

**Mount Pocono Borough Council**  
**Regular Meeting Minutes**  
**Tuesday, April 2, 2024, 6:30 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, April 2, 2024, was called to order at 6:30 P.M. by President D. Struckle.

**Pledge of Allegiance** – was said by all.

**Roll Call:** Vice President N. DeLano, present; Councilwoman D. Fulton, present; Councilwoman A. Harris, present; Councilwoman E. Melbert, present; President D. Struckle, present; Councilwoman C. Williams absent; Councilman J. Simeone, present; and Mayor R. Altomose, present.

**In Attendance:** Borough Manager M. Duffy and Borough Treasurer D. Hewitt were present. Also present was Solicitor R. Kidwell sitting in for Solicitor J. Fareri, who was absent.

**Public Comments** (agenda items only) – Master Kim, Chair of the Safety Commission gave a history and the purpose of the Safety Commission. He implored the Borough Council to consider voting in favor of the RRFB Sign installations. He stated that these signs will make the Borough a lot safer for everyone. He thanked the Borough Council for his time to speak on this matter.

**Announcements** – President D. Struckle stated that an Executive Session was held from 6:15 P.M. to 6:28 P.M. earlier this evening that dealt with a potential real estate acquisition.

**Approval of Minutes**

Vice President N. DeLano moved to accept the Regular Meeting Minutes of March 5, 2024, as amended regarding the Pocono Mountains Vacation Bureau Beautification Grant Program. Councilwoman E. Melbert seconded. Motion carried 5 – 0 with Councilwoman A. Harris abstaining as she wasn't in attendance for this meeting.

Vice President N. DeLano moved to accept the Special Meeting Minutes of March 19, 2024, as presented. Councilwoman D. Fulton seconded. Motion carried 6 – 0.

**New Business**

**Act 537 Resolution** – After reviewing the Act 537 and there being no comments from the public, Vice President N. DeLano moved to adopt Resolution 3 of 2024, Amending the Act 537 as follows:

**RESOLUTION # 3 OF 2024 OF THE COUNCIL OF MOUNT POCONO BOROUGH, MONROE COUNTY, PENNSYLVANIA** (hereinafter "the municipality").

*WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act," as amended, and the Rules and Regulations of the Department of Environmental Protection (Department) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, requires the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the municipality, and*

*WHEREAS, Pocono Mountains Industries (hereinafter "PMI") and Pocono Mountains Industrial Park Authority (hereinafter "PMIPA") has prepared an Official Plan Update Revision to the Official Sewage Facilities Plan for Coolbaugh Township and Mount Pocono Borough. The purpose of plan update revises the institutional alternative related to the sewage collection, conveyance and treatment systems within the Pocono Mountains Industrial Park in Coolbaugh Township and transfers ownership including operation and maintenance responsibility to the Mount Pocono Municipal Authority in Mount Pocono Borough. The cost of the transfer of the systems is \$1. There are no anticipated adjustments to the rate structure for any existing customers at this time.*

*The key implementation activities/dates include adoption and approval of this Plan Update Revision by Coolbaugh Township and Mount Pocono Borough and submission and approval of the PADEP Application for Water Quality Management Permit Transfer from Pocono Mountains Industries and Pocono Mountains Industrial Park Authority to the Mount Pocono Municipal Authority.*

*WHEREAS, Mount Pocono Borough finds that the Facility Plan described above conforms to applicable zoning, subdivision, other municipal ordinances and plants and to a comprehensive and regional program of pollution control and water quality management.*

*NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Mount Pocono hereby adopts the recommendations and proposal of the portions of the Coolbaugh Township Official Sewage Facilities Plan Update Revision related to the transfer of the ownership of the Pocono Mountains Industrial Park sewage collection, conveyance and treatment systems to the Mount Pocono Municipal Authority. Mount Pocono Borough hereby adopts and submits to the Department of Environmental Protection this resolution as part of the "Official Plan" of Mount Pocono Borough.*

Councilman J. Simeon seconded. Motion carried 6 – 0.

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**Motion to approve MPMA Lease** – Upon reviewing the Mount Pocono Municipal Authority (MPMA) lease, Vice President N. DeLano moved to accept the MPMA lease as written. Councilwoman E. Melbert seconded. After more discussion, Vice President N. DeLano withdrew his motion and tabled this item until the MPMA review the lease and to consider including future park facilities.

**Authorize submission of 2024-2025 Pocono Forests and Waters Conservation Landscape (PFWCL) Mini Grant Program** –After the Borough Manager’s explanation of the grant, Councilwoman D. Fulton moved to the authorization to submit for the 2024-2025 PFWCL Grant Program in the amount of \$10,000.00. Vice President N. DeLano seconded. Motion carried 6 – 0.

**Authorize Paving Bid Advertisement with Paradise Township** – Vice President N. DeLano moved the authorization to advertise the paving bid with Paradise Township. Councilwoman E. Melbert seconded. Motion carried 6 – 0.

**Motion to Award RRFB (Rectangular Rapid Flashing Beacons) Signs Install Bid** – The following bids from contractors were received and reviewed by Barry Isett & Associates and presented to Borough Council:

- **Telco, Inc. - \$72,800.00**
- **Wyoming Electric & Signal - \$105,000.00**
- **Minichi, Inc. - \$139,000.00**

Upon reviewing and the advice from Barry Isett & Associates, Councilwoman D. Fulton moved to award the RRFB Signs Install Bid to Telco, Inc. in the amount of \$72,800.00. Councilman J. Simeone seconded. Motion carried 6– 0.

**Pocket Park Acquisition Resolution/RE Agreement for DCNR C2P2 Grant** – Councilwoman D. Fulton moved to adopt the Pocket Park Acquisition Resolution/RE Agreement for DCNR C2P2 Grant with a matching amount of \$50,000.00 as follows:

***Mt. Pocono Pocket Park Acquisition Resolution***

*WHEREAS, MOUNT POCONO BOROUGH DBA BOROUGH OF MOUNT POCONO ("Applicant") desires to undertake the project, "Mt. Pocono Pocket Park Acquisition" ("Project Title"); and*

*WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and*

*WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and*

*WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and*

*NOW THEREFORE, it is resolved that:*

- 1. The grant application may be electronically signed on behalf of the applicant by "Marissa Duffy" who, at the time of signing, has a TITLE of "Borough Manager" and the email address of [mduffy@mtpoconoboro.org](mailto:mduffy@mtpoconoboro.org) ("Official").*
- 2. If this Official signed the Grant Application Electronic Authorization prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.*
- 3. If the applicant is awarded a grant, the Grant Application Electronic Authorization, signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.*
- 4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the "TITLE" specified in paragraph 1 and the grantee will be bound by the amendment.*

Councilman J. Simeone seconded. Motion went to a roll call vote: Vice President N. DeLano, "Yes"; Councilwoman D. Fulton, "Yes"; Councilwoman A. Harris, "No"; Councilman J. Simeone, "Yes"; Councilwoman E. Melbert, "Yes"; and President D. Struckle, "Yes". Motion carried 5 – 1.

**Dump Truck Estimates – Dump-bed/Plow/Spreader** – The following dump truck estimates which included the dump-bed/ plow/ spreader/ chassis were presented:

- E.M. Kutz, Inc. - \$119,830.00
- Powells - \$109,060.00
- Bradco Supply Co. - \$117,174.12

Borough Manager M. Duffy explained that E.M. Kutz had a full comprehensive quote in comparison with the other quotes. Vice President N. DeLano moved to accept the quote from E.M. Kutz, Inc. in the amount of \$119,830.00 which included the dump-bed/ plow/ spreader/ chassis. Councilman J. Simeone seconded. Motion carried 6 – 0.

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**Officer Reports:**

**President's Report** – President D. Struckle stated that he is very happy with working with Paradise Township now and in the future as they are as well. Also noting sharing Rich Gannon as our Emergency Services Coordinator with Paradise Township is an advantage to both municipalities.

**Mayor's Report** – Mayor R. Altemose reported that the police stated that in the month of March, Wal-Mart was the only retail with police issues in the Borough. He added that the police will be amping up their patrol at no parking areas (fire lanes) throughout the Borough.

**Borough Manager's Report** – Borough Manager M. Duffy reported that she had attended a short-term rental seminar, noting that the Zoning Department was there also. She noted that there is an influx of short-term rentals in the County and that vendors were also in attendance who were in support of short-term rentals. She explained that this seminar's purpose was to show guidance and how this impacts tourism in the County.

**Solicitor's Report** – No report.

**Zoning Officer's Report** – Borough Manager M. Duffy gave the Zoning Officer's report for the month of March 2024 regarding Zoning and Code Enforcement issues as presented:

Following is a report of the Zoning Office's monthly activity for the month of **March 2024**:

- **Permits Issued:**
  - Twenty-three (23) permits were issued.
  - Four (4) Zoning Permits – Two (2) Commercial & Two (2) Residential
  - One (1) New Construction (Residential)
  - Seven (7) Building Permits – Three (3) Commercial & Four (4) Residential
  - One (1) Driveway
  - Three (3) Building CO
  - Three (3) Zoning CO
  - Four (4) Resale, Use and Occupancy – No STR Permits
  
- **Resale Use and Occupancy Violations:**
  - 139 Foxfire Drive – Unit 301
  - 115 Foxfire Drive – Unit 307
  - 107 Snowshoe Court – Unit 104
  
- **Alarm Violations:**
  - 15 Stonegate Court
  - 1151 Pocono Boulevard
  - 1318 Pocono Boulevard
  - 247 Nittany Court
  
- **Enforcement Actions:**
  - 22 Quay Avenue – Enforcement Notice – March 25, 2024 – Establishment of a Boarding House on the subject property without first obtaining a zoning permit and certificate of occupancy for the new and/or change of use.
  - 18 Fairview Avenue – Enforcement Notice – March 25, 2024 – Demolition of an accessory building on the subject property without first obtaining a building permit. *The property owner has since contacted the building code office and has obtained a building permit to commence demolition activities.*
  
- **Properties of Interest:**
  - 56 Pine Hill Road – A follow-up inspection of the property was conducted on March 13<sup>th</sup> and the contractor's yard use was still present on the property. *The Zoning Office has contacted the Borough Solicitor in regard to executing the judgment that was granted.*

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- 1361 Pocono Boulevard – The Zoning and Building Code Office is in the process of retroactively issuing zoning and building permits for the installation of playground equipment on the existing public recreation facility behind the Municipal Building.

● **Public Hearing Matters:**

- Kouassi Kouadio – 11 Cedar Road – A civil complaint has been filed against the property for violations of the Borough Property Maintenance Ordinance. *The Zoning Office received Notice on March 25<sup>th</sup> that the case was Dismissed without Prejudice. The Zoning Office contacted the District Magistrate and was informed that the property owner was unable to be served, so we would have to pay the fee to reinstate the filing and attempt to serve them again.*

**Treasurer’s Report** – Borough Treasurer D. Hewitt presented the Cash Report and Borough’s bill list. Vice President N. DeLano moved to approve and pay the bills list of Tuesday, April 2, 2024, as outlined:

**Cash Report as of March 31, 2024**

**NBT General Fund**

Beginning Balance	\$ 334,652.32
Deposit	163,216.93
Interest	5.50
Expense	184,603.58
Service Charge	35.38
Ending Balance	<u>\$ 313,235.79</u>

**NBT Liquid Fuels Fund**

Beginning Balance	\$ 104,704.12
Deposit	0.00
Interest	1.61
Expense	15,706.73
Ending Balance	<u>\$ 88,999.00</u>

**NBT Road Rehab Fund**

Beginning Balance	\$ 124,969.39
Deposit	8,161.03
Interest	325.12
Expense	0.00
Ending Balance	<u>\$ 133,455.54</u>

**NBT Park & Recreation Fund**

Beginning Balance	\$ 56,789.86
Deposit	100,000.00
Interest	193.19
Expense	500.00
Ending Balance	<u>\$ 156,483.05</u>

**NBT Traffic Signal Maintenance Fund (5 Pts)**

Beginning Balance	\$ 131,031.40
Deposit	767.60
Interest	333.04
Expense	829.00
Ending Balance	<u>\$ 131,303.04</u>

**NBT Pine Hill Intersection Fund**

Beginning Balance	\$ 327,322.74
Deposit	0.00
Interest	5.41
Expense	10,671.38
Ending Balance	<u>\$ 316,656.77</u>

**NBT Stormwater Fund**

Beginning Balance	31,196.33
Deposit	0.00
Interest	79.49
Expense	0.00
Ending Balance	<u>\$ 31,275.82</u>

**NBT Planning Commission Fund**

Beginning Balance	\$ 6,171.23
Deposit	0.00
Interest	15.72
Expense	0.00
Ending Balance	<u>\$ 6,186.95</u>

**NBT Payroll Fund**

Beginning Balance	13,643.55
Deposit	28,042.12
Interest	.17
Expense	32,767.31
Ending Balance	<u>\$ 8,918.53</u>

**From General Fund to PR**

(w/e 3/6/24)	\$7,273.97
(w/e 3/13/24)	\$6,805.35
(w/e 3/20/24)	\$6,861.70
(w/e 3/27/24)	\$7,101.10
Total Payroll	<u>\$28,042.12</u>

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**Beautification**

Beginning Balance	\$ 1,234.51
Deposit	0.00
Interest	3.15
Expense	0.00
Ending Balance	<u>\$ 1,237.66</u>

**PLGIT Accounts Unavailable**

**E-Com - \$ 15.11      ESSA Line of Credit - \$103,118.37**

**\*BILLS TO BE APPROVED AND PAID 3/1/2024 – 4/1/2024 FROM THE NBT GENERAL FUND ACCOUNT:**

ARGS Technology	(IT Service – Final Invoice)	\$74.50
AMTrust North America	(PP: Borough Workers Compensation)	2,774.00
Barry Isett & Associates	(P&R Landscape Architect/Garage Review/Safety Signs)	12,368.23
Berkheimer Associates	(Local Services Tax: Operating Comm. & Postage – March)	282.60
Cintas Corporation	(PP: Boro Rugs & Mats/Maint Uniforms & Garage Mats)	355.47
Denise Clouse Cleaning Services	(Cleaning Borough – 2/5,2/12,2/19,2/26)	600.00
ESSA	(PP: Feb. Building Loan Principal & Interest)	2,572.87
First Net	(PP: Road Supervisor & Manager)	124.67
Geisinger Health Plan	(AWD: March Road Crew Health Plan)	7,076.15
Highmark Blue Shield	(PP: March Road Crew Vision & Dental)	270.58
Kimball Midwest	(Supplies: Snowplow Lubricant)	182.54
Lowe's	(PP: Borough LED Post Lights & Batteries)	138.59
Marissa Duffy	(PP: Emergency Management Reimb 428 Miles – 4/5 & 4/7)	286.76
	(Reimb. Miles – 3/11, 3/7 & 2/29/24)	51.18
Met Life	(PP Highway: March Life and Disability Insurance)	164.52
Miller's Automotive	(2022 Ford F 350 State Inspection)	33.02
Monroe County Control Center	(Fire/EMS Dispatching Fees 2 of 4)	1,402.79
National Water Specialties	(Garage & Borough Building Backflow Testing)	300.00
NBT Cardmember Service	(PP: Office/Zoning/Highway)	1,037.23
Newman, Williams, Mishkin	(Reimb. Legal Mohammed 22 Brunswick)	31.00*
	(Legal Services Retainer)	11,000.00
PA American Water Co.	(PP: Water – Garage/Borough & Hydrants)	950.64
PA Association of Municipal Administrators	(PAMA 2024 Manager Membership Dues: 1/1/24-12/31/24)	150.00
PA One Call Systems, Inc.	(PA One Call)	4.56
PA State Association of Boroughs	(Training: Role of an Administrator)	150.00
Payrolls Unlimited	(Payroll 3/1,3/8,3/15,3/22,3/29)	119.00
Plociniak Oil Co.	(Borough Bldg. & Maintenance Garage Heat)	2,648.04
Pocono Mountain Public Library	(Library: RE & Delinquent Tax)	3,667.88
Pocono Mountain Regional EMS	(EMS: RE & Delinquent Tax)	1,835.92
Pocono Mountain Regional Police Dept.	(PP: April 2024 Payment)	85,660.17
Pocono Mountain Volunteer Fire Company	(FC: RE & Tax Delinquent Tax)	3,667.88
PPL Electric Utilities	(PP: Lighting/Boro. Bldg. Garage)	335.61
Quill	(PP: Copy Paper & File Folders)	239.94
Reilly Associates	(Reimb. PMIA-Act 537 Plan Update)	1,136.50*
Schoonover & Vanderhoof, Architects	(Maintenance Garage)	4,600.00
Scott's Signs & Printing	(New Planning Commission Member Greg Melbert)	28.00
Selective Insurance	(PP: March Insurance Premium)	4,072.00
SFM Consulting	(3 Building Permits)	434.70
	(7 UO Permits)	490.00
	(Zoning Hours – 37)	2,405.00
Strunk-Albert Engineering	(Maint. Garage Mechanical/Electronic Engineering)	15,480.00
Sunoco Universal Fleet	(PP: Maint. Fuel Purchase)	1,060.29
Tulpehocken Spring Water	(Bottled Water)	153.98
Underdog Computer & Network Support	(Work on Manager & Secretary Computers)	7,476.39

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US Bank

(PP: Copier Contract March 2024)

\$128.45

**GRAND TOTAL:**

**\$178,021.55**

\*Reimbursable Items

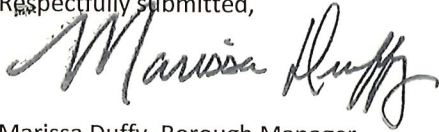
Councilman J. Simeone seconded. Motion carried 6 – 0.

Councilwoman A. Harris noted that she was in contact with someone from the assessment office and was advised that the municipality receives notification on what properties are requesting reassessment of their property. She suggested that we may be interested in having someone represent the Borough at these assessment meetings. At this time Solicitor R. Kidwell stated that the school district does that already and, in his opinion, that the Borough need not attend these meetings.

**PUBLIC PARTICIPATION – Eddie Gonzalez, 103 Maple Avenue**, thanked Borough Council in recognizing and moving forward with the Safety Commission’s recommendations regarding the safety signage on SR 611.

The meeting adjourned at 7:30 P.M.

Respectfully submitted,



Marissa Duffy, Borough Manager