

**Mount Pocono Borough Council
Regular Meeting Minutes,
Wednesday, July 5, 2023, 6:30 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, June 6, 2023, called to order at 6:30 P.M. by President D. Struckle and who stated that an Executive Session was held earlier this evening at 6:00: P.M. which dealt with personnel.

Roll Call: Councilman Norman DeLano, present; Councilwoman Debra Fulton, present; Councilwoman Ann Marie Harris, present; Councilwoman Ella Santiago, present; President Donald Struckle, present; Vice President Lori Noonan was 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 – Councilwoman A. Harris moved to accept the Regular Meeting minutes of June 6, 2023, as presented. Councilman N. DeLano seconded. Motion carried 6 – 0.

Presentations – none

Public Comment (agenda items only) – None

Unfinished Business

Consider accepting one of the proposals below for LED Digital Display Sign:

- **DelCom Graphics: \$21,936.44**
- **Fast Signs: \$39,950.00**
- **Simplex Solutions: \$31,153.59**

After reviewing the proposals, Vice President L. Noonan moved to accept the proposal in the total amount of \$21,936.44 to DelCom Graphics for the LED Digital Display Sign. Councilwoman D. Fulton seconded. Councilman N. DeLano abstained. Motion carried 5 – 1.

New Business

Consider advertising Sign Ordinance Amendment for adoption – Vice President L. Noonan moved to advertise the Sign Ordinance Amendment for adoption. Councilman N. DeLano seconded. Motion carried 6 – 0.

Consider advertising the Resale Use and Occupancy Ordinance for adoption – Vice President L. Noonan moved to advertise the Resale Use and Occupancy Ordinance for adoption. Councilwoman E. Santiago seconded. Motion carried 6 – 0.

Consider Preventative Maintenance Repairs to Industrial Park Traffic Lights \$2,562.00 and \$6,796.00 – Vice President L. Noonan moved to approve the Preventative Maintenance Repairs to Industrial Park Traffic Lights in the amounts of \$2,562.00 and \$6,796.00. Councilwoman A. Harris seconded. Motion carried 6 – 0.

Postpone July 18th, 2023 Work Session by one week to July 25th, 2023 – After some discussion it was agreed that the work session would not change and will be on July 18, 2023.

Consider Planning Commission Recommendation for Pocono Pride Permit Application – Vice President L. Noonan moved to accept the Planning Commission's Recommendation for the Pocono Pride Permit Application and that this project should not be considered as a land development and that it would be under the Zoning Officer's jurisdiction. Also to accept the Planning Commission's recommendation to waive the applicant's waiver request of the Borough SALDO Chapter 179, Stormwater Management, Article IV, structure and the area of disturbance associated with this project accepted. Councilwoman D. Fulton seconded. Motion carried 6 – 0.

Consider Fence Estimates for Dog Park:

- **Mt. Pocono Fence: \$17,000.00**
- **Lehigh Valley Fence: \$32,800.00**
- **Swift Fence, Inc.: \$26,750.00**

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Councilwoman D. Fulton moved to accept the estimate from Mt. Pocono Fence in the amount of \$17,000.00 for the Dog Park. Councilman N. DeLano seconded. Councilwoman A. Harris noted that she thought this is too large for a dog park. Motion carried 5 – 1 with Councilwoman A. Harris opposing.

Officer Reports:

President’s Report – President D. Struckle thought everything is going good and with the new Borough Manager M. Duffy doing a great job. He noted that the morale of the employees is high with everyone working well together. He noted that this due to the hiring of Borough Manager M. Duffy.

Mayor’s Report – Mayor R. Altemose questioned the driveway pipes, if there is anywhere in writing who is responsible of the pipes and if the drainage gets clogged. He was looking for clarification of notifying residents of the proper procedure to if drainage is clogged or if the Borough cleans the drainage could the Borough charge the property owner for this work. It was noted that an Ordinance should be established to take care of this concern. Solicitor J. Fareri responded by noting that he will look into this. Mayor R. Altemose reported that the Pocono Mountain Regional Police reported that the retail theft incidents at Wal-Mart are consistent every month which uses quite a bit of the Borough’s allocated police hours. He reminded everyone that the carnival is the week of July 17th and that Wednesday, July 19th is Borough Council night and that all the Councilmembers will be working in the kitchen.

Borough Manager’s Report – Borough Manager M. Duffy noted that she has no report, being that she has only been with the Borough a month. She thanked Borough Council for hiring her. She stated that she is looking forward to working with such a successful group.

Solicitor’s Report – Solicitor J. Fareri discussed that after negotiation with the Applicant’s attorney the letter of credit has been completed and that the original will be mailed to the Borough. He stated that historically he doesn’t attend the Zoning Hearing Board (ZHB) unless requested by Borough Council. He noted that he attended the last ZHB where there were two cases to be heard. The first was an appeal to a citation requiring the Applicant to obtain a \$17.00 fence permit. After two (2) hours and two (2) attorneys the ZHB decided that the fence permit was needed in which the Applicant must obtain. The second item to be heard was for a dimensional variance regarding a property owner to be able to build on three (3) undersized parcels. The Applicant’s attorney presented proof that a house was built on what was considered as undersized and approved by a former Zoning Officer. Solicitor J. Fareri also noted that this item will be heard at a later date and if Borough Council needed him to attend he would. President D. Struckle asked Solicitor J. Fareri to explain the taxation for the Lot 28 property. Solicitor J. Fareri explained that as this property is in both Mount Pocono Borough and Coolbaugh Township and an agreement should be made to receive a percentage to taxes received. He noted that the problem is that each municipality has different tax rates. However, he suggested that Borough Council should come up with an agreement on a percentage to receive from the tax proceeds from Coolbaugh Township. He will continue on researching this item.

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 Wednesday, July 5, 2023, as outlined:

Cash Report as of June 30, 2023

<u>NBT General Fund</u>		<u>NBT Liquid Fuels Fund</u>	
Beginning Balance	\$ 1,094,113.17	Beginning Balance	\$ 152,563.16
Deposit	95,292.77	Deposit	0.00
Interest	10.79	Interest	2.50
Expense	703,810.09	Expense	623.41
Service Charge	12.19	Ending Balance	\$ 151,942.25
Ending Balance	\$ 485,594.45		
<u>NBT Road Rehab Fund</u>		<u>NBT Park & Recreation Fund</u>	
Beginning Balance	\$ 242,340.34	Beginning Balance	\$ 121,353.33
Deposit	2,067.96	Deposit	0.00

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Interest	600.61
Expense	<u>0.00</u>
Ending Balance	<u>\$ 245,008.91</u>

Interest	299.15
Expense	<u>100.00</u>
Ending Balance	<u>\$ 121,552.48</u>

NBT Traffic Signal Maintenance Fun (5 Pts)

Beginning Balance	\$ 101,148.18
Deposit	0.00
Interest	249.41
Expense	<u>0.00</u>
Ending Balance	<u>\$ 101,397.59</u>

NBT Pine Hill Intersection Fund

Beginning Balance	\$ 353,020.70
Deposit	0.00
Interest	5.80
Expense	<u>0.00</u>
Ending Balance	<u>\$ 353,026.50</u>

NBT Stormwater Fund

Beginning Balance	37,344.38
Deposit	0.00
Interest	89.71
Expense	<u>1,600.00</u>
Ending Balance	<u>\$ 35,834.09</u>

NBT Planning Commission Fund

Beginning Balance	\$ 6,585.17
Deposit	0.00
Interest	15.42
Expense	<u>525.00</u>
Ending Balance	<u>\$ 6,075.59</u>

PLGIT General Fund

Beginning Balance	\$ 234,331.16
Deposit	500,000.00
Deposit (EIT)	22,463.67
Deposit (LST)	4,434.70
Interest	2,578.40
Expense	<u>0.00</u>
Ending Balance	<u>\$ 763,807.94</u>

PLGIT Liquid Fuels Fund

Beginning Balance	\$174.64
Deposit	0.00
Interest	.71
Expense	<u>0.00</u>
Ending Balance	<u>\$ 175.35</u>

PLGIT Capital Fund

Beginning Balance	\$101,254.27
Deposit	0.00
Interest	433.54
Expense	<u>0.00</u>
Ending Balance	<u>\$ 101,687.81</u>

PLGIT Fund Balance

Beginning Balance	\$101,254.27
Deposit	0.00
Interest	433.54
Expense	<u>0.00</u>
Ending Balance	<u>\$101,687.81</u>

NBT Payroll Fund

Beginning Balance	\$ 10,282.73
Deposit	32,782.91
Interest	.12
Expense	<u>36,990.23</u>
Ending Balance	<u>\$ 6,075.53</u>

From General Fund to PR

(w/e 6/7/23)	\$8,389.29
(w/e 6/14/23)	\$8,226.68
(w/e 6/21/23)	\$9,273.58
(w/e 6/28/23)	<u>\$6,884.36</u>
Total Payroll	\$32,782.91

Sparkle Car Wash

Beginning Balance	\$ 5,095.02
Deposit	0.00
Interest	.08
Expense	0.00
Service Charge	<u>9.64</u>
Ending Balance	<u>\$ 5,085.46</u>

PLGIT Park & Rec and Other

Beginning Balance	\$599,888.89
Deposit	0.00
Interest	2,421.92
Expense	<u>0.00</u>
Ending Balance	<u>\$602,310.81</u>

Beautification

Beginning Balance	\$1,207.05
Deposit	0.00
Interest	2.98

E-Com

Beginning Balance	\$ 67.07
Deposit	70.28
Interest	0.00

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Expense	0.00	Expense	70.28
Ending Balance	\$ 1,210.03	Ending Balance	\$ 67.07

ESSA Line of Credit - \$103,112.37

BILLS TO BE APPROVED AND PAID 6/1/23 -7/1/23 FROM THE NBT GENERAL FUND ACCOUNT:

Altronics Security Sysems	(Yearly Access Control & Radio Monitoring Maint.)	\$ 1,176.00
ARGS Technology, LLC	(IT Service - Remote Service, Server Update, Cloud, etc.)	264.50
AMTrust North America	(PP: Borough Worker's Compensation)	3,560.00
Ann Marie Harris	(Councilmember – 1/1/23 – 6/30/23)	450.00
Barry Isett & Associates	(Reimb: Popeye's/Harbor Freight/Hirshland & Commonwealth Charter Academy)	1,925.12*
	(Safety: Modification Radar Install/Happy Nails/Fork St/ RRFB Discussion with Borough Manager)	2,912.48
Berkheimer Associates	(Local Service Tax: Operating Commission May)	321.97
C.S. Davidson, Inc.	(Permit Manager: Annual Support & Maint. Agreement)	1,850.00
Campbell Durrant, PC	(General Labor & Employment Matters May Work 2023)	357.50
Cintas Corporation	(PP: Maintenance Uniforms & Mats/ Rugs)	417.37
Claudette Williams	(Councilmember – 1/1/23 – 6/30/23)	450.00
Deb Fulton	(Councilmember – 1/1/23 – 6/30/23 & P&R Supplies)	525.15
Denise Clouse Cleaning Services	(Cleaning Boro – 5/1,5/8,5/15,5/22,6/5,6/12,6/19 & 6/26)	1,200.00
District Court 43-4-02	(PP: Civil Complaint: Violations Boro Code – 56 Pine Hill)	224.25
Donald Struckle	(Council President – 1/1/23 – 6/30/23)	450.00
Ella Santiago	(Councilmember – 1/1/23 – 6/30/23)	450.00
ESSA	(PP: June Building Loan)	2,309.20
First Net	(PP: Manager iPhone, Road iPhone & Tablet)	123.91
GateHouse Media PA Holdings, Inc.	(Advertise: Paving)	268.83
	(Reimb: ZHB Mohammed Appeal)	190.90*
Geisinger Health Plan	(PP: June Road Crew & Admin Manager Health Plan)	9,237.30
Gotta Go Potties	(P&R: (1) Port of Potties 6/1/23 – 6/15/23)	87.50
Hartman Electrical Contracting	(Retrofit Doublehead Outlet – New Pole)	557.27
Highmark Blue Shield	(PP: June – Road Crew & Admin Manager Vision & Dental)	357.04
Lori Noonan	(Council Vice President – 1/1/23 – 6/30/23)	450.00
Lowe's	(PP: Street Marking Paint & Side Board – F550 & F350)	212.44
Marissa Duffy	(Reimb: Mileage PSAB Training & PA Background/Child)	185.65
Met Life	(PP: Highway: June – Life and Disability Ins.)	150.90
Monroe County Control Center	(Fire/EMS Dispatching fees 3 of 4)	1,198.96
NAPA Auto Parts	(PP: Highway: Zero Turn Mower Battery)	68.99
NBT Cardmember Service	(PP: Garage/Zoning/Office Miscellaneous)	609.65
	(PP: P&R Propane/Baseball Bases & Oak St Shed Latch)	2,220.78
Newman Williams, Mishkin, Corveleyn	(Reimb: Clarius/Cond Use Baronov & Shivers)	1,590.00*
	(Zoning Enforcement)	310.00
Norman DeLano, Jr.	(Councilmember – 1/1/23 – 6/30/23)	450.00
PA American Water Co.	(PP: Boro & Garage Water, Fire Hydrants)	934.90
PA State Association of Boroughs	(Manager M. Duffy: Training & Webinars)	215.00
Payrolls Unlimited	(Payroll 6/2,6/9,6/16,6/23 & 6/30)	126.70
Pocono Mountain Public Library	(Library: RE & Delinquent Taxes)	9,092.76
Pocono Mountain Regional EMS	(EMS: RE & Delinquent Taxes)	4,574.42
Pocono Mountain Regional Police Dept.	(July 2023 Payment)	79,488.68
Pocono Mountain Volunteer Fire Company	(FC: RE & Delinquent Taxes)	9,092.76
PPL Electric Utilities	(PP: 36 Lighting, Boro/Garage Electric, Park & Rec Conc.)	932.22
Quill Corp	(PP: Office Supplies)	50.67
Randy Altemose	(Mayor – 1/1/23 – 6/30/23)	500.00

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Reilly Associates	(Reimb: Clarius 1/1/23 – 5/13/23)	\$52,477.48*
SFM Consulting	(Zoning 42 Hours)	2,730.00
	(2 nd Quarter UCC Permit Fees – 25 Permits)	112.50
	(Building Permits – 11)	21,681.31
Sherwin Williams Co	(Black Paint: Fork Street)	173.79
Sunoco Universal Fleet	(PP: Maintenance Gas)	1,112.63
Travelers	(Public Officer Bond: M. Duffy 6/8/23 – 6/7/24)	490.00
Tulpehocken Spring Water	(Bottled Water)	70.99
US Bank	(PP: June Copier Contract)	<u>128.45</u>
GRAND TOTAL:		<u>\$221,098.92</u>
*Reimbursable Items		

Councilman N. DeLano seconded. Motion carried 6 – 0.

Zoning Officer’s Report – Borough Manager M. Duffy gave the Zoning Officer’s report for the month of June 2023 regarding Zoning and Code Enforcement issues as presented:

- The Zoning Office sent an Enforcement Notice to and posted a Stop Work Order at the property situated at 1 Knob Road for construction without a permit. Specifically, they initiated major interior alterations to the property. *The owners have since obtained a building permit for the work, but an inspection has yet to be completed.*
- The Zoning Office sent an Enforcement Notice to the property owner of parcel number 10.6.1.1-3 for clearing the property for a proposed Land Development project without first obtaining the necessary permits and Land Development Approval. *The property owner has since connected with the Zoning Office.*
- The Code Enforcement Office sent a Notice of Violation to the property owner of 1426 Pocono Blvd. for failure to obtain a building permit before initiating construction activity on the subject property.
- The Zoning Office sent a Notice of Violation to the property owners of Parcel 10.6.1.3 for failure to maintain an existing bus shelter on the subject property.

Public Hearing Matters:

- Frank and Susan Guastella – 113 Ward Avenue – Appeal of a Zoning Denial regarding a short term rental conditional use application. *The hearing is proposed to be held on August 22, 2023.*

District Court Matters:

- Fazard Mohammed – 17 Old Timber Road– A Civil Complaint was filed against the property owner and the hearing was held on December 6, 2022. Judge Phillip Riley granted Mount Pocono Borough a judgment of \$12,562.25 for this hearing. *Mr. Mohammed has appealed our judgment to the Court of Common Pleas.*
- Karen Gordon – 14 Stonegate Court – A Civil Complaint was filed against the property owner for property maintenance violations. On June 14, 2023, a judgment of \$12,222.58 was awarded to the Borough. *The property owner has 30 days to appeal this judgment.*
- Katherine and Paul Callahan – 134 Winona Road – The Zoning Office filed a Civil Complaint against the above-referenced property owners for failure to secure an unoccupied dwelling on the property in violation of the Borough Property Maintenance Ordinance. *The default date of this hearing is scheduled for August 9, 2023.*
- Adrien and Jennifer Bohdal – 56 Pine Hill Road – The Zoning Office has filed a Civil Complaint against the above-referenced property owners for establishing a contractor’s yard on the subject property. *The default date of this hearing is scheduled for August 14, 2023.*

President D. Struckle asked if anyone had any questions for the Zoning Department. Vice President L. Noonan stated that the parking lots in front of Planet Fitness including the entrance to Perkins are in bad shape. She questioned can the Borough instruct the property owners to fix them.

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Councilwoman D. Fulton reminded everyone that the First Friday for this month is this week and has invited everyone to attend. She stated that the August First Friday's theme is *Touch a Truck*, noting that this will be a scaled down touch a truck event. She added that she would like to see only what could fit in the parking lot at the back of the Borough building, i.e. one (1) fire truck; one (1) Regional EMS vehicle; and, one (1) municipal truck. She is looking for a contact person at Regional Police to ask them to have a vehicle present at this event.

President D. Struckle questioned if we need to vote on our next meeting to request from PennDOT for the closure of Fairview Avenue during the Harvest Fest event. It was agreed that this will be on the August regular meeting agenda.

PUBLIC PARTICIPATION - None

Meeting adjourned at 7:19 P.M.

Respectfully submitted,


Marissa Duffy, Borough Manager