

MINUTES FOR REGULAR MEETING  
EAST STROUDSBURG BOROUGH COUNCIL  
TUESDAY, DECEMBER 17, 2019 -7:00 p.m.

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

The Pledge of Allegiance was led by Frank Smith.

**Executive Session**

An Executive Session occurred at 6:30 p.m. to discuss real estate acquisition and condemnation, and outstanding debt collections; no decisions were made.

**Acknowledgement to Ed Flory – Council Member**

Mr. Reese took time to acknowledge the years of service and many accomplishments from Council Member Ed Flory. Mr. Flory's term ended December 2019 after serving on council for eight years, and also volunteering his time on various committees for the borough. Mr. Flory will be missed by all – thank you for your dedication and service.

**December 3, 2019 Minutes**

A motion was made by Mr. Cross and seconded by Mr. Molin, to approve the December 3, 2019 minutes. The motion carried 5-0, with 1 abstain. (Abstain: Ms. Wolbert, Yea: Mr. DeLarco, Mr. Reese, Mr. Cross, Mr. Molin, Mr. Flory)

**Public Hearing**

Ordinance 1358, Fixing the Real Estate Tax Rate for the year 2020

A motion was made by Mr. Flory and seconded by Ms. Wolbert to recess the regular meeting. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Flory to convene a public hearing on Ordinance 1358. The motion carried unanimously.

Mr. Bond advised the mills for 2020 will be set at 3.7826, and will be reflected as a tax increase of 0.1805%. Mr. Gress of Lions Street expressed his concerns about the small amount of millage being allotted to the street fund, which is three times more than the recreation fund. He stated the streets in his area have not been paved and they are deteriorating. Mr. DeLarco advised there is a backlog of items that need to be done, and agrees the streets need work.

A motion was made by Mr. Molin and seconded by Mr. Cross to enter exhibits 1 (Proof of Publication), 2 (Ordinance), and 3 (sign in sheet) into evidence. The motion carried unanimously.

A motion was made by Mr. Flory and seconded by Ms. Wolbert to close the public hearing and reconvene the regular meeting. The motion carried unanimously.

A motion was made by Mr. Cross and seconded by Mr. Flory to approve Ordinance 1358, Fixing the Real Estate Tax Rate for the year 2020, as advertised and to have the calculation table and

explanation with the ordinance published on the Borough's website. The motion carried unanimously.

### **Public Hearing**

#### **East Stroudsburg Borough 2020 Budget**

A motion was made by Mr. Flory and seconded by Mr. Cross to recess the regular meeting and convene a public hearing on The East Stroudsburg Borough 2020 Budget. The motion carried unanimously.

Mr. Bond reviewed the proposed 2020 Budget. Mr. Gress suggested the proposed budget and the prior year budget could be published on the borough's website in advance for comparison.

A motion was made by Mr. Cross and seconded by Mr. Molin to enter exhibits 1 (Proof of Publication), 2 (Ordinance), and 3 (sign in sheet) into evidence. The motion carried unanimously.

A motion was made by Mr. Flory and seconded by Ms. Wolbert to close the public hearing and reconvene the regular meeting. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Flory to approve the East Stroudsburg Borough Budget for the year 2020 as advertised. The motion carried unanimously.

### **Public Comments – Agenda Items**

None.

### **Police Report**

The November SAPRD report was sent via email. Lt. Raymond was present and reported there has been an increase in overtime the past few months since four officers were out with injuries. Two new officers will be graduating and on patrol soon.

### **East Stroudsburg Community Alliance**

Ms. Wolbert reported a donation of \$1500.00 from the Pocono Chamber of Commerce was received. The PickleFest has been scheduled for September 26, 2020.

### **SROSRC**

The SROSRC reports were distributed. Ms. Wolbert advised a new recreation manager was hired.

### **Veterans Park Update**

Mr. Reese advised the dedication ceremony is scheduled for May 23, 2020 at 11:00 a.m. Fence panels are to be painted with a patriotic mural. Mr. Reese would like to consider a sidewalk from one side of the park to the other.

### **150<sup>th</sup> Update**

Mr. Molin advised the next community meeting is scheduled for Thursday, January 23, 2020 at 6:00 p.m. in the ECA building. Sponsors and volunteers are needed to make the 150<sup>th</sup> anniversary a successful event.

## **Engineers Report**

The Engineers Report was distributed.

### **Interstate 80 Exit 308 Realignment Project – Utility Impacts**

Mr. Oiler reported a request from RKR Hess for approval of a Change of Scope to the design Letter of Understanding to include soil testing and design of cathodic protection for the steel casing pipe for the waterline to be installed under Route 80 near Brodhead Avenue. This Change of Scope should be eligible for 90% reimbursement by PennDot under the Cost Sharing Agreement.

A motion was made by Mr. Flory and seconded by Mr. Cross to approve a request from RKR Hess for approval of a Change of Scope to the design Letter of Understanding to include soil testing and design of cathodic protection for the steel casing pipe for the waterline to be installed under Route 80 near Brodhead Avenue. This Change of Scope should be eligible for 90% reimbursement by PennDot under the Cost Sharing Agreement. The motion carried unanimously.

### **2020 Joint Municipal Landfill Monitoring**

Mr. Oiler requested approval of a proposal from RKR Hess for the Annual Joint Municipal Landfill Monitoring, with cost sharing between East Stroudsburg Borough, Stroudsburg Borough, and Stroud Township.

A motion was made by Mr. Cross and seconded by Mr. Flory to approve the proposal from RKR Hess for the Annual Joint Municipal Landfill Monitoring, with cost sharing between East Stroudsburg Borough, Stroudsburg Borough, and Stroud Township, contingent upon approval by the other municipalities. The motion carried unanimously.

### **Minor Subdivision/Lot Line Adjustment 169 Grand Street**

A motion was made by Mr. Molin and seconded by Mr. Cross to approve the Minor Subdivision/Lot Line Adjustment for Robert C. Walker and Robin M. Walker for 164 Analomink Street and 169 Grand Street as recommended by the Planning Commission contingent upon a revised plan showing the Storm Water Easement from 1898 being submitted to the Borough and approved by the Borough Engineer.

## **Public Comments – New Business**

Mr. Costanza of Spring Street received a garbage fine and requested council to waive the fee. No action was taken. He suggested council change the policy to allow a warning before any fines are issued.

Mr. Gress of Lions Street expressed his concern about the telephone poles within the borough that are damaged and out of use but still standing. These poles are a hazard and should be removed. Mr. Bond stated it is a PUC issue and he has already reported it.

A motion was made by Mr. DeLarco and seconded by Mr. Flory to authorize the solicitor to review the PUC regulations to find the next step the borough can take and write a letter to the two utility companies. The motion carried unanimously.

Mr. Sacks of Prospect Street, Mr. Tarhovicky of Floral Lane, and Mr. Martinez of Gold Street had questions about the new garbage policy and prices.

There was a discussion about recent incidents at 91 Analomink Street. A motion was made by Mr. Molin and seconded by Mr. Flory to authorize the Solicitor and Zoning Officer to work together to find a remedy and proceed with any enforceable action. The motion carried unanimously.

**Reports:**

**Fire Chief's Report:**

The Fire Chief's report was distributed.

**Public Works:**

The Water Treatment Plant report was distributed.

**Marv Walton:**

The Permits, Violations, Inspections and Parking Enforcement Reports were distributed.

Mr. Walton requested authorization to refer the proposed CI-B Zoning Ordinance to the Borough Planning Commission and the Monroe County Planning Commission for review and comment. The Comp Plan Task Force recommends to make a modern/mixed use. Mr. Oiler reviewed the information aloud. Mr. Walton confirmed this coordinates with the task force.

A motion was made by Mr. Molin and seconded by Mr. Cross to refer the proposed C1-B Zoning Ordinance to the Borough Planning Commission and the Monroe County Planning Commission for review and comment. The motion carried unanimously.

**Ken Konz:**

The November 2019 Borough Financial Statements were distributed.

Mr. Konz reported the new sewer rates have been incorporated into Muni-Link and will be reflected on the invoices for the quarter of December 2019 – February 220.

**Mayor Martinelli:**

Mr. Martinelli requested a letter be sent to Shawnee Fire Department thanking them for providing Santa at the tree lighting. Also, Mr. Martinelli thanked the public works department for helping set and decorate the tree, and thanked Brian Ace for providing a remote control for lighting.

**Sonia Wolbert:**

Merry Christmas!

**Don Cross:**

Mr. Cross asked the status of Pocono Pony at the Giant plaza. Mr. Bond advised Giant should contact Pocono Pony directly.

**Maury Molin:**

The Christmas tree lighting was a great community event!

**Roger DeLarco:**

Mr. DeLarco stated now that the Kimco plaza has been realigned, there is more parking in the fire lanes and cars park near the crosswalk, and block the turning lane.

**Ed Flory:**  
No Report.

**Solicitor John Prevoznik**

A motion was made by Ms. Wolbert and seconded by Mr. Flory to authorize the solicitor to work with the borough manager regarding the PennDot condemnation of our landfill. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to approve filing a stipulation extending the time frame to August 6, 2020 for the payment agreement by Court Order at Docket Number 1390 Civil 2019. The motion carried unanimously.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve Ordinance 1355, Vacating Brown Street and Brown Street Extension pursuant to testimony at the December 3, 2019 meeting. The motion carried unanimously.

**Manager's Report**

Mr. Bond reported a request from Saint Matthew's Parish for the installation of three (3) handicapped parking spaces at the first three (3) spaces on the southeast side of Brodhead Avenue. The Borough Code 150-26.1, C.3.d. Handicap Parking Zones limits Handicap parking spaces to a maximum of four (4) per any one (1) block section of street within the Borough. 150-26.1, C.6 states that this section shall not limit the discretion of Borough Council to establish Handicap Parking Zones or Spaces at other locations where Borough Council deems appropriate. This is a unique location and situation since there are no residents residing on this particular block.

A motion was made by Mr. Molin and seconded by Mr. Flory to approve the request from Saint Matthew's Parish for the installation of three (3) handicapped parking spaces at the first three (3) spaces on the southeast side of Brodhead Avenue, due to the fact that there are no residents residing on this block. The motion carried unanimously.

Mr. Bond reported the request from Saint Matthew's Parish to waive the Handicap Parking Space Installation Fee. The fee is \$50.00 per space and covers labor and the expense of the signs.

A motion was made to deny the request from the Saint Matthew's Parish to waive the Handicap Parking Space Installation Fee. The motion carried unanimously.

Mr. Bond requested authorization to advertise and set a public hearing to amend the Intergovernmental Cooperative Agreement with the Brodhead Creek Regional Authority for 7:45 p.m. on Monday, January 6, 2020 at the East Stroudsburg Borough Municipal Building, amending the motion from Tuesday, December 3, 2019.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to advertise and set a public hearing to amend the Intergovernmental Cooperative Agreement with the Brodhead Creek Regional Authority for 7:45 p.m. on Monday, January 6, 2020 at the East Stroudsburg Borough Municipal Building. The motion carried unanimously.

Mr. Bond requested authorization to advertise and set a public hearing for Ordinance 1354 approving the payment agreement with the Brodhead Creek Regional Authority for 7:55 p.m. on

Monday, January 6, 2020 at the East Stroudsburg Borough Municipal Building, amending the motion from Tuesday, December 3, 2019.

A motion was made by Ms. Wolbert and seconded by Mr. Flory to advertise and set a public hearing for Ordinance 1354 approving the payment agreement with the Brodhead Creek Regional Authority for 7:55 p.m. on Monday, January 6, 2020 at the East Stroudsburg Borough Municipal Building. The motion carried unanimously.

Mr. Bond requested authorization to advertise the East Stroudsburg Borough Reorganizational Meeting for Monday, January 6, 2020 at 7:00 p.m. at the East Stroudsburg Borough Municipal Building.

A motion was made by Mr. Molin and seconded by Mr. Cross to advertise the East Stroudsburg Borough Reorganizational Meeting for Monday, January 6, 2020 at 7:00 p.m. at the East Stroudsburg Borough Municipal Building. 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 December 17, 2019. The motion carried unanimously.

**Adjournment**

A motion was made by Mr. Flory and seconded by Mr. Cross at 9:19 p.m. to adjourn the meeting. The motion carried unanimously.

NEXT REGULAR MEETING: Monday, January 6, 2020 @ 7:00 p.m.