

AGENDA FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, MAY 2, 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 until 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 May 2, 2023, at 6:00 p.m., prior to the start of the Council Meeting. Litigation and personnel matters were discussed.
3. Minutes of April 4, 2023, Council Meeting.

Motion made by _____, seconded by _____, to approve the April 4, 2023, Council meeting Minutes.
4. Minutes of April 11, 2023, continuation of the April 4, 2023, Council Meeting.

Motion made by _____, seconded by _____, to approve the April 11, 2023, continuation of the April 4, 2023, Council Meeting Minutes.
5. Minutes of April 18, 2023, Council Meeting.

Motion made by _____, seconded by _____, to approve the April 18, 2023, Council meeting Minutes.
6. Minutes of April 24, 2023, continuation of the April 18, 2023, Council Meeting.

Motion made by _____, seconded by _____, to approve the April 24, 2023, continuation of the April 18, 2023, Council Meeting Minutes.
7. Public Comments – Agenda Items.
8. SROSRC Report
 - (i) Terra Greens MOU discussion and any action.
9. Police Matters: May 16, 2023, meeting.
10. East Stroudsburg Community Alliance Information Item:
11. Engineers' Report: Engineer's report was distributed.
 - A. Middle Dam Update
 - (i) Consideration to approve Payment Request No. 17 in the amount of \$89,099.78 to Pioneer Construction Co., Inc. for work completed through January 31, 2023, 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. 17 in the amount of \$89,099.78 to Pioneer Construction Co., Inc. for work completed through January 31, 2023, as recommended by the Engineer. This does not include payment for any concrete with failing compressive strength tests.

- (ii) Consideration to approve Change Order No. 006 for an increase to the Contract in the amount of \$13,657.40 to install extended conduits and free-standing panels for the two metering manholes as recommended by the Engineer as a cost-effective solution for addressing the high water table conditions. There is no increase in Contract time associated with this Change Order.

Motion made by _____, seconded by _____, to approve Change Order No. 006 for an increase to the Contract in the amount of \$13,657.40 to install extended conduits and free-standing panels for the two metering manholes as recommended by the Engineer as a cost-effective solution for addressing the high water table conditions. There is no increase in Contract time associated with this Change Order.

B. Interstate 80 Exit 308 Project

- (i) The Borough will need to decide if it wishes PennDOT's Contractor to provide a 24- month Maintenance Bond in the amount of 10% of the utility relocation construction costs, upon completion and acceptance of the Project (estimated to occur at the end of 2026). As this bond is considered a "Betterment", the Borough would bear 100% of the costs to secure this bond, which cost is \$85,000 as bid. Borough must make a decision on this by the fall of 2025 for budgeting purposes.

C. Landfill discussion and any action.

D. Water Plant Update

E. WWTP NPDES Permit Status Update

- (i) Consideration to authorize Hawk Mtn. Labs, Inc. to perform Fecal Coliform testing, at a total cost not to exceed \$250.00, as required for the NPDES Discharge Permit Renewal.

Motion made by _____, seconded by _____, to authorize Hawk Mtn. Labs, Inc. to perform Fecal Coliform testing, at a total cost not to exceed \$250.00, as required for the NPDES Discharge Permit Renewal.

- (ii) Consideration to authorize and accept the proposal from Eurofins Lancaster Laboratories Environment Testing, LLC in accordance with the unit prices presented, at a total cost not to exceed \$5,000, for one-time specialized testing specific to the requirements of the NPDES Discharge Permit Renewal, contingent upon the concurrence of the Environmental Counsel.

Motion made by _____, seconded by _____, to authorize and accept the proposal from Eurofins Lancaster Laboratories Environment Testing, LLC in accordance with the unit prices presented, at a total cost not to exceed \$5,000, for one-time

specialized testing specific to the requirements of the NPDES Discharge Permit Renewal, contingent upon the concurrence of the Environmental Counsel.

F. WWTP Update

G. Water Meter Replacement Project

- (i) Draft has been provided to the professionals for review and comments. A revised draft will be presented to Borough Council at the May 16, 2023 meeting.

H. Unaccounted Water Update

I. Tidal Wave Auto Spa

- (i) Consideration to authorize the Borough Manager to sign the Sewage Planning Module Exemption Mailer and submit it to PADEP for this proposed project to be served by the Borough Sanitary Sewer System, as recommended by the Borough Engineer.

Motion made by _____, seconded by _____, to authorize the Borough Manager to sign the Sewage Planning Module Exemption Mailer and submit it to PADEP for this proposed project to be served by the Borough Sanitary Sewer System, as recommended by the Borough Engineer.

12. Reports

A. Public Works: The DPW Report distributed via email.

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

B. Zoning Codes: Reports distributed via email.

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

C. Finance Report: Distributed via email.

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

D. Operations Committee:

E. Community Relations Committee:

F. Zoning and Planning Committee:

G. Mayor Victor Brozusky:

H. Erika Huber:

I. Ed Freeborn:

J. Maury Molin:

K. Carrie Panepinto:

L. Bill Reese:

M. Solicitor John Prevoznik, Esq.:

N. Manager's Report:

- (i) Consideration of a request from the St. Mathews Parish to close Braeside Avenue from Elk Street to Ridgeway Street on Friday, August 11, 2023, from 5:00 p.m. to 10:00 p.m., Saturday, August 13, 2023, from 5:00 p.m. to 10:00 p.m. and Sunday, August 13, 2023, from 12:00 p.m. to 6:00 p.m. for the Annual ST. Mathews Festival. No Borough staff is being requested.

Motion made by _____, seconded by _____, to approve the request from the St. Mathews Parish to close Braeside Avenue from Elk Street to Ridgeway Street on Friday, August 11, 2023, from 5:00 p.m. to 10:00 p.m., Saturday, August 13, 2023, from 5:00 p.m. to 10:00 p.m. and Sunday, August 13, 2023, from 12:00 p.m. to 6:00 p.m. for the Annual ST. Mathews Festival.

- (ii) Consideration to approve the Water Department Laborer job description.

Motion made by _____, seconded by _____, to approve the Water Department Laborer job description.

- (iii) Consideration to authorize advertising for a full-time Water Department Laborer positions at an hourly rate of \$16.00.

Motion made by _____, seconded by _____, to authorize advertising for a full-time Water Department Laborer positions at an hourly rate of \$16.00.

- (iv) Consideration to hire Phillip Stettler as a full-time Water Department Laborer at an hourly rate of \$16.00.

Motion made by _____, seconded by _____, to hire Phillip Stettler as a full-time Water Department Laborer at an hourly rate of \$16.00.

- (v) Consideration to approve payment of RKR Hess invoices 119246 in the amount of \$11,563.75; 119221 in the amount of \$3,389.81; 119202 in the amount of \$19,344.42, for a total amount of \$34,297.98, for the Middle Dam Project.

Motion made by _____, seconded by _____, to approve payment of RKR Hess invoices 119246 in the amount of \$11,563.75; 119221 in the amount of \$3,389.81; 119202 in the amount of \$19,344.42, for a total amount of \$34,297.98, for the Middle Dam Project.

- (vi) Consideration to authorize a drawdown of the 2021 G.O note in the amount of \$123,307.76.

Motion made by _____, seconded by _____, to authorize a drawdown of the 2021 G.O note in the amount of \$123,307.76.

- (vii) Consideration of a request from Troy Nauman to authorize the Borough Engineer, Solicitor and Manager to meet with Mr. Nauman to discuss the stormwater convenience system on his Henry Street and Elli Street properties.

Motion made by _____, seconded by _____, to approve the request from Troy Nauman to authorize the Borough Engineer, Solicitor and Manager to meet with Mr. Nauman to discuss the stormwater convenience system on his Henry Street and Elli Street properties.

- (viii) Consideration to extend the Manager transition period for an additional 60-days to end on July 1, 2023.

Motion made by _____, seconded by _____ to extend the Manager transition period for an additional 60-days to end on July 1, 2023.

- (ix) Consideration to ratify the termination of employment of Richard Heard effective Friday, April 28, 2023.

Motion made by _____, seconded by _____ to ratify the termination of employment of Richard Heard Effective Friday, April 28, 2023.

- (x) Consideration to ratify the termination of employment of John Woodling effective Monday, May 1, 2023.

Motion made by _____, seconded by _____ to ratify the termination of employment of John Woodling effective Monday, May 1, 2023

M. Sonia Wolbert:

- (i) Consideration to reschedule the May 16, 2023 East Stroudsburg Borough Council meeting to _____ at _____ p.m.

Motion made by _____, seconded by _____ to reschedule the May 16, 2023 East Stroudsburg Borough Council meeting to _____ at _____ p.m.

13. Public Comments – New Business, Non-Agenda Items

14. Ratification of Bills Payable through May 2, 2023.

- (i) Approval of Warrant List #230502

Motion made by _____, seconded by _____, to approve Warrant List #230502 as presented.

15. Executive Session for Discussion of Litigation and/or Personnel Matters if Necessary.

Motion made by _____, seconded by _____ to go into Executive Session; note time _____.

Motion made by _____, seconded by _____ to reconvene meeting; not time _____.

Solicitor's report on Executive Session

16. Adjournment

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

NEXT REGULAR MEETING: Tuesday, May 16, 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, May 22, 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, May 3, 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, May 15, 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; Tuesday, May 9, 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