

**Mount Pocono Borough Council**  
**Regular Meeting Minutes**  
**Monday, May 3, 2021**  
**7:00 P.M.**

President F. O'Boyle opened the meeting at 7:00 P.M. with Vice President T. Neville, Councilmembers S. Stewart-Keeler, C. Williams and P. Bucco who were in attendance in person. Councilmember R. Emilie was in attendance via phone. Also present in person were: Mayor M. Penn, Solicitor J. Fareri, Borough Secretary J. Walker, Treasurer D. Hewitt and Zoning/ Codes Enforcement Officer A. Wilkinson.

Councilmember A. Montanez was absent.

Pledge of Allegiance was said by all.

**PRELIMINARY ANNOUNCEMENTS**

President F. O'Boyle stated that Borough Council held an Executive Session from 6:45 P.M. to 6:53 P.M. in reference to the Fairview Lake property that was sold to a Matthew Berwick in a judicial sale for \$50,000.00 and that we may receive a tax rebate. He also stated that the Clarius Public Hearing continued last Monday, April 26<sup>th</sup> and the Solicitor is preparing the Borough's written decision.

**Minutes**

Councilmember S. Stewart-Keeler moved to approve the regular meeting minutes of Monday, March 15, 2021, as presented. Councilmember R. Emilie seconded. Motion went to a roll call vote: Councilmember C. Williams, "Yes"; Councilmember P. Bucco, "No"; Vice President T. Neville, "No"; Councilmember R. Emilie, "Yes"; Councilmember S. Stewart-Keeler, "Yes"; and, President F. O'Boyle, "Yes". Motion carried 4 – 2.

Councilmember S. Stewart-Keeler moved to approve the April 5<sup>th</sup> Public Hearing minutes for the Wawa liquor license as presented. Councilmember P. Bucco seconded. Motion carried unanimously.

President F. O'Boyle stated that the following minutes are not completed: regular meetings of March 4, 2021, April 5, 2021 and April 19, 2021; as well as the Clarius Public Hearings of April 12, 2021 and April 26, 2021.

There was some discussion regarding the regular meeting minutes of March 4, 2021, and everyone was reminded that due to some discrepancies in the minutes they will be transcribed by a stenographer. It was acknowledged that these should be completed approximately in a week.

**OFFICER'S REPORTS:**

**President** – already given.

**Mayor** – Mayor M. Penn stated that Borough Council has been very productive in the past month and half as we held six (6) meetings plus work sessions and moved a lot of regular business through the agenda including; office infrastructure, employee staffing, fee schedule updated, short-term rental consideration, sketch plans, land development plans, consideration of a new bypass road and so on. However, with some meetings being disruptive he reminded Borough Council of the adoption of the Code of Conduct Resolution in 2019, that was in everyone's packet.

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**Borough Secretary** – Borough Secretary J. Walker gave a report on the new copy machine, the new phone system, various drainage issues and the County Waste letter that extends services for 2021 with no cost increase. He noted that we originally received one (1) person interested in serving on the Vacancy Board, Mr. Matt Hensel and since the last meeting we received another letter of interest from Mrs. Lori Noonan.

Councilmember P. Bucco moved to appoint Mr. Matt Hensel to the Vacancy Board Chairman. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

Borough Secretary J. Walker questioned Mayor M. Penn for an update regarding the quarterly newsletter so that the Borough office can plan accordingly for the current monthly newsletter. Mayor M. Penn responded that he is waiting for the business list from the Borough Secretary to proceed.

Borough Secretary J. Walker concluded by informing council that Mayor M. Penn taped a conversation between the borough secretary and the mayor in which the mayor told the borough secretary not to make accusations without having all the facts.

**Treasurer’s Report** – Councilmember P. Bucco asked to see a cash report, to see if we have enough money to pay the bills. Borough Treasurer D. Hewitt responded that the cash report is given at the mid-month meeting after she reconciles the accounts. Councilmember P. Bucco questioned if the March bill from Campbell Durant in the amount of \$6,633.20 is part of the union negotiations. This was confirmed by President F. O’Boyle. Councilmember C. Williams questioned why we are paying our labor attorney to review the employee handbook. Councilmember P. Bucco moved to pay and approve the bills except for Campbell Durrant in the amount of \$10,728.00 until the mid-meeting after they are reviewed. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

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

|                                    |  |              |
|------------------------------------|--|--------------|
| Barry Isett & Associates           | (Reimb. Developer Fees)                                    | \$ 597.40*   |
| Blue Ridge Communications          | (Garage Telephone Service)                                 | 63.79        |
| Campbell Durant, PC                | (General Labor & Employment Matter – Jan, Feb & Mar)       | 10,728.00**  |
| Dixon Sealer & Supply, Inc.        | (Highway Supplies Seal Cracks, Curbs, Pot Holes, Cut Outs) | 893.30       |
| ESSA                               | (Building Loan April Payment)                              | 2,309.20     |
| FNB Commercial Credit Card         | (Miscellaneous – Maint, Boro & P&R)                        | 1,065.07     |
| Geisinger Health Plan              | (Road: Health Plan)  | 3,769.13     |
| Highmark Blue Shield               | (Road: Vision & Dental)                                    | 89.17        |
| Newman, Williams, Fareri           | (Solicitor Half of Retainer)                               | 10,000.00    |
| PPL Electric Utilities             | (Electric – Garage, Boro Bldg. & P & R)                    | 722.27       |
| PA American Water Co.              | (Water – Garage & Boro Bldg.)                              | 55.14        |
| PA American Water Co.              | (PAWC – Tax Refund)  | 938.31       |
| Plociniak Oil Co.                  | (Garage & Boro Bldg. Oil - April)                          | 1,513.54     |
| Pocono Mtn. Public Library         | (Dedicate Real Estate Tax - Library)                       | 6,393.36     |
| Pocono Mtn. Regional Police Dept.  | (May Loan Payment)   | 2,792.12     |
| Pocono Mtn. Regional EMS           | (Dedicated Real Estate Tax – EMS)                          | 3,216.82     |
| Pocono Mtn. Vol. Fire Co.          | (Dedicated Real Estate Tax – Fire Co.)                     | 6,393.36     |
| Purchase Power                     | (Postage Meter)  | 150.00       |
| Sargent’s Court Reporting Services | (Transcript Teamster Union #733 vs Mt Pocono. Boro)        | 698.60       |
| SPW Cleaning Services, Inc.        | (Cleaning Boro Bldg. 4/15 & 4/27)                          | 350.00       |
| The Two Shields, LLC               | (#-2014 Kenworth – Inspection, Maint. Etc.)                | 863.05       |
| Wal-Mart                           | (Maint. Supplies)  | <u>11.54</u> |

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**GRAND TOTAL:**

\$42,885.17

\*Reimbursable Items

\*\*Campbell Durrant Hold Payment (\$10,728.00)

Motion carried unanimously.

**Zoning/ Codes Enforcement Officer** – Zoning/ Codes Enforcement Officer A. Wilkinson gave an update on the Taco Bell Land Development Plan modifications.

Vice President T. Neville moved to approve Taco Bell Land Development Plan modification for the dual drive through lane. Councilmember P. Bucco seconded. Motion carried unanimously.

Zoning/ Codes Enforcement Officer A. Wilkinson informed council of the proposed amendment to the Developer's Agreement for the Hirshland, Pocono Summit Realty project on SR 940.

Councilmember S. Stewart-Keeler moved to amend the Developer's Agreement for the Hirshland, Pocono Summit Realty project on SR 940 to transfer financial security based on condominium agreements. Councilmember P. Bucco seconded. Motion carried unanimously.

Zoning/ Codes Enforcement Officer A. Wilkinson gave an update regarding the stormwater issues that Mr. Gabriel Scavello has at his property. It was stated that he has a contractor to do the work and that we are looking for some type of scope of work to be submitted to the Zoning Department. She reported that the Borough's Ordinances have been codified through General Code. She noted that the link is ready to be uploaded to the Borough's website once it is live. She added that she received concerns from the neighbor of 32 Brunswick Drive, where the fire was, who was wondering when the house be razed. As per Ordinance we did receive a fire security, but she doesn't feel that the Borough could go and remove the building. Solicitor J. Fareri asked to get their attorney's contact information to follow-up with them.

**Solicitor** – Solicitor J. Fareri gave an update on the short term rentals at 1 Summit Drive and 10 Shelly Lane. He also informed the Council that the agreement of sale for the Lot 103, Pine Hill has been signed by the buyer and closing will be soon.

**PERSONS TO BE HEARD**

**Mount Pocono Business Association** - Nothing to report this month.

**Councilmember C. Williams** – Councilmember C. Williams stated that getting back to House Bill 1719 states that the Mayor cannot hold a seat on the Borough Council, does not have vote and should not run the meetings. She questioned President F. O'Boyle on why we receive all the emails from the Mayor and not from him. She also questioned why the Borough Secretary is not involved with creating the agenda and that when she was President she was advised to have the Borough Secretary prepare the agenda with her input.

**UNFINISHED BUSINESS**

**Website Update**

Mayor M. Penn updated Borough Council that the website is progressing, with Mr. C. English sending him another revision of the website. He noted that we have mapped out the basic

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navigation and added that the social media sites: Facebook, Instagram, Twitter, and YouTube are active but not yet in use. He also noted that he is meeting with Mr. C. English tomorrow.

**Sale of Brunswick Lot** – discussed earlier by the Solicitor.

**County Waste Option to Renew Letter** – discussed earlier.

**Personnel Policy Updates**

**Previously approved revisions** – It was acknowledged that Solicitor J. Fareri has amended the Personnel Policy with minor changes and will send it to Borough Council prior to the mid-month meeting.

**Work from Home Policy & Building Closing Policy** - Solicitor J. Fareri will draw up agreement for both policies.

**Road Crew Vacancies Update** – Four (4) applications were received. President F. O’Boyle suggested that our seasonal help, Mr. Ron Miller, come in and help out when needed. Currently the road crew cannot be productive with only two (2) employees.

**New Business**

**Gotta Go Potties** – Vice President T. Neville moved to renew the services with Gotta Go Potties at \$85.00 per month per unit and paid through the Parks & Recreation Fund. Councilmember S. Stewart-Keeler seconded. Motion carried unanimously.

**Selective Insurance – Brown and Brown** – This item will be discussed at the May 17<sup>th</sup> work session.

**Grants Update**

**Grants Available** – President F. O’Boyle stated that he received grant information from Congressman Matt Cartwright’s office and relayed the information to Councilmember P. Bucco the Grant Committee Chair.

**GTRP Grant** – Councilmember P. Bucco reported that a Grant Committee meeting was held with the Barry Isett grant writer. The GTRP Grant will be pursued which will enhance the playground behind the Borough building. She noted that the ballpark is not being used and that the playground can be expanded. She stated that Barry Isett will be creating a sketch plan and will ask Park & Recreation to join Borough Council for this review. She also noted that with a larger playground we could look into more parking for the Borough businesses. She also had contacted State Representative J. Rader’s office for grants available, who informed her that the LSA Grant is pending and no decision has been made. She stated that she has been inquiring for potential grants for the Pine Hill Road and SR 611 intersection and the access road from the Clarius project.

President F O’Boyle gave an update regarding his meeting on April 29<sup>th</sup> with State Representative J. Rader, State Senator M. Scavello, School Board Treasurer and the Sarajian family regarding the funding for the proposed bypass road and a traffic light at the Pine Hill Road/ SR 611 Intersection. He noted that the Borough Traffic Engineer recommended that the

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Clarius project should complete the road to the Sarajian property which was not accepted by the developer because it was not financially feasible.

**Public Participation**

**Damon Keeler, 7 Candlewood Lane**, questioned if there is a recording policy and ask about the taking of documents out of the Borough offices. Solicitor J. Fareri suggested that he will draft a letter to present to Borough Council and as far as people being recorded, it is allowed as long as all parties are aware and agree to be recorded.

**Anmarie Harris, 236 Winona Road**, questioned whether Mr. Ron Miller applied for the road crew vacancy. Councilmember P. Bucco confirmed that he is currently a seasonal employee. Ms. A. Harris looked for clarification on the recording of meetings. It was acknowledged that public meetings can be recorded.

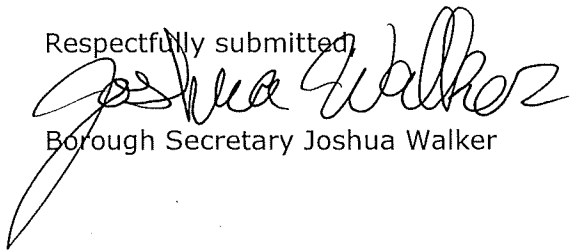
**Mike Oser, 39 Fairview Avenue**, announced that there will be Memorial Day Service on Monday, May 31, 2021, at 10:00 A.M. at the Borough building. At 11:00 A.M. at the VFW Post 3448 there will be another service with a free luncheon afterwards. He noted that the May 13, 2021, Mount Pocono Municipal Authority's meeting will be in person and the budget will be discussed. He questioned what is being proposed at the Bizio property. It was noted that they only came before the Planning Commission with a sketch plan. He asked President F. O'Boyle and Mayor M. Penn when did Councilmember C. Williams submit her request to be on Persons to be Heard. Councilmember C. Williams stated she sent her request on April 28<sup>th</sup> at the latest.

**Councilmember C. Williams**, questioned that if someone applies on Indeed does this person get a response that their interest of employment was received. Borough Secretary J. Walker responded that he receives notifications and then forwards the information to the Personnel Committee.

**Vice President T. Neville**, thanked the Borough residents for their support of Borough Council and stated he is here for the Borough residents and that he is not self-serving and has no personal agenda.

There being no further business or public participation the meeting adjourned at 9:38 P.M.

Respectfully submitted,



Borough Secretary Joshua Walker

