

**Mount Pocono Borough Council
Regular Meeting Minutes,
Tuesday, October 4, 2022
6:30 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, October 4, 2022, was called to order at 6:47 P.M. by President D. Struckle.

Roll Call: Councilman Norm DeLano, present; Councilwoman Debra Fulton, 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, arrived late.

In Attendance: James Fareri, Solicitor; Joshua Walker, Borough Manager; and, Danielle Hewitt, Treasurer.

Announcement – President D. Struckle announced that from 6:15 P.M. to 6:45 P.M. this evening, Borough Council held a Public Hearing for a Short-Term Conditional Use at 5 Brunswick Drive.

Approval of Minutes – Councilman N. DeLano moved to accept the Regular Meeting minutes of September 6, 2022, as presented. Councilwoman E. Santiago seconded. Councilwoman A. Harris noted that the minutes should read “who lives in Reeders, Pennsylvania” replacing “at Reeder Street” on page 9 under Public Participation. Motion carried 7 – 0.

Public Comment (agenda items only) –None

Unfinished Business

Consideration of choosing one of the following companies for a new Borough Newsletter: Hometown Press or Tom Ford’s – After some discussion the motion was made by Councilman N. DeLano to accept Tom Ford’s proposal which was to mail out a quarterly Borough newsletter and cover all the costs with the potential for the Borough to receive some of the advertisement revenue. Councilwoman E. Santiago seconded. There was further discussion. It was clarified there would be no cost to the Borough or its residents and that a committee would be formed to oversee the publications. Motion went to a roll call vote: Councilman N. DeLano, “Yes”; Councilwoman A. Harris, “Yes”; Councilwoman E. Santiago, “Yes”; Councilwoman D. Fulton, “Yes”; Vice President L. Noonan, “Yes”; Councilwoman C. Williams, “No”; and, President D. Struckle, “Yes”. Motion carried 6 – 1.

Consider choosing one of the following companies for floor restoration – After reviewing all of the quotes Councilwoman A. Harris moved to accept the quote from Frank’s Home Restoration to sand and finish the second floor and stairs in the amount of \$11,454.00 which includes everything, and to accept the quote from Giant Flooring in the amount of \$9,325.00 which includes carpet tile with vinyl tile option. Councilwoman D. Fulton seconded. Motion carried 7 – 0.

New Business

Consider setting and advertising the Public Budget Hearing dates – No motion was made.

Consider advertising Ordinance No 8 of 2022 – SALDO Amendment excluding Borough projects from the Land Development process – Councilwoman A. Harris moved to advertise Ordinance No 8 of 2022 – SALDO Amendment excluding Borough projects from the Land Development process. Councilman N. DeLano seconded. Motion carried 7 – 0.

Consider advertising Ordinance 9 of 2022 – No parking on Route 196 – Councilwoman C. Williams moved to authorize Ordinance 9 of 2022 – no parking on Route 196. Vice President L. Noonan seconded. Motion carried 7 – 0.

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NOW, THEREFORE, be it RESOLVED as follows:

1. Borough Council for the Borough of Mount Pocono approves the 2023 PMRPC budget as it was presented to the Borough of Mount Pocono for approval by PMRPC, in the amount of \$953,864.13.
2. The Council of the Borough of Mount Pocono hereby approves and confirms its 2023 commitment of \$953,864.13, for police services to be paid in monthly payments of \$79,488.67, plus its uniform and non-uniform MMO during 2023 if the budget is approved, as set forth in the proposed 2023 budget of the Pocono Mountain Regional Police Commission.

RESOLVED AND ENACTED, this 4th day of October, 2022.

Councilwoman D. Fulton seconded. Motion carried 7 – 0.

Consider adopting Resolution No 15 of 2022 which implements Act 57 of 2022 – Councilwoman A. Harris moved adopt Resolution No 15 of 2022 implementing Act 57 of 2022 as follows:

A RESOLUTION OF THE BOROUGH COUNCIL OF MOUNT POCONO, MONROE COUNTY TO IMPLEMENT ACT 57 OF 2022.

RESOLUTION NO. 15 OF 2022

WHEREAS, Act 57 of 2022, amending the Local Tax Collection Law, was signed by Governor Wolf on July 11, 2022, and takes effect on October 10, 2022; and

WHEREAS, Act 57 requires taxing districts that impose taxes on the assessed value of real property to adopt a resolution or ordinance within 90 days of the effective date of the act, or not later than January 9, 2023, directing the tax collector to waive additional charges for real estate taxes in certain situations; and

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of Mount Pocono comply with the provisions of Act 57 and this resolution for tax years beginning on or after January 1, 2023.

DEFINITIONS

The following words and phrases shall have the meanings given to them within this resolution unless the context clearly indicates otherwise:

Additional charge: Any interest, fee, penalty, or charge accruing to and in excess of the face amount of the real estate tax as provided in the real estate tax notice.

Qualifying event:

1. For the purposes of real property, the date of transfer of ownership.
2. For manufactured or mobile homes, the date of transfer of ownership or the date a lease agreement commences for the original location or relocation of a manufactured or mobile home on a parcel of land not owned by the owner of the manufactured or mobile home. The term does not include the renewal of a lease for the same location.

Tax Collector: The elected tax collector for Mount Pocono Borough, Monroe County, any authorized or designated delinquent tax collector, the Monroe County Tax Claim Bureau, or any alternative collector of taxes as provided for in the act of July 7, 1947 (P.L.1368, No.542), known as the "Real Estate Tax Sale Law," an employee, agent or assignee authorized to collect the tax, a purchaser of claim for the tax or any other person authorized by law or contract to secure collection of or take any action at law or in equity against the person or property of the taxpayer for the real estate tax or amounts, liens or claims derived from the real estate tax.

WAIVER

The Tax Collector shall, for tax years beginning on and after January 1, 2023, grant a request to waive additional charges for real estate taxes if the taxpayer does all of the following:

- a) Provides a waiver request of additional charges, on a form provided by the state Department of Community and Economic Development, to the Tax Collector in possession of the claim within twelve (12) months of a qualifying event;
- b) Attests that a tax notice was not received; and
- c) Provides the Tax Collector in possession of the claim with one of the following:

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interested. He noted that the Budget Committee has been meeting and will continue to work on the 2023 Budget. He also noted that the Personnel Committee will meet tomorrow to discuss job descriptions and will soon conduct job reviews.

Mayor's Report – No report.

Borough Manager's Report – Borough Manager J. Walker noted that he will follow-up with PennDOT regarding the pipe replacement project on Fairview Avenue for a timeline of completion. He acknowledged the shopping cart problem and that he is composing a letter to send to the businesses letting them know that there is a Shopping Cart Ordinance and what their responsibilities are.

President D. Struckle noted that he and the Mayor will be addressing this issue with the Chief asking if there could be more presence in the Borough for the officers to look for people taking the shopping carts off the shopping centers' property.

Solicitor's Report – Solicitor J. Farer stated the Martz slip and fall trial starts next week. He noted that the Borough is the defendant, and the Borough Manager should attend this trial. He clarified this case is covered under the Borough's insurance and there should not be any cost to the Borough. Regarding the library case, he mentioned that the case was heard last week with no ruling by the judge as of yet.

Treasurer's Report – Borough Treasurer D. Hewitt presented the Cash Report and Borough's bill list. Vice President L. Noonan moved to approve and pay the bill list of Tuesday, October 4, 2022, as outlined:

Cash Report as of September 30, 2022

<u>NBT General Fund</u>		<u>NBT Liquid Fuels Fund</u>	
Beginning Balance	\$ 614,707.29	Beginning Balance	\$ 104,223.48
Deposit	151,793.62	Deposit	0.00
Interest	10.38	Interest	1.70
Expense	176,458.38	Expense	<u>2,898.72</u>
Service Charge	<u>10.30</u>	Ending Balance	<u>101,326.46</u>
Ending Balance	<u>\$ 590,042.61</u>		
Uncleared Transactions	\$180,361.62		
<u>NBT Road Rehab Fund</u>		<u>NBT Park & Recreation Fund</u>	
Beginning Balance	\$ 231,091.80	Beginning Balance	\$ 123,127.76
Deposit	2,058.41	Deposit (Popeye's)	6,750.00
Interest	9.58	Interest	5.09
Expense	<u>0.00</u>	Expense	<u>0.00</u>
Ending Balance	<u>\$ 233,159.79</u>	Ending Balance	<u>\$ 129,882.85</u>
Uncleared Transactions	\$199,091.10		
<u>NBT Five Points Intersection Fund</u>		<u>NBT Beautification Fund</u>	
Beginning Balance	\$ 66,304.02	Beginning Balance	\$ 1,195.51
Deposit (Popeye's)	1,000.00	Deposit	0.00
Interest	2.73	Interest	.05
Expense	<u>0.00</u>	Expense	<u>0.00</u>
Ending Balance	<u>\$ 67,306.75</u>	Ending Balance	<u>\$ 1,195.56</u>
<u>NBT Stormwater Fund</u>		<u>NBT Planning Commission Fund</u>	
Beginning Balance	\$ 49,878.76	Beginning Balance	\$ 6,522.18

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P.M. Volunteer Firefighters Relief Assoc.	(2022 Foreign Fire Insurance Relief Payment)	\$17,481.34
PA American Water Co.	(PREPAID: Fire Hydrants, Borough & Garage Water)	786.97
PA One Call System, Inc.	(PA One Call)	28.38
PA State Association of Boroughs	(Municipal Budgeting Training – Online)	50.00
Payrolls Unlimited	(Payroll 9/2/22-9/30/22)	139.50
Pocono Mountain Public Library	(Library RE Taxes – Penalty Phase/Delinquent July/Int. B)	941.40
Pocono Mountain Regional EMS	(EMS RE Taxes – Reg. Penalty/Delinquent/Interim B)	473.41
Pocono Mountain Regional Police Dept.	(October 2022 Payment)	70,510.16
Pocono Mountain Volunteer Fire Co.	(Fire Co. RE Taxes – Reg. Penalty/Delinquent/Interim B)	941.40
PPL Electric Utilities	(PREPAID: Boro Bldg./Maint Garage/P&R, etc.)	601.10
Reilly Associates	(Reimb: Lot 28 LDP – 12/26/20-11/13/21)	6,040.44*
Selective Insurance	(PREPAID: Insurance Payment)	3,422.00
Servpro	(Scanning Phase 2 – 2 of 3 Payments)	5,000.00
SFM Consulting	(September & August Zoning)	2,080.00
Shellpoint Mortgage	(PREPAID: 2020 Duplicate Deposit)	2,912.63
Sunoco Universal Fleet	(PREPAID: Gas & Oil)	1,397.07
TAPCO	(Solar LED Flashing Beacon)	35,267.20
The Two Shields, LLC	(State Inspection 2015 Kenworth)	72.75
Tulpehocken Spring Water	(Bottled Water)	90.23
US Bank	(Copier Contract – 9/1-9/30/22)	128.45
Verizon	(PREPAID: Highway – Telephone)	75.74

GRAND TOTAL: **\$193,000.79**

*Reimbursable Items

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

Zoning Officer’s Report – a written report from the Zoning Office was given by the Borough Manager.

Vice President L. Noonan moved to allow PennDOT to prohibit left turn from SR 611 South to SR 196 North at the first signal light. Councilwoman D. Fulton seconded. Motion carried 7 – 0.

PUBLIC PARTICIPATION

Joseph Siemone, 10 Devonshire Lane, stated that 12 Devonshire has been quiet.

Councilwoman A. Harris moved to proceed with a court order against 12 Devonshire Lane. Vice President L. Noonan seconded. Motion carried 7 – 0.

Gena Orlowski, 9 Hemlock Road, expressed concerns with her neighbor at 94 Winona.

Councilwoman A. Harris, discussed the need to schedule the overdue individual performance meetings with the employees.

Councilwoman C. Williams, thanked the Borough Council, staff and residents for the support during the moment of silence on September 11th. She relayed a request from the Commander of the VFW Post #509, in regards to a contribution to provide food for the Pocono Mountain East Vs. West football game.