

East Stroudsburg Borough, February 28, 2017

A special/Committee meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, February 28, 2017. The following members were in attendance: Donald Cross, Roger DeLarco, Maury Molin, William Reese, and Sonia Wolbert. Edward Flory was absent. Also attending were: Mayor Armand M. Martinelli; Solicitor John C. Prevoznik; Manager James S. Phillips; Codes Official Marvin Walton; DPW Director Steven DeSalva; and Finance Officer Kenneth Konz.

Call to Order/Pledge of Allegiance -- President DeLarco

Mr. DeLarco called the meeting to order at 7:00 p.m. The Pledge of Allegiance was led by Matt Simmons.

Meeting with Peter Marshall of Peter Marshall Associates concerning possible Interim Management Services

Mrs. Wolbert introduced Peter Marshall and asked him to review his municipal management experience. Mr. Marshall said he served as a municipal manager for 40 years, mostly in university communities and 17 years in State College Borough; he also has served as a municipal management consultant for the last 12 years. Mr. Marshall said his philosophy is to "leave a community better off than they were before he came". Mr. Marshall noted that there is a very tight market for experienced municipal managers.

Mrs. Wolbert asked for his fee schedule? Mr. Marshall said he will charge \$90 per hour, and usually works an average of 20 hrs. per week; he will also be available on off days by phone or email.

Mr. DeLarco noted that if hired Mr. Marshall would fill the interim period between Mr. Phillips leaving at the end of March and the eventual hire of a new Manager.

Mr. Prevoznik asked if he has provided a proposed agreement? Will Mr. Marshall provide his own insurance? Mr. Marshall stated yes he does provide his own Errors and Omissions insurance, although he would also ask to be covered under the Borough insurance. Mr. DeLarco thanked Mr. Marshall for meeting with the Transition Committee and attending the Council meeting.

Presentation by Mission PA on proposed use of former Bustin Industries building for legal cannabis growing operation.

Mayor Martinelli said he had been contacted by Dan Lichty in October, concerning possible use of the former Bustin Industries Building for a new legal marijuana (cannabis) growing operation. Council had agreed to have the prospective users of the building make a presentation to Council on the proposed use. Mark Lichty said he has been trying to lease the building for over a year now, after the former business relocated out of state. Mr. Lichty said a group of representatives from Mission PA were present tonight to answer any questions concerning the proposed use.

Ryan Conley of Mission PA said he is one of the local partners in this group and resides in Bushkill; his main interest is bringing some economic development to the area. Mr. Conley introduced several other persons involved in the project, including Chris Crane and Andrew Toot.

Mr. Reese asked about previous comments by Mission PA staff on “giving back to the community”. Mr. Crane said this is an important issue for him and for the company, and in fact, one part of the application requires the applicant to demonstrate funding to go back to the local community.

Mr. Martinelli asked if not awarded a license in round 1, would the company apply in round 2? Mr. Conley said Mission PA will be interested in applying as long as the former Bustin Building is available.

Mr. Cross asked about traffic to/from the site with the proposed use? Mr. Lichy said the product will be shipped in terms of pounds – not tons – so there will be less traffic than when Bustin Industries was in operation. Darren Potter of Mission PA said the product is not dispensed at the site; the extracted oil is packaged and shipped to the dispensing firms. Mr. Cross asked if there will be any odors from the facility? Mr. Potter said any odors are mitigated by using ultraviolet light and carbon or ozone sterilization. Mr. Cross asked about electrical usage? Mark Lichy said the existing electric service is very sufficient for the proposed usage.

Mr. Molin asked how long the company has been in existence? Mr. Crane said since 2011. Mr. Molin said his main concern had been security, and that has been addressed.

Bill Cameron of the Pocono Record asked if Mission PA would operate dispensing facilities? Mr. Crane said the company is applying for a separate dispensing location, not at this site, but there is no guarantee.

Mrs. Wolbert asked if Mission PA would be buying the facility, or operating under a lease agreement? Mark Lichy said they are negotiating a long-term lease.

Charlie Cahn of South Green Street said he was attending the meeting to express his support for the project since he is a friend of Mr. Lichy.

Mr. Crane said since Mission PA will be investing \$6-10 million in the project, they would like the Borough to provide a letter of support that they can include in their application. Mr. Prevoznik said the proposed use is considered by the Zoning Officer to be a permitted use in this zoning district, so Council could provide a general letter of support, which would be subject to satisfaction of normal zoning requirements, etc. After discussion, Mr. Cross made a motion, seconded by Mr. Reese, to provide a letter of support as requested, to be drafted by Solicitor Prevoznik; the motion carried unanimously. Mr. Crane said Mission PA would provide sample letters of support to Mr. Prevoznik for his use.

Public Comments – Agenda Items

None.

Authorize advertising for Bid Proposals for Mowing/Lawn Care Services for new contract period beginning April 1, 2017

Mr. Reese made a motion, seconded by Mr. Molin, to authorize advertising for bid proposals for mowing/lawn care services as recommended; the motion carried unanimously

Authorize advertising informational meeting on Water System Capital Projects and proposed Ordinance Amending Chapter 154 Water Code Increasing Water Rates

Acevedo to assist in coordination of repair work at the Dansbury Park Swimming Pool. Mrs. Wolbert made a motion, seconded by Mr. Molin, to authorize Ms. Acevedo to work with the Pool Committee and staff on the pool work as recommended; the motion carried unanimously.

Mrs. Wolbert said the Committee has also received a list of work from John Wisegarver that needs to be done at the Pool in order to open for this summer. The Pool Committee recommends that this work be authorized, up to a \$15,000 total expense limit. Mr. Reese asked for an estimate of the man-hours required by our Public Works maintenance employees? Mr. DeSalva said he did not have such an estimate yet. After discussion, Mr. Molin made a motion, seconded by Mrs. Wolbert, to authorize the work at the Pool up to the \$15,000 limit, as recommended; the motion carried unanimously. Mr. Prevoznik noted that even if Borough employees perform the labor, the procurement limits must still be adhered to for purchase of materials/services. Mr. DeLarco asked Mr. DeSalva for a report on these proposed expenses at the next meeting.

Collections Committee Report on proposed Utility Collections Policy

Mr. Phillips noted one recommendation for revision to the proposed Collections Policy that Council has previously reviewed; that the stated date for mailing of solid waste invoices be no later than February 15th of each year, instead of the February 1st date indicated. Mr. Cross made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 15-2017 approving the Utility Collections Policy as submitted, with the revision as recommended; the motion carried unanimously.

Reports

- i. PLGIT Procurement Card Policy – Mr. Konz said he has received draft policies from PLGIT and will have a draft policy to review with the Personnel Committee at tomorrow morning's meeting.
- ii. Email System Options for Borough – Mr. Konz said he has a proposal to be reviewed with the Technology Committee.
- iii. Proposed Easement Agreement with Met-Ed for upgrade of powerline along Barren Road (Borough reservoir property) – Mr. Prevoznik said he will be meeting with Mr. Phillips and Nate Oiler of RKR Hess to finalize this easement agreement.

Public Comments – New Business

None.

Correspondence

Mr. Phillips reported receipt of the following items of correspondence:

- i. PA DEP – Emergency Action Plan (EAP) approved for the East Stroudsburg Dam
- ii. PA DEP – Emergency Action Plan (EAP) approved for the Middle Dam
- iii. PennDOT – Liquid Fuels Payment \$251,564.91 to be made to Borough 3/1/17
- iv. PennDOT – Road Turnback Payment \$6,040.00 to be made to Borough 3/1/17
- v. PennDOT – Revised Traffic Signal Permit Issued to Brown St./S Courtland St./Ridgeway St. intersection. Mr. Phillips said the revised permit incorporates the change in name for the section of Bridge Street, now to be designated as part of Ridgeway Street.

Adjournment