

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY JUNE 1, 2021 - 7:15 p.m.

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

VIRTUALLY PRESENT: Mayor Armand Martinelli

ABSENT: Roger DeLarco

The Pledge of Allegiance was led by Brian Ace.

Solicitor's Report on Executive Session

The Solicitor reported that an Executive Session was held on June 1, 2021 starting at 7:03 p.m., prior to the start of the council meeting. All Council Members were present, except for Mr. DeLarco and Mayor Martinelli. The following matters were discussed: a potential litigation matter with regard to a contractual issue as well as the acquisition of easements through condemnation. Executive Session ended at 7:19 p.m. No decisions were made.

May 18, 2021 Council Minutes

A motion was made by Mr. Cross and seconded by Mr. Molin to approve the minutes of the May 18, 2021 council meeting. The motion carried unanimously.

Public Hearing – Ordinance 1378, Seasonal Outdoor Dining

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to recess the regular meeting and convene the Public Hearing for Ordinance 1378, Seasonal Outdoor Dining. The motion carried unanimously.

Mr. Bond explained that during the COVID-19 pandemic in 2020, the Borough passed an ordinance which allowed businesses within the Borough to use parking spaces in front of their establishments on any of the Borough's public streets to expand their outdoor space in order to comply with the state's restrictions placed on indoor shopping and eating. That ordinance expired on October 31, 2020. The Borough has received requests to allow businesses the same opportunity again this year. The topic was discussed at the last council meeting and was approved to schedule a public hearing.

The Seasonal Outdoor Dining Ordinance shall take effect immediately upon its adoption, and shall remain in full force and effect through 10:30 p.m. on November 1, 2021. Subsequently, this ordinance will be in effect annually from May 1st through November 30th. The intent of this ordinance is to permit an expansion of Seasonal Outdoor Dining Licenses, to authorize the issuance of new Seasonal Outdoor Dining Licenses, to establish other areas on public streets, rights-of-way and public places within the Borough of East Stroudsburg for use as outdoor food and beverage consumption and to establish rules and regulations that assure that Seasonal Outdoor Dining is used and operated in manners consistent with the orders of the Governor of the Commonwealth of Pennsylvania and the Secretary of Health of the Commonwealth of Pennsylvania. Operation requirements, rules and regulations, violations, enforcement, severability and penalties are all outlined in the ordinance. This ordinance pertains to any area within the Borough that is a Borough-owned public right-of-way, sidewalk, or street. Any establishment who wishes to use a PennDOT owned street within the Borough would have to submit approval from PennDOT to the Borough with their application for an outdoor dining license.

Mayor Martinelli expressed concern about allowing parking spaces to be utilized by people eating outside, instead of leaving the spaces available for patrons who want to park in those spaces and support the businesses, specifically after we are no longer under any restrictions due to the pandemic. Ms. Wolbert explained the spaces occupied by diners would only be in front of that particular establishment, and it is the owner's choice to use the spaces for dining. Also, even with the eased restrictions, there are many people who still do not want to eat indoors. This ordinance allows the patrons and the owners to have choices.

With no further questions or comments, a motion was made by Ms. Wolbert and seconded by Mr. Molin to enter exhibits 1 through 4 into evidence (1 – Sign-In Sheet; 2 – Proof of Publication; 3 – Public Notice, and 4 – Copy of Ordinance). The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto 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. Molin to approve Ordinance 1378, Seasonal Outdoor Dining, as advertised. The motion carried unanimously.

Public Comments – Agenda Items

None.

SROSRC Report:

The SROSRC reports were distributed via email.

Ms. Wolbert reported that Autumn Arthur sent an email to Brian Bond with regard to a proposed concept for the parks. SROSRC will be seeking council approval to move forward with their plans. Mr. Bond advised he will work with Ms. Arthur on an ordinance.

A motion was made by Mr. Molin and seconded by Mr. Cross to authorize the Borough Manager to work with Autumn Arthur, SROSRC's Executive Director, to create an ordinance to cover events held in the Borough parks. The motion carried unanimously.

Ms. Wolbert announced that the pool at Dansbury Park will be opening shortly. The Levee Loop event scheduled for June 6 has already gotten many registrations.

Veterans Park:

Mr. Reese reported that the benches that were donated by Mr. Frank Lanterman were dedicated on Saturday, May 29th as part of the East Stroudsburg's 150th Anniversary opening ceremony. The event was successful, and we have received many compliments about the park. Mr. Reese thanked the Public Works department for their efforts and council for being supportive of the project. An application for a grant to install sidewalks in Veterans Park will be filed with Giant Supermarket by Mr. Bond. Mr. Bond intends to send a letter to the Monroe County Commissioners requesting hotel tax monies.

A motion was made by Ms. Panepinto and seconded by Mr. Molin authorizing Mr. Bond to send a letter to the Monroe County Commissioners, requesting available hotel tax money for use at Veterans Park. The motion carried unanimously.

Mr. Cross advised there is money available through the Tobyhanna Army Depot to use for projects like Veterans Park. He will provide the contact information to Brian Bond.

150th Update:

The next committee meeting is Thursday, June 17, 2021, at 4:00 p.m., in the Borough Council Chambers, and via Webex.

Mr. Molin reported the opening ceremony was successful and thanked everyone who attended. A list of upcoming events is on our website. Programs and t-shirts are available for purchase.

Police Report:

The SARPD report will be presented at the June 15, 2021 meeting.

East Stroudsburg Community Alliance:

Ms. Wolbert reported that ECA is hosting fireworks at Miller Park on July 2, 2021, with live entertainment on Crystal Street. ECA is requesting approval to close Crystal Street. ECA is also requesting signage to direct people to additional available parking for the event. ECA will be contacting local businesses to request use of their parking lots. Mr. Molin suggested contacting the school district or ESU to request use of their school buses and shuttle buses, allowing attendees to park in their parking lots and be shuttled to our event. Ms. Wolbert and Mr. Bond will meet to discuss power sources, specific parking areas, and any details regarding compliance with Borough Ordinance 1351, Amending Chapter 65 - Alcoholic Beverages. Mr. Bond suggests closing Crystal Street at 2:00 p.m. to allow sufficient time to clear the parking spaces, bag the meters, and set the entertainment stage up prior to the event. Ms. Wolbert added that ECA has hired a security service for the event. Mr. Prevoznik suggested ECA should contact Stroud Area Regional Police Department to request officers to perform quality of life patrols during the event. The residents on and around South Kistler Street will be notified of the fireworks prior to the event.

A motion was made by Mr. Cross and seconded by Ms. Panepinto to authorize the closure of Crystal Street from Ridgeway Street to Analomink Street, and Washington Street from Federal Street to Crystal Street on Friday, July 2, 2021, no later than 2:00 p.m. to 10:00 p.m., with portions of the street able to be closed earlier, within the Borough Manager's discretion, to accommodate the festivities. The motion carried unanimously.

Engineer's Report:

The Engineer's report was distributed.

North Green Street

Mr. Scott reported the construction bids for the North Green Street Paving and ADA Ramp project are due June 10, 2021. This is a CDBG project.

Brown Street Waterline

Mr. Scott reported the construction bids for the Brown Street Waterline project are due June 23, 2021. This project is partially funded by a PA Small Water and Sewer Grant.

South Green Street Paving and ADA Ramp Project

Mr. Scott requested authorization to release the payment under Payment Application No. 4 – Final Payment, in the amount of \$5,575.17 to Northeast Site Contractors, for the South Green Street Paving and ADA Ramp project, as recommended by RKR Hess. All proper documents have been received by RKR Hess from Northeast Site Contractors.

A motion was made by Mr. Molin and seconded by Mr. Cross to authorize the release of payment under Payment Application No. 4 – Final Payment, in the amount of \$5,575.17 to

Northeast Site Contractors, for the South Green Street Paving and ADA Ramp project, as recommended by RKR Hess. The motion carried unanimously.

Woods Road Tank Containment and Paint Removal Project

Mr. Scott requested approval of Contractor Payment Application No. 1 in the amount of \$78,375.00 to Dynamic Sandblasting and Painting, LLC for work completed at the Woods Road tank containment and paint removal project through May 25, 2021, as recommended by RKR Hess. All proper documents have been received by RKR Hess from Dynamic Sandblasting and Painting, LLC.

A motion was made by Mr. Cross and seconded by Mr. Molin to approval of Contractor Payment Application No. 1 in the amount of \$78,375.00 to Dynamic Sandblasting and Painting, LLC for work completed at the Woods Road tank containment and paint removal project through May 25, 2021, as recommended by RKR Hess. The motion carried unanimously.

Public Comments – New Business

Bruce Smith, of North Green Street, expressed concern about what he believes to be nuisance activity around his house. The Mayor advised Mr. Smith that he would contact the SARPD. Mr. Smith acknowledged that he had already met with the police after he was in front of Council previously.

Reports:

Brian Ace/Public Works:

The DPW report was distributed via email.

Mary Walton:

Mr. Walton's reports were distributed via email.

Mr. Walton received a formal request from the owner of a parcel of land located on Forge Road for a zoning map amendment and an amendment to the zoning ordinance for his property. The map amendment would change the property from Institutional Medical (IM) Zoning District to Office Manufacturing 1 (OM-1). The ordinance amendment would increase the building height in the OM-1 zoning district from 60 feet to 100 feet.

A motion was made by Mr. Cross and seconded by Mr. Molin to refer the formal request from the owner of the Forge Road property to consider a zoning map amendment and an amendment to the zoning ordinance to the Zoning Ordinance Review Committee (ZORC). The motion carried unanimously.

Finance:

The financial reports were distributed via email.

Mayor Armand Martinelli:

Absent.

Sonia Wolbert:

No report.

Don Cross:

No report.

Maury Molin:

Mr. Molin asked the status of the Brewskies project, the Lackawanna Hotel project, and the Green Valley apartment project. Mr. Walton advised the Brewskies project is moving according to schedule, the new owners of the Lackawanna Hotel have permits to renovate, and Green Valley contractors have a permit for the first building and have recently requested the building permit for the second building. Mr. Molin asked the status of the Armory building on Washington Street. Mr. Bond advised that information has been given to the owner on what is necessary to proceed.

Roger DeLarco:

Absent.

Carrie Panepinto:

Ms. Panepinto relayed complaints from constituents about the condition of Lyons, Hazel, Kiwanis Sts., and Secor Avenue. These streets are not on the Borough's ten-year paving schedule. Mr. Bond advised these streets will eventually get paved. The paving schedule is based on the axles per day and the condition of the roadway.

Solicitor John Prevoznik, Esq.:

No report.

Manager's Report:

Mr. Bond reported a request from the 150th +1 Committee to reduce the Peddler's License fee for the participants at the August 28, 2021 150th +1 craft fair from \$30.00 to \$20.00. The breakeven is approximately \$30.00. No motion was made. The fee will remain \$30.00.

Mr. Bond reported a request from the 150th +1 Committee to reduce the Temporary one-day Food License fee for the participants at the August 28, 2021 150 +1 craft fair from \$100.00 to \$75.00. The breakeven is approximately \$75.00 if no re-inspection is required. No motion was made. The fee will remain \$100.00.

Mr. Bond requested authorization to open a BJ's Wholesale Club Business Membership Account to be used for purchasing supplies. The Borough will receive a 5-7% discount on most items with this membership.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to authorize the Borough Manager to open a BJ's Wholesale Club Business Membership Account to be used for purchasing supplies. The motion carried unanimously.

Mr. Bond requested authorization to utilize Aquatics Analysts, Inc. for treating Zacharias Pond, Gregory Pond, and the Intake Reservoir as budgeted, at a cost not to exceed \$2,300.00.

A motion was made by Mr. Cross and seconded by Ms. Wolbert to authorize utilizing Aquatics Analysts, Inc. for treating Zacharias Pond, Gregory Pond, and the Intake Reservoir as budgeted, at a cost not to exceed \$2,300.00. The motion carried unanimously.

Mr. Bond reported a request from the Monroe County Housing Authority for thirty family passes for Dansbury Pool at a reduced price of \$62.50. The regular rate for 2021 is \$165.00. The discounted rate that was approved for previous years had been a reduction of 50% of the regular

rate. Based on that data, a suggestion was made to approve selling thirty family passes at a reduced price of \$82.50 each to the Monroe County Housing Authority.

A motion was made by Mr. Cross and seconded by Mr. Molin to authorize selling thirty family passes for Dansbury Pool at a reduced price of \$82.50, 50% reduction of the regular rate, to the Monroe County Housing Authority. The motion carried unanimously.

Mr. Bond requested approval to use Passport as the mobile pay by phone app for the metered parking spaces at a zero cost to the Borough. The cost to park will be the normal hourly metered rate plus a fifty-cent convenience fee that is passed on to the user. The convenience fee is charged per transaction. Mr. Prevoznik advised the updated parking rates and convenience fees should be added to a fee schedule with a resolution next meeting.

A motion was made by Ms. Panepinto and seconded by Mr. Molin to table the request to use Passport as the mobile pay by phone app for the metered parking spaces until the rates are updated on our fee schedule. The motion carried unanimously.

Mr. Bond reported a request from St. Matthew's Church to close Braeside Avenue from Elk Street to Ridgeway Street on July 10, 2021 from 12:00 p.m. through 9:00 p.m. for a Trip Around the World Food Festival at the church.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to approve the request from St. Matthew's Church to close Braeside Avenue from Elk Street to Ridgeway Street on July 10, 2021 from 12:00 p.m. through 9:00 p.m. for a Trip Around the World Food Festival at the church. The motion carried unanimously.

Mr. Bond requested approval to ratify the hiring of Avery Walsh as a part-time seasonal Golf Course Maintenance worker with an hourly rate of \$12.50.

A motion was made by Mr. Cross and seconded by Mr. Molin to ratify the hiring of Avery Walsh as a part-time seasonal Golf Course Maintenance worker with an hourly rate of \$12.50. The motion carried unanimously.

Mr. Bond reported a request from the Head Start Program for a round of golf for four and two cart rentals to be used as a prize at the Annual Head Start Golf Tournament.

A motion was made by Ms. Panepinto and seconded by Mr. Molin to approve the request from the Head Start Program for a round of golf for four and two cart rentals to be used as a prize at the Annual Head Start Golf Tournament. The motion carried unanimously.

Golf Course Update

Mr. Bond reported that Terra Greens Municipal Golf Course is doing very well. There are more memberships for this season than previous seasons. As of last week, there were 23 members compared to the same time last year where membership was at 13. The Facebook page and website are being updated and maintained by the superintendent.

Bill Reese:

No report.

Approval of Warrant List 210601

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve Warrant List 210601 as presented. The motion carried unanimously.

Adjournment

A motion was made by Ms. Panepinto and seconded by Ms. Wolbert to adjourn the meeting at 8:44 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, June 15, 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.