

MINUTES FOR REGULAR MEETING  
EAST STROUDSBURG BOROUGH COUNCIL  
TUESDAY, MAY 17, 2022 – 7:15 p.m.

PRESENT IN PERSON: Sonia Wolbert; William Reese; Edmund Freeborn; Maury Molin; Carrie Panepinto; Erika Huber; Mayor Victor Brozusky. Also present were: Borough Manager Brian Bond; Borough Engineer Russ Scott; Zoning Officer Sam D'Alessandro; and Solicitor John Prevoznik.

The Pledge of Allegiance was recited.

**Solicitor's Report on Executive Session:**

The Solicitor reported that an Executive Session was held on May 17, 2022, starting at 6:30 p.m., prior to the start of the Council meeting. All members of Council were present. Mayor Brozusky, Mr. Prevoznik, and Brian Bond were also in attendance. Four personnel matters were discussed, including Union negotiations, personnel reviews, and investigations that are being conducted. Also discussed was a potential resolution to a pending appeal that is before the Court of Common Pleas. Mr. Scott entered into Executive Session at 6:59 p.m., at which time a purchase of property was discussed. Executive Session ended at 7:11 p.m. No decisions were made.

**May 3, 2022 Council Minutes:**

A motion was made by Mr. Molin and seconded by Mr. Reese to approve the Minutes of the May 3, 2022 Council meeting. The motion carried unanimously.

**Public Comments – Agenda Items:**

None.

**SROSRC Report:**

Ms. Wolbert reported the SROSRC State of the Commission is scheduled for May 24, 2022 at 5:00 p.m.

**Police Report:**

The SARPD report was distributed via email. Captain Raymond was present. Margaret Muth, a resident of the Borough, asked about a recent incident on Mary Street. Captain Raymond advised the incident was a large party and is still under review by SARPD and the East Stroudsburg University Police Department. Mr. Reese asked if there have been more problems with college parties recently compared to other years. Captain Raymond stated that the major issues have diminished in the past twenty-five years and credits the quality of life program and the ESU police and SARPD working together.

**East Stroudsburg Community Alliance (ECA):**

No report. No action taken.

**Engineer's Report:**

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

**Brown Street Waterline Replacement Project:**

Mr. Scott reported that Ankiewicz Enterprises, Inc., the contractor for the Brown Street waterline replacement project, requested authorization to perform the work during the hours of 7:00 p.m. to 6:00 a.m., Sunday through Thursday. The contractor went door to door to notify each affected

resident and to receive their permission to perform the night work. To date, the contractor obtained written authorization from seven of the residents, and he will follow-up with the other residents next week.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to authorize the request from Ankiewicz Enterprises, Inc. to perform the Brown Street waterline replacement project at night between the hours of 7:00 p.m. to 6:00 a.m., Sunday through Thursday, with the following contingencies: 1) the contractor shall be responsible to contact all residents who will be affected by this project, and receive signatures of at least 65% of those residents; 2) the contractor shall maintain access to driveways and properties when not actively working, and accommodate those residents when work is being performed; 3) this shall be a no-cost change order; and 4) this shall not affect the project timeline. The motion carried unanimously.

**Stemple Street Paving and ADA Ramp Project:**

A motion was made by Mr. Reese and seconded by Ms. Panepinto to authorize issuing the Notice to Proceed to M&J Excavation, Inc. for the Stemple Street Paving and ADA ramp project, upon execution of the Agreements by the Borough based on recommendations of the Borough Engineer, who has reviewed and approved the contract documents. The motion carried unanimously.

**Exit 308 Project:**

A motion was made by Mr. Molin and seconded by Ms. Panepinto directing the Borough Manager to send a letter to PennDOT regarding the dangerous condition by the newly installed barriers at the entrance ramp to I-80 westbound thereby creating unsafe conditions. The motion carried unanimously.

**Twin Boro's Recycling Center:**

The Monroe County Conservation District performed a site inspection at the Twin Boro's Recycling Center on April 28, 2022. The findings of the inspection were as follows: The Borough shall: 1) move the composted organic materials that have returned to soil out of the floodway to the upland portion of the recycling yard; 2) hay, seed, and/or stabilize the areas where piles were located; 3) stabilize existing mounds which have a portion of unstabilized material; 4) contain the soil which is being stored in the upland area with a silt fence; 5) stabilize the existing stockpiles of soil and stone and install proper E&S control.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to accept the site inspection report performed by the Monroe County Conservation District and attach to the minutes. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Mr. Molin directing the Borough Manager to complete and submit the E&S plan, contingent upon the Borough Engineer's review and approval. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to direct the Borough Manager and Engineer to work together to submit an application for a Chapter 106 permit to allow the Borough to work in the floodway. The motion carried unanimously.

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

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

None.

## **Reports:**

### **Public Works:**

The Public Works Report was distributed via email. A motion was made by Mr. Molin and seconded by Mr. Reese to approve the Public Works Report as distributed and attach to the Minutes. The motion carried unanimously.

### **Zoning:**

#### **Parking Study Update:**

Mr. D'Alessandro provided an update on the parking study performed by TPD. The report identified: 1) all Borough-owned parking lots; 2) the number of parking spaces within those Borough-owned lots; 3) the number of on-street parking spaces within the study area; 4) private parking lots within the study area; and 5) the number of private parking spaces within each lot identified. Mr. D'Alessandro reported that the study was performed on one weekday and one Saturday in February 2022 and set forth how the identified parking lots (private and public) were used during those two days. The report also compared Borough parking requirements with the parking requirements set forth in the Institute of Transportation Engineers Parking Manual. Finally, Mr. D'Alessandro reported that a limited list of strategies to improve parking in the Borough was included in the report. Mr. D'Alessandro noted that not all the requirements for a complete report were performed by TPD. He recommended that TPD fulfill the requirements in its original proposal, including meeting with five stakeholders to receive their concerns and identify issues, and hold two public meetings to receive input from the community. Mr. D'Alessandro was directed to request that TPD address the parking issues concerning the Armory building and to include more information about shared parking options. It was discussed that after all the requirements of the parking study proposal are completed by TPD, then the ensuing parking study will be presented to Council.

#### **IBW Property Traffic Study:**

Mr. D'Alessandro provided an update on the IBW property traffic study. The IBW study found that the IBW site is not appropriate for any type of facility which would generate considerable truck traffic. The report also notes that any use which generates major peak-hour traffic, excluding trucks, would require a traffic light at the intersection of Fourth Street and North Courtland Street. Based upon the report, Mr. D'Alessandro is preparing a proposed table of uses for the IBW property and will provide the list to the Zoning Ordinance Review Committee for review.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to accept Mr. D'Alessandro's recommendations and to require TPD to fulfill its obligations under the traffic study proposal which shall be completed by July 30, 2022. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Ms. Huber to approve the Zoning Report as distributed and attach to the Minutes. The motion carried unanimously.

#### **291 South Courtland Street Update:**

Mr. Prevoznik reported receipt of an email from the owner of 291 South Courtland Street outlining a proposal to resolve the litigation regarding the Borough's to the Zoning Hearing Board's decision. Mr. Prevoznik noted that the owner is working with an architect and Borough

staff to develop a plan to consolidate the two nonconforming lots into one conforming lot and construct a second attached residential dwelling on the property. In order to construct the attached dwelling, the property owner, Mr. Guasco, would need a variance to exceed the allowable floor area for the second dwelling. The proposed plan would have an increased floor area of approximately 48% to 50% where the Borough's Zoning Ordinance only allows 25% or less. Counsel for the property owner inquired as to whether the Borough would take a position regarding the requested variance with the understanding that the Zoning Officer's position is separate from Council's.

After discussion, a motion was made by Mr. Freeborn and seconded by Mr. Molin for the Borough not to take a position in the property owner's request for a variance to increase the allowable floor area beyond the authorized 25% allowable under the Ordinance with the understanding that the Borough is not directing the position of the Zoning Officer. The motion carried unanimously.

**Finance:**

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

**Mayor Victor Brozusky:**

Mr. Brozusky read aloud a proclamation recognizing National Public Works Week.

**Bill Reese:**

No report.

**Ed Freeborn:**

No report.

**Maury Molin:**

Mr. Molin reported there are a few planters on Crystal Street that are still available for adoption, and the 150<sup>th</sup> Anniversary time capsule will be buried in June of 2022.

**Erika Huber:**

No report.

**Carrie Panepinto:**

No report.

**Solicitor John Prevoznik:**

Mr. Prevoznik reported he was contacted by Attorney Corveleyn regarding the IBW property. Some residents in that area are concerned with the trespassing and activity occurring at the IBW property and have been told by police that they are unable to enforce trespassing until the Borough posts the property with appropriate signs. Mr. Bond advised the property has been posted with no trespassing signs and by using the purple paint law. Mr. Bond will respond to Attorney Corveleyn.

A motion was made by Mr. Freeborn and seconded by Mr. Reese ratifying the posting of no trespassing signs at the IBW property. The motion carried unanimously.

Mr. Prevoznik reported that he is still waiting for a full description of the defined area of the landfill in order to complete the appraisal that he was authorized to obtain.

**Manager's Report:**

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the requests by the following charitable organizations for a donation of a round of golf for two with a cart at Terra Greens Municipal Golf Course for a fundraiser: Penn State Alumni Association, Pocono Mountain Chapter; Angels and Dragonflies Children's Charity, Inc.; East Stroudsburg Elks Lodge #319; and ESU Men's and Women's Soccer Team. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Reese to approve moving Ryan Philips to a non-probationary Maintenance Worker "B" as he has completed the probationary requirements set forth in the Collective Bargaining Agreement. His rate of pay shall be \$23.95 as of May 4, 2022. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to authorize submittal of Payment Request No. 1 to the Commonwealth Financing Authority for partial reimbursement under the PA Small Water and Sewer Grant in the amount of \$11,035.47. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve a driveway permit for 112 Maple Avenue to widen the driveway to 24 feet. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Reese to authorize a handicapped parking space in front of 480 Chestnut Street. The space has been reviewed and recommended by the Department of Public Works. All fees and forms have been submitted. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Freeborn to approve a request from Jim Rondeau to allow him to place his dumpster in the Parking Lot No. 1 right of way while his parking lot is being paved and curing for a two-week period upon purchase of a dumpster permit, a meter bag, and provide proof of insurance. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Ms. Panepinto to approve the hiring of Greg Eck, Christopher Gavalas, and Zachary Sabol as part-time, seasonal Pro-Shop Attendants at an hourly rate of \$11.00. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Freeborn to approve the Zoning/Codes Secretary Job Description as presented. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve moving Sandy Messerle to full-time Zoning/Codes Secretary at an hourly rate of \$18.00. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to table the motion to authorize an appraisal of a property within East Stroudsburg Borough. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Mr. Reese authorizing the Borough Manager to write a letter to the owner of 214 Washington Street rejecting its offer to sell its property to the Borough and to outline the Borough's position of Option #2. The motion carried unanimously.

**Vehicle Purchase Update:**

Mr. Bond provided an update on vehicle purchases for various departments throughout the Borough. He advised 2022 Ford Maverick all-wheel drive pickup trucks are available at the COSTARS rate of \$23,900 each and would be a good vehicle for both the Water Department and Sewer Department. Mr. Bond is still researching cars for the Parking Department. No action taken.

**Sonia Wolbert:**

Ms. Wolbert provided an update of the search of a Borough Manager. She reported receipt of nine applications. The application period will be open through the end of the month, at which time the committee will review the applications and provide a report to Council.

Ms. Wolbert advised that she and Mr. Bond met with a gentleman from ESU and its engineer with regard to the Parking Management Plan which is required to be submitted to the Borough every three years. The plan will be submitted to Council for approval in July.

Ms. Wolbert reported to the Zoning Officer that there are vehicles parking on the front lawn and sidewalks on Courtland Street. Mr. D'Alessandro stated he has begun sending Notices of Violations for this particular violation. He stated that currently Notices of Violations to homeowners is the only method of enforcement for vehicles parked on lawns and sidewalks, and recommends the violation becomes enforceable by ticket.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to refer this issue to the Professionals Committee to come up with a recommendation for enforcement. The motion carried unanimously.

**Approval of Warrant List 220517:**

Ms. Huber questioned a payment with a description of CDL that is on the warrant list. A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve Warrant List 220517, as presented after Mr. Bond reviews and investigates the CDL payment in question. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Reese to ratify Interim Check List #220511, as presented. The motion carried unanimously.

**Adjournment:**

A motion was made by Ms. Panepinto and seconded by Ms. Huber to adjourn the meeting at 8:33 p.m. The motion carried unanimously.

**NEXT WORK SESSION:**

Monday, May 23, 2022, at 7:00 p.m.

**NEXT REGULAR MEETING:**

Tuesday, June 7, 2022, at 7:15 p.m.