

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY NOVEMBER 17, 2020 -7:15 p.m.

PRESENT: Roger DeLarco, Maury Molin, Bill Reese, Sonia Wolbert, Carrie Panepinto, Public Works Director Brian Ace, Solicitor John Prevoznik, Borough Engineer Russ Scott, Don Cross, Borough Manager Brian Bond, and Zoning Officer Marv Walton

ABSENT: Mayor Martinelli, and Finance Director Ken Konz

The Pledge of Allegiance was led by Captain Gasper.

Solicitor's Report on Executive Session

The Solicitor reported that an Executive Session was held, as advertised, on November 17, 2020 at 6:30 p.m., prior to the start of the Council Meeting. The status of two litigation matters and a possible resolution was discussed. A property acquisition matter was discussed. Personnel matters and the implementation of policies with effects bargaining was discussed. No decisions were made. Executive Session concluded at 7:15 p.m.

November 3, 2020 Minutes

A motion was made by Mr. Molin and seconded by Mr. Cross to approve the minutes of the November 3, 2020 council meeting. The motion carried unanimously.

November 10, 2020 Minutes of the Special Council Meeting

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve the minutes of the November 10, 2020 Special Council Meeting. The motion carried unanimously.

Public Comments – Agenda Items

None.

SROSRC Report:

No report.

Police Report:

The November SARP report was previously distributed. Captain Gasper provided an update on the hiring process for new officers. SARPD received thirty-six applicants. After the physical and written tests, there are seven candidates remaining. SARP plans to hire one new officer.

Veterans Park Update:

Mr. Reese provided a report on the Veterans Park Re-dedication ceremony which was held on November 11, 2020. He thanked everyone who was involved.

Mr. Reese requested approval of establishing a segregated escrow account for monies donated for additional upgrades to Veterans Park with a fundraising goal of \$10,000.00.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve establishing a segregated escrow account for monies donated for the purpose of making additional upgrades to Veterans Park with a fundraising goal of \$10,000.00. The motion carried unanimously.

150th + 1 Update:

Mr. Molin advised the next committee meeting is February 4, 2021.

East Stroudsburg Community Alliance:

No report.

Engineer's Report:

The Engineer's report was distributed.

Middle Dam and New Water Supply Intake Line

Mr. Scott requested authorization to advertise for bids of the Middle Dam and Intake Waterline Rehabilitation on or after November 23, 2020.

A motion was made by Ms. Panepinto and seconded by Ms. Wolbert to authorize advertising for bids of the Middle Dam and Intake Waterline Rehabilitation on or after November 23, 2020.

The motion carried unanimously.

South Green Street Paving and ADA Project

Mr. Scott requested approval of payment request #2 to Hendricks and Winot Group, Inc. dba Northeast Site Contractors as submitted and recommended by RKR Hess at a cost of \$69,414.35. 10% retainage is being withheld on this project.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve the payment request #2 to Hendricks and Winot Group, Inc. dba Northeast Site Contractors as submitted and recommended by RKR Hess at a cost of \$69,414.35. The motion carried unanimously.

Reconditioning of Well Nos. 3 and 4

Mr. Scott requested approval of payment request #1 to A.C. Schultes, Inc. in the amount of \$29,677.50 as recommended by RKR Hess. All insurance documents have been received.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve the payment request #1 to A.C. Schultes, Inc. in the amount of \$29,677.50 as recommended by RKR Hess. The motion carried unanimously.

Mr. Scott requested approval of change order #1, representing a contract increase in the amount of \$7,081.00 for the contractor to furnish and deliver a spare pump and motor for Well No. 3. This was the best price of multiple quotes received and is below the bid threshold. This equipment cost is lower than previously obtained by Costars pricing. The Change Order also extends the contract time for substantial completion by 26 days (to December 4, 2020), and final completion by 18 days (to December 11, 2020). The date for submission of final closeout documents is unchanged. There is no cost change order for the time extension. The cost of the stainless steel pipe was included in the bid prices and is not an additional cost.

A motion was made by Mr. Cross and seconded by Ms. Wolbert to approve change order #1, representing a contract increase in the amount of \$7,081.00 for the contractor to furnish and deliver a spare pump and motor for Well No. 3. This equipment cost is lower than previously obtained by Costars pricing. The Change Order also extends the contract time for substantial completion by 26 days (to December 4, 2020), and final completion by 18 days (to December 11,

2020). The date for submission of final closeout documents is unchanged. The motion carried unanimously.

Mr. Scott requested approval to authorize RKR Hess to conduct a rate study to ensure that water rates cover debt services for upcoming water projects.

A motion was made by Ms. Wolbert and seconded by Mr. Cross to authorize RKR Hess to conduct a rate study to ensure that water rates cover debt services for upcoming water projects. The motion carried unanimously.

Public Comments – New Business

Ms. Hope of S. Kistler Street asked if the creek that runs from the reservoir to Route 447 can be renamed. Mr. Bond advised that creek was renamed to “Reservoir Run” a few years ago. Mr. Bond will reach out to Google Maps to be sure their records are updated. Mr. Bond also committed to looking into whether the Little Sambo Creek was renamed and if no, the process required to rename it.

Reports:

Brian Ace/Public Works:

The DPW Report was previously distributed.

Fire Chief’s Report:

The Fire Chief’s Report was previously distributed.

Mary Walton:

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

Mr. Walton reported the receipt of a time extension request from Reilly Associates, the engineers representing the Dunkin’ Land Development Plan. The request is to grant a time extension until February 1, 2021.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to grant the time extension request from Reilly Associates, the engineers representing the Dunkin’ Land Development Plan, until February 1, 2021. The motion carried unanimously.

Mr. Walton reported the receipt of a time extension request from Dansbury Properties for the Brewskies II Land Development Plan, 53/55/61 North Courtland Street until January 20, 2021.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to grant the time extension request from Dansbury Properties for the Brewskies II Land Development Plan, 53/55/61 North Courtland Street until January 20, 2021. The motion carried unanimously.

Ken Konz:

The October 2020 Borough Financial Statements were previously distributed.

Mayor Armand Martinelli:

Absent.

Sonia Wolbert:

No Report.

Don Cross:

No Report.

Maury Molin:

No Report.

Roger DeLarco:

No Report.

Carrie Panepinto:

No Report.

Bill Reese:

No Report.

Manager's Report:

Mr. Bond requested approval to advertise and post the proposed 2021 East Stroudsburg Borough Budget as approved at the November 10, 2020 Budget Workshop for approval at the December 15, 2020 regularly scheduled Borough Council Meeting.

A motion was made by Mr. DeLarco and seconded by Ms. Wolbert to approve advertising and posting the proposed 2021 East Stroudsburg Borough Budget as approved at the November 10, 2020 Budget Workshop for approval at the December 15, 2020 regularly scheduled Borough Council Meeting. The motion carried unanimously.

Mr. Bond requested approval to set a public hearing for Tuesday, December 15, 2020 at 7:20 p.m., to consider Ordinance Number 1372, Fixing the Real Estate Tax for fiscal year 2021, at no tax increase.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to set a public hearing for Tuesday, December 15, 2020 at 7:20 p.m., to consider Ordinance Number 1372, Fixing the Real Estate Tax for fiscal year 2021, at no tax increase. The motion carried unanimously.

Mr. Bond requested approval to authorize a budget line item transfer #1-2020 in the amount of \$10,000.00 from line item 08-429.450 to 08-429.220 to cover the cost of pump station pump repairs.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to authorize budget line item transfer #1-2020 in the amount of \$10,000.00 from line item 08-429.450 to 08-429.220 to cover the cost of pump station pump repairs. The motion carried unanimously.

Mr. Bond requested approval to appoint Hanover Engineering to review the Land Development Plan for the Eagle Valley Pump Station.

A motion was made by Ms. Wolbert and seconded by Mr. DeLarco to appoint Hanover Engineering to review the Land Development Plan for the Eagle Valley Pump Station. The motion carried unanimously.

Mr. Bond requested authorization to require a maintenance bond from the PennDOT contractor performing the work for the Route 80 Exit 308 project at a cost not to exceed \$20,000.00. The preferred option is 18 months from the end of construction. Since this is a PennDOT project, no maintenance bond is required. Rather, PennDOT uses its authority to assure that contractors follow through with their warranty responsibilities. The Borough requires maintenance bonds on all of its projects. PennDOT has previously authorized bonds in this type of situation but the Borough will be billed at 100% as PennDOT considers the bond betterment. It was noted that the bond could be difficult to monitor. To begin with, the contract will cover a three- or four-year construction period. It is possible that the lines that are constructed will be completed in the first year and the Borough will have full use thereafter. It may be difficult to get a bond that starts three years after the Borough has already utilized the lines. It is still recommended that the Borough try to obtain a bond that starts at the completion of the total project. The bond would give the Borough some leverage with the PennDOT contractor to get repairs corrected in the event that PennDOT does not want to push its contractor to make good on a warranty for work on a Borough line. Mr. Scott stated the work is easiest to monitor upon completion of the whole project. Again, he noted that during the construction period, PennDOT has more oversight and control of the contractors performing the work. Mr. Scott calculated that a bond for approximately 10% of the project's cost would cost about \$20,000.00. Ms. Wolbert asked the procedure is if the cost of the bond exceeds \$20,000.00. Mr. Prevoznik advised it would have to be brought back to Council and approved if the cost exceeds the approved \$20,000.00.

A motion was made by Ms. Wolbert and seconded by Mr. Cross to require a maintenance bond from the PennDOT contractor performing the work for the Route 80 Exit 308 project at a cost not to exceed \$20,000.00. The motion carried unanimously.

Mr. Bond requested approval of the COVID-19 Symptom and Temperature Policy as presented, contingent upon solicitor and union approval.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to approve the COVID-19 Symptom and Temperature Policy as presented, contingent upon solicitor and union approval. The motion carried unanimously.

Approval of Warrant List 201117

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve Warrant List 201117, as presented. The motion carried unanimously.

Adjournment

A motion was made by Ms. Wolbert and seconded by Mr. DeLarco to adjourn the meeting at 8:01 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, December 1, 2020, @ 7:15 p.m. in person and/or virtually on the East Stroudsburg Virtual Meeting Facebook Page and/or at the East Stroudsburg Borough Municipal Building.