

**AGENDA FOR THE REGULAR
EAST STROUDSBURG BOROUGH COUNCIL MEETING
TUESDAY, JUNE 20, 2023– 7:15PM**

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 on the Executive Session that was held on June 20, 2023 starting at _____, prior to the start of the Council Meeting.
3. **Interim Borough Manager – Introduction of Gregg Schuster**
4. **Minutes of June 1, 2023, Council Meeting:**
Motion made by _____, seconded by _____, to approve the June 1, 2023 Council Meeting Minutes.
5. **Minutes of June 6, 2023, Council Meeting:**
Motion made by _____, seconded by _____, to approve the June 6, 2023 Special Meeting/Work Session Council Minutes.
6. **Minutes of the June 7, 2023, continuation of the June 6, Council Meeting Minutes:**
Motion made by _____, seconded by _____, to approve the June 7, 2023 Continuation of the June 6, 2023 Council Meeting Minutes.
7. **Public Hearing:**
First Public Hearing for the FFY 2023 Community Development Block Grant (CDBG)

Motion made by _____, seconded by _____ to recess the Regular Council Meeting, and convene the Public Hearing.

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

Motion made by _____, seconded by _____ to close the Public Hearing, and reconvene the Regular Council Meeting.
8. **Preliminary/Final Land Development Plan, ARG Stroudsburg Developers, LLC Land Development Plan Application and waiver request for concurrent Preliminary/Final Plan submission.**
 - A. Consideration of Resolution 11-2023 approving the Preliminary/Final Land Development Plan for ARG Stroudsburg Developers, LLC.

Motion made by _____, seconded by _____, to approve Resolution 11-2023 for Preliminary/Final Land Development Plan for ARG Stroudsburg Developers, LLC.

9. Stroud Region Open Space and Recreation Commission (SROSC) Report:

10. Police Report:

11. East Stroudsburg Community Alliance Information Item:

The Big Bang Event will be held on Saturday, July 1, 2023, beginning at 3PM.

12. Engineer's Report:

A. Middle Dam Update:

Consideration to approve Payment Request No. 19 in the amount of \$161,694.52 to Pioneer Construction Co., for work completed through March 31, 2023, as recommended by the Engineer. This payment request does not include any contractor request for payment for concrete with failing compressive strength tests.

Motion made by _____, seconded by _____, to approve Payment Request No. 19 in the amount of \$161,694.52 to Pioneer Construction Co., for work completed through March 31, 2023, as recommended by the Engineer. This payment request does not include any contractor request for payment for concrete with failing compressive strength tests.

Consideration to approve Payment Request No. 20 in the amount of \$392,736.56 to Pioneer Construction Co., for work completed through April 30, 2023, as recommended by the Engineer. Based upon the AECOM Structural Evaluation, the concrete that did not pass compressive strength testing may remain in place with additional remedial measures. This payment request includes payment for concrete that was considered under this structural evaluation.

Motion made by _____, seconded by _____, to approve Payment Request No. 20 in the amount of \$392,736.56 to Pioneer Construction Co., for work completed through April 30, 2023, as recommended by the Engineer. Based upon the AECOM Structural Evaluation, the concrete that did not pass compressive strength testing may remain in place with additional remedial measures. This payment request includes payment for concrete that was considered under this structural evaluation.

B. Wastewater Treatment Plant Update

C. Wastewater Treatment Plant (WWTP) NPDES Permit Status Update

Consideration to rescind the previous motion made on May 2, 2023 to accept the proposal from Eurofins Lancaster Laboratories Environment Testing, LLC at a total cost not to exceed \$5,000.00, for one-time specialized testing specific to the requirements of the NPDES Discharge Permit Renewal. This contract lab did not provide verification that they could meet all of the Quantitation Limits required by PADEP.

Motion made by _____, seconded by _____, to rescind the previous motion made on May 2, 2023 to accept the proposal from Eurofins Lancaster Laboratories Environment Testing, LLC at a total cost not to exceed \$5,000.00, for one-time specialized testing specific to the requirements of the NPDES Discharge Permit Renewal. This contract lab did not provide verification that they could meet all of the Quantitation Limits required by PADEP.

Consideration to rescind the previous motion made on May 2, 2023 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 rescind the previous motion made on May 2, 2023 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.

Consideration to authorize and accept the proposal from ALS Group USA, Corp. in accordance with the unit prices presented, at a total cost not to exceed \$5,500.00, for all testing parameters required for the NPDES Discharge Permit Renewal, contingent upon verification of the Quantitation Limits and the concurrence of the Environmental Counsel. Authorization of this testing is specific to the NPDES Permit Renewal application.

Motion made by _____, seconded by _____, to approve the proposal from ALS Group USA, Corp. in accordance with the unit prices presented, at a total cost not to exceed \$5,500.00, for all testing parameters required for the NPDES Discharge Permit Renewal, contingent upon verification of the Quantitation Limits and the concurrence of the Environmental Counsel. Authorization of this testing is specific to the NPDES Permit Renewal application.

D. Water Treatment Plant

Consideration to authorize advertisement of bids for the replacement of two slide gates on the Rapid Mix Chamber at the Water Treatment Plant.

Motion made by _____, seconded by _____, to approve the advertisement of bids for the replacement of two slide gates on the Rapid Mix Chamber at the Water Treatment Plant.

E. Consideration to accept the Engineer's Report as submitted and attach to the minutes.

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

13. Public Comments – Agenda items:

14. Reports:

A. Public Works Report

B. Zoning Report

C. Finance Report

15. Committees:

A. Operations Committee

B. Planning and Zoning Committee

The Planning Commission would like consideration to advertise for a Public Hearing on Monday, July 24, 2023 at the Borough Council Meeting for the proposed School Ordinance #1396.

Motion made by _____, and seconded by _____, to approve the advertisement for the Public Hearing on Monday, July 24, 2023 at the Borough Council Meeting for the proposed School Ordinance #1396.

The Planning Commission would like consideration to schedule a Conditional-Use Hearing for RTO of America, LLC for the 1st Borough Council Meeting in September, on Tuesday, September 5, 2023.

Motion made by _____, and seconded by _____, to approve a Conditional-Use Hearing for RTO of America, LLC at the Borough Council Meeting on Tuesday, September 5, 2023.

C. Community Relations Committee

Consideration to have a community wide Yard Sale on Saturday, July 29 and Sunday, July 30, 2023 with fee to be waived. Registration to participate should be completed no later than Friday, July 14, 2023.

Motion made by _____, and seconded by _____, to approve a community wide no-fee Yard Sale Event on Saturday, July 29 and Sunday, July 30, 2023 with registration to participate to be completed no later than Friday, July 14, 2023.

D. Recycling Committee

16. Mayor Victor Brozusky:

17. Council Members:

A. William Reese

B. Carrie Panepinto

C. Maury Molin

D. Edmund Freeborn

E. Erika Huber

F. Sonia Wolbert

G. Solicitor's Report

18. Manager's Report:

- A. Consideration to approve Resolution 10-2023 amending the 2023 Fee Schedule to add the Uniform Construction Code (UCC) Joint Board of Appeals fees.

Motion made by _____, seconded by _____ to approve Resolution 10-2023 amending the 2023 Fee Schedule to include the UCC Joint Board of Appeals Fees.

- B. Consideration to approve DPW hanging the East Stroudsburg University's (ESU) flags – institutional and athletic throughout the Borough in 2023 from August 1, 2023 through November 30, 2023. ESU will provide the Borough with flags and poles for hanging at no cost and ask that when the flags are removed that the flags be returned back to ESU's Office of University Relations for further use.

Motion made by _____, seconded by _____ to approve DPW hanging the ESU's flags before August 1, 2023 and removal of such flags after November 30, 2023. Once removed DPW will return them back to the ESU's Office of University Relations.

- C. Consideration to rescind the June 1, 2023 Borough Council motion to release the sum of \$5,890.00 and reduce the Fire Escrow from \$33,320.00 to \$27,430 for 212 Smith Street.

Motion made by _____, seconded by _____ to rescind the June 1, 2023 Borough Council motion to release the sum of \$5,890.00 and reduce the Fire Escrow from \$33,320.00 to \$27,430 for 212 Smith Street.

- D. Consideration to release the sum of \$27,430 for demolition of the structure and reduce the Fire Escrow from \$33,320.00 to \$5,890.00 for 212 Smith Street.

Motion made by _____, seconded by _____ to approve the release of \$27,430.00 for demolition of the structure and reduce the Fire Escrow from \$33,320.00 to \$5,890.00 for 212 Smith Street.

- E. Consideration to purchase a Mini Split Ductless for DPW Office that provides cooling and heat, for there currently is no heat in the office. Purchase not to exceed \$5,000.00 and DPW will do the installation of the system. Expenditure to come out of the budget under Street Department Building Maintenance Account.

Motion made by _____, seconded by _____ to approve the purchase of a heating and cooling Mini Split Ductless System for the DPW Office, not to exceed \$5,000.00 and the installation of system will be done by DPW.

- F. Consideration for an enclosed trailer to be purchased from NorthPoint Trailers in the amount of \$7,295.00 for the roller and all the tools for blacktopping.

Motion made by _____, seconded by _____ to approve purchasing a trailer from NorthPoint Trailers for the roller and all the tools for blacktopping, not to exceed \$7,300.00.

- G. Consideration to have Sonia Wolbert, President of Borough Council sign as the Dam Owner of the East Stroudsburg Dam for the posting of the required checklist of the Emergency Action Plan (EAP) for DEP.

Motion made by _____, seconded by _____ to approve Sonia Wolbert, President of East Stroudsburg Council to sign as the Dam Owner for the East Stroudsburg Dam for the posting of the required checklist of the Emergency Action Plan (EAP) for DEP.

- H. Consideration to authorize the Borough Manager to advertise for the hiring of up to four positions to support the Water Meter Installation Project with the understanding that no hiring shall be done until the Borough Council approves the formation of the jobs and appropriates the necessary funds.

- I. Motion made by _____, seconded by _____ to approve the advertising for the hiring of up to four positions to support the Water Meter Installation Project with the understanding that no hiring shall be done until the Borough Council approves the formation of the jobs and appropriates the necessary funds.

- J. Discussion of Administration Personnel and any action.

- K. Consideration to authorize a drawdown of the 2021 General Obligation (G.O.) Note in the amount of \$609,577.85.

Motion made by _____, seconded by _____, to authorize a drawdown of the 2021 G.O. Note in the amount of \$609,577.85.

- L. Consideration to purchase a basic laptop to be used for Webex Meetings and not to exceed \$700.00.

Motion made by _____, seconded by _____, to approve the purchase of a basic laptop to be used for Webex Meetings and not to exceed \$700.00.

19. Public Comments – New Business & Non-Agenda items:

20. Ratification of Bills Payable through June 20 2023:

- A. Approval of Warrant List #230620

Motion made by _____, seconded by _____, to approve the Warrant List #230620, as presented.

21. Adjournment:

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

- 22. NEXT REGULAR MEETING:** Tuesday, July 18, 2023; 7:15PM and Monday, July 24, 2023; 7:15PM 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.

23. **NEXT WORK SESSION/SPECIAL MEETING:** Monday, August 28, 2023; 7PM 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.
24. **NEXT ZONING AND PLANNING COMMITTEE MEETING:** Tuesday, July 11, 2023; 5PM 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.
25. **NEXT COMMUNITY RELATIONS COMMITTEE MEETING:** Monday, July 3, 2023; 4:30PM 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.
26. **NEXT OPERATIONS COMMITTEE MEETING:** Wednesday, June 21, 2023; 5PM and weekly each Wednesday thereafter 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.