

**Mount Pocono Borough Council  
Regular Meeting Minutes  
Monday, May 17, 2021  
9:00 P.M.**

President F. O'Boyle opened the meeting at 9:00 P.M. with Vice President T. Neville, Councilmembers A. Montanez, P. Bucco, C. Williams and S. Stewart-Keeler who were in attendance. Also present were: Mayor M. Penn, Borough Secretary J. Walker, Treasurer D. Hewitt and Zoning/ Codes Enforcement Officer A. Wilkinson.

Councilmember R. Emilie and Solicitor J. Fareri were absent.

Pledge of Allegiance was said by all.

**PRELIMINARY ANNOUNCEMENTS**

President F. O'Boyle stated that Borough Council held an Executive Session on personnel matters prior to this evening's work session from 6:00 P.M. until 7:04 P.M. He reported that he had a meeting with Chris Sarajian and the Pocono Mountain School District regarding the bypass road. He noted that he spoke with Road Supervisor regarding the seasonal employee, Ron Miller, if he could be used when needed. He also noted that the AEDs at the Borough building and the maintenance garage are both repaired and in working order if needed. He further stated that the Clarius Conditional Use was heard earlier during tonight's work session and that the Applicant's Solicitor will contact Solicitor H. C. Connor to coordinate the conditions.

**Treasurer's Report**

Borough Treasurer D. Hewitt presented her report and noted that the bills include the police payments. There were some questions regarding the labor attorney bills and Borough resident, Mr. Mike Oser stated he will submit a right-to-know request for the labor attorney bills. Councilmember C. Williams moved to approve and pay the bills for Monday, May 17, 2021 as presented. Councilmember S. Stewart-Keeler seconded.

**CASH REPORT as of Month, End – April 30, 2021**

PLGIT – GENERAL FUND CHECKING ACCOUNT	\$ 42,807.84
PLGIT – STATE LIQUID FUELS	64.07**
NBT – LIQUID FUELS	9,619.53
NBT – PARK & REC FUND	140,493.63
NBT – PLANING COMMISSION REIMB. FUND	6,751.87
NBT – STORMWATER FUND	43,265.32
NBT – ROAD REHAB FUND	24,894.60
NBT – FIVE POINT INTERSECTION	99,232.26
NBT – BEAUTIFICATION FUND	2,095.39
NBT – PAYROLL	(47.81) ***
FNB – PAYROLL	4,114.39
NBT - GENERAL FUND	102,548.71*
FNB - GENERAL FUND	<u>32,857.47</u>
<b>GRAND TOTAL</b>	<b><u>\$508,697.27</u></b>

\*NBT checks approved \$42,885.17, do not show on the 4/30/21 reconciliation statement  
\$102,548.71 – (\$42,885.17) = \$59,668.54 As of 5/4/21.

\*\*PLGIT STATE LIQUID FUELS received (5/3/21) \$105,880.89 & transferred to NBT LIQUID FUELS totaling \$115,500.42 minus payments \$24,550.99 (PPL - \$1,735.45 & Locust Ridge & Silvi - \$22,815.54) leaving a balance of \$90,420.33

\*\*\* Payroll Transferred from GF to replenish account - \$2,300.00

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ESSA BUISNESS MONEY MARKET	\$103,074.31
PEOPLES SECURITY	\$ 782.06
FIRE ESCROW (32 Brunswick)	\$ 5,616.89

**DEDICATED REAL ESTATE TAX – MAY 7, 2021 (REC'D)**

GENERAL FUND	\$ 674,351.41
ROAD REHAB FUND	75,594.55
LIBRARY FUND	25,192.07
FIRE	25,192.07
EMS	<u>12,674.69</u>
<b>GRAND TOTAL</b>	<b>\$ 813,004.79</b>

**BILLS TO BE PAID FROM THE NBT GENERAL FUND CHECKING ACCOUNT:**

ARGS Technology, LLC	(IT Service March –Remote Service, Cloud Backup, Reloads, etc.)	\$ 834.50
Barry Isett & Associates	(Reimb. Taco Bell & Hirshland LDP)	2,784.45 ▶
Barry Isett & Associates	(General Engineering Services)	172.50
Berkheimer Associates	(Local Service Tax Operating Commission)	122.18
Blue Ridge Communications	(Telephone & Internet Service)	366.02
Campbell Durant, PC	(General Labor & Employment Matter – Mar/Feb/Mar)	10,728.00
General Code Publishers	(E-Codes Ordinance Codification)	6,539.75
Kenworth of Pennsylvania	(2014 Kenworth: Engine & ABS Lights Repair)	853.05
Lowe's	(Highway: Supplies)	158.34
Metz, Inc.	(CARES GRANT Trane Heat Pump (1/2 payment)	10,499.50
Modern	(PM Basement Kohler Generator Agreement)	810.00
NAPA Auto Parts	(P&R Lawn Mower Oil Change)	12.15
Newman, Williams, Fareri	(Reimb. Wawa Transfer Liquor License)	217.00 ▶
Newman, Williams, Fareri	(RTK: Facebook Page)	147.00
PA American Water Co.	(Fire Hydrants)	714.09
PA One Call System, Inc.	(PA One Call)	13.14
Panko Reporting	(Reimb. Court Reporter Clarius Partners)	601.70 ▶
Payrolls Unlimited	(April 2021)	116.75
Pennoni Associates	(Reimb. Clarius Partners – CU Review)	1,350.50 ▶
Pocono Mountain Public Library	(Dedicated RE Tax – Library Contribution)	25,192.07
Pocono Mountain Regional EMS	(Dedicated RE Tax – EMS)	12,674.69
Pocono Mountain Regional Police Dept.	(April & May Payments)	123,517.34
Pocono Mountain Volunteer Fire Co.	(Dedicated RE Tax – Fire Co. Contribution)	25,192.07
PPL Electric Utilities	(Borough & Decorative Lighting)	46.96
Sunoco Universal Fleet	(PREPAID VIA PHONE Gas & Oil)	321.86
Verizon	(Road: Telephone)	<u>76.15</u>
<b>GRAND TOTAL:</b>		<b><u>\$ 224,061.76</u></b>

▶ Reimbursable Items

**BILLS ALREADY PAID FROM THE FNB PAYROLL ACCOUNT:**

Mt Pocono Payroll	(w/e 04/07/21)	\$5,537.35
Mt Pocono Payroll	(w/e 04/14/21)	5,338.62
Mt Pocono Payroll	(w/e 04/21/21)	4,913.19
Mt Pocono Payroll	(w/e 04/28/21)	<u>\$5,175.55</u>
<b>GRAND TOTAL</b>		<b><u>\$20,964.71</u></b>

Motion carried unanimously.

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**PERSONS TO BE HEARD**

**Mount Pocono Business Association – Annual Harvestfest** – Ms. J. Bohdal, President of the Mount Pocono Business Association stated that the Community Day on June 5<sup>th</sup> has been cancelled however the Harvest Fest will still be on Saturday, September 25, 2021, from 10:00 A.M. to 5:00 P.M.

**Mike Oser, Municipal Authority Chair**, discussed the Municipal Authority billing concerns that were brought up at the Borough Council regular meeting of May 3, 2021. There was some discussion about when the Municipal Authority will reopen to the public. Mr. M. Oser stated that the Municipal Authority office will be closed indefinitely due to possible exposure to the plant personnel. He added that there will be more signage posted clarifying that any payments for the Municipal Authority must go into the drop and that no payments will not be able to paid at the office. He also stated the sewer rates will increase by \$120.00 per year starting October 1, 2021 due to the expansion.

**Mayor Resignation – Aida Montanez**, stated she is before the Borough Council not as a Councilmember but a community member. She read a letter dated May 12<sup>th</sup>, 2021, that was emailed to Borough Council, requesting the resignation of Mayor M. Penn.

**UNFINISHED BUSINESS**

**Borough Manager/ Secretary** – Councilmember P. Bucco moved to give Joshua Walker sixty (60) days to pay the balance of Borough Manager bond in the amount of \$2,175.00. Once the bond is paid in full he will become Borough Manager, with his health insurance benefits to begin on June, 1, 2021. Vice President T. Neville seconded. Councilmember C. Williams stated that the Borough is obligated to pay for the bond and that this motion is unjust. Borough resident J. Bohdal stated that Borough Council hired this individual without knowing his bond would be more than budgeted and he should have been vetted to see if he met all of the requirements for the position of Borough Manager and that the bond should be paid by the Borough.

Councilmember P. Bucco removed her previous motion and moved to have the Borough pay the entire Borough Manager bond in the amount of \$2,500.00 and that Joshua Walker will become Borough Manager with his health insurance benefits to begin on June 1, 2021. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

**New Business**

**Blue Ridge Contract Renewal Resolution** – Vice President T. Neville moved to adopt Resolution # 4 of 2021 approving the renewal and extension of the franchise term for Blue Ridge Cable Technologies as presented. Councilmember S. Stewart-Keeler seconded.

*RESOLUTION NO. 4 OF 2021*

*A RESOLUTION OF MOUNT POCONO BOROUGH, COUNTY OF MONROE COMMONWEALTH OF PENNSYLVANIA,  
APPROVING THE RENEWAL AND EXTENSION OF THE FRANCHISE TERM FOR BLUE RIDGE CABLE  
TECHNOLOGIES*

*It is hereby resolved by the Council of the Borough of Mount Pocono, Monroe County, that the Franchise Term granted to Blue Ridge Cable Technologies, Inc. t/a, d/b/a, Blue Ridge Communications in Ordinance No. 2-1976 adopted June 14, 1976, effective June 19,*

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1976, as extended until June 19, 2021, is hereby renewed and extended for an additional 10-year term until June 19, 2031 with the following addition:

**COMPLIMENTARY SERVICE TO COMMUNITY FACILITY**

(a) Within three (3) months of the Effective Date, Blue Ridge shall provide broadband Internet service via cable modem to one (1) municipal building to be designated by the Borough, provided that location is currently serviced with cable at the current level of service.

(b) The building designated to receive the service described is identified in Exhibit A attached hereto.

(c) In the event the Borough increases its Franchise fee to the maximum permitted by law, and in accordance with applicable law, Blue Ridge will charge the fair market value for the account listed on Exhibit A, which fair market value shall match the then-current rate card for the level of service provided. Blue Ridge shall notify the Borough in writing regarding the amount of the monthly service fee for each account based on fair market value. The Borough shall then notify Blue Ridge, within thirty (30) days of receiving the notice from Blue Ridge, whether it wishes the amount due each month to be invoiced for payment or deducted from the next franchise fee payment. The Borough may upgrade the broadband internet access service received at then current rate card prices for the higher level of service. The Borough may also elect in writing not to receive the service, in which case it will not be invoiced and no deduction will be taken from the franchise fee.

(d) In the event the FCC's 2019 Third Report and Order In the Matter of Implementation of Section 621 of the Cable Act is reversed on appeal as to the issue of complimentary broadband internet access services as in-kind contributions in a cable franchise and such result becomes final, Blue Ridge within thirty (30) days of the result becoming final will discontinue the charge and provide such service on a complimentary basis. Any additional levels of broadband internet access service, outlets, or service locations ordered by the Township shall continue to be subject to standard rates.

The remaining terms of the Ordinance shall remain in full force and effect.

Duly adopted this 17th day of May, 2021, by the Borough Council of Mount Pocono Borough, Monroe County, Pennsylvania, in lawful session duly assembled.

Motion carried unanimously.

**Selective Insurance Proposal** – Councilmember A. Montanez moved to continue with the Selective Insurance proposal as presented. Vice President T. Neville seconded. Motion carried unanimously.

**GTRP Grant** – Councilmember A. Montanez moved to approve the GTRP Grant application. Vice President T. Neville seconded. Motion carried unanimously.

Councilmember A, Montanez moved to adopt Resolution #5 of 2021 to for Greenways, Trails and Recreation Program (GTRP) Grant with the change of the designee from Mayor Michael Penn to President Francis O'Boyle and as presented. Councilmember C. Williams seconded.

**RESOLUTION NO. 5 OF 2021**

**A RESOLUTION OF MOUNT POCONO BOROUGH, COUNTY OF MONROE COMMONWEALTH OF PENNSYLVANIA, TO APPLY FOR A GREENWAYS, TRAILS, AND RECREATION PROGRAM (GTRP) GRANT**

Be it RESOLVED, that the Borough of Mount Pocono of Monroe County hereby requests a Greenways, Trails and Recreation Program (GTRP) grant of \$193,949 from the Commonwealth Financing Authority to be used for Mt. Pocono Park improvements.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Joshua Walker, Borough Manager and Francis O'Boyle, President, as the officials to execute all documents and agreements between the Borough of Mount Pocono and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Joshua Walker, duly qualified Secretary of the Borough of Mount Pocono, Monroe County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Mount Pocono Borough Council at a regular meeting held May 17, 2021 and said Resolution has been recorded in the Minutes of Mount Pocono Borough and remains in effect as of this date.

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*Duly adopted this 17th day of May, 2021, by the Borough Council of Mount Pocono Borough, Monroe County, Pennsylvania, in lawful session duly assembled.*

Motion went to a roll call vote: Councilmember C. Williams, "Yes"; Councilmember P. Bucco, "Yes"; Councilmember A. Montanez, "Yes"; Vice President T. Neville, "No"; Councilmember S. Stewart-Keeler, "Yes"; and, President F. O'Boyle, "Yes". Motion carried 5 -1.

**Grant Applications** – Councilmember A. Montanez moved to apply for any and all grants needed for the Pocono Star Boulevard extension. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

**Public Participation**

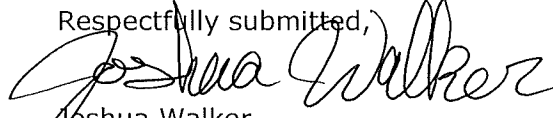
**Mr. Matt Hensel, 17 Edgewood Road**, questioned if the website is up yet adding that it should have been be up by May 21<sup>st</sup>. He also stated that he wrote the letter with former and current Councilmembers asking the Mayor to resign. Mr. M. Hensel questioned the mayor regarding the previous allegations that were brought by the Borough Manager regarding documents missing. He wants to know who is lying.

**Mr. Kim, Pocono Boulevard**, discussed that he has witnessed the latest incident at Pocono Rocks and that we should not prolong the safety of the community. He had compiled and distributed a petition to improve the safety measures in the Borough and sent them to State Senator M. Scavello in September 16, 2020.

**Mike Reardon, 14 Cedar Road**, voiced his disgust with how Borough Council interacts with each other and expressed concerns about the safety of the Borough.

There being no further business or public participation Councilmember A. Montanez moved to adjourn the meeting at 10:33 P.M. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Respectfully submitted,



Joshua Walker  
Borough Secretary

