

**Mount Pocono Borough Council  
Regular Meeting Minutes,  
Tuesday, January 2, 6:30 P.M.**

The Mount Pocono Borough Council meeting held on Tuesday, January 2, 2024, was 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 6:00 P.M., regarding the 2024 Millage Ordinance.

**Pledge of Allegiance** – was said by all.

**Roll Call:** Vice President N. DeLano, present; Councilwoman D. Fulton, present via phone; Councilwoman A. Harris, present; Councilwoman E. Melbert, present; President D. Struckle, present; Councilwoman C. Williams present; Councilman J. Simeone, present; and, Mayor R. Altomose, present.

**In Attendance:** Borough Manager M. Duffy; and, Borough Treasurer D. Hewitt were present. Solicitor J. Fareri was in attendance via phone.

**Public Comments** (agenda items only)

**Approval of Minutes** – Vice President N. DeLano moved to accept the Sign Ordinance Public Hearing Minutes of December 5, 2023 and the Regular Meeting minutes of December 5, 2023 as presented. as presented. Councilman J. Simeone seconded. Motion carried 7 – 0.

**Presentations** – None

**New Business**

**Adopt Millage Ordinance** – Councilwoman C. Williams moved to adopt 2024 Millage Ordinance as presented:

**ORDINANCE NO.   1   OF 2024**

*The Borough of Mount Pocono hereby adopts and ordains a 2024 Millage Ordinance as follows:*

**Section 1.** *That a tax be levied on all real property within the Borough of Mount Pocono, subject to taxation for Borough purposes for fiscal year of 2024, as follows: the 2024 Real Estate Tax Millage will be 5.875 mills, with a .240 mill dedication street improvement tax, a .155 mill dedicated library tax, a .155 mill dedicated fire tax, and a .078 mill dedicated EMS tax, for a total millage rate of 6.503 mills.*

**Section 2.** *That a taxpayer subject to the tax on real property within the Borough of Mount Pocono:*

*(1) Shall be entitled to a discount of two (2) percent from the amount of such tax, upon making payment thereof within two (2) months after the date of the tax notice;*

*(2) Shall be charged a penalty of ten (10) percent of the amount of such tax, upon failure to make payment thereof within four (4) months after the date of the tax notice. The penalty shall be added to the taxes by the tax collector.*

**Section 3.** *That any Ordinance or part of any Ordinance, conflicting with this Ordinance be and the same is hereby repealed.*

**EFFECTIVE DATE**

*This Ordinance shall become effective immediately upon adoption.*

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

**Zoning Hearing Board (ZHB) Reappointment – Francis O’Boyle** – Councilwoman A. Harris moved to reappoint Francis O’Boyle to the ZHB for a five (5) term to expire December 31, 2029. Councilman J. Simeone seconded. Motion carried 7 – 0.

**Pocono Mountain Regional Police Department (PMRPD) Amendment** – Solicitor J. Fareri explained that this is simply an amendment to the agreement between the municipalities which changes the elected members of Tunkhannock Township to a resident of the Township and does not change anything that would change anything for the Borough. Councilwoman A. Harris moved accept the PMRPD Amendment to the agreement as presented. Councilwoman C. Williams seconded. Motion carried 7 – 0.

**Conflict of Interest/ Solicitor Recusal for Sheetz** – Solicitor J. Fareri explained that his partner of their firm is representing Sheetz noting that this would be a conflict for him and suggested to Borough Council that it should acquire Alternate Solicitor H. Clark Connor for its representation on this project. Councilwoman A. Harris moved to accept the Solicitor’s suggestion to have Alternate Solicitor H. Clark Connor represent Borough Council concerning the Sheetz project. Councilwoman C. Williams seconded. Motion carried 7 – 0.

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**Officer Reports:**

**President's Report** – President D. Struckle first thanked Councilwoman C. Williams for nominating him as Council President. He stated that hopes to continue do what is best for the Borough residents and Councilmembers and to continue the good work in the next two (2) years. He also congratulated Erin Melbert for coming on board and with Councilman Joe Simeone we have a real solid team.

**Mayor's Report** – Nothing to report.

**Borough Manager's Report** – Borough Manager M. Duffy had no report, but wished everyone a Happy New Year and is excited to get back to work.

**Solicitor's Report** – Solicitor J. Fareri reported that he would return by January 15, 2024.

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

Following is a report of the Zoning Office's monthly activity for the month of **December 2023:**

- **Permits Issued:**
  - Twelve (12) permits issued.
  - Four (4) Zoning Permits – Four (4) Residential
  - Four (4) Building Permits – Four (4) Commercial
  - Two (2) Resale, Use and Occupancy
- **Enforcement Actions:**
  - December 1, 2023 – Enforcement Notice –36 Fairview Avenue– Construction without a permit. *The property owner has since contacted the Zoning Office and is in the process of submitting the required application and documents to obtain their permit retroactively.*
- **Resale Use and Occupancy Violations:**
  - 142 Knob Road
  - 1245 Pocono Boulevard - *This property has been inspected and repairs will need to be made to the space to meet basic life safety requirements.*
- **Previously Discussed Properties:**
  - 11 Cedar Road – A Notice of Violation was sent to the property owner on November 27<sup>th</sup> for violations of the Borough Property Maintenance Ordinance. We have yet to be contacted by the property owner and there seems to be no progress made on the property. *Is the Board in favor of filing a civil complaint against the property owner?*
- **Public Hearing Matters:**
  - Adrien and Jennifer Bohdal – 56 Pine Hill Road – Establishment of a Contractor's Yard on the subject property. *A hearing date has been set for January 3, 2024 at 10:45 am.*
  - David and Emma Wengerd – Lot 21 Timberbrook Terrace – A Zoning Hearing Board application seeking a variance in relief of Section 215-38(B)(5) of the Borough Ordinance. *This specific section relates to the minimum 150' buffer from designated wetlands.*
  - Mount Pocono Borough – 57 Knox Street – A Zoning Hearing Board application was submitted for a dimensional variance request for the proposed maintenance garage. *The Hearing took place on November 30, 2023, at 6:00 pm and the Board granted the variances requested.*

Councilwoman A. Harris moved to direct the Zoning department to file a civil complaint against the property owner of 11 Cedar Road for violations against the Borough's Property Maintenance Ordinance. Councilwoman D. Fulton seconded. Motion carried 7 – 0.

**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, January 2, 2024, as outlined:

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**CASH REPORT AS OF DECEMBER 31, 2023**

**NBT General Fund**

Beginning Balance	\$ 288,035.46
Deposit	273,198.34
Interest	4.57
Expense	244,722.97
Service Charge	37.06
Ending Balance	<u>\$ 316,478.34</u>

**NBT Liquid Fuels Fund**

Beginning Balance	\$ 135,185.63
Deposit	0.00
Interest	2.27
Expense	<u>1,511.75</u>
Ending Balance	<u>\$ 133,676.15</u>

**NBT Road Rehab Fund**

Beginning Balance	\$ 117,031.04
Deposit	7,020.52
Interest	303.82
Expense	0.00
Ending Balance	<u>\$ 124,355.38</u>

**NBT Park & Recreation Fund**

Beginning Balance	\$ 87,980.97
Deposit	0.00
Interest	224.17
Expense	0.00
Ending Balance	<u>\$ 88,205.14</u>

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

Beginning Balance	\$ 130,056.22
Deposit	0.00
Interest	331.36
Expense	0.00
Ending Balance	<u>\$ 130,387.60</u>

**NBT Pine Hill Intersection Fund**

Beginning Balance	\$ 352,931.08
Deposit	0.00
Interest	5.63
Expense	<u>24,750.00</u>
Ending Balance	<u>\$ 328,186.71</u>

**NBT Stormwater Fund**

Beginning Balance	30,964.16
Deposit	0.00
Interest	78.89
Expense	0.00
Ending Balance	<u>\$ 31,043.05</u>

**NBT Planning Commission Fund**

Beginning Balance	\$ 6,125.30
Deposit	0.00
Interest	15.61
Expense	0.00
Ending Balance	<u>\$ 6,140.91</u>

**PLGIT General Fund**

Beginning Balance	\$ 766,717.65
Deposit	0.00
Deposit (EIT)	15,759.91
Deposit (LST)	465.00
Interest	3,081.82
Expense (to General Fund)	<u>200,000.00</u>
Ending Balance	<u>\$ 586,024.38</u>

**PLGIT Liquid Fuels Fund**

Beginning Balance	\$179.15
Deposit	0.00
Interest	.79
Expense	0.00
Ending Balance	<u>\$ 179.94</u>

**PLGIT Capital Fund**

Beginning Balance	\$104,036.99
Deposit	0.00
Interest	490.19
Expense	0.00
Ending Balance	<u>\$ 104,527.18</u>

**PLGIT Reserve Fund Balance**

Beginning Balance	\$104,036.99
Deposit	0.00
Interest	490.19
Expense	0.00
Ending Balance	<u>\$104,527.18</u>

**NBT Payroll Fund**

Beginning Balance	\$ 10,361.78
Deposit	28,243.17
Interest	.11
Expense	<u>33,239.21</u>
Ending Balance	<u>\$ 5,365.85</u>

**From General Fund to PR**

(w/e 12/6/23)	\$7,066.78
(w/e 12/12/23)	\$7,474.11
(w/e 12/20/23)	\$6,991.38
(w/e 12/27/23)	<u>\$6,710.90</u>
Total Payroll	<u>\$28,243.17</u>

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<u>Beautification</u>		<u>PLGIT Park &amp; Rec and Other</u>	
Beginning Balance	\$ 1,225.32	Beginning Balance	\$615,330.88
Deposit	0.00	Deposit	0.00
Interest	3.12	Interest	2,709.57
Expense	0.00	Expense	0.00
Ending Balance	<u>\$ 1,228.44</u>	Ending Balance	<u>\$618,040.45</u>

E-Com - \$ 15.11      ESSA Line of Credit - \$103,116.70

**\*BILLS TO BE APPROVED AND PAID 12/20/23 - 12/29/23 FROM THE NBT GENERAL FUND ACCOUNT:**

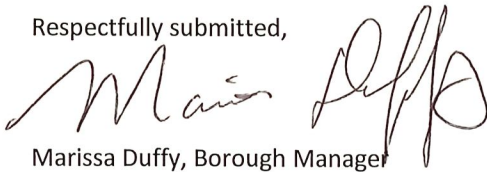
Barry Isett & Associates	(Maintenance Bldg. Variance Hearing & Review)	\$664.30
Deb Fulton	(P&R Trunk or Treat Supplies)	150.00
Medico Construction Equip. Inc.	(2008 Case Wheel Loader Rented Truck Delivery Cost)	415.00
Miller's Automotive	(1997 Ford F-350 State Inspection)	35.00
Pocono Mountain Public Library	(Library: RE Tax (2) & Delinquent Tax)	1,150.04
Pocono Mountain Regional EMS	(EMS: RE Tax (2) & Delinquent Tax)	578.64
Pocono Mountain Volunteer Fire Company	(FC: RE Tax (2) & Delinquent Tax)	1,150.04
SFM Consulting	(U&O 230021 & 230024 Commercial)	210.00
	(Zoning Officer Salary)	2,535.00
	(Building Permit)	233.09
The Two Shields, LLC	(Repairs: 2014 Kenworth Air Leak Repairs)	<u>813.85</u>
<b>GRAND TOTAL:</b>		<b><u>\$7,934.96</u></b>

Councilwoman C. Williams seconded. Councilwoman A. Harris questioned the reimbursement to Deb Fulton. Councilwoman A. Harris against Motion carried 6 – 1.

**PUBLIC PARTICIPATION** – Councilwoman C. Williams thanked President D. Struckle for his hard work these past two (2) years and understood that this was a learning experience for him. She also stated that President D. Struckle did a wonderful job and is looking forward to working with him again.

Meeting adjourned at 6:48 P.M.

Respectfully submitted,



Marissa Duffy, Borough Manager