

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

PRESENT IN PERSON: William T. Reese; Carrie Panepinto; Maury Molin; Sonia Wolbert; Don Cross; 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: Roger DeLarco

ABSENT: 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 September 7, 2021 starting at 6:51 p.m., prior to the start of the Council meeting. All members of Council were present with the exception of Roger DeLarco; Mayor Martinelli was absent. The following matters were discussed: Personnel matters, a litigation matter regarding the fire company that was sent to the Borough. Executive Session ended at 7:15 p.m. No decisions were made.

**August 17, 2021 Council Minutes**

A motion was made by Mr. Cross and seconded by Mr. Molin to approve the minutes of the August 17, 2021 Council meeting. The motion carried unanimously.

**Resolution 21-2021, Keystone Information Commons Project**

Mr. Prevoznik reported that the Keystone Information Commons project has been ongoing since 2015 and is subject to conditional uses. In the conditional use decision dated April 17, 2018, it was determined that amendments or modifications to any condition could be made if a request to the Borough was made in writing and the request was publicly discussed and voted on at a regularly scheduled Borough Council meeting. A letter from East Stroudsburg University dated August 2, 2021 was submitted to the Borough. The letter requested consideration to modify Condition #2 of the conditional use decision dated April 17, 2018 – specifically a request to change the time frame for completion of the Information Commons project from forty-two (42) months after Borough approval of the Land Development Plan to eighty-four (84) months after Borough approval of the Land Development Plan. Mr. Walton stated that he reviewed the project matrix with Mr. Bond and Mr. Oiler. The matrix is substantially in compliance with all conditions of the conditional use with most, if not all, conditions satisfied to date. Mr. Long, of East Stroudsburg University, was present and confirmed that ESU is requesting to amend the conditional use as set forth in the August 2, 2021 letter. Mr. Long also stated that he read the proposed Resolution 21-2021 and that ESU is in agreement with same. Mr. Long confirmed that ESU is authorized to speak on behalf of DGS. Mr. Prevoznik noted that a copy of the approved Resolution should be forwarded to DGS as they were the only other party involved in the conditional use decision process. Mr. Long noted that bids for this project will be going out by the end of September 2021.

With no further questions or comments, a motion was made by Mr. Cross and seconded by Ms. Wolbert to approve Resolution 21-2021, amending the Conditional Use for the Keystone Information Commons project as requested by East Stroudsburg University and attached to the Minutes. The motion carried unanimously.

## **Public Comments – Agenda Items**

None.

### **SROSRC Report:**

The SROSRC reports were distributed via email. A motion was made by Mr. Molin and seconded by Mr. Cross to accept the SROSRC report as presented. The motion carried unanimously. Copies of the reports are attached to the Minutes.

### **Veterans Park:**

No report.

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

The next committee meeting is scheduled for September 30, 2021 at 4:00 p.m. The closing ceremonies will be held Sunday, October 17, 2021 at the Elks Lodge on Washington Street.

### **IBW Update:**

Mr. Bond requested authorization to advertise the demolition bid of the IBW property, contingent upon favorable review of the contract documents and specifications by the Borough Solicitor, Engineer, and Manager.

A motion was made by Ms. Panepinto and seconded by Mr. DeLarco to authorize the advertising the demolition bid of the IBW property, contingent upon favorable review of the contract documents and specifications by the Borough Solicitor, Engineer, and Manager. The motion carried unanimously.

Mr. Bond requested authorization for the Council President to execute the Cooperation Agreement with the Redevelopment Authority of the County of Monroe and the Borough of East Stroudsburg for the Demolition Fund monies to be used for the demolition of the building at the former IBW property.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to authorize the Council President to execute the Cooperation Agreement with the Redevelopment Authority of the County of Monroe and the Borough of East Stroudsburg for the Demolition Fund monies to be used for the demolition of the building at the former IBW property. The motion carried unanimously.

### **Police Report:**

The SARPD report will be presented at the September 21, 2021 Council meeting.

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

Ms. Wolbert thanked everyone involved for their help with the Big Bang event. An ECA debriefing meeting has been scheduled for Monday, September 13, 2021.

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

The Engineer's report was distributed. A copy of the report is attached to the Minutes.

### **Middle Dam Rehabilitation and New Water Supply Intake Line**

Mr. Scott requested approval of Payment Request No. 2 in the amount of \$207,972.62 to Pioneer Construction Company, Inc. for work completed through August 13, 2021, as recommended by the Borough Engineer.

A motion was made by Mr. Cross and seconded by Ms. Panepinto to approve Payment Request No. 2 in the amount of \$207,972.62 to Pioneer Construction Company, Inc. for work completed through August 13, 2021, as recommended by the Borough Engineer. The motion carried unanimously.

### **Emergency Generator for Wells Nos. 3**

Mr. Scott requested approval of Change Order No. 1 for a thirty (30) day extension of Substantial Completion from September 5, 2021 to October 5, 2021. There will be no change in the contract price as a result of this change order.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve Change Order No. 1 for a thirty (30) day extension of Substantial Completion from September 5, 2021 to October 5, 2021. There will be no change in the contract price as a result of this change order. The motion carried unanimously.

### **I-80 Exit 308 PennDOT Realignment Project Update**

Mr. Scott reported that the Borough has submitted a request for reimbursement of costs. The payment was received by the Borough. The let date has been extended until January 2022. The Borough Manager has been working to secure all necessary easements.

### **2021 Joint Municipal Landfill Monitoring**

Mr. Scott requested authorization to submit the 2021 Joint Municipal Landfill Monitoring Report to PA DEP. Mr. Scott reported that the two landfill sites, for which monitoring has been performed for many years, are located in East Stroudsburg south of I-80, adjacent to Brodhead Creek, and on Shafer Schoolhouse Road in Stroud Township. The costs of monitoring, sampling, lab testing, and reporting are shared expenses between East Stroudsburg Borough, Stroudsburg Borough, and Stroud Township. The most recent sampling events occurred on April 14 and 15, 2021. The annual 2021 progress report has been provided to the three municipalities for review. The East Stroudsburg site has been capped and abandoned since at least 1968. Water quality samples have been taken from the Brodhead Creek upstream and downstream of the landfill site and after 26 years of monitoring has shown no discernible impact to the Brodhead Creek. The results are consistent with previous years' samples. Leachate samples are also analyzed annually.

A motion was made by Mr. Molin and seconded by Mr. Cross to authorize the submission of the 2021 Joint Municipal Landfill Monitoring Report to PA DEP. The motion carried unanimously.

### **DRBC Docket Renewal for the Water Treatment Plant Discharge**

Mr. Scott requested authorization to submit the DRBC Docket D-2007-039 CP-3 renewal application to DRBC upon review of the application by the Manager and Solicitor. The application requires payment of an application fee in the amount of \$541.00 to the Delaware River Basin Commission.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to authorize the submission of the DRBC Docket D-2007-039 CP-3 renewal application to DRBC upon review of the application by the Manager and Solicitor. The application requires payment of an application fee in the amount of \$541.00 to the Delaware River Basin Commission. The motion carried unanimously.

### **Unaccounted-for Water Loss**

Mr. Scott requested authorization for the Borough to submit the 2020 Unaccounted-For Water Usage Update Report to PA DEP and to formally request a time extension of two years, until January 2025, to demonstrate progress toward achieving the goal of 20% of less unaccounted-for water.

A motion was made by Mr. Cross and seconded by Mr. Molin to authorize the Borough to submit the 2020 Unaccounted-For Water Usage Update Report to PA DEP and to formally request a time extension of two years, until January 2025, to demonstrate progress toward achieving the goal of 20% of less unaccounted-for water after review of the solicitor and approval by the Borough Manager. The motion carried unanimously.

### **Public Comments – New Business**

None.

### **Reports:**

#### **Brian Ace/Public Works:**

The DPW report was distributed via email. A motion was made by Mr. Cross and seconded by Mr. Molin to accept the DPW reports as presented. The motion carried unanimously. A copy of the report is attached to the Minutes.

#### **Marv Walton:**

Mr. Walton's reports were distributed via email. A motion was made by Mr. Cross and seconded by Ms. Panepinto to accept the Mr. Walton's reports as presented. The motion carried unanimously. Copies of the reports are attached to the Minutes.

Mr. Walton requested approval to release \$23,000.00 of the \$28,000.00 fire escrow to Luis Leon, property owner of 240 Secor Avenue, with the remaining funds held until the final certificate of occupancy is issued.

A motion was made by Mr. Molin and seconded by Mr. Cross to approve releasing \$23,000.00 of the \$28,000.00 fire escrow to Luis Leon, property owner of 240 Secor Avenue, with the remaining funds held until the final certificate of occupancy is issued. The motion carried unanimously.

### **Update on the Armory Property**

The owners of the Armory Property submitted an appeal to the Zoning Hearing Board's decision and also requested a continuance so that matters could be worked out between the owners and the Borough. A request for a 60-day extension has been made to the Zoning Hearing Board. The Borough has met with the owners and their attorneys once and is currently waiting for applicant's counsel to provide the necessary information to the Borough.

### **Finance:**

The financial reports were distributed via email. A motion was made by Mr. Cross and seconded by Ms. Wolbert to accept the financial reports as presented. The motion carried unanimously. Copies of the reports are attached to the Minutes.

### **Mayor Armand Martinelli:**

Absent.

**Sonia Wolbert:**

No report.

**Don Cross:**

No report.

**Maury Molin:**

Mr. Molin reported that the Naming Committee met on August 26, 2021. It was recommended that the committee shall consist of two community members and three Council members. A motion was made by Mr. Molin and seconded by Ms. Panepinto to establish the Naming Committee consisting of two community members and three Council members. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Molin to authorize the Borough Manager to post the website and other Borough postings in order to solicit interest in the community. The motion carried unanimously.

During the meeting, Debbie Kuchinski requested to be added to the Naming Committee as a community member.

A motion was made by Mr. Cross and seconded by Mr. Molin to table approving the naming criteria as recommended by the Naming Committee. The motion carried unanimously.

Mr. Molin advised the dirt pile on the corner of Center Street and Braeside Avenue has not been removed. There are also weeds growing by the stop sign adjacent from the dirt pile and leaning onto the street and sidewalk.

**Roger DeLarco:**

No report.

**Carrie Panepinto:**

Ms. Panepinto asked about the right of way on East Broad Street from Warren Street to Route 447. The weeds and bushes stick out too far for pedestrians to walk safely on that part of East Broad Street. Mr. Walton advised he can only enforce growth on sidewalks and much of that stretch does not have sidewalks.

**Solicitor John Prevoznik, Esq.:**

Mr. Prevoznik reported that the Borough has received notice of a finding from the Auditor General with regards to the fire company and its relief association. There was an action required. Mr. Prevoznik contacted the person in charge at the Auditor General's office on September 7, 2021 and was informed that the Borough does not have to do anything at this time. The fire company is close to being in full compliance and is continuing to work on the issue.

**Manager's Report:**

Mr. Bond requested authorization to appoint Roger DeLarco as the East Stroudsburg Borough voting delegate at the 2021 Municipal Leadership Summit.

A motion was made by Mr. Cross and seconded by Mr. Molin to appoint Roger DeLarco as the East Stroudsburg Borough voting delegate at the 2021 Municipal Leadership Summit. The motion carried unanimously.

Mr. Bond requested authorization to appoint the Borough Manager as the East Stroudsburg Borough alternate voting delegate at the 2021 Municipal Leadership Summit.

A motion was made by Mr. Cross and seconded by Mr. Molin to appoint the Borough Manager as the East Stroudsburg Borough alternate voting delegate at the 2021 Municipal Leadership Summit. The motion carried unanimously.

Mr. Bond requested authorization for Roger DeLarco and himself to attend the 2021 Pennsylvania Municipal League Leadership Conference on October 7 through October 9, 2021 in Lancaster, PA.

A motion was made by Mr. Cross and seconded by Ms. Wolbert to authorize Roger DeLarco and Brian Bond to attend the 2021 Pennsylvania Municipal League Leadership Conference on October 7 through October 9, 2021 in Lancaster, PA. The motion carried unanimously.

Mr. Bond requested approval to accept the Monroe County Control Center MMO Letter which sets the MMO for 2022 at \$165,297.00.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to accept the Monroe County Control Center MMO Letter which sets the MMO for 2022 at \$165,297.00. The motion carried unanimously.

Mr. Bond requested authorization of the payment for the new Recycling truck in the amount of \$187,304.00. The Borough will be reimbursed \$168,573.60 with a PA DEP 902 Recycling Grant. The remaining balance of \$18,730.40 will be paid by the Borough of East Stroudsburg and reimbursed through either the Twin Borough's Recycling fund or half the funds received by the Borough of Stroudsburg.

A motion was made by Mr. Cross and seconded by Mr. Molin to authorize the payment for the new recycling truck in the amount of \$187,304.00. The Borough will be reimbursed \$168,573.60 with a PA DEP 902 Recycling Grant. The remaining balance of \$18,730.40 will be paid through the Borough of East Stroudsburg and reimbursed by either the Twin Borough's Recycling fund or half the funds received by the Borough of Stroudsburg. The motion carried unanimously.

Mr. Bond requested approval of a one-time temporary health license fee of \$250.00 for the Pickle Me Poconos Festival to cover the cost of the Borough Health Officer.

A motion was made by Ms. Panepinto and seconded by Mr. Molin to approve a one-time temporary health license fee of \$250.00 for the Pickle Me Poconos Festival to cover the cost of the Borough Health Officer. The motion carried unanimously.

Mr. Bond reported the request from a resident to remove the handicapped parking sign from 163 Grand Street and place it at 153 Grand Street.

A motion was tabled by Ms. Wolbert and seconded by Mr. Molin to approve the request. Mr. Bond and Mr. Ace will review the location site and report back to Council. The motion carried unanimously.

Mr. Bond requested approval of a lease for new golf carts for Terra Greens Municipal Golf Course through Sourcewell, under Sourcewell contract number 122220-CCR, the cost of the

lease is \$16,714.92 annually for six years or \$100,289.52 total, and the purchase of the old golf carts for the sum of \$54,000.00 payable to the Borough.

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to approve the lease for new golf carts for Terra Greens Municipal Golf Course through Sourcewell, under Sourcewell contract number 122220-CCR, the cost of the lease is \$16,714.92 annually for six years or \$100,289.52 total and the purchase of the old golf carts for the sum of \$54,000.00 payable to the Borough, contingent upon favorable tax opinion from bond council and the solicitor, if necessary. The motion carried unanimously.

**Bill Reese:**

Mr. Reese reported overgrown grass and weeds on the CVS property located along Crystal Street. Mr. Reese also reported the active ground water draining onto Analomink Street at the corner of South Green Street and requested Mr. Bond to reach out to the homeowner about this issue.

**Approval of Warrant List 210907**

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to approve Warrant List 210907 as presented. The motion carried unanimously.

**Adjournment**

A motion was made by Ms. Wolbert and seconded by Ms. Panepinto to adjourn the meeting at 8:45 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, September 21, 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.