

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, FEBRUARY 21, 2023 – 7:15 p.m.

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

JOINED VIRTUALLY: Zoning Officer Sam D’Alessandro

ABSENT: Erika Huber

The Pledge of Allegiance was recited.

Report on Executive Session:

The Solicitor reported that an Executive Session was held on February 21, 2023, starting at 5:38 p.m., prior to the start of the Council meeting. All members of Council were present, with the exception of Mr. Freeborn. Ms. Huber joined virtually. Mr. Bond and Mr. Prevoznik were also in attendance. Mayor Brozusky joined at 5:44 p.m. Legal matters regarding the Middle Dam were discussed. Mr. Freeborn joined Executive Session at 6:02, at which time four personnel matters were discussed. Executive Session ended at 6:04 p.m. No decisions were made.

Continuation of the Conditional Use Hearing, TWAS Properties, LLC; D/B/A Tidal Wave Auto Spa:

A motion was made by Mr. Molin and seconded by Mr. Freeborn to open the continuance of the Conditional Use hearing. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Freeborn to enter Borough Exhibits 1 through 18 into evidence. The motion carried unanimously.

After further testimony and discussion, a motion was made by Mr. Reese and seconded by Ms. Panepinto to enter Applicant Exhibits 1 through 8 into evidence. The motion carried unanimously.

A motion was made by Mr. Freeborn 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. Molin and seconded by Mr. Freeborn to authorize the project, as presented, by TWAS Properties, LLC; D/B/A Tidal Wave Auto Spa, with the conditions as set forth in Exhibit 18, and conditioned upon a final decision and order. The motion carried unanimously.

Inter-Municipal Liquor License Transfer, TEPSBEST

Mr. Bond explained the original application had the incorrect applicant’s name and a new resolution is required. A motion was made by Ms. Panepinto and seconded by Mr. Molin to rescind Resolution 4-2023, authorizing the inter-municipal liquor license transfer for Taste 154 Café. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Molin to open the Inter-municipal Liquor License Transfer hearing. The motion carried unanimously.

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

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

Resolution 5-2023, Authorizing the Inter-Municipal Liquor License Transfer for TEPSBEST:

A motion was made by Ms. Panepinto and seconded by Mr. Freeborn to approve Resolution 5-2023, authorizing the inter-municipal liquor license transfer for TEPSBEST. The motion carried unanimously.

February 7, 2023 Council Minutes:

A motion was made by Mr. Molin and seconded by Mr. Freeborn to approve the Minutes of the February 7, 2023 Council meeting. The motion unanimously.

Public Comments – Agenda Items:

None.

SROSRC Report:

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Levee Loop Trail Run and Walk on June 3, 2023. The motion carried unanimously.

Police Report:

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to accept the January 2023 SARPD Report, as distributed, and attached to the Minutes. The motion carried unanimously.

East Stroudsburg Community Alliance (ECA):

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the request to close Crystal Street, from Analomink Street to Ridgeway Street, on Saturday, July 1, 2023, from 4:30 p.m. to 10:00 p.m. for the Big Bang Event. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to approve the Special Event Open Container Permit for Saturday, July 1, 2023, contingent upon all forms, fees, and required documents, which includes costs incurred by the Borough, are provided by the ECA. The motion carried unanimously.

Liquid Fuels Audit Report Update:

Carl Hogan, the CPA of BBD, LLP., was scheduled to provide an update on the liquid fuels audit, however, Mr. Hogan has a teleconference scheduled with the Attorney General on Thursday, February 23, 2023. A motion was made by Mr. Reese and seconded by Mr. Freeborn to table the liquid fuels audit report update. The motion carried unanimously.

Engineer's Report:

The Engineer's report was distributed.

Middle Dam Update:

Mr. Scott advised the contractors for the Middle Dam project are still behind schedule, with no approved time extension.

Water Meter Replacement Project:

A motion was made by Mr. Molin and seconded by Ms. Panepinto to approve Core and Main to install the water meters, contingent upon Borough Council reviewing and approving the installation schedule, and the Borough’s installation plan, as prepared by the Borough Engineer, Public Works Director, and Borough Manager, with the cost to Core and Main not to exceed \$602,000.00. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to add a motion to the agenda of the March 6, 2023 Council meeting approving the Borough Engineer to review the lead and copper rule inspections and requirements. The motion carried unanimously.

AWA Annual Water Audit for the Public Water Systems:

A motion was made by Mr. Reese and seconded by Mr. Freeborn to authorize RKR Hess to assist with the preparation of the AWWA Annual Water Audit, and submit to the DRBC, at a cost not to exceed \$1,200.00. The motion carried unanimously.

Dansbury Properties, LLC., Brewski’s Phase II, Request for Financial Responsibility Reduction:

A motion was made by Mr. Freeborn and seconded by Mr. Reese to authorize the request from Dansbury Properties, LLC for a reduction of the required financial responsibility to a balance of \$16,000.00 for the remaining required improvements, as recommended by the Borough Engineer. The motion carried unanimously.

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:

Bob Gress, of 36 Lions Street, asked the status of the paving schedule, and advised Borough streets, including Lions, Secor, Kiwanis, Hazen, and Exchange, are in need of repair. Mr. Bond stated that Elm Street is on the top of the paving list as is a section of East Broad Street.

Mr. Gress also expressed his concerns about the status of Terra Greens and the IBW property. Mr. Reese stated that the golf course is not closed, and the Borough is accepting proposals from those interested in leasing the course. Ms. Wolbert advised the IBW Committee met on Friday.

Jane Gagliardo, of 113 West Broad Street, asked about ownership of an alley around Walnut Street. Mr. Bond advised the Borough does not own the alley in question.

Ms. Gagliardo asked the status of a walkway entrance to Dansbury Park. This item will be referred to SROSRC, and Autumn Hawthorne will be requested to attend a Council meeting when she is available.

Reports:

Public Works:

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

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Zoning:

The Zoning Report was distributed via email. A motion was made by Ms. Panepinto and seconded by Mr. Reese 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.

Community Relations Committee:

The 44th Annual Pocono Irish American Club Saint Patrick's Day Parade will be held on March 19, 2023, starting at 1:00 p.m.

Zoning and Planning Committee:

No report.

Fire Chief's Report:

Chief Nate Black reported that the department has five personnel in The Essentials of Fire Fighting training program at the Monroe County Public Safety Training Center, and three others finishing their Essentials of Fire Fighting training. The department will be participating in the Monroe County Public Safety Day at the training facility on April 29, 2023. The department was awarded a federal grant for turnout gear. The fire department will be submitting an application to become a Participating Department through the Pennsylvania State Fire Academy. Lastly, the department is in the process of making a special nozzle to battle electric vehicle fires.

Mavor Victor Brozusky:

No report.

Bill Reese:

Mr. Reese reported there are 59 Hometown Hero Banners sold. It is planned that the banners will be hung by Memorial Day.

Ed Freeborn:

No report.

Maury Molin:

Mr. Molin asked if the Borough will reach out to owners of vacant commercial properties for status updates on their proposed projects. No action taken.

Erika Huber:

No report.

Carrie Panepinto:

No report.

Manager's Report:

A motion was made by Mr. Freeborn and seconded by Mr. Reese to approve the 2023 Salary and Wage Schedule, representing a 3% cost of living adjustment, retroactive to January 1, 2023, with the exception of new positions and new appointments. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve Justen Novak as a Waste Water Operator B, at an hourly rate of \$31.25, retroactive to February 8, 2023, the date that Mr. Novak received his PA DEP license. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Mr. Molin to authorize the purchase of a 2021 Bobcat ZT 3000 Zero-Turn Mower, with trading in the 2018 Exmark Lazer Z X-Series; the total cost is \$4,753.48. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Molin to approve the Deputy Borough Manager job description and advertise for the position at a cost not to exceed \$1,500.00. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Mr. Freeborn to table offering Stephen McTernan the full-time Code Manager/Rental Inspector position. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to authorize the purchase and installation of a 4" Model B5411K vertical solids handling pump at the WWTP under COSTARS contract 016-096, at a cost of \$28,270.00. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Molin to accept the letter of resignation from Debbie Zimmer, effective close of business, Friday, February 24, 2023. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve the Utility Billing Coordinator job description and advertise the position. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Mr. Reese to approve the sale of the 1976 Nelson Snow Loader at the winning bid on Municibid of \$1,500.00 to Augustine Albu. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Reese to accept the letter of resignation from Ryan Philips, effective March 3, 2023. The motion carried unanimously.

A motion was made by Mr. Molin and seconded by Ms. Panepinto to authorize the Borough Council President, Manager, and Mayor to sign the Conditional Use finding for NP Lenox, LLC. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Mr. Freeborn to approve the sale of the 1999 GMC C7500, VIN #1GDM7H1C4XJ509920, at the winning bid on Municibid of \$6,300.00 to Arthur Barnard, Jr. The motion carried unanimously.

A motion was made by Mr. Freeborn and seconded by Ms. Panepinto to approve the sale of the Chevy 4500 dump truck, VIN #1GBE4C3297F408906, at the winning bid on Municibid of \$17,100.00 to Michael Davidson. The motion carried unanimously.

A motion was made by Ms. Panepinto and seconded by Mr. Reese to approve the sale of the FMC Jet Trailer, at the winning bid on Municibid of \$1,750.00 to Mark McManus. The motion carried unanimously.

Sonia Wolbert:

No report.

Approval of Warrant List 230221:

A motion was made by Ms. Panepinto and seconded by Mr. Reese to approve Warrant List 230221, as presented. The motion carried unanimously.

Adjournment:

A motion was made by Ms. Panepinto and seconded by Mr. Molin to adjourn the meeting at 7:54 p.m. The motion carried unanimously.

NEXT REGULAR MEETINGS:

Tuesday, March 7, 2023, at 7:15 p.m.

NEXT WORK SESSION:

Monday, February 27, 2023, at 7:00 p.m.

NEXT ZONING AND PLANNING COMMITTEE MEETING:

Wednesday, March 8, 2023, at 5:00 p.m.

NEXT COMMUNITY RELATIONS COMMITTEE MEETING:

Monday, March 6, 2023, at 4:30 p.m.

NEXT OPERATIONS COMMITTEE MEETING:

Tuesday, March 14, 2023, at 5:00 p.m.