

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, JULY 19, 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 Nate Oiler; and Solicitor John Prevoznik.

The Pledge of Allegiance was recited.

Report on Executive Session:

The Solicitor reported that an Executive Session was held on July 19, 2022, starting at 6:45 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. Zoning Officer, Sam D'Alessandro, was present from the start of Executive Session until 7:10 p.m., during which time pending investigations with regard to a real estate matter were discussed. Mr. D'Alessandro was excused from Executive Session. Borough Engineer Russ Scott joined Executive Session at 7:10 p.m. until 7:30 p.m. during which time requirements at the Waste Water Treatment Plant and its personnel were discussed. Executive Session ended at 7:30 p.m. No decisions were made.

July 5, 2022 Council Minutes:

A motion was made by Mr. Molin and seconded by Mr. Freeborn to approve the Minutes of the July 5, 2022 Council meeting. The motion carried unanimously.

Public Hearing, Ordinance 1389, amending Chapter 154, Water, Article II, Mandatory Nonuse of Aquifer, Section 154-33 Definitions

A motion was made by Mr. Freeborn and seconded by Ms. Huber to recess the regular meeting and convene the public hearing. The motion carried unanimously.

Mr. Bond read aloud proposed Ordinance 1389, amending Article II, Section 154-33 definitions. ANUA is defined as the area identified on the Plan titled "Designated Non-Use Aquifer Area", dated May 9, 2016, prepared by RKR Hess, a Division of UTRS, and included herein by reference. A listing of properties included within the ANUA is included on such plan. The purpose of this ordinance is to correct the date on the referenced map.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to enter exhibits B1 through B3 into evidence (Ex. B1 – Sign In Sheet; Ex. B2 – Proof of Publication; Ex. B3 – Legal Notices). The motion carried unanimously.

With no questions from Council or members of the public, a motion was made by Ms. Huber and seconded by Mr. Molin to close the public hearing and reconvene the regular meeting. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve Ordinance 1389, amending Chapter 154, Water, Article II, Mandatory Nonuse of Aquifer; Section 154-33 Definitions, as advertised. The motion carried unanimously.

Christmas Decorations Refund: A discussion was held regarding the return of the sum of \$450.00 donated to the Borough by three individuals for the purpose of purchasing Christmas decorations. During that discussion, Mr. Molin requested that the \$250.00 he donated to the

Borough for Christmas decorations should be returned as the Borough had failed to buy any Christmas decorations in a timely manner. After further discussion with audience member Jane Gagliardo, she made clear that she did not want the return of the \$250.00 she donated to the Borough and that the Borough could use the money for whatever purpose it deemed necessary.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve refunding Maury Molin his \$250.00 donation for Christmas Decorations. The motion carried 5-0 with one abstention (Yea: Ms. Huber, Mr. Freeborn, Ms. Panepinto, Mr. Reese, Ms. Wolbert; Abstain: Mr. Molin).

Public Comments – Agenda Items:

None.

SROSRC Report:

No report.

Police Report:

The SARPD report will be distributed via email in August.

East Stroudsburg Community Alliance (ECA):

No report.

Engineer's Report:

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

Middle Dam Project:

Mr. Oiler reported the Middle Dam project is behind schedule. In order to coordinate generators with Brodhead Creek Regional Authority (BCRA) at the Eagle Valley pump station and the Borough's wells, it was recommended by the Borough Engineer that the Borough and the BCRA rent one generator and share the cost with the generator to be moved from well #4 to the Eagle Valley pump station during the disruption period. The Borough Engineer reported that the Eagle Valley pump station and well #4 were provided electricity from two different grids by two different providers. He noted, while possible, it is very unlikely that both the pump station and well #4 would lose service at the same time.

A motion was made by Mr. Molin and seconded by Mr. Reese to approve the recommendation of the Borough Engineer to enter into a letter agreement with BCRA to share rental costs and to place the generator that is currently servicing well #4 at the Eagle Valley pump station during the disruption period. The motion carried unanimously.

Stemple Street CDBG Project:

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve Change Order No. 1, representing a decrease in the contract bid amount by \$43,246.20. The decrease is based on a reconciliation of quantities installed during the contract versus quantities as bid. Upon approval, the adjusted contract amount will be \$194,438.80. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Reese to approve Payment Application No. 1 in the amount of \$184,716.86 to M&J Excavation, Inc. for work completed through June 14, 2022, contingent upon receipt of the notarized original documents, as recommended by the Borough Engineer. The motion carried unanimously.

Chestnut Street Sewer and Water Main Extension:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to authorize the Solicitor and the Borough Engineer to draft a Resolution, Developer's Agreement, and Will Serve Letters, addressing conditions of service, requirements for dedication, fees, and permits required. The motion carried unanimously.

Crystal Street CDBG Project:

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to place the potential Crystal Street CDBG project on the Borough Council Work Session agenda for discussion. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Ms. Panepinto to authorize the Borough Manager to send a letter to the businesses on Crystal Street about the Crystal Street project discussion planned for the Borough Council Work Session. The motion carried unanimously.

Brown Street Water Main Project Update:

Mr. Oiler reported that the Brown Street water main project is proceeding and the contractors are performing the work at night.

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

Public Comments – New Business:

Jane Gagliardo, of West Broad Street, announced a new non-profit organization, The Sistahship Network, and requested the presence of Council at the meet and greet scheduled for July 23, 2022 at 2:00 p.m. at the Dansbury Park Community Center.

Ms. Gagliardo stated that Unity in the Community is scheduled for August 27, 2022 from 11:00 a.m. until 7:00 p.m. at Dansbury Park. This is an event to bring the community together with dancing, games, music, and more.

Lisa Latimer, of Laurel Lane, stated she received a parking ticket for parking in an area on her property. She added that she has parked there for years and has never received a violation. Mr. Bond advised there has been a Borough ordinance which prohibits parking on lawns, grass, curbs, sidewalks, and other unapproved areas for many years. He also noted that the Borough is now fully staffed with Enforcement Officers who have been directed to enforce all ordinances.

Reports:**Public Works:**

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

Zoning:

A motion was made by Mr. Molin and seconded by Ms. Panepinto to accept 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. Reese to accept the Finance Report as distributed and attach to the Minutes. The motion carried unanimously.

Operations Committee:

Mr. Bond distributed an updated schedule of committee meetings to be reviewed and finalized at the next work session. Mr. Bond will begin requesting work session agenda items from Council members and committees the Thursday prior to monthly work sessions. Mr. Prevoznik reminded Council that motions that are not advertised on agendas can be made at Council meetings if they are non-expenditure items. Anything involving Borough expenses must be advertised on agendas. Committee meeting dates should be set and advertised, and Borough Council President should call for any special meetings, as necessary.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to advertise the final Committee Schedule after the July Council Work Session. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Committee Rules and Policy as presented. 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. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to ratify the Borough Engineer, Solicitor, and Borough Manager to review and prepare a response to PA DEP regarding the inspection dated June 30, 2022. The motion carried unanimously.

Utility Committee:

Mr. Freeborn reported that Mr. Bond will be developing a list of capital improvements and issues to be further discussed at the next Council Work Session.

Community Relations Committee:

There was no report from the Community Relations Committee as they did not meet since the last Council Meeting.

Zoning and Planning Committee:

A list of topics from the Zoning and Planning Committee will be further discussed at the next Council Work Session.

Mayor Victor Brozusky:

No report.

Bill Reese:

Mr. Reese clarified that he does not want the return of the \$50.00 he donated to the Borough for Christmas decorations at Veteran's Park, and that the Borough could use the money for improvements at Veteran's Park as necessary.

Ed Freeborn:

No report.

Maurv Molin:

Mr. Molin expressed his concerns with the fencing around the IBW property. The fence was recently installed but collapsed over the past weekend. Mr. Bond stated that kids knocked the fence down. Mr. Bond reported that he has directed Borough staff to make pins to be installed at the base of the fence to reinforce the fence.

Erika Huber:

No report.

Carrie Panepinto:

Ms. Panepinto asked if any further action has been taken with delivery trucks on Crystal Street. Mr. Bond stated that the Borough is encouraging delivery trucks use Dansbury Terrace.

After a discussion about parking on Crystal Street, a motion was made by Mr. Molin and seconded by Ms. Panepinto to instruct Mr. Bond to invite Ben Guthrie, from Traffic Planning and Design, Inc. (TPD), to a Council meeting within the next thirty days. The motion carried unanimously.

Solicitor John Prevoznik:

Mr. Prevoznik reported that the Mayor forwarded him a letter that he received from America's LLC, declaring dangerous conditions along Harris Street. Mr. Prevoznik will forward the letter to Mr. Bond who will address the concerns outlined in the letter.

Mr. Prevoznik reported he will be assisting the Pocono Family YMCA with creating an employee handbook. Council confirmed they have no objections with Mr. Prevoznik working with Ms. Huber and the Pocono Family YMCA for this matter.

Manager's Report:

A motion was made by Mr. Reese and seconded by Mr. Freeborn to ratify the hiring of Kelly Kelley as the Pro Shop Manager at an hourly rate of \$14.00. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Mr. Freeborn to ratify the hiring of Walt Harrison as the Seasonal Golf Course Maintenance Supervisor at an hourly rate of \$25.00. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Freeborn to approve the request from 1,000 Pink Lights Walk for a donation of Golf for two with a cart from the Terra Greens Municipal Golf Course for their 1st Annual Paint and Sip fundraiser event. The motion carried unanimously.

A motion was made by Mr. Freeborn and second by Mr. Molin to approve the driveway permit for 312 Monroe Street, as recommended by the Director of Public Works. The motion carried unanimously.

Sonia Wolbert:

Ms. Wolbert reported that she and Mr. Bond will work together to create a comprehensive list of all tasks that need to be completed within the Borough so Council can collectively prioritize. The goal is to consider the list when creating budgets.

Executive Session:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to go into Executive Session at 8:48 p.m. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Huber to reconvene the regular meeting at 9:06 p.m. The motion carried unanimously.

The Solicitor reported that all members of Council were present. Mayor Brozusky and the Brian Bond were also present. Security issues were discussed. No decisions were made.

Approval of Warrant List 220719:

A motion was made by Ms. Panepinto and seconded by Mr. Freeborn to approve Warrant List 220719, as presented. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Huber to ratify Interim Check List 220712 as presented. The motion carried unanimously.

Adjournment:

A motion was made by Ms. Panepinto and seconded by Ms. Huber to adjourn the meeting at 9:08 p.m. The motion carried unanimously.

NEXT REGULAR MEETING:

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

NEXT WORK SESSION:

Monday, July 25, 2022, at 7:00 p.m.