

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
MONDAY JANUARY 6, 2020 -7:00 p.m.

PRESENT: Manager Brian Bond, Solicitor John C. Prevoznik, Maury Molin, Roger DeLarco, Bill Reese, Sonia Wolbert, Carrie Panepinto, Mayor Martinelli, Borough Engineer Nate Oiler, Codes Officer Marv Walton, Finance Officer Ken Konz, and Public Works Director Brian Ace

ABSENT: Don Cross

Organizational Meeting

Mayor Martinelli swore in Councilmember William Reese.

The Pledge of Allegiance was recited.

Council President

A motion was made by Ms. Wolbert and seconded by Mr. Molin to re-elect Mr. Reese as Council President. The motion carried unanimously. Mr. Reese accepted the nomination and Mayor Martinelli passed the gavel to the re-elected president.

Council Vice President

A motion was made by Mr. Molin and seconded by Ms. Panepinto to re-elect Ms. Wolbert as Council Vice President. The motion carried unanimously.

Council Pro Tem

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to re-elect Mr. Molin as Council President Pro Tem. The motion carried unanimously.

Non-Employee Position Appointments

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to appoint John Prevoznik, Esquire as Borough Solicitor at \$175.00/hour. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to appoint RKR Hess, a division of UTRS, Nate Oiler, P.E., as Borough Engineer at \$114.00/hour. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to appoint Durney, Worthington & Madden LLC as Zoning Hearing Board Solicitor, at \$135.00/hour. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to appoint Todd Weitzman, Esq., as Planning Commission Solicitor at \$150.00/hour. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to appoint Glace Associates, Inc., Max Stoner, P.E. as Borough Sewer Engineer at \$135.00/hour. The motion carried 3-1 (Yea: Ms. Panepinto, Mr. Reese, Ms. Wolbert; Nay: Mr. Molin).

A motion was made by Ms. Wolbert and seconded by Mr. Molin to appoint Manko, Gold, Katcher & Fox, Marc E. Gold, Esquire, as Borough Environmental Solicitor at \$595.00/hour. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to appoint Ralph Matergia, Esquire as Borough Sewer Solicitor at \$300.00/hour. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to appoint Craig Dool, Esquire, as Borough Utilities Solicitor at \$175.00/hour. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to appoint John McLaughlin, Esquire as Borough Labor Solicitor at \$325.00/hour. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to appoint Young and Haros, LLC, Gregory D. Malaska, Esquire as Borough Collections Solicitor at \$165.00/hour. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to appoint Newman Williams, Vincent Rubino as Borough Bankruptcy Solicitor at \$165.00/hour. The motion carried unanimously.

Employee Position Appointments

A motion was made by Mr. Molin and seconded by Ms. Wolbert to approve the employee position appointments as stated below:

Brian S. Bond as Borough Manager/Secretary/Treasurer

Rebecca Smith as Alternate Borough Secretary and Right to Know Officer

Anita Einolf as Health Officer

Ken Konz as Finance Officer

Marv Walton as Emergency Management Coordinator

Marv Walton as Fair Housing Officer

Brian Ace as Director of Public Works (acting)

The motion carried unanimously.

The following Annual Board appointments are as follow:

Council of Governments – Brian Ace, representative; Maury Molin, alternate

MECAB – Bill Reese, representative; Sonia Wolbert, alternate

Tax Collection Committee – Ken Konz, representative; Roger DeLarco, alternate

Monroe County Control Center – Maury Molin and Brian Bond

Pennsylvania Municipal League – Roger DeLarco, representative; Brian Bond, alternate

Board and Commission Appointments

A motion was made by Mr. Molin and seconded by Ms. Panepinto to appoint Andrea McClanahan, Tracy Granger and Karen Barwick, with all terms ending December 31, 2023 to the Borough Planning Commission. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to table the vacancy of the Borough Planning Commission. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to table the appointments to the Zoning Hearing Board. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to appoint Maria Cohen with term ending December 31, 2022 to the Shade Tree Commission. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to table the vacancy of the Shade Tree Commission. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Molin to appoint Sonia Wolbert with term ending December 31, 2022 to the Stroud Region Open Space and Recreation Commission. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to appoint Armand Martinelli with term ending December 31, 2022 to the Stroud Area Regional Police Commission. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to appoint Donald Ludwig and John Toleno with both terms ending December 31, 2022 to the Property Maintenance Board of Appeals. The motion carried unanimously.

Depositories

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve PA Treasury Invest Program and ESSA Bank as borough Depositories. The motion carried unanimously.

Resolution 1-2020, Naming Signatories for Bank Accounts

Brian Bond, Bill Reese, Sonia Wolbert and Maury Molin are to be designated signatories for the borough bank accounts. A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve Resolution 1-2020, Naming Four Signatories for bank accounts.

2020 Borough Council Meeting Schedule

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to set and advertise the 2020 Borough Council Meeting Schedule as the first and third Tuesday of each month at 7:30 p.m. The motion was lost 2-3 (Yea: Ms. Wolbert, Ms. Panepinto; Nay: Mr. Molin, Mr. Reese, Mr. Martinelli).

A motion was made by Mr. Molin and seconded by Ms. Wolbert to set and advertise the 2020 Borough Council Meeting Schedule as the first and third Tuesday of each month at 7:15 p.m. The motion carried unanimously.

2020 Borough Boards and Committees Meeting Schedule

All of the below meetings will be held in the Municipal Building:

Comprehensive Plan Task Force – 2nd and 4th Wednesday of each month at 5:00 p.m.

Shade Tree Commission – 2nd Monday of each month at 11:00 a.m.

Planning Commission – 2nd Tuesday of each month at 7:00 p.m.

Zoning Hearing Board – 3rd Thursday of each month at 7:00 p.m.

Property Maintenance Appeals Board – 4th Tuesday of each month at 7:00 p.m.

Utility Dispute Resolution Committee – February 5th, May 6th, August 5th, November 4th at 9:00 a.m.

Executive Committee – January 17, 31, February 14, 28, March 13, April 3, 17, May 1, 15, 29, June 12, July 2, 17, 31, August 14, 28, September 11, October 2, 16, 30, November 13, 35, December 11 at 8:00 a.m.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to set and advertise the 2020 Borough Boards and Committees Meeting Schedule as presented.

Committee Assignments as Designated by the Council President

Audit Committee – Roger DeLarco, Sonia Wolbert, Maury Molin

Collections Committee – Roger DeLarco, Sonia Wolbert, Carrie Panepinto, Ken Konz, Brian Bond

Sewer Task Force Committee – Bill Reese, Ed Flory, Maury Molin, Brian Bond

Zoning Ordinance and Review Committee – Sonia Wolbert, Maury Molin, Roger DeLarco, Marv Walton, Brian Bond

Recycling Committee – Bill Reese, Brian Bond, Don Cross

Personnel Committee – Sonia Wolbert, Bill Reese, Maury Molin, Brian Bond

Comprehensive Plan Committee – Roger DeLarco, Sonia Wolbert, Armand Martinelli, Marv Walton, Brian Bond

Executive Committee – Maury Molin, Sonia Wolbert, Bill Reese, Brian Bond

MS4 Committee – Sonia Wolbert, Carrie Panepinto, Maury Molin

Utility Dispute Committee (three year term) – Bill Reese

Veterans Park Committee – Bill Reese, Maury Molin, Ed Flory

Regular Meeting

A motion was made by Mr. Molin and seconded by Ms. Panepinto to advertise and set a public hearing to amend the Intergovernmental Cooperative Agreement with the Brodhead Creek Regional Authority for 7:05 p.m. on Tuesday, February 18, 2020 at the East Stroudsburg Municipal Building, amending the motion from Tuesday, December 17, 2019. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to advertise and set a public hearing for Ordinance 1354, approving the payment agreement with the Brodhead Creek Regional Authority for the 7th amendment of the Intergovernmental Cooperative agreement, for 7:15 p.m. on Tuesday, February 18, 2020 at the East Stroudsburg Municipal Building, amending the motion from Tuesday, December 17, 2019. The motion carried unanimously.

December 17, 2019 Minutes

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

Public Comments – Agenda Items

None.

SROSRC

No Report.

Police Report

The December SARPD report will be given at the January 21, 2020 meeting.

East Stroudsburg Community Alliance

No Report.

150th Update

Mr. Molin encourages everyone to attend the Community Meeting being held on January 23, 2020 at 6:00 p.m. in the ECA building. Volunteers and sponsors are needed.

Veterans Park Update

Mr. Reese requested authorization for the Shade Tree Committee to plant a tree in Veterans Park for Arbor Day 2020 on Saturday, April 24, 2020.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to authorize the Shade Tree Committee's request to plant a tree in Veterans Park for Arbor Day 2020 on Saturday, April 24, 2020. The motion carried unanimously.

Engineers Report

The Engineers Report was distributed.

2020 Joint Municipal Landfill Monitoring

Mr. Oiler reported the recommendation of RKR Hess that the Borough approve and execute a contract with Analytical Laboratory Testing Services, Inc. (ALS) in the amount of \$8,279.00, to be shared by East Stroudsburg Borough, Stroudsburg Borough and Stroud Township.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to approve and execute a contract with Analytical Laboratory Testing Services, Inc. (ALS) in the amount of \$8,279.00, to be shared by East Stroudsburg Borough, Stroudsburg Borough and Stroud Township, contingent upon the approval by the other two municipalities. The motion carried unanimously.

Public Comments – New Business

None.

Reports:

Brian Ace:

The DPW report was distributed.

Marv Walton:

Mr. Walton advised Mr. Tom Levy, from the Alumni Corp of Phi Sigma Kappa, was in attendance of the meeting, regarding the condition of the property located at 91 Analomink Street. Mr. Walton was in contact with County Waste to confirm the Alumni Corp's check for a dumpster cleared and the dumpster is scheduled to be delivered Tuesday, January 7 to 91 Analomink Street. Mr. Levy apologized to council and the residents for the deplorable conditions and stated the organization is taking the right steps to correct this. Mr. Prevoznik advised Mr. Levy the corporation address needs to be updated, and the corporate contact information needs to be furnished to the Codes and Zoning Officer. Also, Mr. Levy should speak to Mr. Walton regarding all the related issues, and about the restrictions of residents.

Ken Konz:

Mr. Konz discussed the process to be undertaken for the calendar year end 2019.

Mayor Martinelli:

Mr. Martinelli welcomed newly elected council member, Ms. Panepinto.

Sonia Wolbert:

Ms. Wolbert welcomed newly elected council member, Ms. Panepinto.

Don Cross:

Absent.

Maury Molin:

Mr. Molin welcomed newly elected council member, Ms. Panepinto.

Roger DeLarco:

Late, no report.

Carrie Panepinto:

Ms. Panepinto mentioned the continued problem of people parking in the fire lane, especially within the Pocono Plaza. Mr. Martinelli and Ms. Wolbert will bring it to SARPD's attention again, and advised the borough parking enforcement officers ticket for that violation as well. The amount of fire lane violations will be reviewed with ZORC. Ms. Panepinto advised there are cars parking on lawns and across sidewalks. Mr. Walton stated that is a zoning issue and can be enforced. Ms. Panepinto also asked council to consider installing speed humps on Kiwanis Street. Additionally, Ms. Panepinto asked if the borough could have a Facebook page. Lastly, Ms. Panepinto asked if we could have a Junior Council Member.

Solicitor John Prevoznik

Mr. Prevoznik reached out to the Public Utility Commission (PUC) and Mr. Bond will be sending pictures to PUC of the utility poles to be removed. If there is still no response, we will be contacting our utilities solicitor for further action.

Mr. Prevoznik reported he had a meeting with Mr. Oiler, Mr. Walton and Mr. Bond to review the General Code to come up with ideas for ZORC.

Manager's Report

Mr. Bond requested approval of the 2020 Salary and Wage schedule as presented and recommended for approval by the Personnel Committee.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve the 2020 Salary and Wage schedule as presented and recommended for approval by the Personnel Committee. The motion carried unanimously.

Mr. Bond requested approval to advertise the job opening for the Part Time Zoning and Codes Secretary.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to authorize the advertising of the job opening for the Part Time Zoning and Codes Secretary. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. DeLarco to table the appointment of Barry Isett & Associates as the Borough's third-party inspection service. The motion carried unanimously.

TRE Plan Discussion

Mr. Prevoznik and Mr. Bond reported they have been working with Michael Nines of Manko, Gold, Katcher, Fox, LLP., in regards to the Toxicity Reduction Evaluation plan, as part of the sewer discharge permit.

2020 Fee Schedule

Mr. Bond requested approval of the 2020 Fee Schedule.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to table the approval of the 2020 Fee Schedule. The motion carried unanimously.

Bill Reese:

Mr. Reese will have a “State of the Borough” report for next meeting.

Bills Payable

A motion was made by Mr. Molin and seconded by Ms. Wolbert to ratify bills payable through January 6, 2020. The motion carried unanimously.

Mr. Walton mentioned there recently was a fire at 145 S. Courtland Street and he has condemned the building but advised the structure is stable.

Executive Session

A motion was made by Ms. Wolbert and seconded by Mr. Molin to go into Executive Session at 8:40 p.m. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to reconvene the meeting at 8:58 p.m. The motion carried unanimously.

Mr. Prevoznik reported that a pending HRC litigation and personnel matters and a condemnation matter affecting the landfill were discussed and no decisions were made.

A motion was made by Ms. Wolbert and seconded by Mr. DeLarco to authorize Mr. Bond to draft a letter to Stroudsburg Borough and Stroud Township, memorializing the agreement regarding the condemnation of the landfill. The motion carried unanimously.

Adjournment

A motion was made by Ms. Panepinto and seconded by Ms. Wolbert at 9:01 p.m. to adjourn the meeting. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, January 21, 2020 @ 7:15 p.m.