

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

SPECIAL NOTE- To meet the requirements established by the Office of Open records for virtual meetings, this meeting shall be audio and video recorded via WebEx and East Stroudsburg Borough Virtual Meeting page on Facebook from the initial announcement of the meeting till its end with the exception of the executive session if any, which shall not be recorded

1. Call to Order/Pledge of Allegiance led by _____.
2. Solicitor's report on Executive Session
The Solicitor reported Executive Session was held on March 21, 2023 at 6:30 p.m., prior to the start of the Council Meeting. Litigation and personnel matters were discussed
3. Public Hearing
 - (i) Intermunicipal Liquor License Transfer NP Downtown Hospitality, Inc.

Motion made by _____, Second by _____ to open Intermunicipal Liquor License Transfer hearing.

Motion made by _____, Second by _____ to enter exhibits _ through _ into evidence.

Motion made by _____, Second by _____ to close the public hearing and reconvene the regular meeting.
4. Consideration of Resolution 7-2023 authorizing the Intermunicipal Liquor License Transfer for NP Downtown Hospitality, Inc.

Motion made by _____, Second by _____ to approve Resolution 7-2023 authorizing the Intermunicipal Liquor License Transfer for NP Downtown Hospitality, Inc.
5. Minutes of February 27, 2023, Council Work Session.

Motion made by _____, seconded by _____, to approve February 27, 2023 Council Work Session minutes.
6. Minutes of March 7, 2023, Council Meeting

Motion made by _____, seconded by _____, to approve March 7, 2023 Council Meeting minutes
7. Public Comments – Agenda Items
8. SROSRC Report
9. Police Report: The SARPD Report.

Motion made by _____, seconded by _____, to accept the February SARPD report as distributed and attached to the minutes

10. East Stroudsburg Community Alliance Information Item:

11. Engineer's Report: Engineer's report was distributed.

(i) Middle Dam

- a) Consideration to approve Payment Request No. 16 in the amount of \$28,749.49 to Pioneer Construction Co., Inc. for work completed through December 31, 2022, as recommended by the Engineer. This does not include payment for any concrete with failing compressive strength tests.

Motion made by _____, seconded by _____, to approve Payment Request No. 16 in the amount of \$28,749.49 to Pioneer Construction Co., Inc. for work completed through December 31, 2022, as recommended by the Engineer.

- b) Consideration to approve Change Order No. 004 for an increase to the Contract in the amount of \$34,546.16 for Partial Refill of Upper Wetlands Mitigation Area Excavation. Bedrock was encountered and water was filling the excavated area through rock fissures exposed during the excavation. The water level observed was higher than identified in the test pits performed during the design stage. The wetlands biologist for the project indicated that the area should be refilled with excavated material to six inches below the existing water level so when the specified twelve inches of organic topsoil and wetland material are placed the wetlands mitigation area is expected to function as intended. This change order is recommended by the Engineer as a cost-effective solution for this unforeseen condition. There is no increase in Contract time associated with this Change Order.

Motion made by _____, seconded by _____, to approve Change Order No. 004 for an increase to the Contract in the amount of \$34,546.16 for Partial Refill of Upper Wetlands Mitigation Area Excavation.

- c) Consideration to approve Change Order No. 005 for an increase to the Contract in the amount of \$5,920.81 to Fill Void Between Tower Walkway Support Block and Core Wall and is recommended by the Engineer as a cost-effective solution for this unforeseen condition. There is no increase in Contract time associated with this Change Order.

Motion made by _____, seconded by _____, to approve Change Order No. 005 for an increase to the Contract in the amount of \$5,920.81 to Fill Void Between Tower Walkway Support Block and Core Wall and is recommended by the Engineer.

(ii) Meter Multiplier.

- a) Consideration of a recommendation from the Operations Committee that any under charge from improper meter readings due to a result of incorrect calibration of said meter from 2021 through November 30, 2022 be waived for the accounts attached hereto.

Motion made by _____, seconded by _____, to approve the recommendation from the Operations Committee that attached list of accounts which were any under Billed as a result the wrong water use multiplier being used in the creation of invoices between Jan 1, 2021 through December 31, 2022 be waived.

(iii) Water Meter Replacement Project

(iv) Waste Water Treatment Plant

(v) Water Treatment Plant

- a) Consideration to authorize the Engineer to work with the Manager and Operator develop a comprehensive leak detection and repair program that emulates the program implemented by the Brodhead Creek Regional Authority with the intent to reduce unaccounted for water in the water transmission and distribution systems.

Motion made by _____, seconded by _____, to authorize the Engineer to work with the Manager and Operator develop a comprehensive leak detection and repair program that emulates the program implemented by the Brodhead Creek Regional Authority with the intent to reduce unaccounted for water in the water transmission and distribution systems.

- b) Consideration to approve monthly progress meetings with Cal Miller, Eli Angradi, Michael Nines, Russ Scott and Brian Bond to facilitate the operations, unaccounted for water and PFAS for the Borough Water System.

Motion made by _____, seconded by _____, to approve monthly progress meetings with Cal Miller, Eli Angradi, Michael Nines, Russ Scott and Brian Bond to facilitate the operations, unaccounted for water and PFAS for the Borough Water System.

(vi) Exit 308 Realignment Project

- (vii) Consideration to accept the Engineers Report as submitted and attach to the minutes.

Motion made by _____, seconded by _____, to accept the Engineers Report as submitted and attach to the minutes.

12. Public Comments – New Business

13. Reports

A. Public Works Report: Distributed via Email

Motion made by _____, seconded by _____, to accept the Public Works Report as distributed and attach to the minutes.

B. Zoning Report: Distributed via Email.

Motion made by _____, seconded by _____, to accept the Zoning Report as distributed and attach to the minutes

C. Finance Report: Finance Report distributed via Email.

Motion made by _____, seconded by _____, to accept the finance report as distributed and attach to the minutes

D. Operations Committee:

E. Planning and Zoning Committee:

F. Community Relations Committee:

G. Fire Chief's Report: Chief Black

H. Mayor Victor Brozusky:

I. William T. Reese:

J. Ed Freeborn:

K. Maury Molin:

L. Erika Huber:

M. Carrie Panepinto:

N. Solicitors Report:

- (i) Consideration to authorize the Borough Council President and Mayor to sign the Conditional Use finding for TWAS Properties, LLC; D/B/A Tidal Wave Auto Spa.

Motion made by _____, seconded by _____, to authorize the Borough Council President and Mayor to sign the Conditional Use finding for TWAS Properties, LLC; D/B/A Tidal Wave Auto Spa.

O. Manager's Report:

- (i) Tax Collector Audit

Motion made by _____, seconded by _____, to direct the Manager to request the Tax Collector attend the Borough Council Work Session on Monday, March 27, 2023 at 7:00 p.m.

- (ii) Consideration of Resolution 6-2023 approving the modification of the Fiscal Year 2022 CDBG Application from the Crystal Street Improvements to Housing Rehabilitation. These funds can be reallocated at a later date.

Motion made by _____, seconded by _____, to approve Resolution 6-2023 approving the modification of the Fiscal Year 2022 CDBG Application from the Crystal Street Improvements to Housing Rehabilitation.

- (iii) Consideration of a request from ESU for free parking as per the attached list. Borough Staff recommends that the following dates be approved: Saturday, May 6, 2023 and Saturday, October 7, 2023.

Motion made by _____, seconded by _____, to approve a request from ESU for free parking on Normal and Smith Streets on Saturday, May 6, 2023 and Saturday, October 7, 2023 and to direct the Borough Manager to notify ESU of the option to purchase meter bags for other events.

- (iv) Consideration to approve the purchase of a 2023 Dynapac CC900G double drum vibratory compaction roller on PA COSTARs contract No. 440019935 at a cost of \$22,409.80 utilizing Liquid Fuels funds. This is a budgeted purchase.

Motion made by _____, seconded by _____, to approve the purchase of a 2023 Dynapac CC900G double drum vibratory compaction roller on PA COSTARs contract No. 440019935 at a cost of \$22,409.80 utilizing Liquid Fuels funds as budgeted.

- (v) Consideration to ratify advertising for a Parking Enforcement Officer at the hourly rate of \$16.00.

Motion made by _____, seconded by _____, to ratify advertising for a Parking Enforcement Officer at the hourly rate of \$16.00.

- (vi) Consideration to approve an offer of employment to Jodi Manheim the position of Zoning / Codes Office Manager at an annual salary of \$62,400.00.

Motion made by _____, seconded by _____, to approve an offer of employment to Jodi Manheim the position of Zoning / Codes Office Manager at an annual salary of \$62,400.00.

- (vii) Consideration to approve an offer of employment to Kimberly Charner the position of Utility Billing Coordinator at the hourly rate of \$24.00.

Motion made by _____, seconded by _____, to approve an offer of employment to Kimberly Charner the position of Utility Billing Coordinator at the hourly rate of \$24.00.

- (viii) Consideration to direct the manager to provide a letter of support for the renaming of the Sambo Creek to the U.S. Board on Geographic names.

Motion made by _____, seconded by _____, to direct the manager to provide a letter of support for the renaming of the Sambo Creek to the U.S. Board on Geographic names.

- (ix) Consideration to approve payment of RKR Hess invoice nos. 118157 for \$16,481.71 and 118182 for \$14,806.83, totaling \$ \$31,288.54, for the Middle Dam Project.

Motion made by _____, seconded by _____, to approve payment of RKR Hess invoice nos. 118157 for \$16,481.71 and 118182 for \$14,806.83, totaling \$ \$31,288.54, for the Middle Dam Project.

- (x) Consideration to approve draw down No. 3 of the 2021 General Obligation Note in the amount of \$78,075.68 for costs associated with the Middle Dam Project..

Motion made by _____, seconded by _____, to approve draw down No. 3 of the 2021 General Obligation Note in the amount of \$78,075.68 for costs associated with the Middle Dam Project.

- (xi) Consideration to authorize executing and submitting the five Subdivision Participation forms for the Johnson and Johnson Nationwide Opioid Settlement.

Motion made by _____, seconded by _____, to authorize executing and submitting the five Subdivision Participation forms for the Johnson and Johnson Nationwide Opioid Settlement.

- (xii) Consideration to authorize the Manager to sign for the Ford F250 Service Truck and the F550 Dump Truck that were approved for purchase at the February 7, 2023 Borough Council Meeting.

Motion made by _____, seconded by _____, to authorize the Manager to sign for the Ford F250 Service Truck and the F550 Dump Truck that were approved for purchase at the February 7, 2023 Borough Council Meeting.

- (xiii) Consideration to authorize the Council President to sign a letter of support for the Monroe County Control Center Monroe County Safety First Community Initiative application.

Motion made by _____, seconded by _____, to authorize the Council President to sign a letter of support for the Monroe County Control Center Monroe County Safety First Community Initiative application.

- (xiv) Consideration to approve the quote from Tri Works for the replacement of the Heat pump unit at the Day Street center at a cost not to exceed \$6,650.00.

Motion made by _____, seconded by _____, to approve the quote from Tri Works for the replacement of the Heat pump unit at the Day Street center at a cost not to exceed \$6,650.00.

- (xv) Consideration to ratify the Terra Greens leasing RFP.

Motion made by _____, seconded by _____, to ratify the Terra Greens leasing RFP.

- (xvi) Costs associated with the Terra Greens RFP discussion.

O. Sonia Wolbert:

14. Ratification of Bills Payable through March 21, 2023.

- (i) Approval of Warrant List #230321

Motion made by _____, seconded by _____, to approve Warrant List #230321 as presented.

15. Adjournment

- A. Motion made by _____, seconded by _____ to adjourn the meeting; note time _____.

NEXT REGULAR MEETING: Tuesday, April 4, 2023; 7:15 p.m. to be held in person and virtually on the East Stroudsburg Virtual Meeting Facebook Page and via WebEx and/or at the East Stroudsburg Borough Municipal Building.

NEXT WORK SESSION/SPECIAL MEETING: Monday, March 27, 2023; 7:00 p.m. to be held in person and virtually on the East Stroudsburg Virtual Meeting Facebook Page and via WebEx and/or at the East Stroudsburg Borough Municipal Building.

NEXT ZONING AND PLANNING COMMITTEE MEETING; Wednesday, April 5, 2023; 5:00 p.m. to be held in person and virtually on the East Stroudsburg Virtual Meeting Facebook Page and via WebEx and/or at the East Stroudsburg Borough Municipal Building.

NEXT COMMUNITY RELATIONS COMMITTEE MEETING; Monday, April 3, 2023; 4:30 p.m. to be held in person and virtually on the East Stroudsburg Virtual Meeting Facebook Page and via WebEx and/or at the East Stroudsburg Borough Municipal Building.

NEXT OPERATIONS COMMITTEE MEETING; Wednesday, March 22, 2023; 5:00 p.m. to be held in person and virtually on the East Stroudsburg Virtual Meeting Facebook Page and via WebEx and/or at the East Stroudsburg Borough Municipal Building.