

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY AUGUST 17, 2021 - 7:15 p.m.

PRESENT IN PERSON: William T. Reese; Carrie Panepinto; Maury Molin; Sonia Wolbert; 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 Nate Oiler

VIRTUALLY PRESENT: Mayor Armand Martinelli

The Pledge of Allegiance was recited.

Solicitor's Report on Executive Session

The Solicitor reported that an Executive Session was held on August 17, 2021 starting at 6:51 p.m., prior to the start of the Council meeting. All members of Council were present; Mayor Martinelli was absent. The following matters were discussed: Contract negotiations regarding property acquisition for Route I-80 relocation project and litigation strategies regarding debt collection. Executive Session ended at 7:15 p.m. No decisions were made.

August 3, 2021 Council Minutes

A motion was made by Ms. Panepinto and seconded by Mr. Molin to approve the minutes of the August 3, 2021 Council meeting. The motion carried unanimously.

Public Hearing, Ordinance 1383, amending Chapter 64, Alcoholic Beverages, Section 65-3, Exceptions

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

Mr. Bond testified on behalf of the Borough regarding Ordinance 1383. Mr. Bond's testimony included the announcement of a sign-in sheet as Exhibit 3. He also explained that the proposed Ordinance was the subject of a public notice in the *Pocono Record*. Also, the Ordinance was posted at the Borough Building and on the Borough Website. Finally, the Borough also sent a copy of the Ordinance to the Monroe County Law Library.

Mr. Bond stated that Ordinance 1383 amends Chapter 64, Alcoholic Beverages, Section 65-3, Exceptions, of the East Stroudsburg Borough Code of Ordinances. This amendment removes the prohibition of open containers in the Borough for special events when a permit has been issued by the Borough to a non-profit organization for fairs, picnics, other community events or gatherings. The Borough may issue a permit to allow open containers subject to any limitations imposed by East Stroudsburg Borough Council and the Pennsylvania Liquor Control Board regarding the consumption of alcoholic beverages. Limitations may include, by way of illustration, the hours and locations within the Borough for which the permitted consumption of alcoholic beverages has been approved. The Ordinance reserves Borough Council's right to set times, frequency, and location limitations on any request for a permit/exemption. The Ordinance allows Borough Council to establish application fees for special event permits by resolution. The Ordinance makes clear that any permit holder shall be responsible for compliance with all conditions imposed by the East Stroudsburg Borough as a condition of the permit. Applications must be completed in their entirety and include the payment of all fees, bonds, provision of insurance as requested, as well as providing for detailed plans regarding security and refuse cleanup. Borough personnel shall not be utilized for any open container event. The Ordinance extends the exemption to also

include any individual purchasing alcoholic beverages offered for sale and/or dispensed by the permittee within the designated areas for the permit. The Borough of East Stroudsburg reserves the right to revoke, rescind, and/or cancel any permit granted for any violation of any law or condition of the permit by a vote of Council at a public meeting. A Pennsylvania Liquor Control Board Special Occasions Permit must be provided to the Borough prior to the event.

With no questions or comments from Council or the public, a motion was made by Ms. Wolbert and seconded by Mr. Molin to enter exhibits 1 through 3 into evidence (Exhibit 1 – Ordinance; Exhibit 2 – Proof of Publication; Exhibit 3 – Sign in Sheet). The motion carried unanimously.

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

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve Ordinance 1383, amending Chapter 64, Alcoholic Beverages, Section 65-3, Exceptions, as advertised. The motion carried unanimously.

2019 Audit Report

Carl Hogan, auditor of BBD, LLP., reviewed the East Stroudsburg Borough's 2020 audit report. Mr. Hogan explained that the necessary 2020 reports have not yet been received from PMRS, the Borough's retirement system. The numbers in the report are being presented fairly, but there will be some missing information regarding the fiduciary funds related to PMRS. The auditors cannot give an opinion on those funds; therefore, the auditor has placed a qualification on the report to that effect. Once the PMRS information is received, the final audit report will be provided. Mr. Hogan advised that during the auditing process for 2020, no deficiencies in internal control have been identified. Mr. Hogan hopes to have all the necessary information from PMRS in order to finalize the audit soon. It is his intention to attend the September 21, 2021 Council meeting.

A motion was made by Mr. DeLarco and seconded by Mr. Cross to table accepting the East Stroudsburg Borough's 2020 audit report until the September 21, 2021 Council meeting. The motion carried unanimously.

Public Comments – Agenda Items

None.

SROSRC Report:

Ms. Wolbert reported that SROSRC will be scheduling planning sessions. Dates will be announced.

Veterans Park:

Mr. Molin reported that he planted mums in the urns within Veterans Park.

150th Update:

The next committee meeting is scheduled for August 31, 2021 at 4:00 p.m. Augustfest will be August 28, 2021 from 9:00 a.m. to 3:00 p.m. in Miller Park. The committee requested meter bags for vendor parking during this time. Mr. Bond advised that the committee may purchase meter bags for their use. The cost per bag is \$5.00 per day with a maximum of twenty bags.

IBW Update:

Mr. Bond reported he met Mr. Oiler and Mr. Prevoznik. The public works department went to the site to take measurements of the buildings. Mr. Bond is waiting for information from Chuck

Leonard. Mr. Bond will be working with Tony Dellaria to get the bid specs finalized by September for council to review and grant permission to advertise.

Police Report:

The Stroud Area Regional Police commission meeting was postponed and its report will be distributed at a later date.

East Stroudsburg Community Alliance:

No report.

Engineer's Report:

The Engineer's report was distributed. There were no action items or questions from Council.

Public Comments – New Business

Bruce Smith of North Green Street reported noise issues in his neighborhood. Mr. Prevoznik advised Mr. Smith's specific questions should be addressed to the SARPD, and suggested Mr. Smith attend the next police commission meeting, which is scheduled for Wednesday, August 18, 2021 at 7:00 p.m. at the police station on Day Street.

Ms. Kuchinski of Sopher Street asked if a thicker contractor's garbage bag could be available for residents to purchase as the approved extra bags for garbage collection. The current bags are light-weight and cannot always hold heavier items for disposal. Mr. Bond advised there is a weight limit attached to the bags which is set by the contracted waste hauler. Mr. Bond stated he will look into whether the bags may be changed and, if so, place the change into the bid specs for the upcoming garbage contract.

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:

No report.

Sonia Wolbert:

No report.

Don Cross:

No report.

Maury Molin:

Mr. Molin reported that the Naming Committee met on August 12, 2021. The criteria of naming places within the Borough will be set by resolution at the September 7, 2021 Council Meeting. The next committee meeting is scheduled for August 26, 2021 at 1:00 p.m.

Roger DeLarco:

Mr. DeLarco would like the Borough to create a welcoming area or pocket park along Crystal Street by the new historical sign that was just added near the Ridgeway Street bridge. Mr. Bond advised the property belongs to PennDOT and the Railroad Authority. Mr. DeLarco requested Mr. Bond contact PennDOT to request use of this area.

Carrie Panepinto:

No report.

Solicitor John Prevoznik, Esq.:

Mr. Prevoznik reported that he and Mr. Bond met with Attorney Matergia, Attorney Kidwell, Mr. Oiler, and Mr. Berkowitz to discuss resolving the appeals on the Armory building located at 271 Washington Street. Appeals to the Zoning Officer's determinations have been put on hold pending negotiations.

Manager's Report:

Mr. Bond reported a request from the East Stroudsburg Youth Association to hold a parade on August 29, 2021 starting at 9:00 a.m. and ending at 9:30 a.m. The parade route will be from Dansbury Park to East Stroudsburg High School, traveling Day Street, Lenox Avenue, and Elizabeth Street, contingent upon all forms and fees being provided.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve the request from the East Stroudsburg Youth Association to hold a parade on August 29, 2021 starting at 9:00 a.m. and ending at 9:30 a.m. The parade route will be from Dansbury Park to East Stroudsburg High School, traveling Day Street, Lenox Avenue, and Elizabeth Street, contingent upon all forms and fees being provided. The motion carried unanimously.

Mr. Bond reported a request from 1,000 Pink Lights for a donation of a round of golf for two with a cart for a fundraising event being held September 19, 2021.

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve the request from 1,000 Pink Lights for a donation of a round of golf for two with a cart for a fundraising event being held September 19, 2021. The motion carried unanimously.

Mr. Bond reported a request from the Pocono Chamber of Commerce to allow free parking in all municipal parking lots and on Crystal Street, Washington Street, North Courtland Street, and Federal Street for the Pickle Me Poconos Festival on Saturday, October 3, 2021.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve the request from the Pocono Chamber of Commerce to allow free parking in all municipal parking lots and on Crystal Street, Washington Street, North Courtland Street, and Federal Street for the Pickle Me Poconos Festival on Saturday, October 3, 2021. The motion carried unanimously.

Mr. Bond reported a request from the Pocono Chamber of Commerce to make parking space numbers 7, 8, 10, 11, and 12 in the Municipal Parking Lot Number 4 handicapped parking for the Pickle Me Poconos Festival on Saturday, October 3, 2021.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to approve the request from the Pocono Chamber of Commerce to make parking space numbers 7, 8, 10, 11, and 12 in the Municipal Parking Lot Number 4 handicapped parking for the Pickle Me Poconos Festival on Saturday, October 3, 2021. The motion carried unanimously.

Mr. Bond reported a request from the Pocono Chamber of Commerce to waive the temporary health license fee for all food vendors for the Pickle Me Poconos Festival on Saturday, October 3, 2021. The current fee is \$125.00 per vendor.

After discussion, a motion was made by Mr. DeLarco and seconded by Mr. Molin to table the request to waive the temporary health license fee for all food vendors for the Pickle Me Poconos Festival until the September 7, 2021 Council Meeting. The motion carried unanimously.

Mr. Bond requested approval of the application from the Pocono Chamber of Commerce for an Open Container Special Event on October 3, 2021, contingent upon all forms, proof of insurance, fees, and a PA Liquor Control Board license are provided.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to approve the application from the Pocono Chamber of Commerce for an Open Container Special Event on October 3, 2021, contingent upon all forms, proof of insurance, fees, and a PA Liquor Control Board license are provided. The motion carried unanimously.

Mr. Bond requested authorization to file an appeal for the Zoning Hearing Board decision to grant a variance request to Mr. Guasco at the July 15, 2021 Zoning Hearing Board Public Hearing.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to authorize filing an appeal for the Zoning Hearing Board decision to grant a variance request to Mr. Guasco at the July 15, 2021 Zoning Hearing Board Public Hearing. The motion carried unanimously.

Mr. Bond requested approval to hire an environmental firm to do a site review of the IBW buildings for hazardous materials to complete the bid specs.

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve hiring an environmental firm to do a site review of the IBW buildings for hazardous materials to complete the bid specs. The motion carried unanimously.

Mr. Bond requested approval to accept the letter of resignation from Zach Bankes, maintenance worker, with a final date of August 27, 2021.

A motion was made by Mr. DeLarco and seconded by Mr. Molin to accept the letter of resignation from Zach Bankes, maintenance worker, with a final date of August 27, 2021. The motion carried unanimously.

Mr. Bond reported a transfer request from Justen Novak from the maintenance department to the wastewater treatment plant as a "B" rate employee of \$23.95 per hour, as recommended by the Director of Public Works. Mr. Novak passed his PA DEP Wastewater treatment operators licensing exams.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve Justen Novak's request to transfer from the maintenance department to the wastewater treatment plant as a "B" rate employee of \$23.95 per hour, as recommended by the Director of Public Works. Mr. Novak passed his PA DEP Wastewater treatment operators licensing exams. The motion carried unanimously.

Mr. Bond requested approval to advertise for open employment positions in the maintenance department and parking enforcement.

A motion was made by Mr. Molin and seconded by Mr. Cross to approve advertising the open employment positions in the maintenance department and parking enforcement. The motion carried unanimously.

Bill Reese:

Mr. Reese requested we add information to the newsletters to residents to inform them of the Borough's burning ordinance.

Approval of Warrant List 210817

A motion was made by Mr. DeLarco and seconded by Ms. Panepinto to approve Warrant List 210817 as presented. The motion carried unanimously.

Adjournment

A motion was made by Mr. Cross and seconded by Mr. Molin to adjourn the meeting at 8:29 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, September 7, 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.