

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY MARCH 3, 2020 -7:15 p.m.

PRESENT: Manager Brian Bond, Solicitor John C. Prevoznik, Carrie Panepinto, Bill Reese, Don Cross, Codes Officer Marv Walton, and Borough Engineer Russ Scott, Finance Officer Ken Konz, Maury Molin, Public Works Director Brian Ace, and Mayor Martinelli

ABSENT: Roger DeLarco, Sonia Wolbert

The Pledge of Allegiance was recited.

February 18, 2020 Minutes

A motion was made by Mr. Cross and seconded by Ms. Panepinto, to approve the February 18, 2020 minutes. The motion carried unanimously.

Public Comments – Agenda Items

None.

SROSRC

Autumn Arthur, Executive Director, announced the pool concessions will be by a third party contractor as permitted by the Intergovernmental Agreement. SROSRC will be paid by the third party contractor. The concessions stands at both, Dansbury Park and Stroudsburg Pool, have had annual losses. The involved restaurants will be announced in the near future. Mr. Reese added it seems counterintuitive to allow patrons to bring their own food into the pool, instead of pushing the concession stand sales.

Veterans Park

Mr. Reese reported the fence is being painted white and soon going to the artists for the patriotic mural, and trees are going to be planted in the park for Arbor Day.

A motion was made by Mr. Molin and seconded by Mr. Cross to accept the rendering as the final choice. This is the one recognizing the five military branches (attached). The motion carried unanimously.

150th Anniversary

Mr. Molin reported the next community meeting is March 5 at 6:00 p.m. To date, the donations are at 65% of the goal. T Shirts for the St. Patrick's Day parade volunteers are available for purchase with a deadline of March 6. The committee is looking for more marchers to help in the parade. Sponsorships are still available, starting at \$50, and are encouraged by all to help support the upcoming events. Also, the train is scheduled to come to Crystal Street during the 4th of July Celebration.

Police Report

The SARPD report will be given at the March 17, 2020 meeting.

East Stroudsburg Community Alliance

Mr. Bond reported the request from the ECA to hold an Easter Hunt in Miller Park on Sunday, April 5, 2020.

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve the request from the ECA to hold an Easter Hunt in Miller Park on Sunday, April 5. The motion carried unanimously.

Mr. Bond reported the request from the ECA to close Crystal Street from Analomink Street to Federal Street, and Washington Street from Crystal Street to the PNC parking lot entrance on July 4, 2020 from 6:00 a.m. to 10:00 p.m. for the 4th of July Celebration.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to approve the request from the ECA to close Crystal Street from Analomink Street to Federal Street, and Washington Street from Crystal Street to the PNC parking lot entrance on July 4, 2020 from 6:00 a.m. to 10:00 p.m. for the 4th of July Celebration. The motion carried unanimously.

Mr. Bond reported the request from the ECA to pay one temporary food vendor fee for all food vendors at the 4th of July Celebration.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve the waiving of the temporary food vendor fee for all food vendors at the 4th of July Celebration; all food vendors must still fill out the required permit application at the Borough Office. The motion carried unanimously.

Mr. Bond reported the request from the ECA to utilize the Borough Levee at Dansbury Park for a fireworks display on July 4, 2020.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to approve the request from the ECA to utilize the Borough Levee at Dansbury Park for a fireworks display on July 4, 2020. The motion carried unanimously.

Mr. Bond reported the request from the ECA to close Crystal Street, from Analomink Street to Washington Street, on Friday, December 4, 2020 from 5:00 p.m. to 9:00 p.m. for the Annual Christmas Tree Lighting Ceremony.

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve the request from the ECA to close Crystal Street, from Analomink Street to Washington Street, on Friday, December 4, 2020 from 5:00 p.m. to 9:00 p.m. for the Annual Christmas Tree Lighting Ceremony. The motion carried unanimously.

Mr. Bond reported the request from the ECA to pay one temporary food vendor fee for all food vendors at the Annual Christmas Tree Lighting Ceremony.

After discussion, a motion was made by Mr. Molin and seconded by Ms. Panepinto to table the request from the ECA to pay one temporary food vendor fee for all food vendors at the Annual Christmas Tree Lighting Ceremony. The motion carried unanimously.

Engineers Report

The Engineers Report was distributed.

Mr. Scott reviewed the strategic plan for the well refurbishment. This is necessary for the wells to run at top capacity during dam renovations and requires generators with manual transfer switches to be installed, as well as security improvements to wells one and two. An emergency

generator should be installed at well three, as well as a recirculation pump and temporary generator at the water plant. Three-phase power may be run to the plant, with a cost to be announced in the near future for consideration. Mr. Scott stated the Middle Dam cost comparison increased about \$500,000.00 from last year's estimate, and needs to go out for bid in the next couple of months. The borough expects to meet with a financial advisor to review bonding, loans, and grant monies.

Public Comments – New Business

Mr. Butcher of Elk Street suggested the Borough provide two free garbage tags/bags to each resident per year. Mr. Butcher also asked if the garbage workers could close the garbage can lids after they are emptied to prevent rainwater getting in.

Ms. McCarron of West Broad Street asked how she can discard grass clippings. Mr. Bond advised she can take them to the recycling center or compost on her property. She brought a discrepancy to our attention regarding our website that will be corrected. Ms. McCarron also asked about the ownership and maintenance of alleys throughout the borough. Ms. McCarron was advised the alley ways are usually jointly owned by homeowners and she can check her deed for legal rights; if there are any issues, the borough does not get involved, it would be a civil lawsuit. Lastly, Ms. McCarron asked if the parking regulations on West Broad Street could be changed, to allow cars to park prior to 8:00 a.m. Mr. Bond said this was already reviewed and changes will be in the future.

Patrice Summa expressed her concern regarding the annual garbage fees, and the large difference between the estimates given versus the real costs, and suggested the borough allows residents to choose their own garbage service to solve individual issues. Mr. Bond advised the cost is based on our previous years' tonnage and we are in a two-year contract. Ms. Summa also asked about an exemption of garbage fees for a rental she owns that is vacant. Mr. Konz advised Ms. Summa to reach out to him during business hours in order for him to assist her. Ms. Summa asked the procedure if someone is illegally dumping garbage. Mr. Reese stated the public's eyes are our eyes, and please call to report. We will work with Monroe County Waste Authority, who can issue fines up to \$1,000.00.

Ms. Gagliardo of West Broad Street distributed to council a document regarding general prohibitions against discrimination. She advised it is illegal to charge a handicapped individual for an accommodation, such as the garbage hauler retrieving her garbage can from somewhere other than curbside. Mr. Prevoznik stated he understands Ms. Gagliardo's issue and will bring this topic up to the Zoning Ordinance Review Committee. Ms. Gagliardo added if she is billed for any accommodations, she will be sure to pass on her bill to the Borough.

Intergovernmental Cooperative Agreement with the Brodhead Creek Regional Authority

A motion was made by Mr. Cross and seconded by Mr. Molin to ratify the advertising of a Special Meeting for Tuesday, March 10, 2020 at 7:00 p.m. at the East Stroudsburg Borough Municipal Building. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Cross to ratify the advertising of a public hearing for Ordinance 1354, for the proposed Seventh Amendment to the Intergovernmental Cooperative Agreement with the Brodhead Creek Regional Authority for 7:10 p.m. on Tuesday, March 10, 2020 at the East Stroudsburg Borough Municipality Building, amending the motion from Tuesday, February 18, 2020. The motion carried unanimously.

A motion was made by Mr. Cross and seconded by Ms. Panepinto to ratify the advertising of a public hearing to enter into a Repayment Agreement with Brodhead Creek Regional Authority for the acquisition and construction of a pump station authorized by the Seventh Amendment, Ordinance 1361, for 7:30 p.m. on Tuesday, March 10, 2020. The motion carried unanimously.

Reports:

Public Works:

No Report

Marv Walton:

Mr. Walton requested consideration to appoint Sonya Cole and Robert Gress to a five-year term on the Zoning Hearing Board, with the term to expire December 31, 2024. Mr. Walton added Robert Gress had held an alternate position, which changed to a permanent position, and Ms. Kuchinski is now a first alternate. There is now an opening for a second alternate on the Zoning Hearing Board; any interested parties can contact Brian Bond or Marv Walton.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to appoint Sonia Cole and Robert Gress to a five-year term on the Zoning Hearing Board with the term to expire December 31, 2024. The motion carried unanimously.

Mr. Walton reported there is still a vacancy on the Planning Commission, and Mr. Bond added the Shade Tree Committee also has vacancies.

Ken Konz:

Mr. Konz reported the next Collection Committee Meeting is scheduled for March 11, 2020 to discuss a variety of issues including collections on delinquent accounts for the past two years, action items requiring committee approval, and the current state of accounts receivable.

Mayor Martinelli:

No Report.

Sonia Wolbert:

Absent.

Don Cross:

No Report.

Maury Molin:

No Report.

Roger DeLarco:

Absent.

Carrie Panepinto:

Ms. Panepinto reported she is still working on a Junior Council Person, and Savvy Citizen.

Solicitor John Prevoznik

Mr. Prevoznik reported that at the last ZORC meeting, the County Urbanized Area Act of Transportation Study was discussed, which incorporates with the Borough's Comprehensive Plan (sidewalk/walking/pedestrian passing/bike trails and paths), and Maury Molin will be

involved with upcoming meetings. The Public Utility Commission (PUC) has been in contact with Mr. Bond regarding the telephone poles throughout the Borough. Mr. Prevoznik has been working with Mr. Scott regarding easements for the Route 80 realignment project (exit 309); the Borough will relocate utilities around the areas that will be impacted. The condemnation of the landfill is still being discussed with no action until the end of April. Mr. Prevoznik stated ZORC will review the IPP rules and regulations immediately as they have not been revised in 15 or 20 years, and permits are due to the Borough in April 2020.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve utilizing Michael Nines, in-house engineer of Manko Gold, to work with Brian Ace and ZORC to review and revise the IPP program if necessary. The motion carried unanimously.

Manager's Report

Mr. Bond reported the request from the SROSRC to approve the Levee Loop Trail Run and Walk on Sunday, June 7, 2020 and to provide the manpower necessary to close one lane of traffic on the Veterans Memorial Bridge, contingent upon PennDot approval, and to direct the Borough Manager to aid the SROSRC in obtaining an agreement with the Salvation Army to allow the runners/walkers to utilize the rear parking lot of the Salvation Army property.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve the request from the SROSRC to approve the Levee Loop Trail Run and Walk on Sunday, June 7, 2020 and to provide the manpower necessary to close one lane of traffic on the Veterans Memorial Bridge, contingent upon PennDot approval, and to direct the Borough Manager to aid the SROSRC in obtaining an agreement with the Salvation Army to allow the runners/walkers to utilize the rear parking lot of the Salvation Army property. The motion carried unanimously.

Mr. Bond requested approval of Resolution 3-2020, Adopting the Trail Gap Analysis as an addendum of the Stroud Open Space and Recreation Plan of 2002.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to approve Resolution 3-2020, Adopting the Trail Gap Analysis as an addendum of the Stroud Open Space and Recreation Plan of 2002. The motion carried unanimously.

Mr. Bond reported the requests from the Bushkill Elementary School PTO and the East Stroudsburg Elementary School PTO for a donation for 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 the requests from the Bushkill Elementary School PTO and the East Stroudsburg Elementary School PTO for a donation for a round of Golf for two, with a cart, at Terra Greens Golf Course for fundraising events. The motion carried unanimously.

Solid Waste Collection Service Update

Mr. Bond reported that all residents have been provided green totes; the codes officers continue to issue warnings for trash violations. Mr. Walton stated the majority of warnings were issued for trash overflowing from the totes. Codes officers will begin issuing violations with fines (no warnings) as per the ordinance, however, the screening of garbage cans is being reviewed in ZORC and no fines for this particular violation will be issued until council comes to a resolution.

Mr. Butcher stated the fine structure for garbage violations is really steep. Mr. Bond advised the fine structure is a good deterrent to potential violators. Ms. Gagliardo asked about houses that

have household items on their porch. Mr. Walton asked her to report the address to him, as there is an ordinance for that issue and can be enforced. Mr. Butcher asked if the borough is not able to make money on the garbage program, does the Borough make money on the fines. Mr. Prevoznik stated with the time, administration costs, and overhead that surrounds the fines, the borough is actually losing money.

ESU Information Commons Update

Mr. Prevoznik reported Borough Officials recently met with ESU officials. There are issues with easements, and DGS sent back what had already been agreed upon and notarized with dates crossed out. ESU has done what they are supposed to do, and DGS is the issue at this time. Mr. Prevoznik recommends the Borough to accept the Wellhead Easements that ESU provides, on the form of the email dated March 3, 2020, regarding Sanitary & Wellheads #3 and #4.

A motion was made by Mr. Molin and seconded by Mr. Cross to approve the Borough to accept the Wellhead Easements that ESU provides, on the form of the email dated March 3, 2020, regarding Sanitary & Wellheads #3 and #4. The motion carried unanimously.

Emergency Action Plan provisions for a pandemic such as the Coronavirus

Mr. Bond reported the Borough of East Stroudsburg is proactive in reviewing the Emergency Action Plan in the event that action needs to be taken in regards to the Coronavirus.

Bill Reese:

Mr. Reese and Mayor Martinelli met with the golf course superintendent to review the 2020 pricing and distributed to council an email with proposed fees. It is expected that the 2020 golf rates will be adopted at the March 17, 2020 council meeting.

Bills Payable

A motion was made by Mr. Molin and seconded by Mr. Cross to ratify bills payable through March 3, 2020. The motion carried unanimously.

Executive Session

A motion was made by Mr. Molin and seconded by Ms. Panepinto to go into Executive Session at 9:25 p.m. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to reconvene the meeting at 10:01 p.m. The motion carried unanimously.

Mr. Prevoznik reported property acquisitions and four personnel matters were discussed and no action was taken.

Adjournment

On motion of Chair, the meeting was adjourned at 10:01 p.m.

NEXT REGULAR MEETING: Tuesday, March 17, 2020 @ 7:15 p.m.

NEXT SPECIAL MEETING: Tuesday, March 10, 2020 @ 7:00 p.m.