint.com

Created April 8, 2024
Customer Due Date April 8, 2024
Total \$3,094.00
Outstanding \$3,094.00

Customer Billing
 Marissa Duffy
mduffy@mtpoconoboro.org

Customer Shipping
 Marissa Duffy

Description	Qty	Items	Price	Total
Newsletter 11x17 folded to 8.5x11 4/4 Gloss text	1820	1820	\$1.52	\$2,766.40
Mail processing	1820	1820	\$0.18	\$327.60
Postage \$0.33-0.385	1820	1820	\$0.00	\$0.00

Item Total \$3,094.00
Fees Total \$0.00
Sub Total \$3,094.00
Tax \$0.00
Total Due \$3,094.00
Paid \$0.00
Outstanding \$3,094.00

By Approving this proof and/or quote you accept all responsibility of print information and billing charges. Overruns and under-runs may occur during production.
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 A service charge may be computed at a rate of 1.5% per month (18% annually) on accounts showing past due balances. Minimum service charge is \$0.50



Minuteman Press of Stroudsburg
2158 West Main Street
Stroudsburg, PA 18360
Phone: 570.421.1437
www.mmpstroudsburg.com

Quotation

4/4/2024

Bill to: Mount Pocono Borough
1361 Pocono Blvd
Mount Pocono, PA 18344

Phone: 570-839-8436
Email: mduffy@mtpoconoboro.org

Ship to: Mount Pocono Borough
Marissa Duffy
1361 Pocono Blvd
Mount Pocono, PA 18344

Phone: 570-839-8436
Email: mduffy@mtpoconoboro.org



3,100 8.5 x 11 folded self mailer - includes design POSTAGE not included (Job ID 63790)

Total: \$4,751.48

Component 1 of 2:

Design

Graphic Design
Digital File Handling

Printing

3,100 Finished Pieces
Each of 2
2 sides
Duplex Top/Top
12 x 18 • 100# Blazer Gloss Text • White
Side 1 and 2 Ink(s): Full Color

Finishing

Each of 2
Cut to 11 x 17
Fold to 8.5 x 11
1 Staple(s) per Set/Booklet

Component 2 of 2:

Mailing

Presort/Address/Mail - CASS w/OR CURRENT RESIDENT: 1 per Finished Piece

Order Total: \$4,751.48

**To Make a Payment:
Click or Scan the QR Code**



Taxes are included.



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700 Sarah Street
Stroudsburg, PA 18360



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Stroudsburg News

Spring 2024 | Volume 11, Issue 1

Stroudsburg Events | Spring 2024

- St. Patrick's Day Parade
Sunday, March 24th
1:15 pm
- Monroe Farmers Market
Saturdays to Noon
- Happy Hour Streetfest
Saturday May 18th
Noon to 10:00 pm
- First Saturday Artwalk
May to October
- Pocono Pride Festival
Sunday June 2nd
Noon to 5:00 pm
- Concerts in the Square
Starting June 6th
6:00 to 8:00 pm

More information at:
www.monroefarmersmarket.com
www.visittowntownstroudsburg.com
www.poconomountains.com
www.stroudsburgboro.com

Or visit the Borough's Facebook Page at:
www.facebook.com/StroudsburgBoro

Licensing & Inspections to Start in 2024 Residential Rental Property Ordinance Takes Effect

Well-maintained, clean and safe residential properties benefit everyone. That's why the Borough of Stroudsburg has decided, starting in 2024, to join the dozens of communities throughout the Commonwealth who require inspections of all residential rental properties in their municipality.

Enacted by Borough Council in September 2023 after a lengthy process of investigating similar ordinances from other municipalities, our Licensing & Inspection of Residential Rental Properties Ordinance requires all residential rental properties to be inspected at least once every three years and to be licensed by the Borough. This is a further extension of the ordinance already in place that requires all residential rental properties in the Borough to be registered annually.

Licensing, and inspection, ordinances for residential rental properties are very common not only throughout Pennsylvania, but the United States. Why would municipalities all across the country enact similar legislation? To help protect their communities from blighted properties and to ensure the health and safety of all residents. Licensing and inspecting residential rental properties have proven to be a very effective tool in efforts to make towns and cities more visually appealing, increase property values, and overall more "livable" for all residents.

So, what exactly is in the Borough's new Ordinance? The Ordinance requires that all rental apartments and homes within the Borough be inspected at least *(Continued on Page 2)*



Monthly Borough E-Newsletter to Debut in April

New initiative will improve
Communication to Residents

Can't wait for the next Stroudsburg News to arrive in your mailbox? Or do you just want to keep abreast of all that is happening in our Borough?

Borough Officials have often been told by residents and business owners alike that they would like more information on what is happening in the Borough and be informed of upcoming events and projects.

So, in addition to our current efforts—quarterly newsletter, social media presence and website—in April we are inaugurating a monthly e-newsletter.

Our E-Newsletter will contain up-to-date information on upcoming events in the Borough as well as news on future, and current, infrastructure projects. It will also feature information on Borough services, from leaf pick-up dates in the Fall to swimming pool hours in the Summer!

But the e-newsletter won't be all news... it will also include human interest stories on the people, and places, that make Stroudsburg a unique community and a great place to live.

Sound interesting? Want to subscribe? Click on the "Resident Services Portal" on the Borough Website and become a collaborator by then further clicking on the "Become a Collaborator" tab. All you need to do is enter your name and email address and you will automatically be subscribed to our newsletter.



*****EORWSEDDM****

LOCAL
POSTAL CUSTOMER

Residential Rental Property Licensing to Start in 2024 New Ordinance Mandates Triennial Inspections of All Rental Units

(Continued from Page 1) once every three years. The Borough has put together a rotating schedule that breaks up the Borough into three more, or less, equal parts for the purpose of inspections. Borough Code Enforcement staff will inspect both the interior, and exterior, of these rental properties looking for any health and safety violations as well as any violations of the International Property Maintenance Code and the Stroudsburg Code of Ordinances. An inspection checklist that will cover critical areas to be inspected. The intent is to ensure the safety of residents, the health of our community, and that all properties are in compliance with applicable Code and Ordinance requirements.

While inspections are required triennially, the Borough reserves the right to inspect apartments at any time if "reasonable suspicion" exists that there is a violation. Also, if an owner refuses to allow an inspection, an administrative search warrant may be obtained to gain entry.

Like many communities in Eastern Pennsylvania, Stroudsburg has a growing number of rental properties that are owned by out-of-state landlords. In such cases, the Ordinance requires that the owner appoint a Property Manager who lives within 20 miles of the Borough, within the state of Pennsylvania, who is responsible to both tenants and the Borough to maintain the property and be available in cases of emergencies.

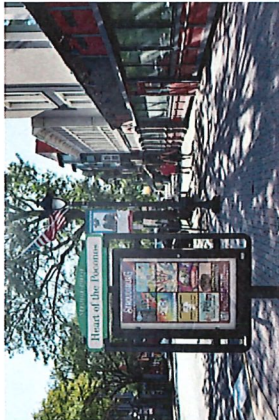
The Borough currently requires all rental units to obtain a registration license annually with the Borough by September 1st. This yearly requirement remains; what is new is that to obtain a license, a property owner must be current on real estate taxes, water, sewer and solid waste fees. Without a license, a property cannot be rented to tenants. This will aid in ongoing efforts to ensure that utility bills and taxes are being paid in a timely manner.

Finally, the Rental Property Ordinance enumerates the duties and obligations of owners and occupants of rental properties. This will help both tenants and landlords; it ensures that all rental units are safe and well-maintained for renters, and that landlords know that their properties are free of health hazards and occupancy not exceeding the legal limit.

Violations of this Ordinance will be strictly enforced by the Borough and can be quite costly. Violations can result in fines of up to \$500, each month the violation remains constituting another violation. And violations can result in rental licenses being revoked, leading to an inability to rent units on the property.

Inspections will start later in 2024. Affected property owners will be notified in early Summer if their rental property is on the schedule to be inspected this year. Appointments for inspections will be made online through the Borough's website, www.stroudsburgboro.com.

Everyone wants a clean, neat and safe community. And everyone wants a place to call home that is healthy and free from hazards. Our new Rental Property Inspection Ordinance accomplishes both of these goals, for the betterment of our wonderful community!



Doggie Do's... and Don'ts

We are very pleased to introduce the Borough Staff's newest member, Nicholas. You may have seen Nicholas taking his best friend, Borough Manager Larry Kopp, for walks downtown. As the staff member responsible for pet relations in the Borough, Nicholas has been working hard advocating for all the dogs and cats in the Borough... between taking naps, playing with his toys and enjoying doggie treats.

However, Nicholas does have a very serious message for all dogs, and their humans, in Stroudsburg. He has seen a troubling amount of doggie doo during his walks with his best friend. Not picking up after your dog is a violation of the Stroudsburg Borough Code. On behalf of all the canines in the Borough, he asks dog owners to please make sure you pick-up the poop of your best friends! It makes walks much more pleasant for dogs and their buddies and keeps our community neat, clean and tidy!



Recycling: It's not Just the Right Thing to do... it's Required!

Did you know, that in Stroudsburg, recycling is required by the Commonwealth of Pennsylvania? The Municipal Waste Planning and Waste Reduction Act (Act 101) of 1988 requires that many municipalities throughout the state participate in recycling. Recycling has been mandatory in Stroudsburg for all residents, and businesses, for decades.

And did you also know that the fees Stroudsburg pays for trash pick-up is tied directly to how much you recycle? What the Borough pays for trash service is based upon the total tonnage of waste taken to landfills. Simply put, if you don't recycle, the total tonnage of garbage is higher, resulting in higher fees to the Borough which are then passed on to residents. However, when you recycle through Twin Boroughs Recycling instead of throwing recyclables into the trash, all recyclables are sold to vendors to pay for the program. All of our recyclables actually are recycled, unlike recyclables that are thrown into the trash and end up in landfills.

The bottom line is that it not only makes financial sense to recycle, it's great for the environment. And of course, it is the law as well. In an effort to keep solid waste/garbage fees to residents low when Stroudsburg again goes out to bid for garbage collection in 2025—and to help pay for Twin Boroughs Recycling—the Borough is going to be redoubling our enforcement efforts to ensure participation by all Borough residents in mandatory recycling.

Need more information on Twin Boroughs Recycling and bi-weekly pick-up of residential recyclables? Visit the Stroudsburg Borough website at www.stroudsburgboro.com. Or visit the Borough Office at 700 Sarah Street for a pick-up schedule and additional information.



Winterfest 2024 Featured the Return of Cold Weather... and Snow!

After several years of, dare I say it, "springlike" weather, Winterfest 2024 enjoyed the return of actual winter-like temperatures, complete with early morning snow!

The 2024 edition of this popular event was held on Saturday, February 17th. A record breaking crowd was in attendance, along with an all-time high of over 50 ice sculptures throughout the downtown. You could literally feel the incredible energy as visitors and residents enjoyed the beautiful sculptures along with special deals at shops and restaurants. Returning again in 2024 were an ice-carving demonstration on Courthouse Square and a scavenger hunt organized by our friends at SROSRF.

A very special "thank you" to Mary Ewanisko of the Downtown Stroudsburg Business Association, and Brianna Strunk, Pocono Mountains Visitors Bureau, whose hard work made this community event a huge success once again!



Ann Street Sewer Main Replacement Project

After lengthy permitting delays from the PA Department of Environmental Protection, this Spring & Summer the Borough will be replacing a portion of the Sewer Main on Ann Street, between 5th and 7th Streets.

Slated to begin mid-May and lasting for approximately 6 weeks, this project will be replacing an old section of sewer main with a larger diameter pipe. This sewer main conveys a large portion of the Borough's waste, along with waste from Stroud Township, to the Wastewater Treatment Plant. In the Fall, Ann Street from 5th to 8th Street will be repaired.

The vast majority of funding for this \$900,000 project will be financed through Federal Funds from the American Rescue Plan Act. Residents and businesses in this area will be contacted by the Borough directly with additional information on street closures, traffic plans, and parking.



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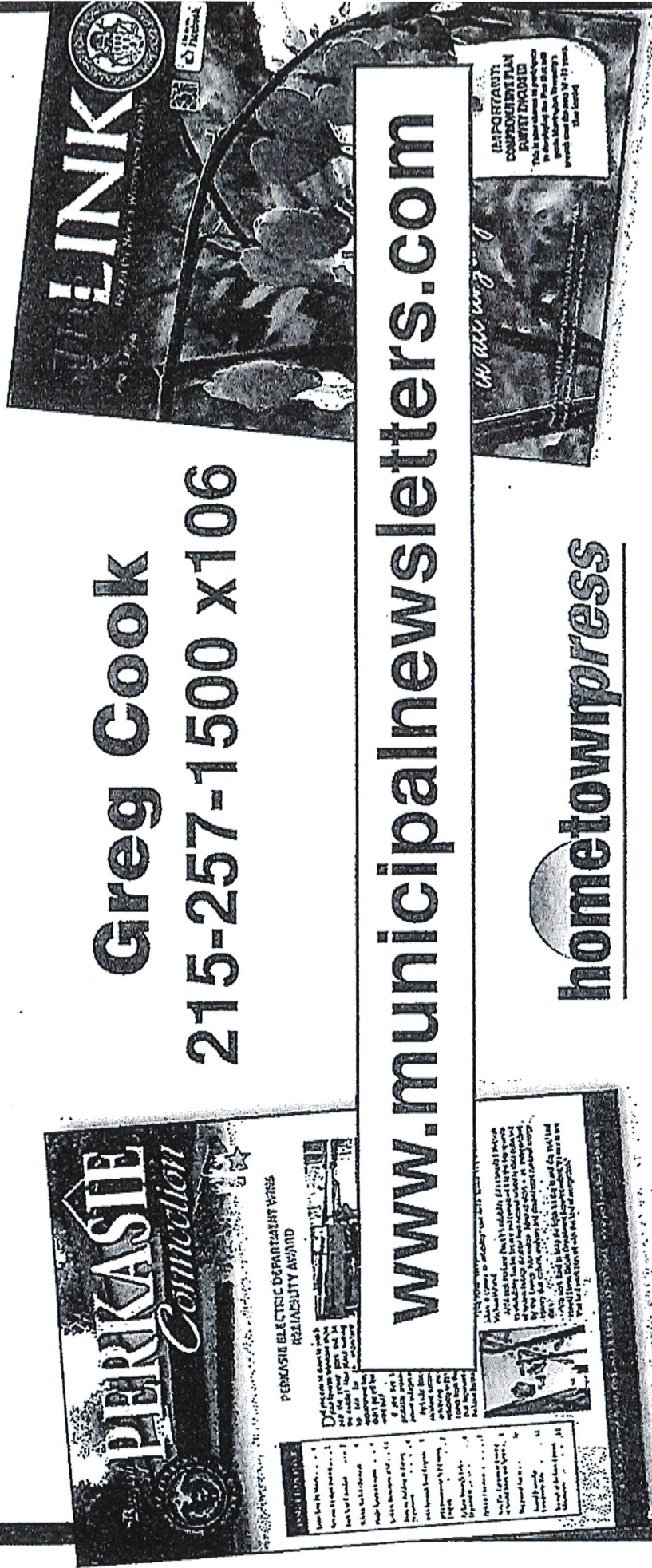
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BOROUGH OF MOUNT POCONO
MONROE COUNTY, PENNSYLVANIA

ORDINANCE NO. 2 OF 2019

AN ORDINANCE AMENDING CHAPTER 35 OF THE CODE OF THE BOROUGH OF MOUNT POCONO CODE.

It is hereby Ordained by the Borough Council of Borough of Mount Pocono, County of Monroe, Commonwealth of Pennsylvania, that Chapter 35 of the Borough Code of Mount Pocono is amended to add Article II as follows:

Chapter 35

Article II

**COST RECOVERY FOR EXCESSIVE POLICE CALLS
AND POLICE CALLS WHICH DO NOT RESULT IN CHARGES**

§35-1 Findings and Intent.

§35-2 Definitions

§35-3 Cost Recovery Required for Excessive Police Calls

§35-4 Billing

§35-5 Police Service Cost Invoice

§35-6 Failure to Pay

§35-7 Repealer.

§35-8 Severability.

§35-9 Interpretation.

§35-10 Effective Date.

§35-1 Findings and Intent.

A. The Borough Council finds that a number of commercial businesses located within the Borough require a disproportionate amount of police service. The Borough Council further recognizes that the Borough hosts a number of retail businesses and other businesses patronized primarily by individuals who do not live within the Borough. Partly as a result of the number of businesses which serve people who do not live in the Borough, there are an extraordinary number of calls to the police, all of which result in the devotion of police personnel to such calls and, in effect, result in less police service being available for other locations, and for emergencies and other more typical police service duties. Such calls also involve claims where the representatives of the business do not follow through or cooperate with the filing of formal criminal proceedings in connection with the call. Police calls which do not result in the filing of formal criminal proceedings overburden the Borough by causing excessive costs for police protection and have no or little deterrent effect.

B. The Borough police services are provided through a regional police organization, of which the Borough is a member. The Borough pays for its police services on an hourly basis. The Borough Council finds that the hours devoted by our regional police in responded to non-emergency calls to commercial businesses in the Borough are excessive and reduce the hours

available to our regional police for addressing traffic and pedestrian safety issues, emergencies, and other more typical police service duties.

C. The Borough Council desires to create a structure which effectively utilizes the current and future police assets and other resources available to the Borough and to do so by encouraging cooperative action which results, where appropriate, in the filing of appropriate charges, yet discourages police calls which result in ineffective allocation of personnel and other police resources. In order to create such a structure, the Borough Council has developed a cost structure intended to assess the cost of unnecessary police personnel and other resource costs to businesses where either excessive calls are made or excessive calls are made which do not result in appropriate filing of criminal charges.

D. The Borough Council is authorized, under §1203 of the Borough Code, to make and adopt all ordinances, bylaws, rules and regulations for the proper management, care and control of the Borough and the maintenance of peace, good government, safety and welfare of the Borough and its trade, commerce and manufacturers.

E. The Borough Council finds that the regulatory structure envisioned by this ordinance reflects an appropriate balance between the Board's duty and desire to provide effective police services to the Borough community and to make such services available to businesses and other citizens and landowners in a manner which provides for the most effective use of the Borough resources.

F. The purpose of this ordinance is to provide for appropriate cost recovery from businesses which permit, allow, or fail to prevent excessive calls for police service and to businesses which habitually fail to file or support criminal proceedings after making a call for police service, all of which compromise the public health, safety and welfare of the Borough.

§35-2 Definitions. For the purpose of this Article II, certain terms, phrases and words are defined as follows:

A. Tense, Gender and Number. Words used in the present tense include the future; words in the masculine gender include the feminine and the neuter; the singular number includes the plural and the plural singular.

B. General Terms. The words "shall," "will" or "must" are always mandatory; the words "should" or "may" are permissive. The words "used for" includes "designed for," "arranged for," "intended for," "maintained for" or "occupied for." The word "building" includes "structure" and shall be construed as if followed by the phrase "or part thereof." The word "person" includes "individual," "profit or nonprofit organization," "partnership," "company," "incorporated association" or other similar entities.

C. Terms, Phrases and Words Not Defined. When terms, phrases or words are not defined,

they shall have their ordinarily accepted meaning or such as the context may imply.

D. Specific Terms. The following words and phrases when used in this Article shall have the meanings given to them in this section unless the context clearly indicates otherwise

“Council” - The Mount Pocono Borough Council.

“Business” - Any individual, sole proprietor, corporation, partnership, limited liability company, and any other type of business entity which engages in business or commercial activities, including the sale of goods, within the Township.

“Calendar Month” - The period which begins on the first day of one of the months as named in the calendar and which ends on the last day of that same month as named in the calendar.

“Criminal Complaint” - A complaint filed in an appropriate court pursuant to a statement or complaint by a witness or complainant to the event which was the cause or subject matter of the police call. This includes non-traffic summary citations.

“Manager” - The individual or entity which is responsible for the management of a Business as defined herein, or the person who appears to the general public to have supervisory responsibility for the management of such a business.

“Owner” - The individual or entity which owns a Business as defined herein.

“Police” or “PMRP” - The Pocono Mountain Regional Police Department.

“Police Service Cost” - The costs as established in the provisions which follow.

“Police Call” - A call or request for response made to the Police requiring a response by Police to a Business in connection with an incident or suspected incident or criminal activity.

§35-3 Cost Recovery Required for Excessive Police Calls

A. Every owner and/or manager responsible for the management and regulation of a business is required to pay police service costs for (i) each police call in excess of two (2) within a calendar month and (ii) each police call which does not result in the filing of a criminal complaint in excess of two (2) within three calendar months.

B. For each police call in excess of two (2) within a calendar month, the owner and manager shall be jointly and severally responsible to make payment in an amount to be established from time to time by resolution of Borough Council.

C. For each police call which does not result in the filing of a criminal complaint by the business in excess of two (2) within three calendar months, the owner and manager shall be jointly and severally responsible to make payment in an amount to be established from time to time by resolution of Borough Council.

D. The payment to be assessed by Borough Council shall be based on a reasonable estimate of the charges incurred by the Borough based upon time spent by the PMRP on the Police Call in question”

§35-4 Billing

Police service costs due in accordance with this ordinance shall be billed to the owner and manager by the Borough Secretary through a police service cost invoice and shall be due and payable within thirty (30) days of such billing.

§35-5 Police Service Cost Invoice

A. The police service cost invoice shall identify the calendar month, the business, and the date of each call during that calendar month, with an indication of whether that police call resulted in the filing of a criminal complaint.

B. The police service cost invoice shall indicate the number of police calls in that calendar quarter and shall indicate the number of police calls which did not result in the filing of a criminal complaint in excess of two (2) during that calendar quarter and shall indicate the amount of the police service cost to be reimbursed by the business.

§35-6 Failure to Pay

Unpaid police service costs may be collected by civil action by the Borough against the owner and/or manager, and/or may be imposed or assessed against the subject property as a municipal lien. In either event, a penalty of ten (10%) percent and interest at the rate of ten (10%) percent per annum shall be added and collected as provided by law for payments not made within thirty (30) days of billing. In the event of civil actions for collection, in addition to penalties and interest, the Borough shall be entitled to collect its attorney fees and costs.

§35-7 Repealer.

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

§35-8 Severability.

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or part of this Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part

thereof not been included herein.

§35-9 Interpretation.

The object of interpretation and construction of this Ordinance and/or the provisions there of shall be, if possible, to give effect to all of its provisions. Whenever a provision in this Ordinance shall be in conflict with another provision in the same section or another part of this Ordinance or another Ordinance or part thereof, the two (2) shall be construed, if possible, so that the effect may be given to both.

§35-10 Effective Date.

This Ordinance shall become effective on the first day of the month following thirty (30) days after enactment of this Ordinance.

ADOPTION

ORDINANCE ORDAINED AND ENACTED this 3rd day of September, 2019, by the Borough Council of the Borough of Mount Pocono, Monroe County, Pennsylvania.

By: _____
Claudette Williams, Council President

ATTEST:

Lori Noonan, Secretary

APPROVED this 3rd day of September, 2019.

By: _____
Michael Penn, Mayor

Driveway Pipe Blockage DRAFT #2

Section 1: Purpose

The purpose of this ordinance is to authorize the Road Crew Department of Mount Pocono Borough to access private property for the clearance of driveway pipe blockages causing obstructions for stormwater. This is necessary to prevent flooding, protect public infrastructure, and maintain the safety and welfare of residents. Additionally, this ordinance outlines the procedure for back-charging residents for the services and hours rendered by the Road Crew Department.

Section 2: Authority

The Road Crew Department of Mount Pocono Borough is hereby authorized to enter private property, upon proper notice to the property owner or occupant, for the purpose of clearing driveway pipe blockages causing obstructions that pose a threat to public safety or property.

Section 3: Procedure

Upon receiving a report or identifying a driveway pipe blockage causing an obstruction on private property, the Road Crew Supervisor shall provide written notice to Borough Manager and Zoning Officer informing them of the need for clearance and the anticipated date and time of the operation. The property owner or occupant shall be given 14-30 days timeframe to address the blockage themselves with a written violation letter. If the obstruction is not cleared within the specified timeframe or if it poses an immediate threat, the Road Crew Department may proceed with clearance. The Road Crew Department shall utilize appropriate equipment and techniques to clear the driveway pipe blockage in a timely and efficient manner, taking necessary precautions to minimize damage to the property. Following the clearance operation, if the pipe is damaged, the Road Crew Department will determine the condition and extent of damage, and if necessary, offer to replace the pipe. The property owner shall be charged for the replacement pipe, labor, and any materials used, at a rate determined by the Borough Council.

Section 4: Appeals

Any property owner aggrieved by the back-charging decision may appeal to the Borough Council within a three week timeframe. The Borough Council shall review the appeal and may adjust the back-charging amount or take other appropriate action as deemed necessary.

Section 5: Liability

The Road Crew Department shall not be liable for any damages or injuries resulting from the clearance operation, except in cases of negligence or misconduct.

Section 6: Severability: If any provision of this ordinance is found to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.