

MINUTES FOR REGULAR MEETING  
EAST STROUDSBURG BOROUGH COUNCIL  
TUESDAY FEBRUARY 2, 2021 - 7:15 p.m.

PRESENT IN PERSON: William T. Reese; Sonia Wolbert; Maury Molin; Don Cross; Roger DeLarco; Borough Manager Brian Bond. Also present were: Solicitor John Prevoznik; Zoning Officer Marv Walton; and Borough Engineer Russ Scott

VIRTUALLY PRESENT: Carrie Panepinto and Mayor Martinelli

The Pledge of Allegiance was recited.

**Solicitor's Report on Executive Session**

The Solicitor reported that an Executive Session was held on February 2, 2021 at 7:00 p.m., prior to the start of the Council Meeting. The Solicitor reported that the following topics were discussed and no decisions were made: property acquisition which may result in a condemnation; Union collective bargaining matters; and a potential litigation resulting from a contractual matter.

**January 19, 2021 Council Minutes**

A motion was made by Mr. Molin and seconded by Mr. Cross to approve the minutes of the January 19, 2021 council meeting. The motion carried unanimously.

**Public Hearing – Ordinance 1374, Issuance of General Obligation Note, Series of 2021**

A motion was made by Ms. Wolbert and seconded by Mr. Molin to recess the regular meeting and convene the public hearing. The motion carried unanimously.

Kevin Reid, the Borough's Tax and Bond Counsel, joined the meeting virtually to discuss the passage of an Ordinance pursuant to the Local Debt Act authorizing the Borough to restructure its debt and borrow for water-related infrastructure projects, including the Middle Dam project. The borrowing Ordinance specifically authorized the Borough to accept a proposal and finalize the paperwork for the Borough to borrow \$3,050,000.00 at a fixed interest rate of 2.5% for a 20-year term from ESSA Bank and Trust. The Ordinance authorizes Borough officers and officials to sign closing documents. The projected closing date is in March of 2021.

A motion was made by Mr. Molin and seconded by Mr. Cross to enter exhibits 1 and 2 into evidence (exhibit 1 – Proof of Publication, exhibit 2 – Affidavit from Mr. Bond advising when the Ordinance was advertised and how). The motion carried unanimously.

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

A motion was made by Ms. Wolbert and seconded by Mr. Cross to approve Ordinance No. 1374, Issuance of General Obligation Note, Series of 2021, as advertised. The motion carried unanimously.

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

None.

### **SROSRC Report:**

No Report.

### **Resolution 8-2021 – Approving the Preliminary/Final Land Development Plan for 53/55/61 North Courtland Street, Phase 2**

Mr. Nauman has submitted a Land Development Plan for Phase 2 of the ongoing project at 53/55/61 North Courtland Street, which includes the area of the former Pocono Tractor building, including demolition of that building, and adding on to the building that is currently under construction. Mr. Walton advised the Borough received the appropriate water and sewer tapping fees for this project, and separate water meters have been installed. Mr. Walton read the resolution aloud for the record. The applicant has requested two waivers from the Subdivision and Land Development Ordinance (SALDO).

A motion was made by Ms. Wolbert and seconded by Mr. Molin to authorize the waiver of Section 140-7C from the SALDO, which requires the submittal of a preliminary plan. The applicant has requested this plan to be considered as the preliminary/final plan. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Cross, to authorize the waiver of Section 140, Appendix C, Section A-9 from the SALDO, regarding the required number of trees for a development project. Mr. Nauman explained that there was not enough room on the site to have all trees installed as required by the ordinance. Mr. Nauman further state that the site plan delineates where the trees are to be installed. He felt that the proposed landscape meets the intent of the ordinance. Mr. Oiler was present and opined that RKR Hess recommended approval of the wavier. The motion carried unanimously.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve Resolution 8-2021, approving the Preliminary/Final Land Development Plan for Phase 2 of the development project for 53/55/61 North Courtland Street. The motion carried unanimously. A copy of Resolution 8-2021, without exhibits, are attached to these Minutes.

### **Veterans Park Update**

No Report.

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

The next Committee Meeting will be held on Thursday, February 18, 2021 at 1:00 in the Borough Council Chambers, and via Webex.

### **Police Report:**

The SARDP report will be given at the February 16, 2021 council meeting.

### **East Stroudsburg Community Alliance:**

Mr. DeLarco relayed information about a Hometown Hero Banner company to Mr. Reese and Mr. Bond. Mr. Bond is to provide a count of available poles from which banners can be hung.

### **Engineer's Report:**

The Engineer's report was distributed.

### **Recondition of Wells Nos. 3 and 4**

Mr. Scott recommended approval of Payment Application No. 3, final payment, in the amount of \$8,715.50, payable to A.C. Schultes, Inc., contingent upon receipt of proper closeout documents. This amount includes the retainage.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve Payment Application No. 3, final payment, in the amount of \$8,715.50, payable to A.C. Schultes, Inc., as recommended by RKR Hess, contingent upon receipt of proper closeout documents. The motion carried unanimously.

### **Replacement of Effluent Flow Control Valves at the Water Treatment Plant**

Mr. Scott recommended approval of Payment Request No. 2, final payment, in the amount of \$19,468.85, payable to A One Services, Inc., contingent upon favorable review of the contract closeout documents.

A motion was made by Ms. Wolbert and seconded by Mr. DeLarco to approve Payment Request No. 2, final payment, in the amount of \$19,468.85, payable to A One Services, Inc., contingent upon favorable review of the contract closeout documents, as recommended by RKR Hess. The motion carried unanimously.

### **Ratification of Resolution 15-2019, PennDOT I-80/Exit 308 Project**

Mr. Scott reported that Resolution 15-2019, regarding signature authority over documents for the PennDOT I-80/Exit 308 Project was passed by the Borough in 2019. PennDOT requested confirmation that the Resolution was still in force and effect. Mr. Bond reported that the Council Members authorized to sign the documents on behalf of the Borough have not changed since passage of Resolution 15-2019. Mr. Scott advised the Resolution was written such that it was the position of the Borough Council President who is authorized to sign and the Borough Secretary to attest that signature.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to ratify Resolution 15-2019, PennDOT I-80/Exit 308 Project. The motion carried unanimously.

### **PennDOT Cost Sharing Documents**

A motion was made by Mr. Cross and seconded by Ms. Wolbert to ratify and initial the changes to the March 24, 2019 letter with PennDOT.

### **Eagle Valley Water Booster Pump Station**

Mr. Bond reported that bids for the Eagle Valley Water Booster Pump Station have been received. The apparent low bidder is Pioneer Construction Company, in the amount of \$998,051.10.

The bids for the electrical work at the Eagle Valley Water Booster Pump Station have been received. The apparent low bidder is North End Electric, in the amount of \$214,940.00.

These bids are approximately \$130,000.00 lower than the estimated cost of the project. Brodhead Creek Regional Authority (BCRA) will be awarding the bid at their meeting; no action required by the Borough. The Borough has posted funds with the BCRA for the letting of the contract and awarding of the bids.

**Public Comments – New Business**

None.

**Reports:**

**Brian Ace/Public Works:**

The DPW report was distributed via email.

**Marv Walton:**

Mr. Walton's reports were distributed via email.

**Finance:**

The financial reports were distributed via email.

**Mayor Armand Martinelli:**

Mr. Martinelli requested an ordinance be considered to allow enforcement of disturbances of land that causes runoff of soil into the storm sewer system, specifically for small parcels of land. Mr. Martinelli's request will be sent to the MS4 Committee for review and consideration.

**Sonia Wolbert:**

No Report.

**Don Cross:**

No Report.

**Maury Molin:**

No Report.

**Roger DeLarco:**

Mr. DeLarco asked whose responsibility it is for snow removal at the top entrance of the Kimco Plaza, off Brown Street. Mr. Bond advised snow removal must be done by Kimco or their contractors, not the Borough.

Mr. DeLarco asked when the intersection of Ridgeway and Crystal Streets will be open. Mr. Bond advised it is set to open after April 15. The paving and the sidewalk were not completed by PennDOT prior to the winter.

**Carrie Panepinto:**

No Report.

**Solicitor John Prevoznik, Esq.:**

Mr. Prevoznik reported receipt of the Easement Agreement from 940 Holdings, LLC, and asked for authorization for the Borough to execute said agreement and record it thereafter.

A motion was made by Ms. Wolbert and seconded by Mr. Cross to authorize Borough Council President to execute the 940 Holdings, LLC Easement Agreement and authorize Mr. Prevoznik to record same after execution. The motion carried unanimously.

**Manager's Report:**

Mr. Bond requested authorization for the Borough Council President to execute the engagement letter with BBD for the 2020 Borough Audit.

A motion was made by Mr. Molin and seconded by Mr. DeLarco to authorize the Borough Council President to execute the engagement letter with BBD for the 2020 Borough Audit. The motion carried unanimously.

Mr. Bond requested authorization to allow the Borough Manager to promptly pay bills as they become due, such as insurance, utilities, reimbursements, or any invoices with a discount, in the interim with said expenses to be confirmed at the subsequent regular meeting of the Borough Council.

A motion was made by Mr. Cross and seconded by Mr. Molin to authorize the Borough Manager to promptly pay bills as they become due, such as insurance, utilities, reimbursements, or any invoices with a discount, in the interim with said expenses to be confirmed at the subsequent regular meeting of the Borough Council. The motion carried unanimously.

Mr. Bond requested authorization to advertise the following employment positions: Golf Pro Shop Supervisor with an hourly rate of \$12.50, Part-Time Zoning Secretary with an hourly rate of \$15.00, and Temporary Part-Time Receptionist/Secretary with an hourly rate of \$12.50, as recommended by the Personnel Committee.

A motion was made by Mr. Molin and seconded by Mr. Cross to approve the advertising of the following employment positions: Golf Pro Shop Supervisor with an hourly rate of \$12.50, Part-Time Zoning Secretary with an hourly rate of \$15.00, and Temporary Part-Time Receptionist/Secretary with an hourly rate of \$12.50, as recommended by the Personnel Committee. The motion carried unanimously.

**Bill Reese:**

No Report.

**Approval of Warrant List 210204**

A motion was made by Ms. Wolbert and seconded by Mr. DeLarco to approve Warrant List 210204, as presented. The motion carried unanimously.

**Adjournment**

A motion was made by Ms. Wolbert and seconded by Mr. Cross to adjourn the meeting at 8:31 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, February 16, 2021, @ 7:15 p.m. in person at the East Stroudsburg Borough Municipal Building and virtually on Facebook on the East Stroudsburg Virtual Meeting page.