

MINUTES FOR REGULAR MEETING  
EAST STROUDSBURG BOROUGH COUNCIL  
TUESDAY, NOVEMBER 1, 2022 – 7:15 p.m.

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

ABSENT: William Reese.

The Pledge of Allegiance was recited.

**Report on Executive Session:**

The Solicitor reported that an Executive Session was held on November 1, 2022, starting at 6:06 p.m., prior to the start of the Council meeting. All members of Council were present, with the exception of Mr. Reese and Mr. Freeborn. Mr. Molin arrived at 6:14 p.m. Brian Bond, Mr. Prevoznik, and Borough Engineer, Russ Scott, were also in attendance. Potential litigation and contract negotiations regarding the Middle Dam and the concrete were discussed. Mr. Freeborn recused himself from this portion of Executive Session due to a conflict of interest. Mr. Scott left Executive Session at 7:03 p.m. Mr. Freeborn joined at 7:05 p.m., at which time three personnel matters, two current litigations, and one property acquisition were discussed. Executive Session ended at 7:18 p.m. No decisions were made.

**October 18, 2022 Council Minutes:**

A motion was made by Mr. Molin and seconded by Ms. Huber to approve the Minutes of the October 18, 2022 Council meeting. The motion carried unanimously.

**October 24, 2022 Council Work Session Minutes:**

A motion was made by Ms. Huber and seconded by Mr. Molin to approve the Minutes of the October 24, 2022 Council Work Session. The motion carried unanimously.

**October 26, 2022 Special Council Minutes:**

A motion was made by Ms. Huber and seconded by Mr. Freeborn to approve the Minutes of the October 26, 2022 Special Council Minutes. The motion carried 4-0, with one abstention. (Yea: Ms. Huber, Mr. Freeborn, Ms. Panepinto, Ms. Wolbert; Abstain: Mr. Molin).

**Conditional Use Haring, Amerco Real Estate Company, U-Haul, U-Box Storage Facility**

A motion was made by Mr. Freeborn and seconded by Mr. Molin to open the conditional use hearing at 7:30 p.m. The motion carried unanimously.

Andrew Wolf, the attorney representing the applicant, Amerco Real Estate Company, was present. Mr. D'Alessandro, East Stroudsburg Borough Zoning Officer, stated the Borough received an application on August 2, 2022, from Amerco Real Estate Company to develop a piece of property that is 5.51 acres, located along Forge Road, in the OM-1 Zoning District. Both, a Conditional Use application, and a Land Development application were submitted. Mr. D'Alessandro deemed the application incomplete, because a traffic study was not included. On August 8, 2022, a traffic study was submitted, and the application was deemed complete on August 11, 2022.

Mr. D'Alessandro listed in detail the 31 exhibits to be entered into evidence. A motion was made by Mr. Freeborn and seconded by Mr. Molin to enter exhibits 1 through 31 into evidence. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to continue the Conditional Use Hearing for Amerco Real Estate Company, U-Haul, U-Box Storage Facility to December 6, 2022, at 7:20 p.m. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to reconvene the regular meeting. The motion carried unanimously.

**Public Comments – Agenda Items:**

None.

**SROSRC Report:**

No report.

**Police Report:**

The SARPD Report will be presented at the November 15, 2022 Council meeting.

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

The Holiday Tree Lighting Event will occur on Friday, December 2, 2022.

**Engineer's Report:**

The Engineer's report was distributed.

**Middle Dam Rehabilitation:**

A motion was made by Mr. Molin and seconded by Ms. Panepinto to authorize the Borough Solicitor to work with RKR Hess, AECOM, and any neutral engineer, to work on resolving the concrete issue at the Middle Dam. The motion carried 4-0, with one abstention (Yea: Mr. Molin, Ms. Panepinto, Ms. Huber, Ms. Wolbert; Abstain: Mr. Freeborn). Mr. Freeborn's son is an employee of AECOM, which constitutes as a conflict of interest.

**Brown Street Water Main Project Update:**

The water main is substantially complete and in service. Brown Street has been temporarily paved, and the contractor will return in the spring for final paving. The sidewalk, curbing, and ADA ramps have been completed.

**Forge Road Land Development U-Haul Project Update:**

In addition to the U-Haul project for which the Conditional Use Hearing was held, a second U-Haul project is being proposed. This project would be to develop a piece of property between I-80 and Forge Road, which is the site that the Borough has an existing easement for a sewer trunk main. The sewer main interferes with the proposed construction. RKR Hess is working with U-Haul's consultant to come up with a reasonable engineering solution to potentially relocate a portion of the sewer main.

**Water Meter Replacement and Line Survey Project Update:**

The Borough received quotes for replacement of all residential, commercial, and industrial water meters. RKR Hess has reviewed the quotes and will have recommendations at the November 15, 2022 Council meeting. Mr. Scott and the Borough Manager met to review the schedule, funding sources, and delivery of materials.

**Water Treatment Plant Repairs Update:**

A motion was made by Mr. Panepinto and seconded by Ms. Huber to approve repairs to the concrete of the Water Treatment Plant, at a cost not to exceed \$50,600.00 from the 2022 Water budget for materials, staff work, and no contract work over the bid threshold. This amount does not include the slide gate, or the steel tank. The motion carried unanimously.

**Waste Water Treatment Plant Concrete Repairs Update:**

A motion was made by Mr. Molin and seconded by Ms. Huber to approve repairs to the concrete of the Waste Water Treatment Plant, at a cost not to exceed \$2,000.00, from the 2022 Sewer budget. The motion carried unanimously.

**Green Valley Parktown Project:**

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve a request for a reduction of the required improvement financial security/letter of credit in the amount of \$404,571.81, which would leave a remaining balance of \$1,336,194.64, as recommended by the Borough Engineer. The motion carried unanimously.

**Water System Annual Unaccounted For Water Report:**

The Borough is required to file an Unaccounted For Water Report as a condition of one of its water allocation permits. The Borough requested an extension of two years when the last report was submitted, based upon the impact of the water budget due to COVID-19 and the loss of revenue during that period. The Borough has recently received a letter from PA DEP approving the extension request to January 2025.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to authorize RKR Hess to prepare and submit the Annual Unaccounted For Water Report to PA DEP for 2021 to include measure taken in 2022 to reduce unaccounted for water, at a cost not to exceed \$3,500.00. The motion carried unanimously.

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

**Public Comments – New Business:**

Jane Gagliardo, of 115 West Broad Street, asked the status of her previous request to review the entrance to Dansbury Park, to create a safer space for pedestrians. Mr. Bond stated the Borough has not approached SROSRC about that issue yet. Ms. Gagliardo asked the status of the Crystal Street project. Ms. Wolbert stated that project is currently under consideration and will be discussed at the budget meeting. Ms. Gagliardo asked the status of the Hometown Heroes Banners program. Kelly Kelley, Leading Knight of the Elks, advised that the Elks will be coordinating that program with the Borough, and more information is forthcoming.

Bruce Smith, of 87 North Green Street, stated that SARPD officers responded to a call near his house recently, and while the officers were there, they did not issue parking tickets for reported violations, including blocking private driveways. Ms. Wolbert advised that Captain Raymond will be at the November 15, 2022 Council meeting and this issue can be brought up to him at that time.

**Reports:****Public Works:**

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

**Zoning:**

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

**Operations Committee:**

No Report.

**Utility Committee:**

A motion was made by Mr. Freeborn and seconded by Ms. Huber to direct the Borough Manager to send a letter to all private developments and streets that the Borough will no longer be providing leaf collection in 2023. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to set the Borough Bulk Item Drop Off dates as Saturday, April 22, 2023, and Saturday, September 16, 2023, from 8:00 a.m. to 1:00 p.m. The motion carried unanimously.

**Community Relations Committee:**

No report.

**Zoning and Planning Committee:**

Ms. D'Alessandro reported there is a vacancy on the Borough's Planning Commission that needs to be filled.

**Mayor Victor Brozuskys:**

Mr. Brozuskys reported the student drop-off location at the East Stroudsburg South High School is working well, and the new traffic pattern has alleviated traffic on North Courtland Street.

**Ed Freeborn:**

No report.

**Bill Reese:**

Absent.

**Maury Molin:**

No report.

**Erika Huber:**

No report.

**Carrie Panepinto:**

No report.

**Solicitor John Prevoznik:**

Mr. Prevoznik will contact Chris Brown about covering costs for tax appeals he is working on with the East Stroudsburg School District.

**Manager's Report:**

A motion was made by Mr. Molin and seconded by Ms. Huber to approve the proposal from Fraser for a color copier at \$214.28 a month; our current lease payment is \$196.72 a month. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Ms. Panepinto to table Resolution 21-2022, amending the 2022 Fee Schedule. This will be discussed at the budget meeting. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve the purchase of a new Flyte Sludge Pump for the SBR and parts to fix the old pump, at a cost not to exceed \$8,000.00. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Mr. Molin to approve the disposal scrap steel with the income to be deposited into line item 01-380.107, Miscellaneous Income. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Huber to table RKR Hess Invoice No. 115121, in the amount of \$13,695.05, for evaluation of failing concrete test results on the Middle Dam project, period ending September 2, 2022. The motion carried 4-0, with one abstention (Yea: Mr. Molin, Ms. Panepinto, Ms. Huber, Ms. Wolbert; Abstain: Mr. Freeborn). Mr. Freeborn's son is an employee of AECOM, which constitutes as a conflict of interest.

A motion was made by Ms. Panepinto and seconded by Ms. Huber to authorize a draw down for RKR Hess Invoice 115080, in the amount of \$21,207.50, for construction observation and administration on the Middle Dam project, period ending September 30, 2022. The motion carried 4-0, with one abstention (Yea: Mr. Molin, Ms. Panepinto, Ms. Huber, Ms. Wolbert; Abstain: Mr. Freeborn). Mr. Freeborn's son is an employee of AECOM, which constitutes as a conflict of interest.

A motion was made by Ms. Panepinto and seconded by Ms. Huber to advertise and set a Budget Work Session for Thursday, November 3, 2022, at 6:00 p.m., and Tuesday, November 8, 2022, at 6:00 p.m. The motion carried unanimously.

**Sonia Wolbert:**

Ms. Wolbert asked who is responsible for overseeing the I-80 construction project. Mr. Scott advised that Borough staff is responsible for inspecting the work on water and sewer lines. Inspections of any other work is PennDOT's responsibility.

**Approval of Warrant List 221101:**

A motion was made by Ms. Panepinto and seconded by Mr. Freeborn to approve Warrant List 221101, as presented. The motion carried unanimously.

**Adjournment:**

A motion was made by Ms. Panepinto and seconded by Mr. Molin to adjourn the meeting at 8:52 p.m. The motion carried unanimously.

**NEXT WORK SESSION:**

Monday, November 28, 2022, at 7:00 p.m.

**NEXT SPECIAL COUNCIL MEETING/BUDGET WORK SESSION:**

Thursday, November 3, 2022, at 6:00 p.m.

Wednesday, November 9, 2022, at 6:00 p.m.

**NEXT REGULAR MEETING:**

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