

**Mount Pocono Borough Council**  
**Regular Meeting Minutes**  
**Tuesday, June 4, 2024, 6:30 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, June 4, 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, present; Councilman J. Simeone, present; and Mayor R. Altemose, present.

**In Attendance:** Solicitor J. Fareri and Borough Treasurer D. Hewitt were present. Borough Manager M. Duffy was absent.

**Announcements:** President D. Struckle stated that Borough Council held an Executive Session this evening at 6:15 and ended at 6:22 P.M. regarding legal issues with no action needed to be taken.

**Public Comments** (agenda items only) – None

**Approval of Minutes** - Councilwoman A. Harris moved to accept the Regular Meeting Minutes of May 7, 2024, as presented. Councilman J. Simeone seconded. Motion carried 7 – 0.

**Presentations** – None

**Old Business** -

**Motion to Authorize Release of Financial Security Newland Capital Group and LOC** – Upon reviewing the recommendation letter from Alternate Borough Engineer Chris McDermott of Reilly Associates, Vice President N. DeLano moved to authorize the release of the security in the amount of \$369,550.00 and retaining \$7,963,550.00 in security. Councilwoman D. Fulton seconded. Motion carried 7 – 0.

**Motion to Approve Updated Employee Handbook with Maternity Leave Policy** – Vice President N. DeLano moved to approve the updated employee handbook with maternity leave policy as presented. Councilwoman C. Williams seconded. Motion carried 7 – 0.

**Motion to Approve MPMA (Mount Pocono Municipal Authority) Lease** – President D. Struckle stated that the lease states that the MPMA will be renting the Borough’s space for \$1,200.00 per month for a three (3) year period. Vice President N. DeLano moved to approve the MPMA lease as presented. Councilman J. Simeone seconded. Motion carried 7 – 0.

**New Business** -

**Motion to Adopt Ordinance Amendment for Driveway Pipe Blockage** – Solicitor J. Fareri explained the amendment. Vice President N. DeLano moved to adopt Ordinance 2 of 2024 amending the driveway pipe blockage Ordinance. Councilwoman E. Melbert seconded.

**BOROUGH OF MOUNT POCONO**  
**ORDINANCE NO: 2 of 2024**  
**ORDINANCE AMENDING CHAPTER 84 OF THE BOROUGH CODE “DRIVEWAYS”**

*WHEREAS, in 1983 the Borough of Mount Pocono adopted a Driveway Ordinance, which is incorporated into the Borough Code of Ordinances at § 84-1 et seq; and*

*WHEREAS, the Ordinance addresses the maintenance of driveway for which permits have been issued under the Ordinance, but not pre-existing in other driveways for which no permit has been issued; and*

*WHEREAS, to protect the health, safety and welfare of residents of the Borough, as well as property owners, Borough Council believes that it is necessary and appropriate for additional regulation of all driveways in the Borough, irrespective of whether permits have been issued for such driveways or whether such driveways are pre-existing;*

*Now, therefore, being enacted and ordained as follows:*

1. *Borough Code of Ordinances chapter 84, § 84-4 entitled “Maintenance” is repealed in its entirety and as written.*
2. *Code § 84-4 will now state as follows:*

**Mount Pocono Borough Council**  
**Regular Meeting Minutes**  
**Tuesday, June 4, 2024, 6:30 P.M.**

- A. *All driveways, whether a permit for the same has been issued under this Ordinance or not, adjacent areas and areas between such driveways including channelization, paving, drainage, etc. installed by the owner shall be maintained by the property owner in such a manner as not to interfere or be inconsistent with the design, maintenance and drainage of the street or the safe and convenient passage of traffic upon the street. The term "adjacent area" shall apply only to that area within the owner's property or property line extended.*
- B. *Property owners shall periodically inspect their driveway including channelization, paving, drainage and subterranean pipes beneath such driveways so as to ensure that the same are in proper and operable condition. Property owners shall keep clear all drainage swale and other channelization, as well as subterranean piping beneath driveways.*
- C. *Borough personnel are authorized by this Ordinance to enter upon private property, with due notice to the property owner and/or occupant, for the purpose of clearing any blockage of drainage swales or subterranean piping which may cause a threat of flooding, property damage, and a threat to public safety.*
  - (1) *Upon receiving a report or identifying any blockage causing obstruction in drainage where there is subterranean piping, the Borough shall provide written notice to the property owner providing a reasonable time in which to clear the blockage. If the blockage is not cleared within the specified time frame or if it poses an immediate threat of flooding or property damage, the Borough personnel may proceed with clearance of such obstructions. In the event it is necessary for Borough personnel to remove obstructions, the property owner shall be charged for any labor, materials, and equipment used, at a reasonable rate to be determined by the Borough Council.*
  - (2) *Any charges imposed hereunder may be appealed to the Borough Council within fourteen (14) days of Council advising property owner, in writing, of such charges. Any appeal will be conducted pursuant to the Local Agency Act and a hearing held before Borough Council. After hearing before Borough Council, Borough may file a lien on the property in accordance with the Municipal Lien Law.*

*This Ordinance shall be effective five (5) days after its adoption.  
Any inconsistent Ordinances are repealed hereby.*

Motion carried 7 – 0.

**Motion to Approve IT Upgrades** – Councilwoman D. Fulton moved to approve IT Upgrades as presented. Councilwoman C. Williams seconded. Clarification that TVs will be purchased separately. Motion carried 7 – 0.

**Motion to Award 2024 Paving Bid with Paradise Township** – the following bids were submitted:

- Wayco Inc. - \$254,210.39
- Northeast Site Contractors - \$260,236.55
- H & K Group - \$246,749.75

Upon reviewing the bids, Councilwoman A. Hariss moved to award the 2024 Paving Bid to H & K Group in the amount of \$246,749.75 with Paradise Township. Vice President N. DeLano seconded. Motion carried 7 – 0.

**Motion to hire Paul Grady as Park Maintenance Specialist** – Councilwoman C. Williams moved to hire Paul Grady as Park Maintenance Specialist as of May 24, 2024, at \$15.00 per hour. Councilwoman A. Harris seconded. Motion carried 7 – 0.

**Joint Letter Agreement between Mount Pocono and Paradise Township** – Councilwoman A. Harris moved to authorize the acceptance of the joint letter agreement between Mount Pocono Borough and Paradise Township as presented. Vice President N. DeLano seconded.

**JOINT LETTER AGREEMENT BETWEEN THE  
BOROUGH OF MOUNT POCONO AND PARADISE TOWNSHIP, RE:  
JOINT PAVING PROJECTS FOR DEVILS HOLE ROAD, KNOB ROAD, MAPLE AVENUE, HICKORY STREET, AND SCHOOL DRIVE**

**Borough of Mount Pocono Project No. 24-45403-001**  
**Township of Paradise Project No. 24-45208-001**

1. *The Borough of Mount Pocono is a municipal corporation and Pennsylvania Borough organized and existing under the laws of the Commonwealth of Pennsylvania and with authority granted under the Pennsylvania Borough Code, 8 Pa. C.S.A. §101, et seq.*
2. *The Township of Paradise, a Second-Class Pennsylvania Township, is a municipal corporation and organized and existing under the laws of the Commonwealth of Pennsylvania and with authority granted under the Second Class Township Code, 53 P.S. §§65101, et seq.*
3. *The municipalities are each authorized under their respective Codes to participate in intergovernmental cooperation agreements.*



**Mount Pocono Borough Council**  
**Regular Meeting Minutes**  
**Tuesday, June 4, 2024, 6:30 P.M.**

4. *As municipal entities, the Borough of Mount Pocono and Paradise Township are responsible for the upkeep and maintenance of roadways owned by the respective municipalities. Each municipal entity is the recipient of Liquid Fuels monies from the Commonwealth of Pennsylvania to be used for paving projects within their respective municipal boundaries.*
5. *Kevin O'Donnell, Municipal Service Specialist, of the Pa. Department of Transportation, has authorized the municipalities to participate in a joint paving project for roads which transect both Paradise Township and the Mount Pocono Borough, as set forth in the attached document marked as **Exhibit A** and entitled "Location of Work (Attachment 1-B) which includes Base Bid Located Within Paradise Township and Base Bid Located Within Mount Pocono Borough." The work to be performed in the municipalities has been assigned the above-referenced project numbers.*
6. *The joint paving project shall include Paradise Township paving the road surfaces for the areas in Mount Pocono Borough delineated in **Exhibit A**, as follows:*
  - a. *Devils Hole Road from municipal line to municipal line;*
  - b. *Knob Road from beginning of one way to end of one way;*
  - c. *Maple Avenue from Oak Street to Hickory Street;*
  - d. *Hickory Street from Church Avenue to Maple Avenue; and*
  - e. *School Drive to Kinney Avenue.*
7. *Paradise Township shall take the lead and bid the PennDOT-approved paving projects within Paradise Township and shall include within its bid those roads in Mount Pocono Borough listed in paragraph 5 above. Each municipality shall abide by the terms and conditions and be responsible for awarding their respective portions of the contract as set forth in the Notice to Bidders which is attached hereto as **Exhibit B**.*
8. *Paradise Township and the Borough of Mount Pocono shall agree upon the lowest responsible bidder or this Agreement is null and void and each party shall be responsible for the paving of its own roads.*
9. *The Liquid Fuels monies applied to the joint road paving project are as set forth in an email from Kevin O'Donnell to Supervisor Peter Gonze, dated May 2, 2024, at 3:13 PM and which is attached hereto as **Exhibit C**.*
10. *If Paradise Township and the Borough of Mount Pocono proceed with the joint paving project, then each municipality shall complete the required forms provided by PennDOT in a document entitled, "Proposal and Contract (When Executed)" to include Attachment 1, Attachment 1-A, Attachment 1-B, Attachment 2, Attachment 3, Attachment 4, Anti-Collusion Affidavit, Notice of Completion, Public Works Employment Verification Form, Adjustment of Bituminous Material Form, Insurance Requirements, Contractor's Statement of Compliance with CDL Testing Program Requirements, Prevailing Wages Attachment with insert to be completed by the municipalities, all of which are attached hereto as **Exhibit D**.*
11. *Mount Pocono Borough shall pay its portion of the Liquid Fuels money it is to receive for the above-referenced road paving projects to Paradise Township upon completion of the paving project or upon completion of the Mount Pocono Borough portion of the joint paving project whichever occurs first.*
12. *If costs for paving exceed the monies allotted to the paving project from Liquid Fuels, the municipalities will meet and prioritize which projects shall proceed with the money allotted from Liquid Fuels.*

Motion carried 7 – 0.

**Officer Reports:**

**President's Report** – President D. Struckle thanked Mayor R. Altomose for his presentation during the Memorial Day Ceremony and acknowledged that more people were in attendance than in the past. President D. Struckle reminded that this coming Friday, June 7<sup>th</sup> is the First Friday and he noted that the last First Friday in May was a huge success. Councilwoman D. Fulton noted this Friday, June 7<sup>th</sup> that classic cars are scheduled to be displayed depending on the weather. President D. Struckle also noted that Borough Manager M. Duffy attended a conference at Kalahari, where Governor J. Shapiro's Kick-Off promoted tourism. He further noted that Governor J. Shapiro will be visiting other municipalities throughout the Commonwealth. President D. Struckle stated that Governor J. Shapiro will be returning to see the work that has been done at the Knob Overlook. President D. Struckle reported that our RRFBS are scheduled to be installed between June 6<sup>th</sup> through 10<sup>th</sup>, and a completion date of July 26<sup>th</sup>.

**Mayor's Report** – Mayor R. Altomose noted that research into who owns the roadway between SR 196 and SR 611 behind the Shop-Rite gas station is being done. This could help determine if signage of no turn going north from the Five Points Intersection can be erected. He discussed the drainage issue in front of Burger King with PennDOT and it will be fixed by the state.

**Borough Manager's Report** – No report.

**Solicitor's Report** – No Report.

**Zoning Officer's Report** – Following is a report of the Zoning and Building Code Office's monthly activity for the month of **May 2024**:

**Mount Pocono Borough Council**  
**Regular Meeting Minutes**  
**Tuesday, June 4, 2024, 6:30 P.M.**

- **Permits Issued:** Thirty-two (32) permits were issued.
  - Six (6) Zoning Permits – One (1) Commercial & Five (5) Residential
  - One (1) New Construction – One (1) Residential
  - Nine (9) Building Permits – Four (4) Commercial & Five (5) Residential
  - Two (2) Driveway
  - Two (2) Building CO
  - No Zoning CO
  - Twelve (12) Resale, Use and Occupancy – Noe STR Permit & One (1) Road Excavation
  
- **Correspondence with Residents:**
  - 2 Elm Street – Various correspondence with the property owner regarding the building plans submitted for the new single-family dwelling being constructed.
  - 5 Sterling Road – Various correspondence with the applicant regarding the building plans submitted for the fit-out of the subject commercial property.
  - 1224 Pocono Boulevard – Various correspondence with the applicant regarding the building plans submitted for the fit-out of the subject commercial property.
  - 219 Nittany Court – Multiple interactions with the contractor for a project taking place on the subject property. The conversation focused on zoning permit application submissions and plan requirements.
  - PAWC and UGI – Various email correspondence and in-office visits took place with representatives from PA American Water and UGI regarding road excavation applications. Currently, PAWC has obtained its road excavation permit and UGI is working on obtaining a bond to cover the restoration work.
  
- **Enforcement Actions:**
  - 25 Fairview Avenue – Enforcement Notice – May 8, 2024 – A property maintenance NOV for permitting the accumulation of garbage and refuse on the subject property.
  - 10 Candlewood Lane – Enforcement Notice – May 8, 2024 – A property maintenance NOV for permitting the accumulation of garbage and refuse on the subject property.
  - 4 Summit Avenue – Enforcement Notice – May 10, 2024 – Construction of a residential accessory structure, fence, without a permit.
  - 426 Park Avenue – Enforcement Notices – May 10, 2024 – Construction of various accessory structures on the subject property and creation of a second driveway access. *The property owner has since submitted zoning and building permit applications, but we are waiting for a survey of the property to be completed before the issuance of permits.*
  - 39 Holly Forest Road – Enforcement Notices – May 10, 2024 – Construction of a residential accessory structure, fence, without a permit. *The property owner has since contacted the Zoning Office and has obtained a zoning permit application. Nothing has been submitted as of today.*
  - 5 Deerfield Drive – Letter – May 10, 2024 – Paving of an existing gravel driveway and installation of a walkway. *The property owner has now obtained a permit for paving and is submitting additional information to get approvals for the walkways.*
  - 3 Cedar Road – Letter – May 21, 2024 – Paving of an existing driveway without first obtaining approvals.
  - 16 Cedar Road – Letter – May 21, 2024 – Paving of an existing driveway without first obtaining approvals.
  - 18 Cedar Road – Letter – May 21, 2024 – Paving of an existing driveway without first obtaining approvals.
  - 46 Seneca Road – Letter – May 24, 2024 – Parking of a commercial vehicle within the public right of way.
  
- **Previously Discussed Properties:**
  - 56 Pine Hill Road – A follow-up inspection of the property was conducted on March 13<sup>th</sup> and April 19<sup>th</sup> and the contractor's yard use was still present on the property. *The Zoning Office has contacted the Borough Solicitor regarding executing the judgment that was granted.*
  
- **Hearing Matters:**
  - David and Emma Wengerd – An appeal of the Borough Zoning Hearing Board's determination regarding wetland buffer variance for the property located at Lot 21 Timberbrook Terrace



**Mount Pocono Borough Council**  
**Regular Meeting Minutes**  
**Tuesday, June 4, 2024, 6:30 P.M.**

**Treasurer's Report** – Borough Treasurer D. Hewitt presented the Borough's bill list and Cash Report. Vice President N. DeLano moved to approve and pay the bills list of Tuesday, June 4, 2024, as outlined and seconded by Councilwoman C. Williams:

**\*BILLS TO BE APPROVED AND PAID 5/1/2024 – 6/1/2024 FROM THE NBT GENERAL FUND:**

Altronics Security Systems	(Service Call & Battery Replacement)	\$84.75
Barry Isett & Associates	(Grant Application/Maint Garage Site Plan/Safety Bid Docs)	4,051.16
Berkheimer Associates	(Local Services Tax: Operating Comm. & Postage – May)	88.04
C.S. Davidson, Inc.	(Zoning Permit Manager Support 5/723-5/11/24)	1,850.00
Cintas Corporation	(PP: Boro Rugs & Mats/Maint Uniforms & Garage Mats)	384.95
Danielle Hewitt	(Refund Upgrade Quick Books from 2021-2024)	687.94
ESSA	(PP: May Building Loan Principal & Interest)	2,572.87
First Net	(PP: Road Supervisor & Manager)	124.61
Geisinger Health Plan	(AWD: May Road Crew Health Plan)	4,487.89
Gotta Go Potties	(P&R Port of Potties 4/18-5/15/24)	87.50
Highmark Blue Shield	(PP: May Road Crew Vision & Dental)	211.66
Kirk, Summa & Co., LLP	(Audit of Records – Year 2023)	9,500.00
Lowe's	(PP: Highway & Park Rec Supplies)	1,018.72
Martin's Power Sweeping, Inc.	(Street Sweeping Borough Roads)	3,375.00
Met Life	(PP Highway: May Life and Disability Insurance)	164.52
Miller's Automobile	(1997 Ford F 350 Brake Booster)	491.09
NBT Cardmember Service	(PP: Office/Zoning/Highway/Park & Rec)	5,548.01
PA American Water Co.	(PP: Water – Garage/Borough & Hydrants)	936.91
Payrolls Unlimited	(Payroll 5/3,5/17,5/24,5/31)	125.60
Pitney Bowes	(PP: Lease Payment of Stamp Machine)	241.42
Plociniak Oil Co.	(Borough Bldg. & Maintenance Garage Heat)	1,250.84
Pocono Mountain Public Library	(Library: RE & Delinquent Tax)	17,514.71
Pocono Mountain Regional EMS	(EMS: RE & Delinquent Tax)	8,811.88
Pocono Mountain Regional Police Dept.	(PP: June 2024 Payment)	85,660.17
Pocono Mountain Volunteer Fire Company	(FC: RE & Tax Delinquent Tax)	17,514.71
PPL Electric Utilities	(PP: Lighting/Boro. Bldg. Garage)	1,472.42
ProudCity	(Website – Annual Subscription Meeting)	600.00
Rann Tibbs	(Refund Yard Sale Permit)	10.62
Reilly Associates	(Maintenance Building – Land Development)	1,900.50
SFM Consulting	(8 Building Permits)	3,805.15
	(10 UO Permits)	700.00
	(Zoning Hours – 40.25)	2,606.25
Sunoco Universal Fleet	(PP: Maint. Gas & Oil)	652.17
The Two Shields, LLC	(#3-2014 Kenworth, State Inspect. /Replace Brake Chamber)	267.25
Topp Business Solutions	(Copier 2/14-5/3/24 – B/W & Col Overages)	208.17
Underdog Computer & Network Support	(PP: Network Support/Equipment Upgrades)	1,874.98
US Bank	(PP: Copier Contract May 2024)	128.45
Versalift East LLC	(Chevy Truck: Inspection, Filter Hydraulic Oil)	720.77
<b>GRAND TOTAL:</b>		<b><u>\$181,731.68</u></b>

Motion carried unanimously.

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

<u>NBT General Fund</u>		<u>NBT Liquid Fuels Fund</u>	
Beginning Balance	\$ 806,409.58	Beginning Balance	\$ 79,327.30
Deposit	597,658.53	Deposit	0.00
Interest	16.89	Interest	1.32
Expense	508,814.33	Expense	2,756.92
Service Charge	0.00	Ending Balance	<u>\$ 76,571.70</u>
Ending Balance	<u>\$ 895,270.67</u>		

**Mount Pocono Borough Council**  
**Regular Meeting Minutes**  
**Tuesday, June 4, 2024, 6:30 P.M.**

**NBT Road Rehab Fund**

Beginning Balance	\$ 148,307.42
Deposit	26,991.45
Interest	426.54
Expense	0.00
Ending Balance	<u>\$ 175,725.41</u>

**NBT Park & Recreation Fund**

Beginning Balance	\$ 12,643.39
Deposit	14,253.00
Interest	51.34
Expense	805.35
Ending Balance	<u>\$ 26,142.38</u>

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

Beginning Balance	\$ 130,356.80
Deposit	40,000.00
Interest	371.59
Expense	0.00
Ending Balance	<u>\$ 170,728.39</u>

**NBT Pine Hill Intersection Fund**

Beginning Balance	\$ 316,301.97
Deposit	0.00
Interest	5.35
Expense	2,598.00
Ending Balance	<u>\$ 313,709.32</u>

**NBT Stormwater Fund**

Beginning Balance	31,352.94
Deposit	40,000.00
Interest	110.74
Expense	5,812.80
Ending Balance	<u>\$ 65,650.88</u>

**NBT Planning Commission Fund**

Beginning Balance	\$ 6,202.21
Deposit	40,000.00
Interest	55.25
Expense	0.00
Ending Balance	<u>\$ 46,257.46</u>

**NBT Payroll Fund**

Beginning Balance	4,679.48
Deposit	47,294.43
Interest	.14
Expense	45,895.38
Ending Balance	<u>\$ 6,078.67</u>

**From General Fund to PR**

(w/e 5/1/24)	\$11,970.61
(w/e 5/8/24)	\$14,066.50
(w/e 5/15/24)	\$6,875.16
(w/e 5/22/24)	\$7,120.03
(w/e 5/29/24)	\$7,262.13
Total Payroll	<u>\$47,294.43</u>

**Beautification**

Beginning Balance	\$ 1,240.71
Deposit	0.00
Interest	3.05
Expense	0.00
Ending Balance	<u>\$ 1,243.87</u>

**PLGIT General Fund**

Beginning Balance	\$480,139.03
Deposit (EIT)	103,864.08
Deposit (LST)	17,536.81
Interest	2,283.14
Expense	0.00
Ending Balance	<u>\$603,823.06</u>

**PLGIT Capital Fund**

Beginning Balance	\$106,428.21
Deposit	50,000.00
Interest	579.94
Expense	0.00
Ending Balance	<u>\$157,026.15</u>

**PLGIT Fund Balance**

Beginning Balance	\$106,428.21
Deposit	50,000.00
Interest	597.94
Expense	0.00
Ending Balance	<u>\$157,026.15</u>

**PLGIT Park & Recreation**

Beginning Balance	\$528,087.70
Deposit	0.00
Interest	2,287.65
Expense	0.00
Ending Balance	<u>\$530,375.35</u>

**PLGIT Liquid Fuels**

Beginning Balance	\$183.09
Deposit	0.00
Interest	.79
Expense	0.00
Ending Balance	<u>\$183.80</u>

**E-Com - \$ 35.13**

**ESSA Line of Credit - \$103,120.94**

Mount Pocono Borough Council  
Regular Meeting Minutes  
Tuesday, June 4, 2024, 6:30 P.M.

Vice President N. DeLano noted that he took a social media class on-line.

Councilwoman A. Harris has been asked why the Hometown Banners aren't up. The answer given was that most of them are faded and potentially need to be replaced. The Park & Recreation Foundation will be notified of this concern.

**Public Participation - None**

The meeting was adjourned at 7:06 P.M.

Transcribed and Respectively Submitted by,



Diana Jackowski, Administrative Assistant

