

**Mount Pocono Borough Council  
Regular Meeting Minutes,  
Tuesday, October 3, 2023, 6:30 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, October 3, 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. ending at 6:22 P.M., regarding Pocono Heritage Land Trust proposal for the Borough to purchase land with them for open space.

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

**In Attendance:** James Fareri, Solicitor; M. Duffy, Borough Manager; and, Borough Treasurer D. Hewitt were present.

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

**Presentations** – None

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

**Unfinished Business** – None

**New Business**

**New Borough Council Member Appointment and Vice President Appointment** – President D. Struckle noted that there were two (2) letters of interest from: Mr. Joe Simeone and Mr. Kenneth Hart. Councilwoman D. Fulton moved to appoint Joe Simeone to the Borough Councilmember vacant seat to begin this evening with his term to expire December 31, 2025. Councilwoman E. Santiago seconded. It was noted that Mr. J. Simeone is on the upcoming ballot and if elected he would have to choose to continue with this term or retain the four (4) year term. If this occurs, then there would be a two (2) year term available and Borough Council would need ask for letters of interest to fill this seat. Motion carried 5 – 0.

With the assistance from Solicitor J. Fareri, Mayor R. Altemose administered the oath to Mr. J. Simeone of Borough Councilmember.

Councilwoman D. Fulton moved to appoint Councilman N. DeLano as Borough Council Vice President to begin this evening. Councilwoman E. Santiago seconded. Motion carried 6 – 0.

**Space Use Agreement with Rotary** – After some discussion and clarification, Vice President N. DeLano moved to accept the space use agreement with the Rotary with the following amendments: there will be a thirty (30) day advance notice of any meeting date changes that storage area as designated by the Borough Manager; and; all meetings to be held during the day. Councilwoman E. Santiago seconded. Motion carried 6 – 0.

**Security Release for CP MT Pocono, LLC** – Upon reviewing the recommendation from the Borough's Alternate Engineer, Reilly Associates, Councilwoman D. Fulton moved to approve the release of security funds in the recommended amount of \$2,781,860.00 by Reilly Associates to CP MT Pocono, LC – c/o Newland Capital Group (Clarius Park I-380) once the original letter of credit is received. Vice President N. DeLano seconded. Motion carried 6 – 0.

**Mountain Alarm Settlement \$1,188.00.** – Vice President N. DeLano moved to settle with Mountain Alarm in the amount of \$1,188.00. Councilwoman D. Fulton seconded. Motion carried 6 – 0.

**111 Prospect Joinder Deed Request** – Upon reviewing the recommendation from the Planning Commission and Solicitor J. Fareri, Vice President N. DeLano moved to approve the 111 Prospect Joinder Deed Request. Councilman J. Simeone seconded. Motion carried 6 – 0.

**LERTA Proposal** – Vice President N. DeLano moved to not approve to make the property at the Mount Pocono Crossing formally known as Clarius Park I-380 a LERTA zoned area. Councilman J. Simeone seconded. Motion carried 6 – 0.

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**CP MT Pocono Proposal to Change Emergency Access** – After some discussion and the recommendation by Solicitor J. Fareri, Councilwoman D. Fulton moved to the Planning Commission review and recommendations the CP MT Pocono Proposal to change the emergency access at its next meeting. Councilwoman E. Santiago seconded. Motion carried 6 – 0.

**Brodhead Water Association Membership** – Vice President N. DeLano moved to table the Brodhead Water Association Membership to a later time. Councilwoman D. Fulton seconded. Motion carried 6 – 0.

**Powell's Quote for Utility Truck Light Kit** – Upon reviewing the quote, Councilwoman D. Fulton moved to amend the quote to delete the repair the damage to the front of the utility body to bring the total down amount to be approved as \$7,211.70 Vice President N. DeLano seconded. Motion carried 6 – 0.

**Medico Repairs Quote** – Vice President N. DeLano moved to approve the Medico repairs quote in the amount of \$33,551.29. Councilwoman D. Fulton seconded. Motion carried 6 – 0.

**Dog Park Sidewalk Estimates** – The following sidewalk estimates were submitted:

- JPA Masonry - \$14,713.00
- Kobalt Construction - \$12,955.00

Councilwoman D. Fulton moved to accept the dog park sidewalk estimate to Kobalt Construction in the amount of \$12,955.00. Councilman J. Simeone seconded. Motion carried 6 – 0.

**Sewer Authority Lease Agreement** – President D. Struckle stated that after speaking with the Mount Pocono Municipal Authority (MPMA) Chair Matt Hensel he was advised that the MPMA is still considering on purchasing the property next to the Borough building however after an inspection of said property it was noted that there are many repairs to be ready to be purchased. President D. Struckle was also advised by MPMA Chair M. Hensel that the MPMA would like to go into a five (5) year lease office space with the Borough to include storage in the basement. President D. Struckle advised Mr. M. Hensel that the rent would go up to at least \$1,500.00 per month.

**Officer Reports:**

**President's Report** – President D. Struckle first wanted to congratulate Joe Simeone that was appointed as a Councilmember. He stated that the budget committee has started the process for the 2024 Budget. He noted that this year the department heads will present their numbers to the budget committee, adding that Borough Manager M. Duffy has asked the Road Supervisor to submit his numbers. He noted that this would have an accountability to all of the departments.

presented and read the resignation letter from Vice President Lori Noonan from Borough Council. Councilman N. DeLano moved to accept the resignation letter from Vice President Lori Noonan from Borough Council with regret. Councilwoman C. Williams seconded. President D. Struckle stated that Mrs. Noonan was very supportive and helped him with his position on Borough Council and that she would be greatly missed. Motion carried 6 – 0. Borough Manager was asked to advertise the Borough Council vacancy on the Borough's website and on Savvy Citizen.

**Mayor's Report** – Mayor R. Altemose reported that our Emergency Preparedness Coordinator Rich Gannon is doing a great job, noting that he had everything setup for this year's Harvest Fest.

**Borough Manager's Report** – Borough Manager M. Duffy echoed what Mayor R. Altemose stated regarding how Mr. Rich Gannon has been a great asset to the Borough and works behind the scenes and just wanted to acknowledge his hard work. She congratulated Councilman J. Simeone and Vice President N. DeLano on their appointments to Borough Council.

**Solicitor's Report** – Solicitor J. Fareri gave an update on Lot 28 that he had requested a percentage of the taxes and that he would request that in writing.

**Treasurer's Report** – Borough Treasurer D. Hewitt presented the Cash Report and Borough's bill list. Vice President N. DeLano moved to approve and pay the bills list of Tuesday, October 3, 2023, as outlined:

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**Cash Report as of September 30, 2023**

**NBT General Fund**

Beginning Balance	\$ 740,244.45
Deposit	95,415.94
Interest	7.06
Expense	476,177.00
Service Charge	25.87
Ending Balance	<u>\$ 359,464.58</u>

**NBT Liquid Fuels Fund**

Beginning Balance	\$ 144,119.21
Deposit	0.00
Interest	2.34
Expense	<u>3,569.21</u>
Ending Balance	<u>\$ 140,552.34</u>

**NBT Road Rehab Fund**

Beginning Balance	\$ 260,018.87
Deposit	1,290.69
Interest	420.05
Expense	<u>136,173.24</u>
Ending Balance	<u>\$ 125,556.37</u>

**NBT Park & Recreation Fund**

Beginning Balance	\$ 109,443.93
Deposit	0.00
Interest	267.95
Expense	<u>1,249.00</u>
Ending Balance	<u>\$ 108,462.38</u>

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

Beginning Balance	\$ 101,474.29
Deposit	0.00
Interest	230.98
Expense	<u>9,358.00</u>
Ending Balance	<u>\$ 92,347.279</u>

**NBT Pine Hill Intersection Fund**

Beginning Balance	\$ 352,913.49
Deposit	0.00
Interest	5.80
Expense	<u>0.00</u>
Ending Balance	<u>\$ 352,919.29</u>

**NBT Stormwater Fund**

Beginning Balance	30,733.72
Deposit	0.00
Interest	75.78
Expense	<u>0.00</u>
Ending Balance	<u>\$ 30,809.50</u>

**NBT Planning Commission Fund**

Beginning Balance	\$ 6,106.59
Deposit	0.00
Interest	15.06
Expense	<u>0.00</u>
Ending Balance	<u>\$ 6,121.65</u>

**PLGIT General Fund**

Beginning Balance	\$ 848,883.06
Deposit	0.00
Deposit (EIT)	17,211.49
Deposit (LST)	676.00
Interest	3,641.34
Expense	<u>0.00</u>
Ending Balance	<u>\$ 870,441.89</u>

**PLGIT Liquid Fuels Fund**

Beginning Balance	\$176.86
Deposit	0.00
Interest	.75
Expense	<u>0.00</u>
Ending Balance	<u>\$ 177.61</u>

**PLGIT Capital Fund**

Beginning Balance	\$102,618.55
Deposit	0.00
Interest	464.02
Expense	<u>0.00</u>
Ending Balance	<u>\$ 103,082.57</u>

**PLGIT Fund Balance**

Beginning Balance	\$102,618.55
Deposit	0.00
Interest	464.02
Expense	<u>0.00</u>
Ending Balance	<u>\$103,082.57</u>

**NBT Payroll Fund**

Beginning Balance	\$ 10,550.31
Deposit	28,404.80
Interest	.11
Expense	<u>33,082.43</u>
Ending Balance	<u>\$ 5,872.79</u>

**From General Fund to PR**

(w/e 9/6/23)	\$7,174.13
(w/e 9/13/23)	\$7,031.30
(w/e 9/20/23)	\$7,117.06
(w/e 9/27/23)	<u>\$7,082.31</u>
Total Payroll	\$28,404.80

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**Sparkle Car Wash**

Beginning Balance	\$ 5,066.39
Deposit	0.00
Interest	.08
Expense	0.00
Service Charge	9.65
Ending Balance	<u>\$ 5,056.82</u>

**PLGIT Park & Rec and Other**

Beginning Balance	\$607,474.77
Deposit	0.00
Interest	2,570.58
Expense	<u>0.00</u>
Ending Balance	<u>\$610,045.35</u>

**Beautification**

Beginning Balance	\$1,216.20
Deposit	0.00
Interest	3.00
Expense	<u>0.00</u>
Ending Balance	<u>\$ 1,219.20</u>

**E-Com**

Beginning Balance	\$ 16.81
Deposit	0.00
Interest	0.00
Expense	<u>0.00</u>
Ending Balance	<u>\$ 16.81</u>

**ESSA Line of Credit - \$103,114.98**

**\*BILLS TO BE APPROVED AND PAID 9/1/23 -10/1/23 FROM THE NBT GENERAL FUND ACCOUNT:**

ARGS Technology, LLC	(IT Service - Remote Service, Server Update, Cloud, etc.)	\$264.50
AMTrust North America	(PP: Fire Co Workers Comp)	2,774.00
Berkheimer Associates	(Local Service Tax: Operating Commission August)	280.16
Cintas Corporation	(PP: Maintenance Uniforms & Mats/ Rugs)	410.90
Custom Products Corporation	(Re-Addressing Signs)	106.30
District Court 43-4-02	(PP: Bodal Civil Complaint)	85.50
Donna Kenderdine Reporting	(Reimb: Court Reporter – F. Mohammed 22 Brunswick)	223.35*
ESSA	(PP: September Building Loan)	2,309.20
First Net	(PP: Manager iPhone, Road iPhone & Tablet)	123.87
GateHouse Media PA Holdings, Inc.	(Reimb: Advertise 2x Zoning Guastella 7/31 & 8/7)	300.48*
Geisinger Health Plan	(AWD: September Road Crew Health Plan)	6,855.52
General Code	(General Code: Maplink Annual Maint. 8/1/23-7/32/24)	1,495.00
Gotta Go Potties	(P&R: (1) Port of Potties 8/7/23-9/4/23)	175.00
H. Clark Connor	(Reimb: PC Harvest Properties & Lot Joinder Matter)	735.00*
	(Reviews & Respond to Emails SALDO)	332.50
Highmark Blue Shield	(PP: September – Road Crew Vision/ Dental)	268.82
Lowe’s	(PP: Garage Cleaning Supplies & Spray Foam for Pipes)	68.71
Met Life	(PP: Highway: September – Life and Disability Ins.)	150.90
Monroe County Control Center	(Fire/EMS Dispatching Fees 4 of 4)	1,198.96
Monroe County Treasurer’s Office	(Tax Interim A & B Billing/Postage)	917.55
NBT Cardmember Service	(PP: Garage/Zoning/Office Miscellaneous)	5,287.23
Newman Williams, Mishkin, Corveleyn	(Reimb: Advertising STR Baranov 6/6/23)	130.84*
	(2 <sup>nd</sup> Half of Annual Retainer 8/1/23-12/31/23)	11,000.00
P.M. Volunteer Firefighters Relief Assoc.	(2023 Foreign Fire Insurance Relief Payment)	18,631.47
PA American Water Co.	(PP; Boro & Garage Water, Fire Hydrants)	952.05
PA One Call System, Inc.	(PA One Call)	36.27
Payroll Unlimited	(Payroll: 8/9/1,9/8,9/15,9/22,9/29)	124.50
Pocono Mountain Public Library	(Library: RE Taxes Int. B, Int. A & Delinquent Taxes)	693.74
Pocono Mountain Regional EMS	(EMS: RE Taxes Int. B, Int. A & Delinquent Taxes)	349.16
Pocono Mountain Regional Police Dept.	(October 2023 Payment)	79,488.67
Pocono Mountain Volunteer Fire Company	(FC: RE Taxes Int. B, Int. A & Delinquent Taxes)	693.74
PPL Electric Utilities	(PP: 36 Lighting, Boro/Garage Electric, Park & Rec Conc.)	678.04
PSAB – MRT	(Employee Pension/Retirement Benefits)	28,581.12
Selective Insurance	(PP: September Insurance Payment)	4,075.00
SFM Consulting	(Zoning 45 Hours & 6 BC Permits)	41,045.95

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Steele's Hardware	(Maint: Steel to Build Propane Tank Cage)	\$153.92
Sunoco Universal Fleet	(PP: Road Gas & Parks & Rec Gas Cans)	529.60
The Monroe County Assessment Office	(Real Estate Report – Aug/Sept/Oct/Nov & Dec 2023)	100.00
The Two Shields, LLC	(2015 Kenworth State Inspection/Brakes/Tires)	74.75
Tulpehocken Spring Water	(Bottled Water)	65.24
US Bank	(PP: September Copier Contract)	128.45
<b>GRAND TOTAL:</b>		<b><u>\$211,895.96</u></b>

\*Reimbursable Items

Councilwoman E. Santiago seconded. Motion carried 6 – 0.

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

- Nineteen (21) permits issued.
- Six (5) Zoning Permits – Three (3) Commercial & Two (2) Residential
- Eight (7) Building Permits – Five (5) Commercial & Two (2) Residential
- Two (2) Driveway Permits
- Two (2) Building CO's
- Two (2) Zoning CO's
- Three (3) Resale, Use and Occupancy
- Three (3) enforcement notices were sent.
- Public Hearing Matters
  - Adrien and Jennifer Bohdal – 56 Pine Hill Road – Establishment of a Contractor's Yard on the subject property. The Borough has reinstated the filing of the civil complaint against the property owners. A hearing dates has been set for November 22, 2023, at 10:00 A.M.
  - Susan and Frank Guastella – 113 Ward Avenue – A Zoning Hearing Board (ZHB) meeting has been continued to October 19, 2023, at 6:00 P.M. The Zoning Office is currently working with the Borough Solicitor and the Applicant's Counsel to settle this matter.
  - Farzard Mohammed – 22 Brunswick Drive – The property owner has appealed the ZHB decision to the Court of Common Pleas. The ZHB Solicitor is currently obtaining the exhibits from the hearing to submit to the Court.
  - Mount Pocono Borough – 57 Knox Street – A ZHB application has been submitted for a dimensional variance request for the proposed maintenance garage. The Hearing has been scheduled for October 19, 2023, at 6:00 P.M.

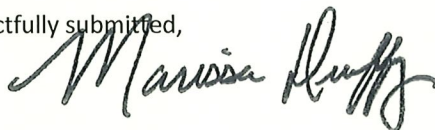
Borough Manager M. Duffy clarified that the letters for the non-dedicated roads will be sent out directly.

Councilwoman C. Williams asked if we can look into updating our audio visual for meetings and to aid for Councilmembers unable to attend the meeting person due to illness.

**PUBLIC PARTICIPATION** - None

Meeting adjourned at 7:15 P.M.

Respectfully submitted,



Marissa Duffy, Borough Manager

