

AGENDA FOR REGULAR MEETING  
EAST STROUDSBURG BOROUGH COUNCIL  
Tuesday, September 1, 2020 - 7:15 p.m.

1. Call to Order/Pledge of Allegiance led by \_\_\_\_\_.
2. Solicitor's report on Executive Session  
The Solicitor reported Executive Session was held on September 1, 2020 at 6:15 p.m., prior to the start of the Council Meeting. Litigation and personnel matters were discussed.
3. Minutes of August 18, 2020 Council Meeting  
  
Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the August 18, 2020 Council meeting minutes.
4. Public Comments – Agenda Items
5. 2019 Audit
  - (i) Carl Hogan of BBD, LLP. To present the results of the Borough audit for calendar year 2019. The final report will be presented and issued once PMRS provides the 2019 pension information. Audit Committee recommends approval of the 2019 Audit as presented.
6. Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the 2019 Audit as presented with the Adverse Opinion.
7. SROSRC Report:
  - (i) 2021 Budget process started.
8. Veterans Park Update:
  - (i) Veterans Park Committee Meeting to be held on Thursday, September 3, 2020.
9. 150<sup>th</sup> + 1 Update
  - (i) Meeting scheduled for Thursday, October 22, 2020 at 5:00 p.m. at the Borough Municipal Building.
10. Police Report: The August SARP report will presented at the September 15th Council meeting.
11. East Stroudsburg Community Alliance:
  - (i) Meeting scheduled for Wednesday, September 8, 2020 at 5:15 p.m. at the Depot.
12. Engineer's Report: Engineer's report was distributed.
  - (i) Middle Dam and New Water Supply Intake Line

- (a) Informational Item – The Water Management Plan must be updated to include the BCRA emergency water source and the drawdown of the water level in the Middle Dam Reservoir. RKR Hess will provide a scope of services to the Borough Manager for review.
- (ii) Brown Street Waterline Replacement
  - (a) Consideration to approve a Letter of Understanding with RKR Hess to provide design, permitting and bidding assistance services required for the Brown Street Waterline Replacement Project. The Commonwealth Financing Authority requires this in order to reimburse the Borough for the engineering costs of the project. The construction of the waterline along Brown Street will be funded in part with a \$400,800.00 PA Small Water and Sewer Grant from the Commonwealth Financing Authority. This project will be advertised for bid in late December 2020, with the start of construction in the Spring of 2021.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve a Letter of Understanding with RKR Hess to provide design, permitting and bidding assistance services required for the Brown Street Waterline Replacement Project.

- (iii) South Green Street Paving and ADA Ramps
  - (a) Consideration to authorize the issuance of the Notice to Proceed to Hendricks and Winot Group, Inc. dba Northeast Site Contractors to start the South Green Street Paving and ADA Ramps construction. The construction contract has been executed for this project.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to authorize the issuance of the Notice to Proceed to Hendricks and Winot Group, Inc. dba Northeast Site Contractors to start the South Green Street Paving and ADA Ramps construction. The construction contract has been executed for this project.

- (iv) Reconditioning of Well Nos. 3 and 4
  - (a) Consideration to authorize the issuance of the Notice to Proceed to A.C. Schultes, Inc. to start construction upon execution of the Agreement, contingent upon final submission of approved contract documents.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to authorize the issuance of the Notice to Proceed to A.C. Schultes, Inc. to start construction upon execution of the Agreement, contingent upon final submission of approved contract documents.

- (b) Consideration to authorize the following waivers relative to the insurance requirements of the Wells Nos. 3 and 4 reconditioning project:
  - (i) Waiver of the maximum deductible limit of \$5,000.00. The Contractor's Pollution Liability policy has a deductible of \$25,000.00. The Contractor has confirmed that there are no deductibles on the other policies.

- (ii) The Blanket Notification to Other of Cancellation or Non-Renewal Endorsement Paragraph c. of the endorsement documents, contains wording that would appear to make 30 day notice more of a “courtesy” of the insurance company, rather than a strict requirement. The Contractor is obligated to provide 30 day notice to the Borough. Given the relatively short timeframe of the project, consideration should be given allowing this paragraph to remain, on the condition that the Contractor be required to provide an updated Insurance Certificate and Endorsements with each Payment Request, so that the Borough can verify the Insurance is still in force.
- (iii) Similar to (ii) above, the insurance company is unwilling to provide notification of Material Changes in the policy. The Contractor is obligated to provide 30 day notice of Material Change in coverage to the Borough. Consideration should be given to waiving this as a provision of the insurance documents, on the condition that the Contractor be required to provide an updated Insurance Certificate and Endorsements with each Payment Request, so that the Borough can verify there has been no Material Change.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve the above waivers (i), (ii), and (iii) relative to the insurance requirements of the Wells Nos. 3 and 4 reconditioning project.

(v) Replacement of Effluent Flow Control Valves at the Water Treatment Plant

- (a) Consideration to authorize the issuance of the Notice to Proceed to A One Service, Inc to start construction upon execution of the Agreement, contingent upon final submission of approved contract documents.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to authorize the issuance of the Notice to Proceed to A One Service, Inc. to start construction upon execution of the Agreement, contingent upon final submission of approved contract documents.

13. Public Comments – New Business

14. Reports

A. Brian Ace/Public Works:

- (i) Consideration to approve the TRE Plan and to file the application for reduction of testing requirements.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve the TRE Plan and to file the application for reduction of testing requirements.

B. Fire Chiefs Report:

C. Marv Walton:

- (i) Consideration to approve the Lot Joinder Deed for Parcel Nos. 05-3/1/3/23-1 and 05-3/1/3/15, joining two parcels located between Henry and Eli Streets, owned by Dansbury Properties, LLC, contingent upon adding the joinder plan to the joinder deed at the time of recording. The Zoning Officer will send a letter of approval to the Monroe County Tax Assessment Office. A satisfactory deed was prepared, and all documentation has been submitted in compliance with the Borough's joinder deed resolution.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve the Lot Joinder Deed for Parcel Nos. 05-3/1/3/23-1 and 05-3/1/3/15, joining two parcels located between Henry and Eli Streets, owned by Dansbury Properties, LLC, contingent upon adding the joinder plan to the joinder deed at the time of recording. The Zoning Officer will send a letter of approval to the Monroe County Tax Assessment Office.

- (ii) Consideration to approve Resolution 12-2020, Establishment of a Uniform Construction Code Board of Appeals.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve Resolution 12-2020, Establishment of a Uniform Construction Code Board of Appeals.

- (iii) Consideration to appoint Weitzmann, Weitzmann & Huffman, LLC, at a rate of \$195.00 per hour as the Solicitor for the Uniform Construction Code (UCC) Board of Appeals.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to appoint Weitzmann, Weitzmann & Huffman, LLC, at a rate of \$195.00 per hour as the Solicitor for the Uniform Construction (UCC) Board of Appeals.

- (iv) Consideration to appoint the following three members to the Uniform Construction Code (UCC) Board of Appeals: Raffael Lucci (2-year term), Bob Early (3-year term), and Ron Kimes (4-year term).

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to appoint the following three members to the Uniform Construction Code (UCC) Board of Appeals: Raffael Lucci (2-year term), Bob Early (3-year term), and Ron Kimes (4-year term).

D. Ken Konz:

E. Mayor Armand Martinelli:

F. Sonia Wolbert:

G. Don Cross:

H. Maury Molin:

- (i) Adopt a Planter sponsors to be sent letter asking to spruce up planters for the fall season.

I. Roger DeLarco:

J. Carrie Panepinto:

K. Bill Reese:

- (i) Consideration to approve Resolution 13-2020 Honoring retired ESU President Marcia Welsh.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to approve Resolution 13-2020 Honoring retired ESU President Marcia Welsh.

L. Manager's Report:

- (i) Update on 2018 PADEP 902 Recycling Grant.
- (ii) Consideration to move Alan Kropp from a Temporary Employee to a Full Time Recycling Employee at the rate of \$15.40 per hour with benefits as per the employee manual as recommended by the Personnel Committee.

Motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to move Alan Kropp from a Temporary Employee to a Full Time Recycling Employee at the rate of \$15.40 per hour with benefits as per the employee manual as recommended by the Personnel Committee.

- (iii) Consideration to cancel the subscription to PublicInput.com, as we have found a more cost effective way to proceed that will still allow public participation.

Motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to cancel the subscription to PublicInput.com.

- (iv) Consideration to approve and distribute the Pick Up the Poconos flyer designed by ESU Relations department, as presented. The flyer will be placed on the Borough's website as well as posted in our lobby. Pick Up the Poconos is scheduled for Saturday, September 26, 2020 from 9:30 a.m. – 11:30 a.m. There is a link on our website to register online.

Motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve and authorize the Borough to distribute the Pick Up the Poconos flyer designed by ESU Relations department, as presented.

15. Ratification of Bills Payable:

- (i) Approval of the two payables (a reimbursement in regards to the golf course, and an invoice with April's date for road salt) that were excluded from the August 18, 2020 Council Meeting.

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the two payables (a reimbursement in regards to the golf course, and an invoice with April's date for road salt) that were excluded from the August 18, 2020 Council Meeting.

- (ii) Approval of Warrant List #20-09-01

Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve Warrant List #20-09-01.

16. Adjournment

A. Motion made by \_\_\_\_\_, seconded by \_\_\_\_\_ to adjourn the meeting; note time \_\_\_\_\_.

NEXT REGULAR MEETING: Tuesday, September 15, 2020; 7:15 p.m. in person at the East Stroudsburg Borough Municipal Building.