

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, DECEMBER 20, 2022 – 6:00 p.m.

PRESENT IN PERSON: Sonia Wolbert; William Reese; Carrie Panepinto (arrived at 6:24 p.m.); Erika Huber; Edmund Freeborn; and Mayor Victor Brozusky. Also present were: Borough Manager Brian Bond; Solicitor John Prevoznik; and Borough Engineer Russ Scott.

ABSENT: Maury Molin.

The Pledge of Allegiance was recited.

December 6, 2022 Council Minutes:

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve the Minutes of the December 6, 2022 Council meeting. The motion carried unanimously.

December 13, 2022 Special Council Minutes:

A motion was made by Mr. Freeborn and seconded by Ms. Huber to approve the Minutes of the December 13, 2022 Special Council meeting. The motion carried unanimously.

Conditional Use Hearing, Amerco Real Estate Company, U-Haul, U-Box Storage Facility:

A motion was made by Mr. Freeborn and seconded by Mr. Reese to reopen the Conditional Use Hearing at 6:08 p.m. The motion carried unanimously.

Mr. Prevoznik explained that this is a continuation of the Conditional Use Hearing that began on November 1, 2022 and continued to December 6, 2022. The continuation for December 20, 2022 was advertised for 7:20 p.m., though the Council Meeting was advertised to begin at 6:00 p.m. Therefore, a motion was made by Mr. Freeborn and seconded by Mr. Reese to continue the Conditional Use Hearing to December 20, 2022, at 7:30 p.m. The motion carried unanimously.

Public Hearing, Ordinance 1399, Chapter 150 Vehicles and Traffic, Article VIII, Schedules, Section 69, Schedule XVII, Parking Prohibited certain hours, of the East Stroudsburg Borough Code of Ordinances:

A motion was made by Mr. Freeborn and seconded by Ms. Huber to table the Public Hearing for Ordinance 1399 to December 20, 2022, at 7:20 p.m. The motion carried unanimously.

Public Hearing, East Stroudsburg Borough 2023 Budget:

A motion was made by Mr. Freeborn and seconded by Ms. Huber to table the Public Hearing for the East Stroudsburg Borough 2023 Budget to December 20, 2022, at 7:30 p.m. The motion carried unanimously.

Public Hearing, Ordinance 1398, Fixing the Real Estate Tax Rate for the Year 2023:

A motion was made by Mr. Freeborn and seconded by Ms. Huber to table the Public Hearing for Ordinance 1398 to December 20, 2022, at 7:25 p.m. The motion carried unanimously.

Public Comments – Agenda Items:

None.

SROSRC Report:

No report.

Police Report:

A motion was made by Mr. Reese and seconded by Mr. Freeborn to accept the November 2022 SARPD Report, as distributed, and attach to the Minutes. The motion carried unanimously.

East Stroudsburg Community Alliance (ECA):

Mr. Bond reported that the Borough is holding money in an account called “1903” from the precursor of the East Stroudsburg Community Alliance (ECA), which was a Not for Profit 501(c)(3) corporation. Tom Josiah, the Borough’s accountant, will determine if the funds are permissible to transfer to the ECA, which is also a 501(c)(3).

Engineer’s Report:

The Engineer’s report was distributed.

Water Plant Repairs:

A motion was made by Mr. Freeborn and seconded by Mr. Reese to accept the lowest responsive quote for Sedimentation Tank #1 Beam Spall Repair from R.W. Masten, Jr., as submitted November 15, 2022, in the amount of \$4,680.00. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Reese instructing the Borough Engineer to add the action items from the Memorandum, dated December 20, 2022, on the Engineer’s Report and keep them on the report until each item is satisfied. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Mr. Reese instructing the Borough Manager to add a motion to the January 3, 2023 Council Meeting Agenda, to authorize the Borough Engineer to develop a Preventative Maintenance Schedule for the Water Treatment Plant. The motion carried unanimously.

Water Meter Replacement Program Update:

A motion was made by Mr. Freeborn and seconded by Ms. Huber to add the Water Meter Replacement Program update to the January 23, 2023 Council Work Session Agenda. Ms. Wolbert requested all members of Council review Mr. Scott’s handout. The motion carried unanimously.

Joint Municipal Landfills Monitoring:

A motion was made by Mr. Reese and seconded by Ms. Panepinto to authorize RKR Hess, a Division of UTRS, Inc. to proceed with the 2023 Joint Municipal Landfills Monitoring and Reporting, at a cost not to exceed \$19,950.00, plus reimbursables, shared equally between the three municipalities, contingent upon the approval of Stroudsburg Borough, and Stroud Township. This proposal amount is unchanged from the 2022 authorization. The motion carried unanimously.

Forge Road Sanitary Sewer Line:

A motion was made by Ms. Panepinto and seconded by Mr. Freeborn to table the relocation of the sewer main. This will be discussed at the January 10, 2023 Council Work Session. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Freeborn to set and advertise a Council Work Session for Tuesday, January 10, 2023, at 7:00 p.m. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to table the Borough Solicitor and Borough Engineer to work with the Developer's consultants to prepare a Memorandum of Understanding. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Reese 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 Ms. Huber 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 Mr. Freeborn and seconded by Ms. Huber to advertise and set a Public Hearing on January 17, 2023, at 6:00 p.m. for a Conditional Use Hearing for N.P. Lenox, LLC. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to advertise and set a Public Hearing on January 23, 2023, at 6:00 p.m. for a Conditional Use Hearing for TWAS Properties, LLC. The motion carried unanimously.

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

A motion was made by Mr. Freeborn and seconded by Ms. Huber to add the above meeting dates to be advertised on the 2023 Meeting Schedule. 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.

Community Relations Committee:

No report.

Zoning and Planning Committee:

Mr. Bond sent out meeting invites to members of the Comprehensive Plan Task Force Committee.

Mayor Victor Brozusky:

No report.

Bill Reese:

No report.

Ed Freeborn:

No report.

Maury Molin:

Absent.

Erika Huber:

No report.

Carrie Panepinto:

No report.

Solicitor John Prevoznik:

No report.

Manager's Report:

A motion was made by Ms. Panepinto and seconded by Ms. Huber to advertise the January 3, 2023 Borough Council Meeting to start at 6:30 p.m. This is not a re-organizational meeting. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Reese to approve free holiday parking the Business District parking meters, including Crystal Street, Washington Street from Crystal Street to Starbird Street, South Courtland Street, and North Courtland Street from December 21, 2022 through January 3, 2023. The three-hour time limit will be enforced. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve Manter Inspection Company as the third party inspection company, at the rates attached for the year 2023, contingent upon receiving an acceptable contract. The existing UCC Building Official will remain as Building Official for all projects currently in progress. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Ms. Panepinto to start conversations with Stroud Township to explore a joint Uniform Construction Code (UCC) Appeals Board. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Mr. Freeborn to table the job descriptions for the water meter installation personnel until after Executive Session. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to table advertising the water meter installation personnel. The motion carried unanimously.

Sonia Wolbert:

No report.

Approval of Warrant List 221220:

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve Warrant List 221220, as presented. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to recess the meeting until 7:20 p.m. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to reconvene the meeting at 7:20 p.m. The motion carried unanimously.

Conditional Use Hearing, Amerco Real Estate Company, U-Haul, U-Box Storage Facility:

A motion was made by Mr. Reese and seconded by Mr. Freeborn to reopen the Conditional Use Hearing at 7:20 p.m. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Huber to enter exhibits A1 through A11, and B1 through B41 into evidence. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to continue the public hearing to January 3, 2023, at 7:15 p.m. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Ms. Panepinto to close the public hearing and reconvene the regular meeting. The motion carried unanimously.

Public Hearing, Ordinance 1399, Chapter 150 Vehicles and Traffic, Article VIII, Schedules, Section 69, Schedule XVII, Parking Prohibited certain hours, of the East Stroudsburg Borough Code of Ordinances:

A motion was made by Mr. Reese and seconded by Ms. Panepinto to recess the regular meeting and convene the Public Hearing for Ordinance 1399. The motion carried unanimously.

Mr. Bond explained this ordinance changes the parking restrictions on a section of Borough Street. There were no questions from Council or the public.

A motion was made by Ms. Huber and seconded by Ms. Panepinto to enter exhibits 1 through 3 into evidence. The motion carried unanimously.

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

Public Hearing, East Stroudsburg Borough 2023 Budget:

A motion was made by Ms. Panepinto and seconded by Mr. Freeborn to recess the regular meeting and convene a public hearing on the East Stroudsburg Borough 2023 Budget. The motion carried unanimously.

Mr. Bond reviewed the proposed budget. There were no questions from members of Council or the public.

A motion was made by Ms. Panepinto and seconded by Mr. Reese to enter exhibits 1 through 3 into evidence. The motion carried unanimously.

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

A motion was made by Ms. Huber and seconded by Mr. Freeborn to approve the East Stroudsburg Borough Budget for the Year 2023, as presented, with two *de minimis* changes to the total year expenses reflect that of 2023 instead of 2018. The motion carried unanimously.

Public Hearing, Ordinance 1398, Fixing the Real Estate Tax Rate for the Year 2023:

A motion was made by Mr. Freeborn and seconded by Mr. Reese to recess the regular meeting and convene the Public Hearing for Ordinance 1398. The motion carried unanimously.

Mr. Bond explained the 2023 Real Estate Tax Rate is proposed to be 5.1747 mills, which is approximately a 15% increase from 2022.

With no questions from members of Council or the public, a motion was made by Ms. Huber and seconded by Mr. Freeborn to enter exhibits 1 through 3 into evidence. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Reese to approve Ordinance No. 1398, Fixing the Real Estate Tax Rate for the Year 2023, as presented. The motion carried unanimously.

Executive Session:

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to go into Executive Session at 9:18 p.m. The motion carried unanimously.

A motion was made by Ms. Huber and seconded by Mr. Reese to reconvene the meeting at 10:13 p.m. The motion carried unanimously.

Solicitor's Report on Executive Session:

The Solicitor reported that three personnel matters and two pending zoning enforcement issues were discussed. Mr. Freeborn left Executive Session at 10:02 p.m., at which time pending contractual negotiations regarding the Middle Dam were discussed. No decisions were made.

Adjournment:

A motion was made by Ms. Panepinto and seconded by Ms. Huber to adjourn the meeting at 10:18 p.m. The motion carried unanimously.

NEXT REGULAR MEETINGS:

Tuesday, January 3, 2023, at 6:30 p.m.

Tuesday, January 17, 2023 at 6:00 p.m.

NEXT WORK SESSION:

Tuesday, January 10, 2023 at 6:00 p.m.