

Mount Pocono Borough Council
Regular Meeting Minutes,
Tuesday, December 5, 2023, 6:30 P.M.

The Mount Pocono Borough Council meeting held on Tuesday, December 5, 2023, called to order at 6:30 P.M. by President D. Struckle and who stated that a Public Hearing was held earlier this evening at 6:15 P.M., regarding an Amendment to Sign Ordinance.

Roll Call: Vice President N. DeLano, present; Councilwoman D. Fulton, present; Councilwoman A. Harris, present; Councilwoman E. Santiago, arrived at 6:35 P.M.; President D. Struckle, present; Councilwoman C. Williams present; Councilman J. Simeone, present; and, Mayor R. Altemose, present.

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

Approval of Minutes – Vice President N. DeLano moved to accept the Sign Ordinance Public Hearing Minutes of November 8, 2023 as presented. Councilwoman D. Fulton seconded. Motion carried 7 – 0. Councilwoman A. Harris moved to accept the Regular Meeting minutes of November 8, 2023, as presented. Councilman J. Simeone seconded. Motion carried 7 – 0.

Presentations – None

Public Comment (agenda items only) – None

Unfinished Business - None

New Business

Consider Road Tax Configuration – Vice President N. DeLano moved to accept the Road Tax Configuration as presented. Councilwoman C. Williams seconded. Councilwoman A. Harris reminded the public that the taxes have not been raised. Motion carried 7 – 0.

Authorize 2024 Budget for Public Inspection – Councilwoman C. Williams moved to authorize the 2024 Budget for Public Inspection. Vice President N. DeLano seconded. Motion carried 7 – 0.

Consider 2024 Meeting Dates – Councilwoman C. Williams moved to approve the Borough Council meeting dates be the first Tuesday of each month and the work session be on third Tuesday of each month or otherwise indicated. Vice President N. DeLano seconded. Motion carried 7 – 0.

Modern Estimate – Generator Repairs – Councilwoman A. Harris moved to accept the estimate in the amount of \$7,357.52 from Modern for generator repairs. Vice President N. DeLano seconded. Motion carried 7 – 0.

Changing Zoning Board Composition – Councilwoman D. Fulton moved to reduce the amount of members on the Zoning Hearing Board from five (5) to three (3) by Ordinance to set by Solicitor J. Fareri. Vice President N. DeLano seconded. Motion carried 7 – 0.

Consider Dog Park Rules/Sign – Councilwoman D. Fulton moved to approve the Dog Park rules and sign as presented. Councilman J. Simeone seconded. Motion carried 7 – 0.

Security Release Recommendation Newland Park – Upon the recommendation from the Borough’s Alternate Engineering Firm, Reilly Associate, Vice President N. DeLano moved to release \$3,562,840.00 of the retained security. Councilwoman C. Williams seconded. Motion carried 7 – 0.

Consider Submitting Project Scoping Form for Green Light PennDOT Go Grant for 5 Points Intersection Study – Councilwoman C. Williams moved to submit the project scoping form for Green Light PennDOT Go Grant for 5 Points Intersection Study. Councilwoman D. Fulton seconded. Motion carried 7 – 0.

Authorize Borough Manager to submit DEP Recycling Grant Application – Councilwoman A. Harris moved to authorize the Borough manager to submit an application for the DEP Recycling Grant. Councilwoman D. Fulton seconded. Motion carried 7 – 0.

Officer Reports:

President’s Report – No report.

Mount Pocono Borough Council
Regular Meeting Minutes,
Tuesday, December 5, 2023, 6:30 P.M.

Mayor's Report – Mayor R. Altomose stated that he had received an email from the warehouse owners for the new warehouse under construction asking if Borough Council would consider LERTA for this project and if they would like to meet and discuss this further with the Borough Council. He also thanked Councilwoman Ella Santiago for her service and that she will be greatly missed.

Borough Manager's Report – Borough Manager M. Duffy updated Borough Council that the Zoning Hearing Board agreed that the setbacks for the maintenance garage are fine.

Solicitor's Report – No report.

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, December 5, 2023, as outlined:

CASH REPORT AS OF NOVEMBER 30, 2023

NBT General Fund

Beginning Balance	\$ 220,130.11
Deposit	298,397.80
Interest	4.88
Expense	230,462.63
Service Charge	34.70
Ending Balance	<u>\$ 288,035.46</u>

NBT Liquid Fuels Fund

Beginning Balance	\$ 137,880.69
Deposit	0.00
Interest	2.26
Expense	2,697.32
Ending Balance	<u>\$ 135,185.63</u>

NBT Road Rehab Fund

Beginning Balance	\$ 126,777.66
Deposit	2,321.67
Interest	300.79
Expense	12,369.08
Ending Balance	<u>\$ 117,031.04</u>

NBT Park & Recreation Fund

Beginning Balance	\$ 92,961.67
Deposit	0.00
Interest	222.80
Expense	5,203.50
Ending Balance	<u>\$ 87,980.97</u>

NBT Traffic Signal Maintenance Fun (5 Pts)

Beginning Balance	\$ 89,831.43
Deposit	40,000.00
Interest	224.79
Expense	0.00
Ending Balance	<u>\$ 130,056.22</u>

NBT Pine Hill Intersection Fund

Beginning Balance	\$ 352,925.28
Deposit	0.00
Interest	5.80
Expense	0.00
Ending Balance	<u>\$ 352,931.08</u>

NBT Stormwater Fund

Beginning Balance	30,888.00
Deposit	0.00
Interest	76.16
Expense	0.00
Ending Balance	<u>\$ 30,964.16</u>

NBT Planning Commission Fund

Beginning Balance	\$ 6,110.23
Deposit	0.00
Interest	15.07
Expense	0.00
Ending Balance	<u>\$ 6,125.30</u>

PLGIT General Fund

Beginning Balance	\$ 885,891.46
Deposit	0.00
Deposit (EIT)	57,382.01
Deposit (LST)	19,934.24
Interest	3,509.94
Expense (to General Fund)	200,000.00
Ending Balance	<u>\$ 766,717.65</u>

PLGIT Liquid Fuels Fund

Beginning Balance	\$178.39
Deposit	0.00
Interest	.76
Expense	0.00
Ending Balance	<u>\$ 179.15</u>

PLGIT Capital Fund

Beginning Balance	\$103,565.04
Deposit	0.00
Interest	471.95
Expense	0.00
Ending Balance	<u>\$ 104,036.99</u>

PLGIT Reserve Fund Balance

Beginning Balance	\$103,565.04
Deposit	0.00
Interest	471.95
Expense	0.00
Ending Balance	<u>\$104,036.99</u>

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

NBT Payroll Fund

Beginning Balance	\$ 4,418.75	(w/e 11/1/23)	\$6,980.00
Deposit	34,874.85	(w/e 11/8/23)	\$7,006.92
Interest	.10	(w/e 11/15/23)	\$6,993.47
Expense	28,931.65	(w/e 11/22/23)	\$6,751.26
Ending Balance	<u>\$ 10,361.78</u>	(w/e 11/29/23)	<u>\$7,142.93</u>
		Total Payroll	<u>\$34,874.58</u>

From General Fund to PR

Sparkle Car Wash

Beginning Balance	\$ 5,047.28
Deposit	0.00
Interest	.02
Expense	0.00
Service Charge	<u>5,047.30</u>
Ending Balance (Account Closed)	<u>\$ 0.00</u>

PLGIT Park & Rec and Other

Beginning Balance	\$612,721.09
Deposit	0.00
Interest	2,609.79
Expense	<u>0.00</u>
Ending Balance	<u>\$615,330.88</u>

Beautification

Beginning Balance	\$1,222.31
Deposit	0.00
Interest	3.01
Expense	0.00
Ending Balance	<u>\$ 1,225.32</u>

E-Com - \$ 15.11

ESSA Line of Credit - \$103,116.70

***BILLS TO BE APPROVED AND PAID 11/1/23 – 12/1/23 FROM THE NBT GENERAL FUND ACCOUNT:**

ARGS Technology, LLC	(IT Service)	\$859.35
AMTrust North America	(PP: Fire Company Workers Compensation)	2,759.00
Ann Marie Harris	(Councilmember – 7/1/23- 12/31/23)	450.00
Berkheimer Associates	(Local Service Tax: Operating Commission Oct.)	63.32
Cintas Corporation	(PP: Maintenance Uniforms & Mats/ Rugs)	337.88
Claude S. Cyphers, Inc.	(3 New Batteries #2014 Kenworth & 2 Battery Chargers)	549.75
Claudette Williams	(Councilmember – 7/1/23- 12/31/23)	450.00
Debra Fulton	(Councilmember – 7/1/23- 12/31/23)	450.00
Donald Struckle	(Council President – 7/1/23- 12/31/23)	450.00
Ella Santiago	(Councilmember – 7/1/23- 12/31/23)	450.00
ESSA	(PP: November Building Loan)	2,572.87
First Net	(PP: Manager iPhone, Road iPhone & Tablet)	124.05
GateHouse Media PA Holdings, Inc.	(Advertise Zoning Garage Set Back Variance 2x)	208.06
Geisinger Health Plan	(AWD: Nov Road Crew Health Plan)	6,855.52
Gotta Go Potties	(P&R: (1) Port of Potties 10/2/23-10/30/23)	175.00
Highmark Blue Shield	(PP: Nov. Road Crew Vision/ Dental)	268.82
Joseph Simeone	(Councilmember 10//1/23-12/31/23)	225.00
Lori Noonan	(Council Vice President 7/1/23-9/5/23)	162.50
Lowe's	(PP: Borough & Highway)	256.72
Met Life	(PP: Highway: November – Life and Disability Ins.)	164.52
NAPA Auto Parts	(PP: Highway Snowplow Guides & Hood Lift Support)	154.57
NBT Cardmember Service	(PP: Highway & Borough)	480.74
Norman DeLano, Jr.	(Councilmember & Vice President – 7/1/23- 12/31/23)	450.00
PA American Water Co.	(PP; Boro & Garage Water, Fire Hydrants)	938.01
PA One Call System, Inc.	(PA One Call)	22.86
Payrolls Unlimited	(Payroll 11/3,11/10,11/17,11/24/23)	95.20
Plociniak Oil Co.	(Garage & Boro Building Heat)	4,095.11
Pocono Lake Supply Company	(Concrete Mix, Stone for 3 Flagpoles)	802.50
Pocono Mountain Public Library	(Library: RE Taxes & Delinquent Taxes)	409.03
Pocono Mountain Regional EMS	(EMS: RE Taxes & Delinquent Taxes)	205.80

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

Pocono Mountain Regional Police Dept.	(December 2023 Final Payment)	\$79,488.67
Pocono Mountain Volunteer Fire Company	(FC: RE Taxes & Delinquent Taxes)	409.03
PPL Electric Utilities	(PP: 36 Lighting, Boro/Garage Electric, Park & Rec Conc.)	660.81
Randy Altemose	(Mayor 7/1/23-12/31/23)	500.00
Reilly Associates	(Reimb: Clarius Park Development Plan)	51,368.12*
Schader Yesco	(LED Lights for Black Posts)	479.46
Selective Insurance	(PP: Nov. Selective Insurance)	4,074.00
SFM Consulting, LLC	(Nov. Zoning 43 Hrs.)	2,795.00
	(Building Permits)	1,272.87
	(Resale Occupancy Permits)	910.00
Steele's Hardware	(Rental: Cement Mixer - Flagpoles)	66.00
Summit Welding	(Weld Crack Sealer Trailer)	75.00
TK Elevator Corporation	(Service Date – 10/1/23-12/31/23)	214.71
Topp Business Solutions	(Copier 8/4/23-11/3/23 B/W & Color Overages)	298.62
US Bank	(PP: November Copier Contract)	<u>128.45</u>
GRAND TOTAL:		<u>\$168,226.92</u>

*Reimbursable Items

Councilwoman A. Harris seconded. Motion carried 7 – 0.

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

● **Permits Issued:**

- Seventeen (17) permits issued.
- Five (5) Zoning Permits – Three (3) Commercial & Two (2) Residential
- Four (4) Building Permits – Two (2) Commercial & Two (2) Residential
- One (1) Driveway Permit
- Four (4) Resale, Use and Occupancy
- One (1) Road Opening
- Three (3) Short-Term Rentals

● **Enforcement Actions:**

- November 13, 2023 – Letter – 6 Devonshire Lane – Paving of a residential driveway without first obtaining permits from the Borough. *The property owner has since obtained the necessary permit and the violation has been closed.*
- November 22, 2023 – Letter – 19 Stonegate Court – Using a trash provider that is not in contract with the Borough. *The property owner has reached out to the Zoning Office, expressing discontent with GFL. Despite being informed of potential enforcement measures for non-compliance, they have adamantly refused to switch waste providers. The property owner has indicated a desire to attend a Borough Council meeting to address concerns related to the Ordinance.*
- November 27, 2023 – Enforcement Notice – 11 Cedar Road – Multiple property maintenance violations were brought to our attention by Jim Trombetta. The Notice of Violation was sent regarding high grass and vegetation and a lack of upkeep of the building on the property.

● **Previously Discussed Properties:**

- 134 Winona Road – Jonathan Klotz from the Mount Pocono Borough Municipal Authority informed the Zoning Office that he observed an individual residing in the dwelling when he went to post it. The Zoning Office performed a follow-up inspection and observed that the dwelling is not secure and easily accessible to individuals who would like to gain access. *Are we still moving forward with the Road Department securing the property?*
- 21 Center Avenue – The Zoning Office initiated an enforcement notice against the owner of the mentioned property for establishing a two-family dwelling on the premises. Subsequently, the property owner presented evidence indicating that the two-family dwelling predated the adoption of the Zoning Ordinance. As a result, the violation has been resolved, and the property owner has acquired a Certificate of Non-Conformity, legitimizing the use of the property.
- 124 Snowshoe Court – The Zoning and Building Code Office issued an Order to Show Cause against the property owner due to hazardous structures on the property. Renee Speaks, the property manager, has communicated with the Zoning and Building Code Office, indicating that the decks have been made inaccessible to residents, but there is insufficient

Mount Pocono Borough Council
Regular Meeting Minutes,
Tuesday, December 5, 2023, 6:30 P.M.

funding for timely repairs to the hazardous structures. Additional conversations will occur with the Building Code Official to decide on an appropriate course of action.

● **Public Hearing Matters:**

- Fazard Mohammed – 17 Old Timber Road – The property owner has appealed the Zoning Hearing Board decision to the Court of Common Pleas. *The hearing was held on November 6th and the Court upheld the Zoning Officers determination. An appeal of this determination has yet to be filed.*
- 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 date has been set for December 20, 2023, at 10:15 am.*
- Fazard Mohammed – 22 Brunswick Drive – The property owner has appealed the Zoning Hearing Board decision to the Court of Common Pleas. *A hearing date has yet to be determined.*
- Mount Pocono Borough – 57 Knox Street – A Zoning Hearing Board application has been submitted for a dimensional variance request for the proposed maintenance garage. *The hearing is scheduled for November 30, 2023, at 6:00 pm.*

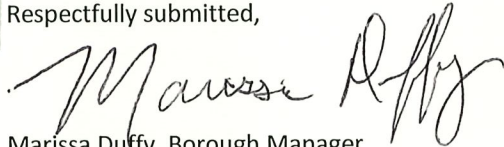
● **Resale Use and Occupancy Violations:**

- The following properties were issued Notices for their violations of the Borough Resale, Use, and Occupancy Ordinance: 1258 Pocono Boulevard; 21 Sterling Road; 83 Knox Street; 104 Sunset Drive; 37 Mt Pocono Court; and, 14 Villas Road (Unit 104)

PUBLIC PARTICIPATION – None

Meeting adjourned at 7:26 P.M.

Respectfully submitted,



Marissa Duffy, Borough Manager

