

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

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

ATTENDED VIRTUALLY: Erika Huber.

The Pledge of Allegiance was recited.

Report on Executive Session:

The Solicitor reported that an Executive Session was held on July 5, 2022, starting at 6:45 p.m., prior to the start of the Council meeting. All members of Council were present with the exception of Ms. Huber. Mayor Brozusky, Mr. Prevoznik, and Brian Bond were also in attendance. The following matters were discussed: Investigation into a contract dispute; hiring at golf course; and applications for the Borough Manager position. Executive Session ended at 7:01 p.m. No decisions were made.

June 21, 2022 Council Minutes:

A motion was made by Mr. Molin and seconded by Mr. Freeborn to approve the Minutes of the June 21, 2022 Council meeting. The motion carried unanimously.

June 28, 2022 Special Council Minutes:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Minutes of the June 28, 2022 Special Council meeting. The motion carried unanimously.

June 28, 2022 Council Work Session Minutes:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Minutes of the June 28, 2022 Special Council meeting. The motion carried unanimously.

Public Comments – Agenda Items:

None.

SROSRC Report:

Ms. Wolbert reported that the Dansbury Park Pool and Stroudsburg Borough Pool are both open for the season.

Police Report:

The SARPD report will be presented at the July 19, 2022 Council meeting.

East Stroudsburg Community Alliance (ECA):

Ms. Wolbert thanked the Borough staff for their support of the Big Bang event.

Engineer's Report:

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

Middle Dam Project Update:

Mr. Scott provided an update and photographs of the Middle Dam project. The contractor continues to make progress with the spillway. Contractor has expressed concerns regarding availability of concrete and possible delays.

A motion was made by Mr. Freeborn and seconded by Mr. Reese to approve the payment request from RKR Hess for Invoice #108243 in the amount of \$26,108.38. This invoice is for the construction administration and construction observation work by RKR Hess. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to approve Payment Request No. 11 in the amount of \$153,173.13 to Pioneer Construction Co., Inc. for work completed through May 31, 2022, as recommended by the Borough Engineer. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Reese to approve Change Order No. 2 for an increase in the contract amount of \$13,828.88 for over excavation and removal of unsuitable material and backfill with suitable materials as determined by PA DEP Dam Safety under the spillway chute, as recommended by the Borough Engineer. The motion carried unanimously.

MS4:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to direct the Solicitor and the Borough Manager to reach out to East Stroudsburg Area School District regarding required easements in order to stabilize a streambank on Reservoir Run that is on the school district's property. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Mr. Molin to authorize RKR Hess to assist with the preparation and submittal of the MS4 Annual Report for the period of July 1, 2021 through June 30, 2022 at a cost not to exceed \$6,500.00. The motion carried unanimously.

Landfill E&S Plan

A motion was made by Ms. Panepinto and seconded by Mr. Freeborn to table the authorization of laboratory testing of stockpiles for determination of suitable disposal methods. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Mr. Freeborn to approve notifying J.D. Eckman that the Borough has determined that the Landfill site is not available as a staging area for the Exit 308 project. The motion carried unanimously.

Forge Road Sewer Main

A motion was made by Mr. Freeborn and seconded by Mr. Molin to authorize RKR Hess to survey existing conditions, prepare preliminary design concept and cost estimates for replacement of the sewer trunk main under I-80, at a cost not to exceed \$25,000.00. The motion carried unanimously.

Chestnut Street Water and Sewer Main Extension

A motion was made by Mr. Freeborn and seconded by Mr. Molin to table granting conditional approval of the water and sewer extension plans and to authorize issuance of Will Serve Letters to the property of proposed residential housing on Chestnut Street. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to accept the Engineers Report as submitted and attach to the Minutes. The motion carried unanimously.

Public Comments – New Business:

Laura Mason of Analomink Street reported the tee boxes at Terra Greens Golf Course are in need of maintenance and repair. Mr. Bond advised the staff is in the process of changing the tee boxes and improving them.

Jen Ace of Fulton Street complained about the parking ticket that her company received over the holiday while they were parked on her lawn. Ms. Ace researched the ordinances and was unable to find this particular violation. She recommended that the Borough notify residents of any ordinances that will be enforced, and suggested that the Borough advise residents that enforcement officers are working nights and weekends.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to authorize the Zoning Ordinance Review Committee to review the current ordinance for prohibiting parking on lawns. The motion carried unanimously. This motion was not on the July 5, 2022 Council Agenda; however, it does not require the expenditure of money.

Margaret Muth of Prospect Street asked the status of the letter that Mr. Bond sent to PennDOT with regard to the painted lines on South Courtland Street. Mr. Bond stated that PennDOT will not fix the painted lines. It was suggested that residents contact their representatives to complain. Mr. Bond request a meeting with state representatives, the Borough, and PennDOT to further discuss this issue.

Reports:

Public Works:

Mr. Bond provided an update on a recent water main break. The break occurred June 30, 2022 on Brodhead Avenue near the intersection of Centre Street. The break was fixed, and our staff will begin to repair the washed out areas of the roads with coal patch.

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

Zoning:

A motion was made by Ms. Panepinto 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.

Operations Committee:

Ms. Wolbert read aloud the proposed Committee Rules and Policy:

1. The Operations Committee shall coordinate the activities of all other committees. A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Committee

Rules and Policy, as presented, with the exception of item #4. The motion carried unanimously.

2. The Operations Committee shall set the agenda for the Operations Committee meeting and the Council Work Session. The latter agenda should be based upon recommendations provided by the committees three business days in advance of the Work Session. In the event that Council Work Session falls before the fourth Wednesday of the month, then the Operations Committee shall be held the Friday before the Work Session.
3. All committee members shall strive to have agenda items sent to the committee's assigned staff member three days prior to the committee meeting. The agenda should be distributed and posted on the Borough's website no less than 24 hours prior to the committee meeting and sent to committee members, as well as Borough Council members and the Mayor. The chair of each committee and the staff assigned to that committee shall prepare this agenda.
4. No committee shall have Executive Session unless the purpose of the Executive Session has been either approved prior to the meeting by the Borough Solicitor or the Borough Solicitor is in attendance.
5. All committee meeting recommendations and action items with supporting documents shall be sent to the Borough Manager no less than three days prior to the monthly Council Work Session and thereafter distributed along with the agenda for the Work Session to all Borough Council members and the Mayor, and posted on the Borough's website no less than 24 hours prior to the monthly Council Work Session.
6. Minutes of the committee meeting shall be approved at the next committee meeting and then forwarded to Borough Council and the Mayor and posted on the Borough's website. The minutes shall contain all recommendations and action items previously forwarded to Borough Council at the Work Session.
7. Committee agendas, minutes, and recommendations shall substantially forward the format approved by Council.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Committee Rules and Policy as presented, with exception of Item #4. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to direct all Committees to develop a comprehensive list of all proposed projects outlining committee priority, estimated timeline, estimated cost and funding sources to be presented at the August 22, 2022 Borough Council Work Session. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to direct the Solicitor and Borough Manager to provide a policy and form for outside employment to discuss with the Union and adoption for other employees. The motion carried unanimously.

Utility Committee:

Mr. Freeborn requested rescheduling the Utility Committee meeting from the third Tuesday of the month to the third Monday of the month at 4:30 p.m. An updated Committee schedule will be presented at the July 19, 2022 Council meeting. No action taken.

Community Relations Committee:

A motion was made by Ms. Panepinto and seconded by Mr. Molin to direct Borough staff to do a watering of all the planters to determine the man-hours and the amount of water required per

watering event for all of the planters in the Adopt-a-Planter program. The motion carried unanimously.

Zoning and Planning Committee:

A motion was made by Mr. Molin and seconded by Mr. Freeborn to authorize the advertising and to set a Public Hearing for Ordinance 1389, amending Chapter 154 Water; Article II, Mandatory Nonuse of Aquifer; Section 154-33, Definitions ANUA to update the map reference. The motion carried unanimously.

Mayor Victor Brozusky:

No report.

Bill Reese:

Mr. Reese discussed concerns about fireworks in the Borough.

A motion was made by Mr. Reese and seconded by Mr. Freeborn to refer the fireworks ordinance to the Zoning Ordinance Review Committee for further review and recommendations. The motion carried unanimously.

Ed Freeborn:

No report.

Maury Molin:

No report.

Erika Huber:

Ms. Huber asked the status of the fence at the IBW property. Mr. Bond reported the fencing is scheduled to be delivered next week.

Carrie Panepinto:

Ms. Panepinto reported complaints about parking along Dansbury Terrace, and delivery trucks blocking access to parking spaces and driveways. Mr. Bond advised that parking is prohibited on Dansbury Terrace and parking tickets are issued accordingly. Ms. Panepinto stated there are reportedly overloaded dumpsters along Dansbury Terrace. Notice of Violations have been issued to property owners for their overloaded dumpsters. Lastly, Ms. Panepinto reported complaints about delivery trucks blocking Crystal Street traffic and parking. Mr. Bond stated the Borough has been directing delivery trucks to Dansbury Terrace to be directly behind the restaurants.

Solicitor John Prevoznik:

No report.

Manager's Report:

A motion was made by Ms. Panepinto and seconded by Mr. Reese to approve the request from Our Lady of Victory Church for a donation of a round of golf for two with a cart at Terra Greens Municipal Golf Course for a fundraiser. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to approve a drawdown of the 2016 General Obligation note in the amount of \$179,281.51 for the Middle Dam project. The motion carried unanimously.

Sonia Wolbert:

No report.

Approval of Warrant List 220705:

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve Warrant List 220705, as presented. The motion carried unanimously.

Adjournment:

A motion was made by Ms. Panepinto and seconded by Mr. Freeborn to adjourn the meeting at 8:53 p.m. The motion carried unanimously.

NEXT REGULAR MEETING:

Tuesday, August 2, 2022, at 7:15 p.m.

NEXT WORK SESSION:

Tuesday, July 26, 2022, at 7:00 p.m.