

**AGENDA FOR THE REGULAR
EAST STROUDSBURG BOROUGH COUNCIL MEETING
TUESDAY, MAY 21, 2024– 7:15 PM**

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 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. Read Aloud By: _____

1. **Call to Order at:** _____ **Pledge of Allegiance led by:** _____

2. **Solicitor’s Report on Executive Session:**

The Solicitor reported on the Executive Session that was held on May 21, 2024 starting at ____, prior to the start of the Council Meeting.

3. **Minutes of April 16, 2024, Council Regular Meeting:**

Motion made by _____, seconded by _____, to approve the April 16, 2024 Council Regular Meeting Minutes.

4. **Minutes of April 24, 2024, Council Special Business Meeting:**

Motion made by _____, seconded by _____, to approve the April 24, 2024 Council Special Business Meeting Minutes.

5. **Minutes of May 7, 2024, Council Regular Meeting:**

Motion made by _____, seconded by _____, to approve the May 7, 2024 Council Regular Meeting Minutes.

6. **Public Hearing:**

Public Hearing for Proposed Moving and Storage Ordinance Number 1402

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.

7. **Public Hearing:**

Public Hearing for Proposed Amended Table of Use Ordinance Number 1403

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. Public Hearing:

Public Hearing for Proposed Amended Zoning Map Ordinance Number 1404

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.

9. Public Comments – Agenda items:

10. East Stroudsburg Community Alliance (ECA):

11. Fire Report: report distributed via email

12. Police Report:

13. Engineer’s Action Items: distributed via email

A. Water System Monitoring

- i. Consideration to accept the proposals for lab sampling and testing for UCMR 5 and State and Federal PFAS monitoring requirements for four (4) Quarters commencing in the 2nd Quarter of 2024 from Suburban Testing Laboratories, Inc. (Reading, PA), in an amount not to exceed \$19,000.00 (including collection of sampling costs), as recommended by the Borough Engineer and with the concurrence of Environmental Counsel.

Motion made by _____, seconded by _____, to accept the proposals for lab sampling and testing for UCMR 5 and State and Federal PFAS monitoring requirements for four (4) Quarters commencing in the 2nd Quarter of 2024 from Suburban Testing Laboratories, Inc. (Reading, PA), in an amount not to exceed \$19,000.00 (including collection of sampling costs), as recommended by the Borough Engineer and with the concurrence of Environmental Counsel.

B. Levee Culvert Rehabilitation Project:

- i. Consideration to approve Payment Application No. 2 – Final in the amount of \$19,000, representing the release of retainage on the Project, as recommended by the Engineer.

Motion made by _____, seconded by _____, to approve Payment Application No. 2 – Final in the amount of \$19,000, representing the release of retainage on the Project, as recommended by the Engineer.

C. Brown St. Waterline Replacement Project:

- i. Consideration to accept Change Order No. 3 – Final for final reconciliation of Contract quantities and to seek reimbursement of additional engineering costs incurred by the Borough. The net effect of this Change Order is a deduct to the Contract in the amount of \$59,370.00. This Change Order also includes an

extension of time for Final Completion and submittal of Contract Closeout Documents until June 28, 2024.

Motion made by _____, seconded by _____, accept Change Order No. 3 – Final for final reconciliation of Contract quantities and to seek reimbursement of additional engineering costs incurred by the Borough. The net effect of this Change Order is a deduct to the Contract in the amount of \$59,370.00. This Change Order also includes an extension of time for Final Completion and submittal of Contract Closeout Documents until June 28, 2024.

D. Forge Road U-Haul / U-Box Land Development Project (adjacent to the Borough WWTP):

- i. Consideration of approval of a modification of Resolution 10-2024 titled the Application of Amerco Real Estate Co. for Modification of Conditional Use Adjudication and Order and Application of Amerco Real Estate Co. for Approval of Preliminary/Final Land Development for U-Haul U-Box Storage Facility. The modification is as it relates to Blasting.

Motion made by _____, seconded by _____, to approve Resolution 10-2024 titled the Application of Amerco Real Estate Co. for Modification of Conditional Use Adjudication and Order and Application of Amerco Real Estate Co. for Approval of Preliminary/Final Land Development for U-Haul U-Box Storage Facility. The modification is as it relates to Blasting.

- ii. Consideration to ratify the approval of the Stormwater Management Agreement and Development Agreement for the U-Box Project as approved in Resolution 1-2023 for the Land Development Approval of the Project.

Motion made by _____, seconded by _____, to ratify the approval of the Stormwater Management Agreement and Development Agreement for the U-Box Project as approved in Resolution 1-2023 for the Land Development Approval of the Project.

- iii. Consideration to adopt Resolution 11-2024 granting Stormwater Management Easement approximately _____ sf in area to discharge stormwater to an existing swale along Forge Road.

Motion made by _____, seconded by _____, to adopt Resolution 11-2024 granting Stormwater Management Easement approximately _____ sf in area to discharge stormwater to an existing swale along Forge Road.

E. Forge Road Land Development Project (between Forge Road and I-80):

- i. Consideration of acceptance of the Permanent Sanitary Sewer and Access Easement, Temporary Construction Easement, and Right-of-Way Agreement offered by the Property Owners for the construction, operation, and maintenance of sewer mains and appurtenances across and adjacent to the property.

Motion made by _____, seconded by _____, to accept the Permanent Sanitary Sewer and Access Easement, Temporary Construction Easement, and Right-of-Way Agreement offered by the Property Owners for the construction, operation, and maintenance of sewer mains and appurtenances across and adjacent to the property.

F. Crystal Street Improvements Project:

- i. Consideration to authorize RKR Hess to draft the ordinance amending Chapter 150 – Vehicles and Traffic to make Crystal Street a One-Way Street and then forward onto the Planning Commission.

Motion made by _____, seconded by _____, authorizing RKR Hess to proceed to draft the ordinance amending Chapter 150 – Vehicles and Traffic to make Crystal Street a One-Way Street and then forward onto the Planning Commission.

G. Courtland Real Estate Development, LLC, for Dunkin

- i. Consideration to approve the execution of the Stormwater Facilities Maintenance and Monitoring Agreement in recordable form with Courtland Real Estate Development, LLC, for Dunkin.

Motion made by _____, seconded by _____, to approve executing the Stormwater Facilities Maintenance and Monitoring Agreement in recordable form with Courtland Real Estate Development, LLC, for Dunkin.

- ii. Consideration to approve the execution of the Development Agreement for Courtland Real Estate Development, LLC, for Dunkin.

Motion made by _____, seconded by _____, to approve executing the Development Agreement with Courtland Real Estate Development, LLC, for Dunkin.

H. Route 209 Partnership Lot Joinder

- i. Consideration to approve RKR Hess to work with the Zoning Officer and the Solicitor on the unusual lot joinder application for the Route 209 Partnership - Wendy's Project.

Motion made by _____, seconded by _____, to approve RKR Hess to work with the Zoning Officer and the Solicitor on the unusual lot joinder application for the Route 209 Partnership - Wendy's Project.

14. 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: distributed via email

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

15. Committees:

A. Operations Committee

B. Zoning and Planning Committee – No meeting

C. Community Relations Committee

16. **Correspondence:**

17. **Mayor Victor Brozusky:**

18. **Council Members:**

A. Carrie Panepinto

B. Jane Gagliardo

C. Paul Shemansky

D. Erika Huber

E. Ed Freeborn

F. Sonia Wolbert

G. Solicitor's Report

19. **Manager's Report:**

A. Consideration to approve the renewal of the Pollution Insurance Coverage for the Wastewater Treatment Plant, which is due to expire on August 10, 2024.

Motion made by _____, seconded by _____, to approve the renewal of the Pollution Insurance Coverage for the Wastewater Treatment Plant, which is due to expire on August 10, 2024.

B. Consideration to approve request from St. Matthew's Parish to close Braeside Ave from Elk Street to Ridgeway Street on Friday, August 9, 2024 and Saturday, August 10, 2024 from 5PM-10PM, and Sunday, August 11, 2024 from 12PM-6PM for their Annual St. Matthew's Festival. An additional request for any available wooden saw-horse barricades or metal barricades be borrowed and delivered before the event.

Motion made by _____, seconded by _____, to approve request from St. Matthew's Parish to close Braeside Ave from Elk Street to Ridgeway Street on Friday, August 9, 2024 and Saturday, August 10, 2024 from 5PM-10PM, and Sunday, August 11, 2024 from 12PM-6PM for their Annual St. Matthew's Festival. An additional request for any available wooden saw-horse barricades or metal barricades be borrowed and delivered before the event.

C. Consideration to approve payment of RKR Hess invoices: #129031 in the amount of \$806.10 and #129401 in the amount of \$3,907.14 for a total of \$4,713.24 for the Middle Dam Project.

Motion made by _____, seconded by _____, to approve payment of RKR Hess invoices: #129031 in the amount of \$806.10 and #129401 in the amount of \$3,907.14 for a total of \$4,713.24 for the Middle Dam Project.

D. Consideration to authorize a drawdown of the 2021 General Obligation (G.O.) Note in the amount of \$4,713.24

Motion made by _____, seconded by _____, to authorize a drawdown of the 2021 General Obligation (G.O.) Note in the amount of \$4,713.24.

- E. Consideration to approve amending Resolution 1-2024 that Authorizes the Signatories and Users to Perform Banking Functions on Behalf of the Borough of East Stroudsburg to add (include) Layla Richard, the Finance Director to be authorized as a user of online banking.

Motion made by _____, seconded by _____, to approve amending Resolution 1-2024 that Authorizes the Signatories and Users to Perform Banking Functions on Behalf of the Borough of East Stroudsburg to include Layla Richard, the Finance Director to be authorized as a user of online banking.

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

21. Ratification of Bills Payable:

- A. Approval of Warrant List #240521

Motion made by _____, seconded by _____, to approve the Warrant List #240521 as presented.

22. Adjournment:

Motion made by _____, seconded by _____, to adjourn the meeting at _____.

NEXT COUNCIL WORK SESSION/SPECIAL MEETING: Monday, June 24, 2024 at 7PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and/or at the East Stroudsburg Borough Municipal Building.

NEXT COUNCIL REGULAR MEETING: Tuesday, June 4, 2024 at 7:15PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and/or at the East Stroudsburg Borough Municipal Building.

NEXT COMMUNITY RELATIONS COMMITTEE MEETING: Monday, June 3, 2024 at 5PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and/or at the East Stroudsburg Borough Municipal Building.

NEXT OPERATIONS COMMITTEE MEETING: Wednesday, May 22, 2024 at 5PM to be held in person at the East Stroudsburg Borough Municipal Building.

NEXT ZONING AND PLANNING COMMITTEE MEETING: Tuesday, June 11, 2024 at 5PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and/or at the East Stroudsburg Borough Municipal Building.