

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

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

ABSENT: Maury Molin

The Pledge of Allegiance was led by Curtis Bair.

Solicitor's Report on Executive Session

The Solicitor reported that an Executive Session was held on June 15, 2021 starting at 7:01 p.m., prior to the start of the council meeting. The following matters were discussed: a litigation collection matter, a property acquisition with possible condemnation, and a personnel matter. Executive Session ended at 7:14 p.m. No decisions were made.

June 1, 2021 Council Minutes

A motion was made by Mr. Cross and seconded by Ms. Wolbert to approve the minutes of the June 1, 2021 council meeting. The motion carried unanimously.

Public Comments – Agenda Items

None.

SROSRC Report:

Ms. Wolbert reported that the pool at Dansbury Park has opened for the season.

Veterans Park:

Mr. Reese reported that the committee has applied for a grant offered by Giant Grocery Store. If awarded, the grant as well as other donations will be used to add a sidewalk across Veterans Park from Washington Street to Brown Street.

150th Update:

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

IBW Update:

Mr. Bond, Ms. Wolbert, and Mr. DeLarco met with Chuck Leonard. The Borough is applying for LSA money and additional funding for the demolition of the IBW site. Mr. Bond sent an updated budget to Mr. Leonard. Mr. Leonard will use that budget to investigate what grant monies are available for the demolition. Mr. Bond noted that the IBW site is in a state of disrepair and that demolishing the structures will enhance the value of the property.

Police Report:

The SARPD report was distributed via email. Chief Lyon advised the report shows the aggravated assaults increased by 50% in May 2021. Chief Lyon opined that the increase was spurred by a surge of assaults on police officers and hospital staff. Mr. DeLarco expressed his concerns with the loud cars racing throughout our area affecting the quality of life. Chief Lyon explained there is a lengthy process to be able to issue a \$100 ticket to a car with a loud muffler.

The police commission has approved an acoustic engineer with municipal ordinance experience to advise the police and its owner municipalities regarding noise issues and possible enforcement actions. The three owner municipalities have been invited to participate in the discussion with the acoustic engineer. Chief Lyon encourages residents to call 911 to report issues when they are happening.

Curtis Bair, owner of a house on East Broad Street, voiced his concerns with a neighboring house. Chief Lyon suggested Mr. Bair speak with her directly to discuss this matter further.

East Stroudsburg Community Alliance:

Ms. Wolbert requested approval for the ECA to place portable toilets in Miller Park for the Big Bang event scheduled for Friday, July 2, 2021.

A motion was made by Mr. Cross and seconded by Mr. DeLarco to authorize the ECA to place portable toilets in Miller Park for the Big Bang event scheduled for Friday, July 2, 2021.

Ms. Wolbert requested approval to work with the Borough Manager in drafting a letter to downtown businesses advising them as to what will occur during the Big Bang event scheduled for Friday, July 2, 2021.

A motion was made by Mr. DeLarco and seconded by Ms. Panepinto to authorize Ms. Wolbert to work with the Borough Manager to draft a letter to the downtown businesses advising them as to what will occur during the Big Bang event scheduled for Friday, July 2, 2021. The motion carried unanimously.

Engineer's Report:

The Engineer's report was distributed.

Green Valley Apartments

Mr. Oiler reported that Green Valley has made a request to reduce the financial security being held by the Borough in the amount of \$268,622.25. Mr. Oiler recommended the reduction and reported that the Borough still holds as security a balance of \$2,907,498.55 for the remaining required improvements.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to authorize the Green Valley Apartments financial security be reduced in the amount of \$268,622.25 thereby leaving a financial security balance of \$2,907,498.55 for the remaining required improvements as recommended by RKR Hess. The motion carried unanimously.

Brewskies – 55 North Courtland Street

Mr. Oiler reported that the developer for Brewskies has requested that the financial security being held by the Borough for required improvements be reduced by the amount of \$282,844.00. Mr. Oiler recommended the reduction and reported that the Borough would still hold a financial security balance of \$128,636.00 for the remaining required improvements. His recommendation was contingent upon the Borough receiving the storm water reports required by their engineer.

A motion was made by Ms. Wolbert and seconded by Mr. Cross to authorize that the financial security for the Brewskies project be reduced in the amount of \$282,844.00 thereby leaving a financial security balance of \$128,636.00 for the remaining required improvements all contingent upon receiving the storm water reports that are required by their engineer, as recommended by RKR Hess. The motion carried unanimously.

North Green Street Paving and ADA Ramp Project

The bids for the North Green Street paving and ADA ramp project were opened via PennBid on June 10, 2021. The apparent low bidder is Kobalt Construction with a bid of \$98,980.50. Mr. Oiler requested approval to issue the Notice of Intent to Award to Kobalt Construction for the North Green Street paving and ADA ramp project, for \$98,980.50, contingent upon favorable review by the Solicitor, Engineer, and Manager.

A motion was made by Ms. Panepinto and seconded by Mr. Cross to approve issuing the Notice of Intent to Award to Kobalt Construction for the North Green Street paving and ADA ramp project, for \$98,980.50, contingent upon favorable review by the Solicitor, Engineer, and Manager. The motion carried unanimously.

Public Comments – New Business

Curtis Bair, owner of 53 East Broad Street, brought a trash complaint regarding a neighboring property to the attention of Council. Mr. Walton advised citations have been filed with the Magistrate's Office for the property Mr. Bair is referring to.

Marie Summa, an owner of 67 Crystal Street, stated they would like to paint the exterior of their building. Mr. Bond had previously sent the Summa's the required contract that listed the regulations. Ms. Summa expressed her concern on the stringent regulations the Borough has in place in regards to the project. She stated that her project was a small, short-term painting project which the Borough would require the Summa's to obtain a temporary construction easements and insurance indemnification. Mr. Prevoznik advised Council that Ms. Summa is requesting to utilize a portion of the Borough's property in order to make improvements to her property. Mr. Prevoznik stated that a painting plan is required to inform the Borough the exact purpose of the project, including how the Summa's will accomplish the painting, the project's timeframe, and whether the project will require the Borough to temporarily remove anything from the Borough's property (e.g., the tables in the breezeway) in order to set up scaffolding. Mr. Prevoznik reported that the contract form which Mr. Bond provided to the Summa's is a standard Borough form. The Borough could assess the specific requirements of the project based on a painting plan if that plan is provided to the Borough.

Frank Summa, an owner of 67 Crystal Street, stated the Borough placed gravel on his property during the breezeway improvement project which is located adjacent to the Summa's building. He reported that gravel was laid in place of the existing dirt. Mr. Bond indicated that this was the first that he heard about that and if the Summa's wanted the Borough to remove the gravel, he would have it removed. Mr. Summa did not respond to Mr. Bond's offer but said that he wanted to report that to Council and that he was keeping track of things.

Reports:

Brian Ace/Public Works:

The DPW report was distributed via email.

Marv Walton:

Mr. Walton's reports were distributed via email.

Mr. Walton requested authorization to approve the Borough Manager to execute a Professional Services agreement with Charles H. Hannig, regarding Mr. Hannig's Zoning Map and Zoning Ordinance Amendment Request.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to approve the Borough Manager to execute a Professional Services agreement with Charles H. Hannig, regarding Mr. Hannig's Zoning Map and Zoning Ordinance Amendment Request. The motion carried unanimously.

Mr. Walton requested authorization to advertise and set a public hearing for Ordinance 1379, amending Chapter 124, Rental Property, regulating Short-Term Rentals for Tuesday, August 17, 2021 at 7:25 p.m.

A motion was made by Mr. Cross and seconded by Ms. Panepinto to authorize Mr. Walton to advertise and set a public hearing for Ordinance 1379, amending Chapter 124, Rental Property, regulating Short-Term Rentals for Tuesday, August 17, 2021 at 7:25 p.m. The motion carried unanimously.

Mr. Walton requested authorization to forward Ordinance 1380, amending Chapter 157, Zoning, regulating Short-Term Rentals to the Monroe County Planning Commission and the Borough Planning Commission for review and comment.

A motion was made by Mr. Cross and seconded by Mr. Panepinto to authorize Mr. Walton to forward Ordinance 1380, amending Chapter 157, Zoning, regulating Short-Term Rentals to the Monroe County Planning Commission and the Borough Planning Commission for review and comment. The motion carried unanimously.

Mr. Walton requested authorization to advertise and set a public hearing for Ordinance 1380, amending Chapter 157, Zoning, regulating Short-Term Rentals for Tuesday, August 17, 2021 at 7:30 p.m.

A motion was made by Ms. Panepinto and seconded by Mr. Cross to authorize Mr. Walton to advertise and set a public hearing for Ordinance 1380, amending Chapter 157, Zoning, regulating Short-Term Rentals for Tuesday, August 17, 2021 at 7:30 p.m. The motion carried unanimously.

Mr. Walton reported that the Zoning and Review Committee recommended reducing the scope of the traffic study to the proposed Ridgeway overlay district, the area around the IBW building and the Ridgeway Overlay District. Mr. Walton is seeking a motion to approve that recommendation.

A motion was made by Mr. DeLarco and seconded by Ms. Panepinto to approve the Zoning and Review Committee's recommendation to reduce the scope of the traffic study to be performed by TPD to the proposed Ridgeway overlay district, the area around the IBW building and the Ridgeway Overlay District. The motion carried unanimously.

Mr. Walton requested authorization for the Borough Manager to execute the Professional Service Agreement with Classic Quality Homes.

A motion was made by Mr. Cross and seconded by Ms. Wolbert to approve the Borough Manager to execute the Professional Service Agreement with Classic Quality Homes.

Finance:

The financial reports were distributed via email.

Mayor Armand Martinelli:

No report.

Sonia Wolbert:

No report.

Don Cross:

Mr. Cross asked the status of the Eagle Valley Pump Station project. Mr. Bond reported that the pump station is currently on schedule. He noted that Pioneer Construction was encouraged to coordinate schedules with the Middle Dam project since Pioneer Construction is the contractor for both projects.

Maury Molin:

Absent.

Roger DeLarco:

Mr. DeLarco inquired as to the status of our accounts receivable situation, specifically the water and sewer revenues. Mr. Bond will provide an update at the next Finance Committee meeting. Mr. DeLarco added the Golf Course is doing well and the reports are excellent.

Mr. DeLarco also mentioned the contractors did an outstanding job on the Ridgeway Street bridge replacement. Mr. DeLarco would like the Borough to explore establishing a pocket park in that area if the Borough owned the right-of-way. He suggested adding lighting, benches, and tables to the area.

Carrie Panepinto:

Ms. Panepinto relayed complaints from constituents about the condition of the streets in the Borough. Mr. Bond stated the streets will eventually get paved. Mr. Ace added the street crew will begin pothole patching next week.

Solicitor John Prevoznik, Esq.:

No report.

Manager's Report:

Mr. Bond reported the request from AWSOM for a round of golf for two with cart, for the 13th Annual John Fiero Memorial Golf Tournament to be held on Monday, August 10, 2021.

A motion was made by Mr. DeLarco and seconded by Ms. Wolbert to approve the request from AWSOM for a round of golf for two with cart, for the 13th Annual John Fiero Memorial Golf Tournament to be held on Monday, August 10, 2021. The motion carried unanimously.

Mr. Bond reported the request from ESU Soccer for a round of golf for two with a cart for the ESU Soccer Annual Golf Tournament.

A motion was made by Ms. Panepinto and seconded by Ms. Wolbert to approve the request from ESU Soccer for a round of golf for two with a cart for the ESU Soccer Annual Golf Tournament. The motion carried unanimously.

Mr. Bond reported the request from Our Lady of Victory Church for a round of golf for two with a cart for the Annual Parish Golf Tournament.

A motion was made by Ms. Panepinto and seconded by Ms. Wolbert to approve the request from Our Lady of Victory Church for a round of golf for two with a cart for the Annual Parish Golf Tournament. The motion carried unanimously.

Mr. Bond requested authorization to provide Brodhead Creek Authority with a copy of the Borough's Water Rules and Regulations.

A motion was made by Ms. Wolbert and seconded by Mr. Cross to authorize the Borough Manager to provide Brodhead Creek Authority with a copy of the Borough's Water Rules and Regulations. The motion carried unanimously.

Mr. Bond requested approval to install a flow meter on the water transmission main from the water treatment plant in Eagle Valley Corners to monitor the flow of water within the transmission line at both ends.

A motion was made by Mr. DeLarco and seconded by Mr. Cross to authorize the installation of a flow meter on the water transmission main from the water treatment plant in Eagle Valley Corners to monitor the flow of water within the transmission line at both ends. The motion carried unanimously.

Mr. Bond reported the request from ESU to pay RKR Hess \$1,541.36 as the Borough's in-kind contribution towards the Multi Modal Grant for Ridgeway Street. No motion was made to approve this request, no action taken.

Mr. Bond requested approval to release \$63,000.00 of the \$68,000.00 Fire Escrow to James Rondeau with the remaining funds held until the final certificate of occupancy is issued.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to authorize the release of \$63,000.00 of the \$68,000.00 Fire Escrow to James Rondeau with the remaining funds held until the final certificate of occupancy is issued. The motion carried unanimously.

Mr. Bond requested approval to schedule a public work session for MS4 public education with a date and time to be determined.

A motion was made by Ms. Wolbert and seconded by Mr. DeLarco to authorize the Borough Manager to set and advertise a public work session for MS4 public education in the *Pocono Record*. The motion carried unanimously.

Bill Reese:

No report.

Approval of Warrant List 210615

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to approve Warrant List 210615 as presented. The motion carried unanimously.

Adjournment

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to adjourn the meeting at 8:34 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, July 6, 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.