

**Mount Pocono Borough Council**  
**Regular Meeting Minutes,**  
**Tuesday, July 5, 2022**  
**6:30 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, July 5, 2022, was called to order at 6:30 P.M. by President D. Struckle.

**Roll Call:** Councilman Norm DeLano, present; Councilwoman Ann Marie Harris, present; Vice President Lori Noonan, present; Councilwoman Ella Santiago, present; President Donald Struckle, present; Councilwoman Claudette Williams present; and, Mayor R. Altemose, absent.

**In Attendance:** James Fareri, Solicitor; Clark Connor, Planning Commission Solicitor, Borough Engineer Chuck Niclaus, Joshua Walker, Borough Manager; Danielle Hewitt, Treasurer; and, Alexis Wilkinson, Zoning Officer.

President D. Struckle announced that Judge Philip Riley was in attendance and would like at this time to appoint a new Councilmember:

**Appointment of one of the following candidates to fill the Councilmember vacancy for the remainder of a term to expire December 31, 2023: Debra Fulton or Brian Kelly** – Councilman N. DeLano moved to appoint Debra Fulton to fill the Councilmember vacancy for the remainder of a term to expire December 31, 2023. Vice President L. Noonan seconded. Motion carried 6 – 0. After this motion Ms. D. Fulton was sworn in by Judge P. Riley to Borough Council. She was welcomed to the Borough Council. President D. Struckle thanked Mr. Brian Kelly for his interest to be on Borough Council and noted that there are still some openings on other Boards and stated that he would be an asset on any of the Boards.

**Approval of Minutes** – Councilmember N. DeLano moved to accept the Regular Meeting minutes of June 7, 2022, as presented. Vice President L. Noonan seconded. Motion carried 6 – 0 with Councilwoman D. Fulton abstaining.

### **Presentations**

**Popeye's Land Development Plan Presentation and acceptance of project with waivers and modifications** – Mr. Rhett Chiliberti of Colliers Engineering, Attorney Marc Wolfe and the Applicant Mr. Pablo Medeiros were in attendance to present the Popeye's Land Development Plan. Upon their presentation and explanation, Councilwoman A. Harris moved to accept the following waiver requests for the Popeye's Land Development Plan per the Applicant's Engineer's letter dated May 4, 2022:

1. *Waiver from §187-29.D.3 and §189-59 to not provide information on wetlands due to the site is an existing shopping center.*
2. *Waiver is requested from §187-30.A, to not provide an existing resource and site analysis plan due to the site is an existing shopping center.*
3. *Waiver is requested from 187-30.B, to not provide a Final Resource and Impact and Conservation Plan due to the site is an existing shopping center.*
4. *Waiver from §187-17 to process the application for both Preliminary and Final Land Development approval, due to the scope of the improvements.*
5. *Partial Waiver from §187-48 W. and X., to not provide curb along the property frontage, and to not provide sidewalk along the entire property frontage, as Route 940 does not have curb along the project frontage and adding curbing would impact the existing drainage patterns. The applicant is proposing sidewalk along the project frontage with sidewalk connection to the pad site. Oak Street sidewalk is not provided, as the street has minimal grass areas to install a sidewalk and a drainage swale, and steep slopes exist along the Oak Street frontage.*
6. *Waiver from §187-56.G.2.f. to provide 2.5" caliper trees in lieu of the 4" caliper trees due to the difficulty to install large trees with the large caliper size and associated root-ball. The industry standard is 2.5".*
7. *Partial Waiver is requested from §187-56.C(2)(f), to not provide the required 8 ft wide planting strip and the associated plantings, due to the nature of retrofitting the development within an existing shopping center. The balance of trees have been provided within the overall shopping center as indicated in the plans.*
8. *Waiver is requested from §187-56.D, to not provide the required street trees. An existing non-conformity determination for the parking setback was provided by the Borough. Therefore, there is not enough space to plant the required trees. Furthermore, there are overhead wires along the project frontage restricting the placement of the street trees in the right of way. The balance of trees have been provided within the overall shopping center as indicated in the plans.*

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9. *Partial Waiver is requested from §187-56.F, to not provide all of the required trees in the front yard buffer. An existing non-conformity determination for the parking setback was provided by the Borough. Therefore, there is not enough space to plant the required trees. 6 canopy trees, 6 ornamental trees and 6 evergreen trees are required. 2 canopy trees, 4 ornamental trees and 5 evergreen trees are proposed. Additional shrubs have been provided over the requirement of this section. The balance of trees have been provided within the overall shopping center as indicated in the plans.*
10. *Partial Waiver is requested from §187-56.F, to not provide the required trees in the side yard buffer. There are overhead wires along the western property line restricting the placement of the street trees. This has reduced total trees that can be planted in the side yard buffer. 4 canopy trees, 4 ornamental trees and 4 evergreen trees are required. 0 canopy trees, 3 ornamental trees and 5 evergreen trees are proposed. An additional evergreen tree is proposed above the requirement of this section. Note, the adjacent property abutting this lot line is a commercial development. The balance of trees have been provided within the overall shopping center as indicated in the plans.*
11. *Waiver is requested from §187-62.2, to propose light levels in excess of 0.1 foot candles off the property. The site lighting has been pointed inward of the site and shields are proposed to reduce glare and off-site impacts. The light poles have been located as far from the property line as is possible while still providing adequate lighting of the site. Light levels of 0.3 foot candles are proposed off-site of the northern and western property line (i.e. Route 940 and adjacent commercial site)*
12. *Waiver is requested from §179-16.A, to propose less than the required 1 ft of freeboard above the maximum pool elevation of the 100-year storm event. The proposed underground stormwater basin has a large footprint, but is shallow due to connection constraints into the existing storm sewer. The proposed underground basin proposes 0.11 ft of freeboard for the 100-year storm event.*

Councilwoman C. Williams seconded. Motion carried 7 – 0.

Councilwoman C. Williams moved to approve the Popeye’s Land Development with modifications subject to the Borough Engineer’s review letter dated July 1, 2022, and to receive the Certificate of Occupancy condition upon obtaining their Highway Occupancy Permit (HOP). Councilwoman A. Harris seconded. Motion carried 7 – 0.

**PUBLIC COMMENT (agenda items only) – J. Simeone, 10 Devonshire Lane** questioned the Quality of Life Ordinance. He was advised it would be elaborated upon as the next item on the agenda.

**UNFINISHED BUSINESS**

**Consideration to adopt the Quality of Life Ordinance No 4 of 2022** – Solicitor J. Fareri gave a summary of the Ordinance. He noted that this was advertised. Vice President L. Noonan moved to adopt the Quality of Life Ordinance No. 4 of 2022 as presented:

**ORDINANCE NO. 4 OF 2022**

**AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MOUNT POCONO TO ADD A NEW CHAPTER 190 TO BE ENTITLED “QUALITY OF LIFE”, WHICH CHAPTER PROVIDES 1) A TICKETING PROGRAM TO POTENTIALLY RESOLVE CERTAIN PROPERTY BLIGHT, MAINTENANCE AND OTHER PROPERTY VIOLATION MATTERS IN A MORE EXPEDITIOUS MANNER THAN TRADITIONAL ORDINANCE ENFORCEMENT, 2) PROCEDURES FOR ISSUING TICKETS UNDER THE TICKETING PROGRAM AND 3) PRESERVES TRADITIONAL ORDINANCE ENFORCEMENT, SEVERABILITY; AND CODIFICATION**

*WHEREAS, the Borough of Mount Pocono (the “Borough”), similar to many municipalities across the Commonwealth of Pennsylvania, contains certain properties that from time to time become blighted or are a nuisance to the neighborhood and the community; and*

*WHEREAS, the only resolution at the current time for the Borough to resolve matter to correct such matters is through traditional Ordinance enforcement which often leads to involvement by the court system; and*

*WHEREAS, traditional Ordinance enforcement often requires a lengthy and sometimes expressive process for both the Borough and the Violator to resolve such a matter;*

*WHEREAS, in the best interests of the community, the Borough has researched ways to potentially expedite the resolution process relative to eliminating blight in the community’s neighborhoods and/or eliminating nuisance property matters; and*

*WHEREAS, a similar Quality of Life Ticketing Ordinance has proven beneficial in many communities throughout the Commonwealth of Pennsylvania; and*

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*WHEREAS, the purpose of this Quality of Life Ticketing Ordinance is to provide, at the option of the Code Enforcement Officer or other designated official of the Borough of Mount Pocono, a mechanism for issuance of a ticket before issuance of a non-traffic citation or notice of violation pursuant to the terms of a Covered Ordinance to permit a Violator the choice of abating and correcting the violation and paying the ticket amount within ten (10) calendar days or be subject to the issuance of a non-traffic citation or notice of violation for alleged violation of a Covered Ordinance and the ensuing Ordinance enforcement process which involves costs and often leads to involvement by the court system with the Violator potentially liable to the Borough for a certain fine under the applicable Covered Ordinance and the Borough's costs of prosecution including, but not limited to, the Borough's attorney's fees and expenses; and*

*WHEREAS, concomitantly, the purpose of this Quality of Life Ticketing Ordinance is to potentially reduce the amount of non-traffic citations and notices of violation issued by the Borough of Mount Pocono through traditional Ordinance enforcement each year, potentially expedite the resolution process relative to eliminating blight in the community's neighborhoods and/or eliminating nuisance property matters in a manner that is more appropriate for the best interests of the community, and, at the same time, save time and money for the Borough and the Violator.*

*NOW, THEREFORE, BE IT AND IT IS ENACTED AND ORDAINED, by the Council of the Borough of Mount Pocono, Monroe County, Pennsylvania that Council hereby "Quality of Life Ticketing Ordinance Chapter 190 (entitled "Quality of Life & Blight Control Act") of the Code of the Borough of Mount Pocono:*

**CHAPTER 190**

**ARTICLE I - QUALITY OF LIFE & BLIGHT CONTROL ACT**

**§190-1. Short Title.**

*This Ordinance shall be known and may be cited as the "Quality of Life Ticketing Ordinance".*

**§190-2. Purpose.**

*The purpose of this chapter is to provide, at the option of the Code Enforcement Officer of the Borough of Mount Pocono, a mechanism for issuance of a ticket before issuance of a non-traffic citation or notice of violation pursuant to the terms of a covered ordinance to permit a violator the choice of abating and correcting the violation and paying the ticket amount within ten (10) calendar days or be subject to the issuance of a non-traffic citation or notice of violation for the alleged violation of a covered ordinance and the ensuing ordinance enforcement process which involves costs and often leads to involvement by the court system with the violator potentially liable to the Borough for a certain fine under the applicable covered ordinance and the Borough's costs of prosecution, including, but not limited to, the Borough's attorneys' fees and expenses. In the event a violator chooses to abate and correct the violation and pay the ticket amount within the required 10 calendar days, the violation is timely resolved and the violator will not be subject to the issuance of a non-traffic citation or notice of violation under the applicable covered ordinance for the violation abated and corrected pursuant to the ticket. In the event a violator chooses not to abate and correct the violation and pay the ticket amount within the required 10 calendar days, the Borough may issue a non-traffic citation or notice of violation pursuant to the terms of the applicable covered ordinance and pursue said ordinance enforcement as permitted by law including, but not limited to, having the violator found liable to the Borough for a fine under the applicable covered ordinance together with the Borough's costs of prosecution including, but not limited to, the Borough's attorneys' fees and expenses.*

**§190-3. Definitions.**

*As used in this article, the following terms shall have the meanings indicated:*

**BOROUGH**

*Borough of Mount Pocono, Monroe County, Pennsylvania.*

**BOROUGH MUNICIPAL BUILDING**

*The building containing the Borough's business offices located at 1361 Pocono Blvd. Suite 100, Mount Pocono, PA 18344 or other Borough business office address designated by the Borough on the violation ticket.*

**BOROUGH REVIEWER**

*The Borough Manager, who serves as a Code Enforcement Officer, or a Code Enforcement Officer designated by the Borough Manager*

**CODE ENFORCEMENT OFFICER**

*Police Officers or Code Enforcement Officers authorized by Resolution of Borough Council to uphold and enforce ordinances of the Borough.*

**COVERED ORDINANCE**

*Each chapter of the Code of the Borough of Mount Pocono referenced in §190-4B. Each chapter is an ordinance of the Borough.*

**PERSON**

*Any individual, corporation, partnership, or any other entity recognized by law.*

**REVIEW MEETING**

*The review meeting conducted by the Borough Reviewer pursuant to § 190-7 of this chapter.*

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**VIOLATOR**

Any person in violation of a covered ordinance.

**§190-4. Enforcement.**

- A. The provisions of this Ordinance may be exercised by any Code Enforcement Officer or other Designated Official of the Borough.
- B. The following existing chapters and sections of the Code of the Borough of Mount Pocono are each hereby deemed and ordained to be a Covered Ordinance that are under the jurisdiction of this process at the discretion of any Code Enforcement Officer or Designated Official of the Borough.

QOL#	BRIEF DESCRIPTION OF VIOLATIONS FOR QUALITY OF LIFE ORDINANCE	BOROUGH CODE ORDINANCE
QOL.001	Accessory Structure Violation	Chapter 215
QOL.002	Accumulation of rubbish or garbage	Chapter 175
QOL.003	Animal maintenance and waste/feces cleanup and animals running at large	Chapter 59
QOL.004	Disposal of rubbish or garbage/ dumping	Chapter 175
QOL.005	Fireworks prohibited	Chapter 97
QOL.006	Illegal Sign(s)/Billboard(s)	Chapter 164
QOL.007	High weeds, grass or plant growth and leaf waste violations	Chapter 149
QOL.008	Motor vehicles (unregistered, uninspected, inoperative, disrepair)	Chapter 204
QOL.009	Operating w/o Permit/License	Chapter 78
QOL.010	Outside burners, boilers, furnaces	Chapter 71
QOL.011	Peddling/Vending Illegally	Chapter 142
QOL.012	Permit Display/Requirements Violation	
QOL.013	Rentals (long or short term rentals)- Unregistered	Chapter 154
QOL.014	Snow and ice removal required within certain time	Chapter 183
QOL.015	Swimming pools	Chapter 215-21(F)

- C. A determination by a Code Enforcement Officer or other Designated Official of the Borough that a violation of a Covered Ordinance exists is cause for a violation ticket to be issued to the Violator under this Ordinance.
- D. A violation ticket shall be addressed to the name of the Violator and shall be served upon the Violator in the following manner;
  - a. By handing the violation ticket to the Violator;
  - b. By Handing the violation ticket to an adult resident of the subject property;
  - c. By leaving or affixing the violation ticket to the property where the violation exists; or
  - d. By mailing the violation ticket to the Violator's address of record by certified and regular mail.

**§190-5. Violation Ticket Disposition.**

- A. A Violator that is served a violation ticket under this Ordinance shall have ten (10) calendar days within which time to abate and correct the violation specified by the ticket and pay the amount of the ticket to the Borough. In the event the specified violation is not abated and corrected and ticket is not paid within the ten (10) calendar day period, such failure to abate and correct the specified violation and pay the ticket within the required time period may result in the issuance of a non-traffic citation or notice of violation under the applicable Covered Ordinance for the violation enumerated on the violation ticket and any other violations under the applicable Covered Ordinance that may be identified by the Code Enforcement Officer or other designated official of the Borough. In the event a Violator chooses to abate and correct the violation and pay the ticket amount within the required ten (10) calendar days, the violation is considered timely resolved and the Violator will not be subject to the issuance of a non-traffic citation or notice of violation under the applicable Covered Ordinance for the violation abated and corrected pursuant to the violation ticket.

**§190-6. Fines and Penalties.**

- A. Violation ticket fines as pertains to this Chapter, **§190-4, B (table)**
  - a. For the first offense of a violation of a covered ordinance within a twelve-month period, the violation ticket shall be issued in the amount of \$50.00.
  - b. For the second offense of a violation of a covered ordinance within a twelve-month period, the violation ticket shall be issued in the amount of \$100.00.

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- c. *For the third offense of a violation of a covered ordinance within a twelve-month period, the violation ticket shall be issued in the amount of \$200.00.*
- d. *For the fourth offense and all subsequent offenses of the violation of a covered ordinance within a twelve-month period, the violation ticket shall be issued in the amount of \$300.00.*
- e. *Nonpayment of a violation ticket may result in a non-traffic citation or notice of violation being issued with the fine amount at the maximum fine amount per day pursuant to the applicable covered ordinance.*

**§190-7. Right to Meeting with Borough Reviewer.**

- A. *Upon payment of the ticket to the Borough within 10 calendar days of the date of issuance of the violation ticket, the person named in the violation ticket has the right to request a review meeting regarding the violation ticket by filing a request, in writing, within the aforesaid time period, at the Borough Municipal Building on a form available at the Borough Municipal Building or the Borough's website. Payment of the ticket to the Borough must be paid to the Borough prior to or at the time of filing the written request for a review meeting.*
- B. *In the event the ticket is not paid to the Borough within the period of time required by this section or in the event the request for the review meeting is not filed at the Borough Municipal Building within the period of time required by this section, the person named in the violation ticket shall not be entitled to a review meeting.*
- C. *In the event the ticket is paid to the Borough within the period of time required by this section and the written review meeting request is filed at the Borough Municipal Building within the period of time required by this section, the person named in the violation ticket shall be entitled to a review meeting conducted in accordance with this section.*
- D. *The Borough Reviewer shall attend the review meeting. The review meeting shall take place at the Borough Municipal Building or the location of the violation at the sole discretion of the Borough Reviewer. At the sole discretion of the Borough Reviewer, the review meeting may take place telephonically if the person named in the violation ticket submits a written request for such review meeting. The review meeting shall take place on a date and time chosen by the Borough Reviewer, in his or her sole discretion, during regular business hours for the business office located at the Borough Municipal Building or other time determined at the sole discretion of the Borough Reviewer. The Borough Reviewer shall provide written notice of the date, time and location of the review meeting by email, facsimile, first class mail with certificate of mailing, or hand delivery to the person named in the violation ticket at the last known email, facsimile, or address stated in the written request for the review meeting.*
- E. *The review meeting is an opportunity for the person requesting the review meeting to be heard by the Borough Reviewer and present evidence to support his or her claims why the violation ticket should be rescinded or more time given to the person named in the violation ticket for said person to abate and correct the violation set forth in the violation ticket. The length of the review meeting, types of evidence accepted, and number of persons permitted to attend the review meeting shall be at the sole discretion of the Borough Reviewer.*
- F. *The Borough Reviewer has the authority to rescind the violation ticket and order the Borough refund the payment of the ticket to the person that paid said monies or give the violator a certain amount of additional time to abate and correct the violation set forth in the violation ticket. In the event the Borough Reviewer decides to rescind the violation ticket or give the violator a certain amount of additional time to abate and correct the violation set forth in the violation ticket, such decision by the Borough Reviewer shall be in writing and served upon the violator in accordance with § 190-4D of this chapter at the review meeting or promptly after the review meeting within a period of time at the sole discretion of the Borough Reviewer.*
- G. *In the event the Borough Reviewer rescinds the violation ticket, the Borough shall refund the payment of the ticket to the person that paid said monies. In the event the Borough Reviewer does not rescind the violation ticket or the violator fails to abate and correct the violation within the additional period of time provided to the violator in writing by the Borough Reviewer, a Code Enforcement Officer may issue a non-traffic citation or notice of violation under the applicable covered ordinance for the violation enumerated on the violation ticket and any other violations under the applicable covered ordinance that may be identified by the Code Enforcement Officer.*
- H. *Notwithstanding the foregoing, in the event the person that filed the written request for a review meeting in accord with this section fails to attend a review meeting scheduled by the Borough Reviewer, the payment made prior to or at the time of filing the written request for a review meeting shall not be refunded except at the sole discretion of the Borough Manager. In the event the person that filed the written request for a review meeting fails to attend the review meeting scheduled by the Borough Reviewer, the Borough Reviewer may reschedule the review meeting at the sole discretion of the Borough Reviewer.*

**§190-8. Severability.**

*If any provision, paragraph, word, section or subsection of this chapter is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect.*

**§190-9. Codification.**

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*It is the intention of Council of the Borough of Mount Pocono that the provisions of this chapter shall become and be made a part of the Code of Ordinances of the Borough of Mount Pocono; and that the sections of this chapter may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," "chapter" or such other appropriate word or phrase in order to accomplish such intentions.*

**§190-10. Effective Date.**

*This chapter shall be effectively immediately upon adoption.*

Councilwoman E. Santiago seconded. Motion carried 7 – 0.

**Approval of the Borough assuming responsibility for completion of the SR 611 and Pine Hill Signal and Improvements project. Approval will authorize Borough Manager to send letter to PennDOT indicating the Borough will move the project forward and assume responsibility for completion.** – Solicitor J. Fareri clarified that signal project scope did not include construction of connector road. Vice President L. Noonan moved to approve the Borough to assume the responsibility for the completion of the SR 611 and Pine Hill Signal and Improvements project and to authorize the Borough Manager to send a letter to PennDOT indicating that the Borough will move the project forward and assume responsibility for completion. Councilwoman A. Harris seconded. Motion carried 7 – 0.

**NEW BUSINESS**

**Consideration to increase Samuel Pugh's hours from 20 to 30 hours per week at the same rate of \$15/hour** – Vice President L. Noonan moved to increase Samuel Pugh's hours from 20 to 30 hours per week at the same rate of \$15.00 per hour. Councilwoman E. Santiago seconded. Councilman N. DeLano questioned the term of the hours. Borough Manager J. Walker explained that Mr. S. Pugh was hired initially based on grass cutting season but was hopeful to keep Mr. S. Pugh on afterwards. Vice President L. Noonan amended her motion to increase Samuel Pugh's hours to 30 hours per week at \$15.00 per hour through September 30, 2022, and to reevaluate the hours he is needed for at that time. Councilwoman E. Santiago seconded. Motion carried 7 – 0.

**Consideration to increase Diana Jackowski's hours from 28 to 32 hours per week at the same rate of \$18/hour** – President D. Struckle explained that the reason behind increasing her hours is to provide coverage for when the Borough Manager is out of the office. Vice President L. Noonan questioned whether the increase in hours would affect union negotiations. Borough Manager J. Walker stated that it would. Councilwoman C. Williams moved to increase Diana Jackowski's hours from 28 to 32 hours per week at the same rate of \$18.00 per hour, contingent upon union approval. Councilwoman A. Harris seconded. Motion carried 7 – 0.

**Approval of the Fire Protection Contract between the Borough and the Pocono Mountain Volunteer Fire Company as presented** – Vice President L. Noonan moved to approve the Fire Protection Contract between the Borough and the Pocono Volunteer Fire Company as presented. Councilman N. DeLano seconded. Motion carried 7 – 0.

**Authorization to direct Building Code Official Bill Burton of Bureau Veritas to file with the magistrate regarding the property and house located at 134 Winona Road which has been labeled a "Dangerous Structure".** – Vice President L. Noonan moved for the authorization of the Building Code Official Bill Burton of Bureau Veritas to file with the magistrate regarding the property and house located at 134 Winona Road based on its status as a dangerous structure. Councilwoman C. Williams seconded. Motion carried 7 – 0.

**Authorization to advertise the proposed Chicken Ordinance** – Councilman N. DeLano moved to advertise the proposed Chicken Ordinance. Councilwoman E. Santiago seconded. There was discussion. Councilman N. DeLano moved to amend his motion to advertise the proposed Chicken Ordinance and to hold a Public Hearing on Tuesday, August 2,

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2022, at 6:00 P.M. prior to the regular meeting. Councilwoman E. Santiago seconded. Motion carried 6 – 1, with Councilwoman A. Harris opposing.

**Adoption of Resolution No 8 of 2022 for DCED Multimodal Grant for Fork Street improvements** – Vice President L. Noonan moved to adopt Resolution No. 8 of 2022 for the DCED Multimodal Grant for Fork Street improvements.

*Resolution No. 8 of 2022*

*A Resolution of Mount Pocono Borough, County of Monroe, Commonwealth of Pennsylvania, to apply for a DCED Multimodal Transportation Grant*

*Be it RESOLVED, that Mount Pocono Borough of Monroe County hereby requests a Multimodal Transportation Fund grant not to exceed \$1,000,000 from the Commonwealth Financing Authority to be used for improvements to Fork Street—for the purpose of pedestrian safety, traffic calming, road restoration, improved public transportation, and beautification.*

*Be it FURTHER RESOLVED, that the Applicant does hereby designate Joshua Walker, Borough Manager, and Donald Struckle, Council President, as the officials to execute all documents and agreements between the Borough of Mount Pocono and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.*

*I, Joshua Walker, duly qualified Secretary of Mount Pocono Borough, Monroe County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Mount Pocono Borough Council at a regular meeting held July 5, 2022 and said Resolution has been recorded in the Minutes of Mount Pocono Borough and remains in effect as of this date.*

*IN WITNESS THEREOF, I affix my hand and attach the seal of Mount Pocono Borough this 5<sup>th</sup> day of July, 2022.*

Councilwoman C. Williams seconded. Motion carried 7 – 0.

**OFFICER’S REPORTS:**

**President’s Report** – President D. Struckle noted that the LSA Grant for the maintenance garage was awarded in the amount of \$490,000 give or take. He also noted that the grant we received from the Visitors Bureau in the amount of \$6,000.00 will offset the cost of the landscaping. He noted the pending grants are: DCNR Small Communities Grant Request for \$110,000.00, and a Greenways Trails, Recreation and Parks Grant for \$250,000.00. Councilwoman C. Williams questioned when construction of the maintenance garage begins. President D. Struckle responded, hopefully Spring of 2023 with the next step being the creation of a bid package.

**Mayor’s Report** – Mayor R. Altemose was absent and no report given.

**Borough Manager’s Report** – Borough Manager J. Walker gave the following updates: the RRFBs and RADAR speed signs have been ordered and should arrive in a couple of months; he noted that he is still working with the Borough Traffic Engineer on PennDOT requirements to install safety items; and, just a minor note that the road crew are working diligently on the drainage issues in the Borough, including installing pipes and opening up swales. He added that the road prepping for the paving project should begin July 14<sup>th</sup> and 15<sup>th</sup>. The actual paving is scheduled to begin the week of July 18<sup>th</sup>. President D. Struckle asked that a letter be sent out informing the residents of the scheduled paving.

**Solicitor’s Report** – Solicitor J. Fareri stated that we still have the litigation with the Library and a brief will be filed later this week.

**Treasurer’s Report** – Borough Treasurer D. Hewitt presented the Cash Report and Borough’s bill list. Councilwoman A. Harris moved to approve and pay the bill list of Tuesday, July 5, 2022, as outlined:

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**CASH REPORT AS OF June 30, 2022**

**NBT General Fund**

Beginning Balance	\$ 851,919.17
Deposit	53,214.92
Interest	13.56
Expense	170,380.72
Service Charge	0.44
Ending Balance	<u>\$ 734,766.49</u>
Uncleared Transactions \$162,287.05	

**NBT Liquid Fuels Fund**

Beginning Balance	\$ 115,055.89
Deposit	0.00
Interest	1.81
Expense	7,341.94
Ending Balance	<u>107,715.69</u>

**NBT Road Rehab Fund**

Beginning Balance	\$ 222,063.46
Deposit	54.32
Interest	9.12
Expense	792.00
Ending Balance	<u>\$ 221,334.90</u>

**NBT Park & Recreation Fund**

Beginning Balance	\$ 123,112.24
Deposit	0.00
Interest	5.06
Expense	0.00
Ending Balance	<u>\$ 123,117.30</u>

**NBT Five Points Intersection Fund**

Beginning Balance	\$ 94,046.60
Deposit	0.00
Interest	3.84
Expense	1,802.00
Ending Balance	<u>\$ 92,248.44</u>

**NBT Beautification Fund**

Beginning Balance	\$ 1,195.36
Deposit	0.00
Interest	.05
Expense	0.00
Ending Balance	<u>\$ 1,195.41</u>

**NBT Stormwater Fund**

Beginning Balance	\$ 43,287.39
Deposit	0.00
Interest	1.77
Expense	914.00
Ending Balance	<u>\$ 42,375.16</u>

**NBT Planning Commission Fund**

Beginning Balance	\$ 6,755.34
Deposit	0.00
Interest	.28
Expense	0.00
Ending Balance	<u>\$ 6,755.62</u>

**PLGIT General Fund**

Beginning Balance	\$ 183,749.43
Deposit (EIT)	14,394.86
Deposit (LST)	2,767.71
Interest	131.80
Expense (to GF)	0.00
Ending Balance	<u>\$201,043.80</u>

**PLGIT Liquid Fuels Fund**

Beginning Balance	\$74.20
Deposit	0.00
Interest	.05
Expense	0.00
Ending Balance	<u>\$ 74.25</u>

**American Rescue**

Beginning Balance	\$ 101,950.23
Deposit	0.00
Interest	1.35
Expense	36,560.36 *
Ending Balance	<u>\$ 65,391.22</u>

**E-Commerce**

Beginning Balance	\$ 26.65
Deposit	206.13
Interest	0.00
Expense	10.00
Ending Balance	<u>\$222.78</u>

\*Payroll

**NBT Payroll Fund**

Beginning Balance	\$ 4,296.55
Deposit	36,560.36
Interest	0.11
Expense	31,022.31
Ending Balance	<u>\$ 9,834.71</u>

**From ARAP**

(w/e 6/1/22)	\$6,916.41
(w/e 6/8/22)	\$8,560.56
(w/e 6/15/22)	\$7,080.89
(w/e 6/22/22)	\$7,145.58
(w/e 6/29/22)	<u>\$6,856.92</u>



**Mount Pocono Borough Council**  
**Regular Meeting Minutes,**  
**Tuesday, July 5, 2022**  
**6:30 P.M.**

\$ 36,560.36

Sparkle Car Wash Escrow - \$486,936.27

ESSA - \$103,105.90

**BILLS TO BE APPROVED AND PAID 6/1/22 -6/30/22 FROM THE NBT GENERAL FUND CHECKING ACCOUNT:**

A. Wilkinson	(Mileage 1/3/22 – 6/29/22)	\$276.12
ARGS Technology, LLC	(IT Service - Remote Service, Server Update, Cloud, etc.)	264.50
AMTrust North America	(PREPAID: Borough Worker’s Compensation)	2,439.00
Barry Isett & Associates	(Reimb. Popeye’s/Bizio/Sparkle Car Wash/Hirshland)	2,163.90*
	(Gen Eng. Services – Traffic & Drainage Projects)	1,357.00
Berkheimer Associates	(Local Service Tax Operating Commission)	214.86
Campbell Durrant, PC	(General Labor & Employment Matter – May 22)	1,992.20
Cintas Corporation	(Maintenance Uniforms & Mats)	309.97
Dept. of Labor and Industry	(Elevator Certificate)	147.51
ESSA	(PREPAID: Building Loan: July Payment)	2,309.20
GateHouse Media PA Holdings, Inc.	(Advertise: Vacancies)	158.00
Geisinger Health Plan	(PREPAID: Road Crew & Admin Manager Health Plan)	7,740.28
Gotta Go Potties	(P&R: Port of Potties – 5/19/22-6/16/22)	175.00
H. Clark Connor	(Review SALDO Ordinance & PC Mtg. Attendance)	507.50
	(Reimb. Clarius; Popeye’s; Harbor Freight & ARYA projects)	1,932.50*
Highmark Blue Shield	(PREPAID: Road Crew & Admin Manager Vision/ Dental)	354.94
Met Life	(Highway: Life and Disability Insurance)	135.34
Metz, Inc.	(Inspection Services)	211.24
Nagle Elevator	(Routine Elevator Inspection – 6/10/22)	80.00
NAPA Auto Parts	(7565 2 Batteries & 2 Yr. Warranty F-550)	319.98
NBT Cardmember Service	(PREPAID: Misc. Highway, Offices Park & Rec)	952.86
Newman, Williams, Mishkin	(Reimb. Cond Use – Jean Costa 3360 SR 940)	93.00*
	(Recorded – Filing Order 1 Summit)	28.50
PA American Water Co.	(PREPAID: Fire Hydrants, Borough & Garage Water)	793.79
PA Dept. of Transportation	(Reimb. McDonald’s PennDOT Inspections)	877.08*
PA One Call System, Inc.	(PA One Call)	13.66
PA State Association of Boroughs	(Highway: Random Drug Testing)	90.68
Payrolls Unlimited	(Payroll – 6/3/22-6/24/22)	99.05
Pocono Mountain Public Library	(Library RE Taxes – 5/7,5/20,5/31/22)	2,399.69
Pocono Mountain Regional EMS	(EMS RE Taxes –5/7,5/20,5/31/22)	1,207.61
Pocono Mountain Regional Police Dept.	(PREPAID: July 2022 Payment)	70,510.16
Pocono Mountain Volunteer Fire Co.	(Fire Co. RE Taxes –5/7,5/20,5/31/22)	2,399.69
PPL Electric Utilities	(PREPAID: Boro Bldg/Maint Garage/P&R, etc.)	604.41
Quill Corp.	(PREPAID: Office Supplies)	360.90
Ray Price Ford	(2009 Ford: Repair Exhaust Bolts, etc.)	3,410.06
Selective Insurance	(PREPAID: Insurance Payment)	3,422.00
Signal Service, Inc.	(Maint. Contract 5/1/22-4/30/22 & Junction Repair)	2,750.00
Strauser Nature’s Helpers	(Building Landscaping – partial grant payment)	9,489.00
Sunguard	(Thermoplastic: Street Painting)	10,000.00
Sunoco Universal Fleet	(PREPAID VIA PHONE: Gas & Oil)	826.58
Total TK Elevator Corporation	(Service – Fix elevator Controller)	755.00
Tulpehocken Spring Water	(Bottled Water)	65.24
US Bank	(PREPAID: Copier Contract – 6/1-6/30/22)	128.45
Verizon	(PREPAID: Highway – Telephone)	74.98



Mount Pocono Borough Council  
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GRAND TOTAL:

\$134,441.43

\*Reimbursable

Councilwoman E. Santiago seconded. Motion carried 7 – 0.


**Zoning Officer's Report** – Zoning Officer A. Wilkinson discussed that 134 Winona Road has been formally posted as a dangerous structure and thanked Borough Council for approving to proceed with magistrate if needed. Councilwoman A. Harris questioned how to cover the cost of razing the property. Vice President L. Noonan responded that we can lien the property. It was discussed that every attempt to contact the property owner was made with no response. Zoning Officer A. Wilkinson noted that she received a directive from the Solicitor to resubmit to the magistrate against 12 Devonshire Lane of illegal short-term rental, also noting that the Solicitor will arrange for process service this time.

**PUBLIC PARTICIPATION**

**Councilwoman C. Williams** – announced that the Women Veteran's Museum has gained extra space and thanked Councilman N. DeLano for his amazing work. She stated that the museum has received a grant in the amount of \$10,000.00.

Meeting adjourned at 7:55 P.M

Respectfully submitted,



Joshua Walker  
Borough Manager