

**Mount Pocono Borough Council
Regular Meeting Minutes,
Tuesday, February 7, 2023, 6:30 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, February 7, 2023, was called to order at 6:30 P.M. by President D. Struckle.

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

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

Approval of Minutes – Councilman N. DeLano moved to accept the Regular Meeting minutes of January 3, 2023, as presented. Councilwoman E. Santiago seconded. Motion carried 5 – 0.

Public Comment (agenda items only) – None

Presentations – None

Unfinished Business

Consider adopting Ordinance No 3 of 2023 amends Borough Ordinance 187-18 regarding Improvement Maintenance Guarantee; adopting Ordinance No 4 of 2023 amends Borough Ordinance 187-18 to 187-24 regarding Land Development submission requirements; and, adopting Ordinance No 5 of 2023 which amends Borough Ordinance 187-56 G.(2)(c) regarding the caliper of shade trees – after some discussion, Councilman N. DeLano moved to table any motion to adopt Ordinances No 3; No 4; and No 5 until the next Borough Council meeting on March 7, 2023, and review any comments received from the Monroe County Planning Commission. Councilwoman D. Fulton seconded. Motion carried 5 – 0.

New Business

Consider accepting one (1) of the three (3) sanitation bids received from JP Mascaro, GFL County waste and National Waste – Vice President L. Noonan moved to accept the lowest sanitation bid received from GFL County Waste's option #1. Bid includes municipal waste collection; single stream recycling collection; leaf and yard waste collection; annual Christmas collection for years 2023, 2024 and 2025 for a three (3) year lump sum bid amount of \$1,424,788.58. Councilman N. DeLano seconded. Motion carried 5 – 0.

Consider approving or denying ARYA Land Development Application as the extension granted on December 6, 2022 expires today, February 7, 2023 – After clarification from Borough Manager J. Walker, Vice President L. Noonan moved to deny the ARYA extension request and also to deny the ARYA Land Development Plan due to outstanding items not being completed within the applicable time limits as extended. Councilman N. DeLano seconded. Motion carried 5 – 0.

Consider approving the following purchase: 2022 Dodge RAM 2500 four door pickup utility truck at the cost of \$69,900.00 – Vice President L. Noonan moved to put a deposit down and to be contingent upon receiving financing and to draft a resolution to purchase a truck. Councilman N. DeLano seconded. Motion carried 6 – 0.

Consider terminating the contract with Bureau Veritas as the Borough's designated Building Code Official which includes inspections and enforcement as of February 28, 2023 – Vice President L. Noonan moved to terminate the contact with Bureau Veritas as the Borough's Building Code Official which includes inspections and enforcement as of February 28, 2023. Councilman N. DeLano seconded. Motion carried 5 – 0.

Consider appointing Shawn McGlynn of SFM Consulting LLC as the Borough's sole designated Building Code Official with all rights and authority to perform inspections and enforce building codes as March 1, 2023 – Vice President L. Noonan moved appoint Shawn McGlynn of SFM Consulting LLC as the Borough's sole designated Code Official with all rights and authority to perform inspections and enforce building codes immediately. Councilman N. DeLano seconded. Motion carried 5 – 0.

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Consider approving the proposal from traffic engineer Jerrod Dinnen to produce a sketch plan of the proposed Safety Commission Gateway Project on SR 611 in the amount of \$5,000.00 – Vice President L. Noonan moved to approve the proposal from the traffic Engineer Jerrod Dinnen to produce a sketch plan of the proposed Safety Commission Gateway Project on SR 611 in the amount of \$5,000.00 which will come out of the Safety Commission Fund. Councilwoman D. Fulton seconded. Motion carried 5 – 0.

Consider approving the proposal from architect David McGarry of Dansbury Design and Drafting to design the architectural plans for the Maintenance Garage Project in the amount \$#### – Borough Manager J. Walker requested that this item be tabled due to not reach an agreed amount. Councilman N. DeLano moved to table this item until we receive an agreed amount. Vice President L. Noonan seconded. Motion carried 5 – 0.

Consider what action to take regarding the MPMA leased office space – After a lengthy discussion, it was agreed that this item will be discussed at the next work session and invite MPMA Chair Matt Hensel and their Executive Director Jonathan Klotz.

Consider appointing Christine Farrugia to the Safety Commission to fill the remainder of a term that expires on December 31, 2024 – Councilman N. DeLano moved to appoint Christine Farrugia to the Safety Commission to fill the remainder of Don Struckle's term that expires on December 31, 2024. Councilwoman E. Santiago seconded. Motion carried 5 – 0.

Consider removing Dakota Staples from Planning Commission due to lack of attendance – Vice President L. Noonan moved to remove Dakota Staples from the Planning Commission due to lack of attendance to the Planning Commission meetings. Councilman N. DeLano seconded. After Solicitor J. Fareri suggestion, Vice President L. Noonan amended her motion to include that after a letter from Borough Council notifying Mr. Staples that due to lack of attendance to the Planning Commission meetings he would be removed from the Board. Councilman N. DeLano seconded. Motion carried 5 – 0.

Consider moving Stephen Speno from Planning Commission Alternate to Board Member for a term that expires on December 31, 2024 – Vice President L. Noonan moved to move Stephen Speno from Planning Commission Alternate to Board Member for a term to expire on December 31, 2024. Councilman N. DeLano seconded. Motion carried 5 – 0.

Consider setting the Joe Battisto Cleanup Day for Saturday, April 22 at 9:30 A.M. to coincide with Pick Up the Poconos – Vice President L. Noonan moved to set the Joe Battisto Cleanup Day for Saturday, April 22, 2023, at 9:30 A.M. to coincide with Pick Up the Poconos. Councilwoman E. Santiago seconded. Motion carried 5 – 0.

Officer Reports:

President's Report – President D. Struckle stated that there was Budget Committee meeting last night, noting that we are in better shape financially than the previous year. He also stated that the Shopping Cart Ordinance is working as it seems that there are less carts out here with adding that Wal-Mart was the first retailer to pay their fine in the amount of \$16,000.00. He further stated we now have an agreement with Coolbaugh Township for Lot 28 and that the Borough would split the taxes in half with Coolbaugh Township.

Mayor's Report – Mayor R. Altemose reported that the Public Infrastructure Committee met this past month in which they discussed the chain of command. He noted that the following who are on this committee are: Himself, Mayor R. Altemose, Chair; President D. Struckle; Vice President L. Noonan, Borough Manager J. Walker; and, Road Supervisor J. Trombetta, who is the Public Infrastructure Manager.

Borough Manager's Report – Borough Manager J. Walker reported the following major items: the maintenance garage land development will be submitted to the Planning Commission for its March meeting; regarding the vehicle purchase he will make sure that we are doing everything according to Borough Code: road paving project would be coming up soon; he was pleased that the Budget Committee agreed to include the capital fund and fund balance that will keep our finances strong; the Dog Park survey was conducted and as soon as he receives it he will forward it to Borough Council; the HVAC circulator pump was fixed; and, CP Mt Pocono, the new owner of the projected warehouse was inquiring if the LERTA program would be available to them and they would probably come before Borough Council to discuss this. He stated that he has visited some of the businesses downtown and he plans to make rounds throughout the Borough and would report his findings to the Zoning Department.

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Solicitor's Report – Solicitor J. Fareri reported that the Lot 28 agreement with Coolbaugh Township has been drafted and should be finalized shortly. He noted once finalized he would bring it to have Borough Council sign the agreement. He gave an update on the 12 Devonshire matter, noting that there is civil suit against the property owner. He understood from their attorney that this weekend was the last renter and that he will have an agreement signed by the property owner stating that short-term rentals cannot be conducted at this property and that it would be recorded against the deed. He added that the property is up for sale and once sold the Borough would be paid from the proceeds of the sale.

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 bills list of Tuesday, February 7, 2023, as outlined:

Cash Report as of January 31, 2023

NBT General Fund

Beginning Balance	\$ 285,683.71
Deposit	16,089.02
Interest	11.50
Expense	71,172.20
Service Charge	3.15
Ending Balance	<u>\$ 730,608.88</u>
Uncleared Transactions	\$212,207.23

NBT Liquid Fuels Fund

Beginning Balance	\$ 94,184.24
Deposit	2,000.00
Interest	1.62
Expense	10,137.66
Ending Balance	<u>\$ 86,048.20</u>

NBT Road Rehab Fund

Beginning Balance	\$ 36,816.21
Deposit	0.00
Interest	39.19
Expense	0.00
Ending Balance	<u>\$ 36,855.30</u>

NBT Park & Recreation Fund

Beginning Balance	\$ 130,049.43
Deposit	0.00
Interest	118.40
Expense	19,800.00
Ending Balance	<u>\$ 110,367.83</u>

NBT Five Points Intersection Fund

Beginning Balance	\$ 106,305.36
Deposit	0.00
Interest	107.72
Expense	7,500.00
Ending Balance	<u>\$ 98,913.00</u>

NBT Beautification Fund

Beginning Balance	\$ 1,196.73
Deposit	0.00
Interest	1.27
Expense	0.00
Ending Balance	<u>\$ 1,198.00</u>

NBT Stormwater Fund

Beginning Balance	\$ 37,358.63
Deposit	0.00
Interest	39.66
Expense	0.00
Ending Balance	<u>\$ 37,398.29</u>

NBT Planning Commission Fund

Beginning Balance	\$ 6,528.85
Deposit	0.00
Interest	6.93
Expense	0.00
Ending Balance	<u>\$ 6,535.78</u>

PLGIT General Fund (Not Available)

Beginning Balance	\$402,105.00
Deposit	10,050.04
Interest	329.02
Expense	359,862.00
Ending Balance	<u>\$ 52,293.04</u>

PLGIT Liquid Fuels Fund (Not Available)

Beginning Balance	\$75.23
Deposit	0.00
Interest	.27
Expense	0.00
Ending Balance	<u>\$ 75.56</u>

American Rescue

Beginning Balance	\$ 58,473.39
Deposit	0.00
Interest	.73

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Expense	27,532.86*
Ending Balance	\$ 30,941.26
*Payroll	

<u>NBT Payroll Fund</u>		<u>From ARAP to PR</u>	
Beginning Balance	\$ 4,323.52	(w/e 1/5/23)	\$6,906.23
Deposit	27,532.586*	(w/e 1/11/23)	\$6,847.54
Interest	.10	(w/e 1/18/23)	\$6,709.96
Expense	26,911.45	(w/e 1/27/23)	\$7,069.13
Ending Balance	\$ 4,945.03		\$ 27,532.36

E Commerce - \$16.65

Sparkle Car Wash Escrow - \$486,993.62

Pine Hill Intersection - \$365,747.09

BILLS TO BE APPROVED AND PAID 1/1/23 -1/31/23 FROM THE NBT GENERAL FUND ACCOUNT:

ARGS Technology, LLC	(IT Service - Remote Service, Server Update, Cloud, etc.)	\$ 264.50
AMTrust North America	(PP: Jan-Borough Workers Compensation)	2,439.00
Barry Isett & Associates	(Reimb: MPMA, Sparkle Car Wash, Hirshland, Harbor Freight, ARYA LDP, Taco Bell, Bizio, Popeye's & McDonald's Rebuild)	6,687.25*
	(General Engineer Services & Safety)	3,279.51
Berkheimer Associates	(Local Service Tax Operating Commission)	4.07
Campbell Durrant, PC	(General Labor & Employment Matter Nov& Dec 2022)	2,468.60
Cintas Corporation	(Maintenance Uniforms & Mats/ Rugs)	320.41
Denise Clouse Cleaning Services	(Cleaning Borough 12/5, 12/12, 12/19 & 12/27)	600.00
E.M. Kutz, Inc.	(In House Fix: Parts 2015 Kenworth)	4,979.73
ESSA	(PP: Jan – Building Loan)	2,309.20
Fuller Paper Company	(Borough Building: Towels, Soap & Tissue)	280.42
GateHouse Media PA Holdings, Inc.	(Ads: Ordinance, Sanitation Bid, Budget & Mtg Schedule)	608.45
Geisinger Health Plan	(PP: Jan – Road Crew & Admin Manager Health Plan)	10,920.05
Gleco Paint	(Boro Building Pain & Supplies)	151.35
H. Clark Connor	(Reimb: ARYA LDP, MPMA & Harbor Freight)	1,137.50*
	(Legal Fees: Planning Commission)	210.00
Highmark Blue Shield	(PP: Jan – Road Crew & Admin Manager Vision & Dental)	357.04
Karen Struckle, Tax Collector	(Tax Collector: Supplies)	332.44
Lowe's	(PP: Boro Xmas Lites/Salt Bags Hwy Maint. Batteries, etc.)	460.87
M.Burr Keim Company	(Borough Minute Books – 2)	257.90
Met Life	(PP: Highway: Jan – Life and Disability Ins.)	150.90
Miller's Automotive	(F-350 State Inspection & F-550 Brakes Parts)	4,657.65
Modern	(Basement Kohler Generator Agreement Maint.)	835.00
Monroe County Control Center	(Fire/EMS Dispatching Fees 1 of 4)	1,198.96
Monroe County Treasurer's Office	(Reminder Bills: Tax Payer Notice, Postage & Interim B)	130.83
Nagle Elevator	(Hydraulic Pressure Test & Routine Elevator Re-Inspection)	380.00
NAPA Auto Parts	(PP: Highway: Starting Fluid)	11.18
NBT Cardmember Service	(PP: Space Heaters, Cloud Comm., Painting Supplies)	610.94
Newman, Williams, Mishkin, Corveleyn	(Mohammed & Pro Tech Electronic & E-Party)	876.50
PA American Water Co.	(PP: Boro & Garage Water, Fire Hydrants)	774.55
PA Assoc. of Municipal Administrators	(PAMA 2023 Manager Membership Dues)	150.00
PA One Call System, Inc.	(PA One Call)	33.25
PA State Association of Boroughs	(Boro Members' Dues & CDL Renewal Fee)	568.00
Payrolls Unlimited	(Payroll 1/6/23-1/31/2, Qtrlys, W2s & 1099)	184.50

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Pennoni Associates	(Reimb: Lot 28 – Market Way)	\$ 1,481.00*
Pitney Bowes BankInc Purchase Power	(PP: Office Postage)	150.00
Plociniak Oil Co.	(Boro Bldg. & Garage Oil)	4,470.21
Pocono Mountain Public Library	(Library Taxes: Delinquent & Upset Sale)	372.07
Pocono Mountain Regional EMS	(EMS Taxes: Delinquent & Upset Sales)	187.07
Pocono Mountain Regional Police Dept.	(Jan & Feb 2023 Payments)	158,977.36
Pocono Mountain Volunteer Fire Co.	(Fire Company Taxes: Delinquent & Upset Sales)	372.07
Pocono Mountain COG	(2023 COG Membership Fee)	350.00
PPL Electric Utilities	(PP: 36 Lighting, Boro/Garage Electric, Park & Rec Conc.)	604.58
Quill Corp	(Yr. End Supplies – Folders & Labels)	81.47
Reilly Associates	(Reimb: Clarius LDP)	8,247.42
Selective Insurance	(PP: Jan – Insurance Payment)	3,422.00
SFM Consulting	(Reimb: Dec. Zoning 27 Hours Taco Bell & Five Below)	1,755.00*
	(Zoning 24 Hours – Jan.)	1,560.00
Sunoco Universal Fleet	(PP: Gas & Oil)	2,263.63
The Law Office of Michael V. Gazza	(Reimb: Five Below & Taco Bell ZHB)	1,335.00*
TK Elevator Corporation	(Elevator Serv. Maint. & 3 Yr. Pressure Relief Test & Tag)	1,564.71
Tulpehocken Spring Water	(Bottled Water)	32.24
US Bank	(PP: Jan Copier Contract)	128.45
Verizon	(PP: Highway Telephone)	50.81
GRAND TOTAL:		<u>\$236,035.64</u>
*Reimbursable Items		

Councilman N. DeLano seconded. Motion carried 5 – 0.

Consider authorizing Kirk Summa & Co., LLP to conduct the annual Municipal Audit for Fiscal Year 2022 for a cost of \$8,200.00 -
Vice President L. Noonan moved authorize to execute the agreement with Kirk Summa & Co., LLP to conduct the annual Municipal Audit for Fiscal Year 2022 at a cost not to exceed \$8,200.00. Councilwoman D. Fulton seconded. Motion carried 5 – 0.

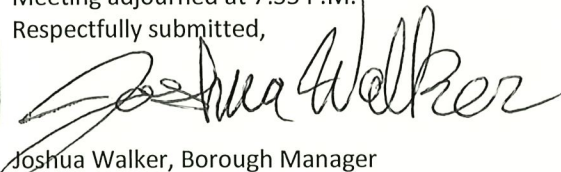
Vice President L. Noonan discussed to place our accounts with larger amounts be moved to PLGIT and to potentially receive a higher interest rate. It also was agreed that the Five Points Intersection Fund be changed to Traffic Signalization Fund. She also discussed the reassessment of Rite Aid adding that this is second time this property has been reassessed that could change our revenue this year.

Zoning Officer's Report – a written report from the Zoning Department was given by Borough Manager J. Walker. He highlighted the following from the report: cars parking within the Borough streets where letters were sent to the property owners; the shopping carts are being addressed as the retailers were being fined and we have seen a reduction of the carts off property; during the last snow, he drove around the Borough and passed along who needed to be reminded about removing the snow off the sidewalks and snow removal letters were sent out; also, not in this report there have been concerns regarding trash cans have been left out and just a reminder that trash cans need to be brought away from the road within twenty-four hours after trash collection. He noted that he went out on Monday and gave the Codes Enforcement Officer what properties were in violation and needed them to be addressed.

Vice President L. Noonan requested to have Borough Council updated on the civil action regarding 17 Old Timber Road. Solicitor J. Fareri responded that he has filed a complaint against the property and now he is waiting for a response from the opposing attorney. Upon receipt of their response he will proceed to the Court of Common Pleas.

PUBLIC PARTICIPATION - None

Meeting adjourned at 7:35 P.M.
Respectfully submitted,


Joshua Walker, Borough Manager

