

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, APRIL 5, 2022 – 7:15 p.m.

PRESENT IN PERSON: Sonia Wolbert; Edmund Freeborn; Maury Molin; Carrie Panepinto; Erika Huber; Mayor Victor Brozusky. Also present were: Borough Manager Brian Bond; Solicitor John Prevoznik; Public Works Director Brian Ace; and Borough Engineer Russ Scott.

ABSENT: William T. Reese

The Pledge of Allegiance was recited.

Solicitor's Report on Executive Session:

The Solicitor reported that an Executive Session was held on prior to the Council meeting on April 5, 2022 beginning at 6:20 p.m. All members of Council were present, with the exception of Mr. Reese; Mayor Brozusky and the Solicitor were also in attendance. Labor Attorney, John McLaughlin, attended virtually. Personnel matters were discussed. Executive Session ended at 7:18 p.m. No decisions were made.

March 15, 2022 Council Minutes:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Minutes of the March 15, 2022 Council meeting. The motion carried unanimously.

Public Comments – Agenda Items:

None.

SROSRC Report:

The SROSRC Report was distributed via email.

Veterans Park Update:

Mr. Molin reported the Veterans Park Committee met to discuss the Hometown Heroes Banner program. The next Veterans Park Committee meeting is scheduled for Wednesday, April 10, 2022, at 10:00 a.m., in Council Chambers.

Police Report:

The SARPD Report will be presented at the April 19, 2022 Council meeting.

East Stroudsburg Community Alliance (ECA):

The next ECA meeting is scheduled for Monday, April 11, 2022, at 5:15 p.m., at the Depot.

Engineer's Report:

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

Middle Dam Rehabilitation:

Mr. Scott provided an update on the Middle Dam project. He reported that the contractor has scheduled the disruption period, when the reservoir will be offline, to occur between June 24 and August 15, 2022, at which time the Eagle Valley Pump Station will be utilized. He further reported that substantial completion for the project is set for November 16, 2022 with a final completion date set for December 16, 2022. The submission deadline for contract closeout documents is January 15, 2023.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve Payment Request No. 7 in the amount of \$131,498.62 to Pioneer Construction Co., Inc. for work completed through January 31, 2022, as recommended by the Borough Engineer. The motion carried unanimously.

Green Valley Apartments:

A motion was made by Mr. Freeborn and seconded by Ms. Huber to authorize a release of required improvement escrow in the amount of \$180,148.47 for improvements installed, leaving a balance of \$2,099,671.83 for remaining improvements, as recommended by the Borough Engineer. The motion carried unanimously.

Dunkin' Release Request:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to authorize the release of \$66,896.00 from the "required improvement" escrow for the 256 North Courtland Street Dunkin' project owned by Mohamed E. Mohamed & Soad Bassiouni, based upon the required improvements installed to date as approved by the Borough Engineer, leaving a balance of \$24,433.70 in the escrow account for remaining improvements, as recommended by the Borough Engineer. The motion carried unanimously.

Mr. Scott reported that the following Annual Public Water System reports were submitted: The 2021 Annual Water Supply Primary Facility Report; The 2021 Water Allocation Compliance Report for Michael Creek Diversion; the AWWA Annual Water Audit. The 2021 Public Water System Consumer Confidence Report was provided to the Borough Manager to be distributed to all water system customers. Lastly, Mr. Scott reported that the Chapter 94 Wasteload Management Report for the Sanitary Sewer System was submitted.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to accept the Engineer's Report as submitted and attach to the minutes. The motion carried unanimously.

Public Comments – New Business:

Lisa Flory, Property Manager of Shirley Futch Plaza on South Kistler Street, asked if the Borough can help accommodate residents' vehicles while Shirley Futch's private parking lot gets resealed. Mr. Bond is to report back to Council with a proposed resolution to Ms. Flory's request at the April 19, 2022 Council meeting.

Bruce Smith, of 87 Green Street, stated that he is having issues with noise from his neighbors. Ms. Wolbert advised Mr. Smith to call the non-emergencies police response number at (570) 992-9911 when he has a noise complaint and that if SARPD does not respond, Mr. Smith's call would still be documented. Mr. Prevoznik suggested that the Borough Manager contact Chief Lyon so that she may investigate what occurred previously with past reports and officers responses thereto. He may then ask Chief Lyon to have someone reach out to Mr. Smith directly to discuss his concerns regarding lack of response.

Ms. Kessler, of 124 Analomink Street, asked the status of the one-way proposal of Crystal Street. Mr. Bond stated the option is still being studied. Ms. Kessler asked the status of the International Dark Sky street lighting, for which she had previously provided information to Mr. Bond. Mr. Bond stated that he is waiting for PPL to change our lights to LED bulbs which have a more direct downward lighting. Ms. Kessler suggested that Council members contact our State Representatives to push for the plastic bag ban in our area. Lastly, Ms. Kessler advised the usage rates on the water and sewer bills are listed incorrectly and suggested the issue gets corrected.

Reports:

Public Works:

The Public Works Report was distributed via email. A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve the Public Works Report as distributed and attached to the Minutes. The motion carried unanimously.

Zoning:

The Zoning Report will be distributed at the April 19, 2022 Council meeting.

Finance:

The Finance Report was distributed via email. A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Finance Report as distributed and attached to the Minutes. The motion carried unanimously.

Mayor Victor Brozusky:

Mr. Brozusky reported that the baseball field's backstop at Dansbury Park has many holes in it, making it ineffective. Brian Ace advised the sections of the backstop are being rewired to fix the gaps. Also, locks have been put on the closet in the dugout.

Mr. Brozusky advised that a local Girl Scout troop requested a tour of the Municipal Building and the Depot building. No date has been scheduled yet.

Bill Reese:

Absent.

Ed Freeborn:

No report.

Maury Molin:

The next Naming Committee meeting is scheduled for Thursday, April 14, 2022 at 4:00 p.m. in Council Chambers.

Erika Huber

No report.

Carrie Panepinto:

Ms. Panepinto reported the Community Garden Committee met two weeks ago, and the next meeting is scheduled for Monday, April 11, 2022 at 3:15 p.m. in Council Chambers.

Ms. Panepinto stated the committee needs to assess the size of the property being used for the community garden so they can move forward with their plans.

Ms. Panepinto asked the status of the violations at 313 East Broad Street. Mr. Bond advised over a dozen citations and tickets have been issued to this property. The Zoning Officer will file the appropriate Notices of Violation if it is determined that an illegal business is being conducted on the property.

Ms. Panepinto reported black garbage bags at a home on Secor Avenue. Mr. Bond stated that multiple garbage violations have been issued. Ms. Wolbert asked what the Borough is doing to move property violations forward to citations. Mr. Bond advised he is working on a policy, but in the meantime, the Codes Officer is filing citations weekly with the Magistrate's office for

unpaid property violations since March 1, 2022. Mr. Prevoznik added that tickets must be paid within ten days of issuance, otherwise, a citation is filed with the Magistrate. If a citation, once filed, sits too long without being served, that citation is subject to being dismissed by the court. The Zoning Officer is developing a policy to provide Borough Code Officials direction regarding property violations.

Solicitor John Prevoznik:

Ms. Wolbert reported receipt of a letter from Mr. Prevoznik, indicating that he was going to conclude his Solicitorship with the Borough as of June 2022 but has agreed to remain as Solicitor until the end of 2022 to provide the Borough ample time to find a replacement. However, if the Borough should find someone sooner, Mr. Prevoznik is willing to transition earlier and assist with the transition.

A motion was made by Ms. Huber and seconded by Mr. Freeborn to table accepting the letter from Mr. Prevoznik to allow time for further discussion between Council and the Solicitor. The motion carried unanimously.

Manager's Report:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the request from Justin Downey to advance from a Municipal Worker "C" to a Municipal Worker "B", as recommended by the Personnel Committee, effective today. Mr. Downey has completed the required course to advance as per the job description. The hourly rate of pay for a Municipal Worker "B" is \$23.95. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve the request from Ryan Philips to advance from a Municipal Worker "C" to a Municipal Worker "B", as recommended by the Personnel Committee, effective today. Mr. Philips has completed the required course to advance as per the job description. Mr. Philips is still a probationary employee, therefore, the probationary hourly rate for a Municipal Worker "B" is \$23.45. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Freeborn to approve the amended Salary and Wage Schedule, providing a 3% cost of living adjustment pay increase and adjust golf employee hourly wages, as recommended by the Golf Committee, Personnel Committee, and the Finance Committee, retroactive to January 1, 2022. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve the hiring of Cezar Witas as a full-time, seasonal golf maintenance worker at an hourly rate of \$14.00, as recommended by the Personnel Committee. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the hiring of Nicholas Davenport as a part-time, seasonal golf maintenance worker at an hourly rate of \$14.00, as recommended by the Personnel Committee. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve the hiring of Zachary Simmons as a part-time, seasonal golf pro shop worker at an hourly rate of \$11.00, as recommended by the Personnel Committee. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Freeborn to promote Gerry Dell' Aquila from a part-time recycling worker to a full-time recycling worker at an hourly rate of \$16.00, as recommended by the Personnel Committee. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve the hiring of James Tucker as the part-time Regulated Rental Inspector at an hourly rate of \$18.00, with the expected total weekly hours of 28 to 32, as recommended by the Personnel Committee. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve the hiring of Ann Wolfertz as a full-time Parking Enforcement Officer at an hourly rate of \$15.00, as recommended by the Personnel Committee, contingent upon her availability of weekends and evenings. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Ms. Panepinto to approve hiring Richard Heard as a part-time Parking Enforcement Officer at an hourly rate of \$15.00, with the expected total weekly hours of up to 28, as recommended by the Personnel Committee, contingent upon his availability of weekends and evenings. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Huber to appoint ARRO Consulting, Inc. as the Waste Water Engineer, contingent upon receiving an acceptable Professional Services Agreement, with the 2022 Rate Schedule attached to the Minutes and to be incorporated into the Fee Schedule Resolution. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Ms. Huber to authorize RKR Hess to provide transition support to ARRO Consulting, Inc. as the Waste Water Engineer. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Huber to approve East Stroudsburg University's request to change the route of the ESU Campus Recreation and Wellness Rec Ex 5K run/walk. The new route has the event taking place closer to ESU utilizing University property and the following Borough Streets: Smith Street, Ransberry Avenue, South Green Street, Normal Street, Spangenburg Avenue, Mary Street, and Gwendolyn Street. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Huber to approve the request from the McElligott School of Irish Dance for a donation of a round of golf for two with a cart at the Terra Greens Municipal Golf Course for its annual showcase and raffle to raise money for the dancers to continue Irish dancing, to be held on Saturday, July 30, 2022. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve the sale of the recycling truck for \$4,500.00, contingent upon approval of Stroudsburg Borough Council. The truck was approved to be placed on Municibid at the February 1, 2022 East Stroudsburg Borough Council meeting. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to schedule and advertise a Borough Council Work Session for Tuesday, April 12, 2022 at 6:00 p.m. in Borough Council Chambers. The motion carried unanimously.

Sonia Wolbert:

Ms. Wolbert advised Mr. Bond that based on deadlines from the Comprehensive Plan Committee, a Professional Committee meeting and a Zoning Ordinance Review Committee meeting need to be scheduled. Mr. Bond will send an invite out and advertise for those

meetings. Ms. Wolbert requested Mr. Bond to provide the Minutes from the April 4, 2022 Comprehensive Plan Committee meeting.

Ms. Wolbert reminded members of Council that each committee must have an agenda prior to their meeting, minutes coming out of the meeting, and thereafter provided to Council in the Council packet. Agendas should be available for public review. Once the minutes are approved by Council, they should be posted on the Borough's Website. In order to utilize everyone's time effectively, committee reports can be reviewed prior to Council meetings, and if any action items are necessary, they can be added to the agenda.

Approval of Warrant List 220405:

A motion was made by Mr. Molin and seconded by Ms. Panepinto to approve Warrant List 220405, as presented. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve Midterm Warrant List #220330, as presented. The motion carried unanimously.

Executive Session:

A motion was made by Mr. Freeborn and seconded by Ms. Huber to go into Executive Session at 8:33 p.m. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to reconvene the regular meeting at 9:01 p.m. The motion carried unanimously.

The Solicitor reported that personnel matters regarding potential discipline and potential real estate acquisition in connection with storm water facilities were discussed. No decisions were made.

Adjournment:

A motion was made by Ms. Panepinto and seconded by Erika Huber to adjourn the meeting at 9:02 p.m. The motion carried unanimously.

NEXT SPECIAL MEETING/WORK SESSION:

Tuesday, April 12, 2022, at 6:00 p.m.

NEXT REGULAR MEETING:

Tuesday, April 19, 2022, at 7:15 p.m.