

**MOUNT POCONO BOROUGH COUNCIL
REGULAR MEETING MINUTES
MONDAY, JANUARY 19, 2021
8:00 P.M.**

President C. Williams opened the Regular Meeting via zoom at 8:00 P.M. with the following members present through a roll call: Vice President F. O'Boyle, Councilmembers; T. Neville, S. Stewart-Keeler, A. Montanez, R. Emilie, and P. Bucco. Mayor M. Penn, Borough Manager J. Walker, Zoning/ Codes Enforcement officer and Treasurer D. Hewitt were also present. Also included via zoom was Mount Pocono resident Mike Oser

PRELIMINARY ANNOUNCEMENTS

President C. Williams explained that the reason for the second meeting of the month is necessary for any action that may be needed and to pay any bills so we would not get a late fee. She noted that regular meetings and the work sessions have been advertised.

PERSONS TO BE HEARD

None

UNFINISHED BUSINESS

IT & Infrastructure

- **NEC Blue Connect Phone System** – After a brief discussion it was agreed to have Borough Manager J. Walker to review their phone system and to research others. President C. Williams noted that this will be discussed at the February 1, 2021, work session.
- **New Website Developer Agreement** – President C. Williams stated that this will also be moved to the February 1, 2021, regular meeting agenda.
- **GoDaddy Subscription** – Councilmember P. Bucco moved to extend the GoDaddy subscription for three ((3) months to allow for the preservation of email and email migration. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.
- **IT Person** – Councilmember A. Montanez moved to hire Ronald Smith as the Borough's IT professional at an hourly rate of ninety-five dollars (\$95.00). Councilmember S. Stewart-Keeler seconded. Councilmember A. Montanez asked if the Borough Manager can inquire about any additional fee for upgrading the Borough's internet. Motion carried unanimously.

NEW BUSINESS

Tax Collector

- **Accept Resignation** – Councilmember P. Bucco moved to accept JoAnn Misurca-Ficco's resignation as the Borough's Tax Collector. Councilmember T. Neville seconded. Motion carried unanimously.
- **Advertise Tax Collector Ordinance** – Councilmember S. Stewart-Keeler moved advertise an Ordinance authorizing the Borough to enter into an agreement with Coolbaugh Township for a joint tax collection district by Coolbaugh Township's Tax Collector until the vacancy in the office of Mount Pocono Borough Tax Collector is filled. Councilmember P. Bucco seconded. Vice President F. O'Boyle questioned if the Ordinance should include compensation for duties rendered. Mayor M. Penn stated that once the Coolbaugh Township Tax Collector gets appointed then there will be a separate Resolution outlining the compensation. Motion carried unanimously.

Right to Know Appeal

President C. Williams explained this that the Borough has been sued by Tom Ford however she explained that the information he requested was her from personal social media account. She noted that the Borough lost the case, and she is asking for a motion to have the Borough's Solicitor appeal the case.

Councilmember S. Stewart-Keeler moved to appeal the Common Please decision in Tim Ford and the Boro Newspaper vs. Borough of Mount Pocono and to allow Solicitor J. Fareri to represent the Borough per his budget in fee schedule outlined to Borough Council in a letter dated January 12, 2021. Councilmember R.

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Emilie seconded. Mount Pocono Borough resident Mike Oser questioned the cost to the Borough. It was noted that it would be approximately \$3,000.00. However, it was also noted that there was no initial cost by the Solicitor. There was more discussion explaining why to appeal this case as it could affect everyone on Borough Council as this was a private page on social media and that this could happen again. Also, the right to know requests take up much of the time and payroll monies of the staff. Motion went to a roll call vote: Councilmember T. Neville, "Yes"; Councilmember R. Emilie, "Y"; Councilmember S. Stewart-Keeler, "Yes"; Councilmember A. Montanez initially was against appealing however as it was explained in more detail she voted, "Yes"; Councilmember P. Bucco, "Yes" Vice President F. O'Boyle, "Yes"; and President C. Williams, "Y". Motion carried unanimously.

Councilmember A. Montanez wanted on record that if the Borough wins this appeal that the Borough would be reimbursed of any legal fees.

Tax Millage Ordinance

Councilmember moved to advertise the 2021 Tax Millage Ordinance to be approved at the February 1, 2021, regular meeting. Councilmember P. Bucco seconded. Motion carried unanimously.

TREASURER'S REPORT

Bills to be Paid.

**MOUNT POCONO BOROUGH
TUESDAY: JANUARY 19, 2021 BILLS LIST**

GENERAL FUND BILLS

ASSOCIATION OF MAYORS OF THE BORO.	\$60.00	
BERKHEIMER TAX COMMISSION	17.08	For Dec.2020
BLUE RIDGE INTERNET	365.01	
CINTAS UNIFORM	382.58	Uniforms: 91.42,109.54,90.81,90.81
CUSTOM PRODUCTS CORP.	1,169.77	Highway signage:12NoUTurn,12KeepRight12BlankYellow 2DoNotEnter
MILLER'S AUTOMOTIVE	245.88	1997 Ford F-359 Inspection & Fuse Box Repair
MOUNT POCONO MUNICIPAL AUTHORITY	91.12	103 Brunswicke Dr.
NAPA AUTO PARTS	419.74	4 Snow Brush Scrapers for Big Trucks, Electrical Tape, Snowplow Light Bulbs, BHoe cable wires, connect
OVERHEAD DOOR CO.	295.00	Door#4 Replace Photocell Beams Hydraulic Oil
PA AMERICAN WATER (HYDRANTS)	685.77	Hydrants
PAYROLLS UNLIMITED	116.20	Dec. Payroll
PLOCINIAC OIL - OFFICE	483.39	

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PLOCINIAK OIL - GARAGE	786.16	
PPL 36 POCONO BLVD, LIGHTING	50.05	
PPL 303 POCONO BLVD	338.47	
PPL KNOX & E. KINNEY	232.10	
PPL METER#1	131.00	
PPL METER#2	55.93	
PPL METER#3	87.66	
PSAB UC PLAN	635.33	Unemployment Comp. 4th qtr
VERIZON	274.22	Road Crew Telephone
VISA CREDIT CARD	<u>109.66</u>	Office Clock, Elect PR Time Clock, MAs Supplies

\$7,032.12

Councilmember P. Bucco moved to pay and approve the bills of January 19, 2021, as outlined. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

PSAB Communication

President C. Williams stated that she and Borough Manager J. Walker will be the only people to communicate with PSAB with any questions, clarifications or concerns and will then in turn relay the information to Borough Council and if need be to the public.

Councilmember T. Neville moved to elect Councilmember P. Bucco as Vice President to replace current Vice President F. O'Boyle beginning immediately after the vote. Councilmember A. Montanez seconded for discussion purposes. Mayor M. Penn via his conversation with Solicitor J. Fareri that he confirmed that this is not a reorganization meeting and that per PSAB a position change can be done individually. However, Solicitor J. Fareri thought that this action was not typical. Councilmember T. Neville explained that Councilmember P. Bucco is very involved with the Borough and would be better in this position. Councilmember R. Emilie stated that has known thirty (30) plus years and even though he is very knowledgeable with the Borough's budget and finances he feels that he needs to take a break. Councilmember R. Emilie felt that Councilmember P. Bucco has more time to give to the Borough and Vice President F. O'Boyle needs a little rest. Motion went to a roll call vote: Councilmember T. Neville, "Y"; Councilmember R. Emilie, "Y"; Councilmember S. Stewart-Keeler, "Y"; Councilmember A. Montanez noticed that Treasurer D. Hewitt had a comment to make. Treasurer D. Hewitt stated that she needs two (2) signatures on the checks one (1) being Vice President F. O'Boyle's and that we cannot get new signature cards until the November 19, 2020, minutes are approved and brought to the bank. Councilmember A. Montanez asked if Councilmember T. Neville can amend his motion to start the position on February 1, 2021. Councilmember T. Neville amended his motion to elect Councilmember P. Bucco as Vice President and replace current Vice President F. O'Boyle beginning on February 1, 2021. Councilmember R. Emilie seconded. Motion went to a roll call vote: Councilmember T. Neville, "Y"; Councilmember R. Emilie, "Y"; Councilmember S. Stewart-Keeler, "No"; Councilmember A. Montanez, "Y"; Councilmember P. Bucco, "Y"; President C. Williams, "N"; and, Vice President, "N". Motion carried 4 – 3.

President C. Williams thanked Vice President F. O'Boyle for his years of service as Vice President, but the motion carried.

Vice President F. O'Boyle accepted the decision of Borough Council and that he was not happy with it.

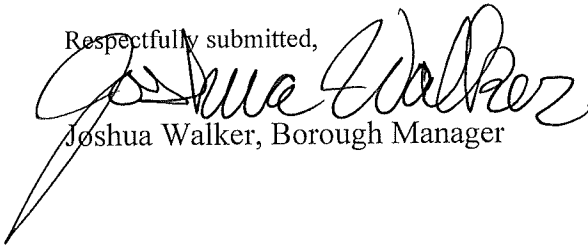
PUBLIC PARTICIPATION

None

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There being no further public participation or any further business coming before the board, the meeting adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joshua Walker", written over the typed name. The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Joshua Walker, Borough Manager