

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, JUNE 7, 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; and Zoning Officer Sam D'Alessandro.

ABSENT: Solicitor John Prevoznik.

The Pledge of Allegiance was recited.

Report on Executive Session:

The Borough Manager reported that an Executive Session was held on June 7, 2022, starting at 5:30 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. Personnel matters, a potential Pennsylvania Human Relations Commission (PHRC) issue, and discipline regarding an employee were discussed. Mr. Scott entered into Executive Session at 6:29 p.m., at which time Middle Dam contract negotiations, easement and property acquisition, and customer billing issues were discussed. Executive Session ended at 7:11 p.m. No decisions were made.

May 17, 2022 Council Minutes:

A motion was made by Mr. Molin and seconded by Mr. Freeborn to approve the Minutes of the May 17, 2022 Council meeting. The motion carried unanimously.

Public Comments – Agenda Items:

None.

SROSRC Report:

Ms. Wolbert reported that the Dansbury and Stroudsburg pools are opening for the season on Friday, June 10, 2022.

Police Report:

The SARPD report will be presented at the June 21, 2022 Council meeting.

East Stroudsburg Community Alliance (ECA):

Ms. Wolbert reported the next ECA meeting is scheduled for Monday, June 13, 2022, at 5:15 p.m.

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 Rehabilitation project. Eight concrete pours of the spillway chute sections have been completed. The contractors are approximately three quarters complete with the spillway chute and about five weeks behind schedule. During excavation it was discovered and confirmed by the Engineer that the existing core wall on the right side of the spillway does not match the as-built Dam plans on record with PaDEP. The new information was forwarded to the AECOM structural engineer for review to determine whether modifications to existing plans will be necessary. AECOM determined that amended plans were required. Once revisions were made, the amended plans were submitted to PaDEP Dam Safety

which approved the plans and authorized moving forward with the project. A change order is being negotiated with the contractor for additional work and/or labor. The disruption period has been moved back approximately four weeks and is now scheduled to begin around July 25, 2022. During the disruption period, the Borough's Water Treatment Plant will be offline and the Borough will rely on its wells and the Eagle Valley pump station to provide water to its users. Coordination continues between the Engineer, Brodhead Creek Regional Authority, and Borough staff and operators to assure a smooth process. It is anticipated that the Middle Dam project will be completed in November of 2022.

A motion was made by Ms. Huber and seconded by Mr. Molin to approve a payment request from RKR Hess for Invoice #107258 in the amount of \$34,399.47 for the Middle Dam project. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Ms. Panepinto to approve Payment Request No. 10 in the amount of \$306,219.37 to Pioneer Construction Co., Inc. for work completed through April 30, 2022, as recommended by the Borough Engineer. The motion carried unanimously.

Brown Street Water Main Replacement Project:

Mr. Scott advised that the Brown Street water main replacement project will begin soon. The Borough previously approved the contractor's request to perform the work during night hours contingent upon the contractor receiving at least 65% of residents' acknowledgement of the night work. Mr. Scott stated that due to a few vacant houses in that area, and some non-responsive residents, the contractor only received approximately 54% of the acknowledgements. Since the contractor has done his due diligence, and made his best effort to contact all residents, Mr. Scott recommends giving authorization to the contractor to move forward with the night work schedule.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto, based upon recommendation of the Borough's Engineer, to authorize the contractor to move forward with the night work schedule of 7:00 p.m. to 6:00 a.m., Sunday through Thursday, as previously approved at the May 17, 2022 Council meeting and meet all other contingencies excluding the requirement for 65% approval. The motion carried unanimously.

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

Zoning:

Mr. D'Alessandro explained that currently Borough zoning permits expire six months after issuance. If construction work begins within the first six months, the permit expires one year after work commences. A one-time permit extension for one additional year could be requested

and granted through the Zoning Hearing Board. Mr. D'Alessandro drafted an amended ordinance, which will make permitted-use zoning permits valid for two years with the ability to be extended. Permitted-use land development permits will be valid for five years and will run concurrently with the Borough's land development requirements. For conditional use permits, a permit will be issued by the Zoning Officer upon order of Council, after all of the required conditions are fulfilled. These permits will be valid for five years with the ability to be extended. Special exception permits will be issued by the Zoning Officer upon order of the Zoning Hearing Board and will be valid for five years with the ability to be extended. The proposed ordinance also states that an issued zoning permit will remain valid as long as the use is in conformity with the ordinance. The amended ordinance is consistent with the Borough's Planning Code, the UCC Code, and land development or conditional approval by Borough resolution.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to forward proposed Ordinance to the East Stroudsburg Planning Commission and Monroe County Planning Commission as well as advertise a Public Hearing to amend Chapter 157, Zoning, Ordinance 1388, for Tuesday, August 16, 2022 at 7:25 p.m. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Reese to approve the Zoning Report as distributed and attach to the minutes. The motion carried unanimously.

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 attach to the Minutes. The motion carried unanimously.

Mayor Victor Brozusky:

Mr. Brozusky asked if violations for high grass are being issued. Mr. Bond stated that a lot of warnings for high grass have been issued and if the violation is not corrected within 48 hours, tickets are issued.

Bill Reese:

No report.

Ed Freeborn:

No report.

Maury Molin:

Mr. Molin reported that all planters along Crystal Street and have been adopted.

Erika Huber:

Ms. Huber reported receipt of a letter complaining about the road conditions on Oak Street and potholes on West Fourth Street. Mr. Bond stated the Borough's paving schedule is set and followed as best as possible. The schedule is published on our website.

Carrie Panepinto:

Ms. Panepinto suggested the Borough obtain business cards from Savvy Citizen to advertise the service to residents in order for more people to receive our announcements and alerts.

Solicitor John Prevoznik:

Absent.

Manager's Report:

Exit 308 Project ramp update:

Mr. Bond contacted PennDOT to report the dangerous condition by the newly installed barriers at the entrance ramp to I-80 westbound. He was advised that the barriers were installed in accordance with the PennDOT approved traffic control plan.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve Resolution 13-2022, removing three handicap parking spaces, relocating one handicap parking space, and installing three new metered parking spaces in Parking Lot #1. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Ms. Huber to authorize a drawdown on the H2O PA Grant for Payment Request Nos. 7, 8, 9, and 10 to Pioneer Construction Co., Inc. in the total amount of \$650,484.00 to reimburse the Borough of costs for the Middle Dam project. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to authorize a drawdown on the 2016 General Obligation Note for payment request from RKR Hess for Invoice #107258 in the amount of \$34,399.47 to reimburse the Borough of costs for the Middle Dam project. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Freeborn to authorize a drawdown on the 2016 General Obligation Note for Payment Request No. 10 to Pioneer Construction Co., Inc. in the amount of \$306,219.37. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Ms. Panepinto to authorize the sale of scrap metal with all proceeds being deposited in the General Fund. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Mr. Molin to authorize the listing the following equipment on Municibid: 1999 GMC 7500 Dump Truck, VIN# 1GDM7H1C4XJ509920; FMC JETS R14 Trailer Mounted Sewer Jet; 1999 GMC 1500, VIN# 1GTGK24R7WE539692; 1976 Nelson Snow Loader. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Huber to ratify a request from the East Stroudsburg Youth Association (ESYA) for a gift certificate for a round of golf for four with two carts for a fundraiser. The motion carried unanimously.

Sonia Wolbert:

Ms. Wolbert reported 16 applications have been received in response to the Borough Manager search. The Operations Committee will review the applications and the top five will be contacted for interviews in the near future.

Approval of Warrant List 220607:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve Warrant List 220607, as presented. The motion carried unanimously.

Adjournment:

A motion was made by Ms. Panepinto and seconded by Ms. Huber to adjourn the meeting at 8:08 p.m. The motion carried unanimously.

NEXT REGULAR MEETING:

Tuesday, June 21, 2022, at 7:15 p.m.

NEXT WORK SESSION:

Monday, June 27, 2022, at 7:00 p.m.