

MINUTES FOR REGULAR MEETING  
EAST STROUDSBURG BOROUGH COUNCIL  
TUESDAY, APRIL 2, 2019 – 7:00 p.m.

PRESENT: Bill Reese, Manager Brian Bond, Don Cross, Roger DeLarco, Solicitor John C. Prevoznik, Maury Molin, Borough Engineer Nate Oiler, Finance Officer Ken Konz, Codes Officer Marv Walton and Mayor Martinelli

ABSENT: Sonia Wolbert, and Ed Flory

The Pledge of Allegiance was recited.

**March 19, 2019 Minutes**

A motion was made by Mr. Cross and seconded by Mr. Molin, to approve the March 19, 2019 Council Meeting minutes. The motion carried unanimously.

**Public Comments – Agenda Items**

None.

**Police Report**

The SARPD report will be given at the April 16, 2019 meeting.

**East Stroudsburg Community Alliance**

The Borough-wide “Pick Up the Borough” will be on Saturday, April 20<sup>th</sup> from 8:00 am to 12:00 pm. Refreshments, safety vests, gloves, and bags will be available at the Depot starting at 7:30 am.

**Engineer’s Report**

The Engineer’s Report was distributed.

**H2O PA Grant for High Hazard Dam**

At the March 26, 2019 Commonwealth Financing Authority (CFA) Board Meeting, the Borough was awarded a \$650,484.00 grant for the Middle Dam Rehabilitation. When the CFA mails the Commitment Letter and Grant Agreement to the Borough, both will need to be signed and returned to CFA.

A motion was made by Mr. DeLarco and seconded by Mr. Cross to direct the Borough Manager to send a letter to Senator Mario Scavello thanking him for supporting the grant application for the Middle Dam Rehabilitation Project. The motion carried unanimously.

Mr. DeLarco stated he received a call from the Senator the day the grant happened. Mr. DeLarco suggested the letter to Senator Scavello mentions that Council appreciates his support, and asked if a letter to our State Representative will be sent. Mr. Bond will confirm Representative Madden’s involvement and if appropriate, a letter will be sent.

A motion was made by Mr. DeLarco and seconded by Mr. Molin to send a letter of appreciation to State Representative Madden, if appropriate. The motion carried unanimously.

### **Annual Dam Inspections**

A motion was made by Mr. Cross and seconded by Mr. Molin to approve the contract for annual dam inspections for 2019, 2020 and 2021 for the East Stroudsburg Dam at a cost not to exceed \$1,475.00 per year. The motion carried unanimously.

### **Public Comments – New Business**

Anthony Matrisciano, a borough resident, recently received a \$50 fine for leaving trash cans out too late after collection, and is frustrated because he was not aware of this ordinance. He suggested we change the way we notify residents of any public hearings so everyone is aware of changes in enforcement. Mr. Bond advised this ordinance has always been enforced, and had been an immediate citation with the Magistrate's office with a \$50 fine plus court costs. There is no new enforcement. Ms. Kessler suggested text alerts be sent with changes, as Pocono Record is not read by many residents anymore. Mr. Prevoznik stated the minutes are posted on our website, and any upcoming public hearings would be in the minutes. Mr. Gencturk also received fines for garbage cans, however, the garbage is put on his property by someone other than the occupants. He requested the borough install cameras on all streets to monitor and enforce this issue. Mr. Prevoznik stated the borough cannot do that, but the homeowner can install cameras on their property to monitor and protect it. Mr. Molin suggested contacting the police if there is a pattern. Mr. Reese advised a picture of the license plate of the vehicle that is illegally dumping be reported to the borough. Mr. Bond advised the homeowner to contact Monroe County Waste Authority; they will go through the bags of trash to find names and contact information and will fine them up to \$1,000.00.

Laura Kessler brought to Council's attention the four essays that have been submitted to Rotary of Smithfields from ESASD students. She would like to send them so council could somehow pass them along to the community. Mr. Molin asked Ms. Kessler to remind all community kids about the borough clean up on April 20.

### **Reports**

#### **Marv Walton:**

Mr. Walton requested authorization to set a public hearing on the following ordinances: Chapter 64 Alarm Systems, Chapter 67 Animals, Chapter 69 Banners, and Chapter 124 Rental Property, for Tuesday, April 16, 2019 at 7:00 p.m.

A motion was made by Mr. Molin and seconded by Mr. Cross to set a public hearing on the following ordinances: Chapter 64 Alarm Systems, Chapter 67 Animals, Chapter 69 Banners, and Chapter 124 Rental Property, for Tuesday, April 16, 2019 at 7:00 p.m., 7:10 p.m., 7:20 p.m., and 7:30 p.m. The motion carried unanimously. Mr. Molin suggested we put the information of proposed ordinances and hearing dates on our website.

Mr. Walton requested authorization to set a public hearing on Chapter 157 Zoning for June 4, 2019 at 7:00 p.m., contingent upon Planning Commission and Zoning Hearing Board review.

A motion was made by Mr. Molin and seconded by Mr. Cross to refer proposed amendment to Chapter 157, Zoning to the Borough Planning Commission and the Monroe County Planning Commission for review and comment.

A motion was made by Mr. Cross and seconded by Mr. Molin to set a public hearing on Chapter 157 Zoning for June 4, 2019 at 7:00 p.m. contingent upon the Borough Planning Commission and the Monroe County Planning Commission review.

Mr. Walton reported there have been citations issued to vehicles parked in front yards, after being brought to his attention last meeting.

**Ken Konz:**

The February 2019 financial statements were distributed.

Mr. Konz requested approval of the implementation of Positive Pay to ESSA bank accounts. Positive Pay Service includes fraud protection services for both check disbursements and ACH transactions being presented to ESSA for payment or settlement. A file goes to the bank with all the checks issued, and when someone tries to cash a check with any differences, the check is flagged and the borough is alerted. This is a service provided by ESSA at no charge.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve the implementation of Positive Pay to ESSA bank accounts. The motion carried unanimously.

**Mayor Armand Martinelli:**

No Report.

**Sonia Wolbert:**

Absent.

**Don Cross:**

No Report.

**Maury Molin:**

Mr. Molin requested a letter of congratulations be sent to the East Stroudsburg University Men's Basketball team for another stellar season.

A motion was made by Mr. Molin and seconded by Mr. DeLarco, directing the Borough Manager to send a letter of congratulations to the East Stroudsburg University Men's Basketball team for another stellar season. The motion carried unanimously.

Mr. Molin reported FLETCHA needs to postpone the forum and no date has yet been provided.

**Roger DeLarco:**

Mr. DeLarco requested the status of the codes review. Mr. Bond stated we should have it by the end of April, at which time any comments and changes will be relayed. Additionally, the borough has not had a change to our fee schedule since 2015. Mr. DeLarco suggested any scheduled public hearings should be public knowledge since there will be many changes to come.

**Ed Flory:**

Absent.

**Solicitor John Prevoznik, Esq:**

Mr. Prevoznik has items for executive session.

**Manager's Report:**

Mr. Bond received a request from the Pocono Dulcimer Club for 20 Meter Bangs for the Spring Festival to be held on Saturday, April 27, 2019 at the East Stroudsburg Methodist Church.

A motion was made by Mr. Reese and seconded by Mr. Molin to approve the request from the Pocono Dulcimer Club for 20 Meter Bags for the Spring Festival to be held on Saturday, April 27, 2019 at the East Stroudsburg United Methodist Church. The motion carried unanimously.

Mr. Bond received a letter of resignation from John Eilenberger.

A motion was made by Mr. Cross and seconded by Mr. Molin to accept the letter of resignation from John Eilenberger. The motion carried unanimously.

A motion was made by Mr. Cross and seconded by Mr. Molin to send Mr. Eilenberger a letter of resignation for his years of exemplary service and to name the Terra Greens Pro Shop the "J. Eilenberger Pro Shop". The motion carried unanimously.

Mr. Bond requested approval of Resolution 2-2019, eliminating free parking spaces in all municipal parking lots, adding four long term lease parking spaces in parking lot #1 (Day Street Lot), deleting nine metered spaces and adding 19 long term lease parking spaces in parking lot #2 (Harlacher Lot), deleting four metered spaces and adding four long term lease parking spaces in parking lot #3 (S. Courtland Street Lot), adding 30 metered parking spaces and adding 39 long term lease parking spaces in parking lot #4 (S. Kistler Street Lot), and adding 15 long term lease parking spaces in parking lot #5 (N. Kistler Street Lot).

A motion was made by Mr. Molin and seconded by Mr. Cross to table the request to approve Resolution 2-2019 to allow time to notify residents and businesses in the downtown area. The motion carried unanimously.

Mr. Bond received a request from the Smithfield Elementary PTO and the Stroudsburg First Presbyterian Church for a donation of a round of golf for two with a cart at Terra Greens Golf Course for fundraising events.

A motion was made by Mr. Molin and seconded by Mr. Cross to approve a request from the Smithfield Elementary PTO and the Stroudsburg First Presbyterian Church for a donation of a round of golf for two with a cart at Terra Greens Golf Course for fundraising events. The motion carried unanimously.

Mr. Bond reported the Kimco invoice for the water break has been paid. Mr. Prevoznik stated our staff met with Kimco officials and all agreements are awaiting action from Kimco.

Additionally, all of the agreements for the ESU Information Commons have been signed by the borough, and are awaiting action from ESU.

**Bill Reese:**

No Report.

**Bills Payable**

A motion was made by Mr. Molin and seconded by Mr. Cross to ratify bills payable through April 2, 2019. The motion carried unanimously.

**Executive Session**

A motion was made by Mr. Molin and seconded by Mr. Cross to go into Executive Session at 7:53 p.m. The motion carried unanimously.

A motion was made by Mr. Cross and seconded by Mr. Molin to reconvene the meeting at 8:22 p.m. The motion carried unanimously.

Mr. Prevoznik reported that real estate acquisition/lease matters were discussed and no decisions were made.

A motion was made by Mr. Cross and seconded by Mr. DeLarco to approve the Borough Manager and Solicitor to negotiate with area businesses regarding parking spaces. The motion carried unanimously.

**Adjournment**

A motion was made by Mr. Cross and seconded by Mr. Molin to adjourn the meeting at 8:23 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, April 16, 2019; 7:00 p.m.