

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, OCTOBER 1, 2019 -7:00 p.m.

PRESENT: Manager Brian Bond, Sonia Wolbert, Ed Flory, Mayor Martinelli,
Solicitor John C. Prevoznik, Maury Molin, Roger DeLarco, Bill Reese,
and Borough Engineer Nate Oiler

ABSENT: Don Cross

The Pledge of Allegiance was led by Sonia Wolbert.

September 17, 2019 Minutes

A motion was made by Mr. Molin and seconded by Mr. Flory, to approve the September 17, 2019 minutes. The motion carried unanimously.

September 24, 2019 Minutes

A motion was made by Mr. Flory and seconded by Mr. Molin, to approve the September 24, 2019 minutes. The motion carried unanimously.

Public Comments – Agenda Items

Rich Kishpaugh of 243/245 Willow Street expressed his concerns regarding the ongoing Willow Street project. Along with other concerns, he stated the storm water basins are too low and are unsafe. After discussion, a motion was made by Mr. DeLarco and seconded by Mr. Flory to conduct a pre-meeting with Mr. Kishpaugh to walk through the project prior to the final walk through with the contractor. The motion carried unanimously.

A resident of North Green Street advised there are problems with college students in that area. Police have been called four times since August and one report has been filed with the Codes Officer. After discussion, council advised that SARPD will be contacted regarding the issues.

SROSRC

Ms. Wolbert advised Wednesday, October 2 is the Meet and Greet for the new SROSRC Director.

Veterans Park Update

After discussion, a motion was made by Mr. Molin and seconded by Mr. Flory to hold a ceremony with Taps in Veterans Park on Sunday, November 10, 2019 at 1:00 p.m. The motion carried unanimously.

Police Report

The SARPD report will be given at the October 15, 2019 meeting.

East Stroudsburg Community Alliance

Pickle Me Pocono Festival will be held on Saturday, October 5 from 12:00 to 5:00 p.m.

Mr. Molin requested authorization for the 150th Committee to sell Borough license plates and Borough stationery at the Pickle Me Pocono Festival, with all proceeds going to the 150th celebrations.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to authorize the 150th Committee to sell Borough license plates and Borough stationery at the Pickle Me Pocono Festival, with all proceeds going to the 150th celebrations. The motion carried unanimously.

Engineers Report

The Engineers Report was distributed.

Willow Street Utility, Drainage and Road Improvements

Mr. Oiler recommended the approval of a change order to increase the number of test digs under contract, as described in Item 135 from 11 EA to 12EA. This additional test dig is being performed to verify depth of existing water service lateral and lower lateral as needed at location of proposed drainage swale to provide adequate cover for the existing water service lateral. The cost of this change order is \$1,630.00.

A motion was made by Mr. Molin and seconded by Mr. Reese to approve a change order to increase the number of test digs under contract, as described in Item 135 from 11 EA to 12EA. This additional test dig is being performed to verify depth of existing water service lateral and lower lateral as needed at location of proposed drainage swale to provide adequate cover for the existing water service lateral. The cost of this change order is \$1,630.00. The motion carried unanimously.

Mr. Oiler recommended the approval of a change order in the amount of \$18,275.19, associated with the installation of additional stone road base due to the observation of soft/unsuitable subbase along Willow Street during the performance of roadway improvements. RKR Hess recommends a time extension for Substantial Completion only, until September 26, 2019 (18 days), with no change to the Final Completion date.

A motion was made by Mr. DeLarco and seconded by Mr. Molin to approve a change order in the amount of \$18,275.19, associated with the installation of additional stone road base due to the observation of soft/unsuitable subbase along Willow Street during the performance of roadway improvements. The motion carried unanimously.

RKR Hess recommends a time extension for Substantial Completion only, until September 26, 2019 (18 days), with no change to the Final Completion date.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to table the approval for the time extension. The motion carried unanimously.

Zoning Ordinance Review Committee (ZORC) Update

Mr. Oiler provided the following update from ZORC: The ZORC met to discuss the creation of a new zoning district (C1-B) to allow flexibility on building height to provide for increased development options; The need to provide setbacks necessary for sidewalks, landscaping and future road improvements was discussed. A way to accomplish this goal with the wide variety of existing right of ways and road functions was identified as a challenge that must be addressed; A meeting with Borough Staff, Engineer, and Solicitor was to be scheduled to draft ordinance revisions for presentation to the ZORC; and the proposed ordinance revision is anticipated to be discussed at meeting to be rescheduled in place of meeting that will fall on Columbus Day.

Pocono Plaza Update

Mr. Oiler advised the Brown Street vacation documents have not been received by Kimco. Mr. Oiler is to schedule a meeting with Kimco to review the status of the project.

PennDot Route 80 Right of Way – Lincoln Avenue and Route 80 Update

Mr. Oiler and Mr. Bond met with Drew Salko, of Arrow Land Solutions, to discuss the PennDot need for rights of way along Route 80 and Lincoln Avenue for the proposed Route 80 improvement. Mr. Oiler provided the following highlights of the meeting: Proposed right of ways overlay the record limits of the landfill. PennDot indicated that the proposed grading in the right of way in an adjacent to the record landfill limits is temporary fill and no excavation below existing grade is proposed. RKR Hess recommends this condition be stated on any agreements for the release requested of the rights of way; It was noted that the construction entrance required for the PennDot project could provide access to the public around the existing gate to the recycling center. PennDot indicated the contractor will be required to restrict access from the construction access in a way to prevent public access to the recycling center. RKR Hess recommends that this condition be stated on any agreements for the release of the requested rights of way; RKR Hess is preparing a boundary survey of the tracts that make up the Borough property along Lincoln Avenue and Forge Road. RKR noted inconsistencies in the proposed easement boundaries between the right of way for Lincoln Avenue and Forge Road, based on the record Borough road ordinances. This information was forwarded to Arrow with a request to coordinate on the description of the rights of ways for consistency with record documents. RKR Hess recommends that this coordination be stated as a condition on any agreements for the release of the requested rights of way.

A motion was made by Mr. Flory and seconded by Mr. Molin to authorize the Borough Solicitor, Engineer, and Manager to review the Right of Way Agreements provided by PennDot and include appropriate conditions for the agreements. The motion carried unanimously.

Public Comments – New Business

Judy Cherepko, owner of rental properties in the borough, had questions regarding rental inspections, and complaints about the inspections of the rental properties. After a discussion, Mr. Molin asked Ms. Cherepko to report back to council on what she experienced with any staff, no action was taken.

A resident had questions about the solid waste program and prices. A discussion ensued, no action was taken.

Reports:

Ken Konz:

Receipt of State Pension Aide/2019 Payment to PMRS

Mr. Konz reported the borough is in receipt of state pension aide in the amount of \$148,494.47; we received it on September 18, 2019. The 2019 payment to PMRS in the amount of \$199,838.00 is included in tonight's bills payables.

Approval of EDU Agreements

Mr. Konz requested approval to enter into five agreements pertaining to EDU water/sewer additional tapping fees. The ratification of the payment agreements was tabled. No action taken.

Mayor Martinelli:

No Report.

Sonia Wolbert:

No Report.

Don Cross:

Absent.

Maury Molin:

Mr. Molin discussed the upcoming 150th meetings scheduled for Thursday, October 17th at the Dansbury Depot from 5:30 to 6:30 p.m. The two upcoming committee meetings are October 3 and October 17 at 1:00 p.m. at the Borough Hall. The 150th Committee will have a booth set up at the Pickle Me Pocono Festival on Saturday, October 5.

Roger DeLarco:

No Report.

Ed Flory:

Mr. Flory announced the fire company will be involved with the Marshalls Creek and Shawnee fire departments, at JTL Intermediate School on Tuesday, October 8 from 6:00 – 9:00 p.m. There will be activities for the public during fire prevention week.

Solicitor John Prevoznik

Items for executive session.

Manager's Report

Mr. Bond requested authorization to offer a part-time Parking Enforcement Officer position to Marlon Brewster at \$15.00 an hour.

A motion was made by Mr. Flory and seconded by Mr. Molin to approve offering a part-time Parking Enforcement Officer position to Marlon Brewster at \$15.00 an hour. The motion carried unanimously.

Mr. Bond reported a request from the Resica Elementary School PTA for a round of golf for two with a cart from Terra Greens Golf Course for a fundraising event on November 2, 2019.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve the request from the Resica Elementary School PTA for a round of golf for two with a cart from Terra Greens Golf Course for a fundraising event on November 2, 2019. The motion carried 4-1 (Yea: Mr. Molin, Ms. Wolbert, Mr. Reese, Mr. DeLarco; Nay: Mr. Flory).

Mr. Bond announced the Pick Up the Poconos event resulted in 91 bags of trash, one pool, one toaster oven, one grill and one refrigerator being collected.

A motion was made by Ms. Wolbert and seconded by Mr. Molin authorizing the Borough Manager to send a thank you letter to East Stroudsburg University for their partnership with the Borough for the Pick up the Poconos event. The motion carried unanimously.

Mr. Bond requested authorization to advertise the Comprehensive Task Force meetings and all other regularly scheduled committee meetings.

A motion was made by Ms. Wolbert and seconded by Mr. Flory to approve advertising the Comprehensive Task Force meetings and all other regularly scheduled committee meetings. The motion carried unanimously.

Mr. Bond requested approval of Resolution 16-2019, requesting a study of the impacts of the NJDot I-80 Rockfall Mitigation Project to the infrastructure, economy and commerce of the Poconos.

A motion was made by Ms. Wolbert and seconded by Mr. DeLarco to approve Resolution 16-2019, requesting a study of the impacts of the NJDot I-80 Rockfall Mitigation Project to the infrastructure, economy and commerce of the Poconos. The motion carried unanimously.

Mr. Bond requested approval to set the 2019 Trick or Treat date and hours.

A motion was made by Ms. Wolbert and seconded by Mr. Flory to set the 2019 Trick or Treat date and hours to Thursday, October 31st from 6:00 p.m. – 8:00 p.m. The motion carried unanimously.

Bill Reese:

No report.

Bills Payable

A motion was made by Ms. Wolbert and seconded by Mr. Flory to ratify bills payable through October 1, 2019. The motion carried unanimously.

Executive Session

A motion was made by Mr. Molin and seconded by Ms. Wolbert to go into Executive Session at 8:02 p.m. The motion carried unanimously.

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

A motion was made by Mr. Molin and seconded by Mr. Flory to approve replacing 14-inch backwash valves at the East Stroudsburg Water Treatment Plant upon the Borough Engineer submitting a letter stating it is an emergency. The motion carried unanimously.

Adjournment

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

NEXT REGULAR MEETING: Tuesday, October 15, 2019 @ 7:00 p.m.