

**AGENDA FOR THE REGULAR
EAST STROUDSBURG BOROUGH COUNCIL MEETING
TUESDAY, OCTOBER 15, 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 October 15, 2024 starting at _____, prior to the start of the Council Meeting.

3. **Minutes of September 30, 2024, Council Special Business Meeting:**

Motion made by _____, seconded by _____, to approve the September 30, 2024 Council Special Business Meeting Minutes.

4. **Minutes of October 1, 2024, Council Regular Meeting:**

Motion made by _____, seconded by _____, to approve the October 1, 2024 Council Regular Meeting Minutes.

5. **Public Comments – Agenda items:**

6. **Treasurer’s Report:**

A. **Review of Cash and Accounts Receivable Report prepared by the Director of Finance.**

Motion made by _____, seconded by _____, to accept the Cash and Accounts Receivable Report prepared by the Director of Finance.

B. **Review of the Budget to Actual Report prepared by the Director of Finance.**

Motion made by _____, seconded by _____, to accept the Budget to Actual Report prepared by the Director of Finance.

C. **Review of the Budget Modification Report prepared by the Director of Finance.**

Motion made by _____, seconded by _____, to approve the Budget Modification Report prepared by the Director of Finance.

D. **Review of the Cash Account Transfer Report prepared by the Director of Finance.**

- i. Consideration for Council to have discussion regarding PLGIT accounts that were previously held for 1909 Associates and for funds totaling \$78,459.21 to be distributed to East Stroudsburg Community Alliance (ECA).

Motion made by _____, seconded by _____, to approve closing 1909 Associates PLGIT accounts total \$78,459.21 and distribute funds to East Stroudsburg Community Alliance (ECA).

- ii. **Transfer FROM:** \$78,459.21 from the PLGIT account 1909 Associates
 - a. PLGIT – Class: \$4.97
 - b. PLGIT – Prime \$78,454.24

Transfer TO: \$78,459.21 to the ESSA General Fund account xxxx2326 to be able to distribute the money to East Stroudsburg Community Alliance (ECA).

Motion made by _____, seconded by _____, to approve transferring \$78,459.21 from the PLGIT 1909 accounts (PLGIT – Class account \$4,.97 and PLGIT – Prime account \$78,454.24), for a total of \$78,459.21 to the ESSA General Fund account xxx2326 to be able to distribute a check to the East Stroudsburg Community Alliance (ECA) in the amount of \$78,459.21.

- iii. Consideration of approving to close inactive Fund Accounts (PLGIT Terra Greens Fund for \$43.93, ESSA Golf Course Fund for \$453.09, IBW ISPR Grant Account for \$74.24, Checking 0586 for \$14.81, Insurance Dividend \$619.06, PennDOT Ext. 308 for \$101.91, Street Fund for \$101.91, Street Lighting Fund for \$101.91) totaling \$1,510.86 from 2024 Approved Budget and transferring remaining balances into the General Fund.

Motion made by _____, seconded by _____, to approve closing the inactive Fund Accounts: PLGIT Accounts - Terra Greens Fund for \$43.93, ESSA Accounts - Golf Course Fund for \$453.09, IBW ISPR Grant Account for \$74.24, Checking 0586 for \$14.81, Insurance Dividend \$619.06, PennDOT ext 308 for \$109.06, Street Fund for \$101.91, Street Lighting Fund for \$101.91, from the 2024 Approved Budget and transferring the total of their remaining balances of \$1,510.86 into the ESSA General Fund Account.

- iv. **Transfer FROM:** \$173,000 From General Fund PLGIT Account xxxx7047

Transfer TO:

- a. \$140,289.05 Debt Service Fund ESSA Account xxxx2334, for municipal debt payment.
- b. \$32,710.95 General Fund ESSA Account xxxx2326, for accounts payable.

Motion made by _____, seconded by _____, to approve transferring \$173,000 from General Fund PLGIT Account xxxx7047 to Debt Service Fund ESSA Account xxxx2334 in the amount of \$140,289.05 for municipal debt payment and \$32,710.95 to General Fund ESSA Account xxxx2326 for accounts payable.

- v. **Transfer FROM:** \$160,000 Sewer Fund ESSA Account xxxx7772 for accounts payable

Transfer TO: \$160,000 General Fund ESSA Account xxxx2326 for accounts payable

Motion made by _____, seconded by _____, to approve transferring \$160,000.00 from Sewer Fund ESSA Account xxxx7772 for accounts payable to General Fund ESSA Account xxxx2326 in the amount of \$160,000.00 for accounts payable.

- vi. **Transfer FROM:** \$50,000 Highway Fund PLGIT Account xxxx7063 for accounts payable
Transfer TO: \$50,000 Highway Fund ESSA Account xxxx2342 for accounts payable

Motion made by _____, seconded by _____, to approve transferring \$50,000.00 from Highway Fund PLGIT Account xxxx7063 for accounts payable to Highway Fund ESSA Account xxxx2342 in the amount of \$50,000.00 for accounts payable.

- vii. **Transfer FROM:**
a. \$32,500 General Fund ESSA Account xxxx2326 for payroll
b. \$32,500 Sewer Fund ESSA Account xxxx7772 for payroll
c. \$32,500 Water Fund ESSA Account xxxx2350 for payroll

Transfer TO: \$97,500.00 General Fund Payroll Account xxxx2376, for payroll

Motion made by _____, seconded by _____, to approve transferring \$32,500.00 from General Fund ESSA Account xxxx2326 for payroll, \$32,500.00 from Sewer Fund ESSA Account xxxx7772 for payroll, and \$32,500.00 from Water Fund ESSA Account xxxx2350 for payroll to General Fund Payroll Account xxxx2376 in the total amount of \$97,500.00 for payroll.

- viii. **Transfer FROM:** \$800,000 Sewer Fund ESSA Account xxxx7772
Transfer TO: \$800,000 Sewer Fund PLIGIT Account xxxx7021

Motion made by _____, seconded by _____, to approve transferring \$800,000.00 from Sewer Fund ESSA Account xxxx7772 to Sewer Fund PLIGIT Account xxxx7021 in the amount of \$800,000.00 for investment purposes.

E. **Finance Report:** distributed via email

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

7. **2023 Audit Presentation:** Auditor Carl Hogan
8. **Stroud Region Open Space & Recreation Commission (SROSC):** Consideration of approval for a DCED Grant for security cameras at Dansbury Park and Zacharias and authorize Council President and/or the Borough Manager to execute and deliver all documents for the same.

Motion made by _____, seconded by _____, to approve a DCED Grant for security cameras at Dansbury Park and Zacharias, and authorize Council President and/or the Borough Manager to execute and deliver all documents for the same.
9. **East Stroudsburg Community Alliance (ECA):** The Fall Fireworks Festival on Saturday, October 26, 2024 starting at 2 PM and ending at approximately 10 PM.
10. **Fire Report:** distributed via email

11. Police Report:

12. Engineer's Action Items: distributed via email

A. Perry Street and Pearl Street Paving and ADA Ramp Project

- i. Consideration to approve Change Order No 1, as submitted by M & J Excavation, Inc. for the Perry Street and Pearl Street Paving Project, representing a reduction to the Contract in the amount of \$17,065.92, as recommended by the Engineer. Upon approval of this Change Order, the final Contract amount will be \$120,469.08.

Motion made by ____, seconded by _____, to approve Change Order No 1, as submitted by M & J Excavation, Inc. for the Perry Street and Pearl Street Paving Project, representing a reduction to the Contract in the amount of \$17,065.92, as recommended by the Engineer. Upon approval of this Change Order, the final Contract amount will be \$120,469.08.

- ii. Consideration to approve Payment Application No 1, as submitted by M & J Excavation, Inc. for the Perry Street and Pearl Street Paving Project in the amount of \$114,445.63 as recommended by the Engineer and conditioned upon approval of the application by the PennDOT Liquid Fuels Coordinator. Upon approval, the only amount remaining to be paid under the Contract is the 5% Retainage.

Motion made by ____, seconded by _____, to approve Payment Application No 1, as submitted by M & J Excavation, Inc. for the Perry Street and Pearl Street Paving Project in the amount of \$114,445.63 as recommended by the Engineer and conditioned upon approval of the application by the PennDOT Liquid Fuels Coordinator. Upon approval, the only amount remaining to be paid under the Contract is the 5% Retainage.

B. Land Development for NP Lenox, LLC

- i. Consideration to accept the as-built plan Land Development for NP Lenox, LLC for recording and authorize the release of all remaining Financial Security for all required site improvements, as recommend by the Engineer and conditioned upon any comments from the Zoning/ Codes Officer.

Motion made by ____, seconded by _____, to accept the as-built plan Land Development for NP Lenox, LLC for recording and authorize the release of all remaining Financial Security for all required site improvements, as recommend by the Engineer and conditioned upon any comments from the Zoning/ Codes Officer.

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.

14. **Committees:**

A. **Operations Committee:** No Meeting

B. **Zoning and Planning Committee:**

C. **Community Relations Committee:**

15. **Correspondence:**

16. **Mayor Victor Brozusky:**

17. **Council Members:**

A. Carrie Panepinto

B. Jane Gagliardo

C. Paul Shemansky

D. Erika Huber

E. Ed Freeborn

F. Sonia Wolbert

18. **Solicitor's Report:**

19. **Manager's Report:**

A. Consideration to approve, execute, and record the Line Striping Agreement with Courtland Real Estate Development, LLC (Dunkin) as a covenant of the land with the Tax Parcel ID #05-5.2.15.10.

Motion made by _____, seconded by _____, to approve, execute, and record the Line Striping Agreement with Courtland Real Estate Development, LLC as a covenant of the land with the Tax Parcel ID #05-5.2.15.10.

B. Consideration to approve advertising for a Conditional Use Hearing for Tymar Holdings, LLC (Armory Event Center) on Tuesday, November 5, 2024 at 7:30 PM.

Motion made by _____, seconded by _____, to approve advertising for a Conditional Use Hearing for Tymar Holdings, LLC (Armory Event Center) on Tuesday, November 5, 2024 at 7:30 PM.

C. Consideration to approve payment of RKR Hess invoice #133040 in the amount of \$1,901.66 for the Middle Dam Project.

Motion made by _____, seconded by _____, to approve payment of RKR Hess invoice #133040 in the amount of \$1,901.66 for the Middle Dam Project.

D. Consideration to authorize a drawdown of the 2021 General Obligation (G.O.) Note in the amount of \$1,901.66.

Motion made by _____, seconded by _____, to authorize a drawdown of the 2021 General Obligation (G.O.) Note in the amount of \$1,901.66.

E. Consideration to accept the 2024 The Giant Company and Keep Pennsylvania the Beautiful Healing the Planet Grant in the amount of \$1,200.00 for the Dansbury Park Tree Enhancement on behalf of the Shade Tree Committee and authorize the Borough Council President and/or Borough Manager to execute and deliver all documents for the same. The grant has a \$1,200.00 match, which the Borough can achieve through in-kind contributions.

Motion made by _____, seconded by _____, to accept the 2024 The Giant Company and Keep Pennsylvania the Beautiful Healing the Planet Grant in the amount of \$1,200.00 for the Dansbury Park Tree Enhancement on behalf of the Shade Tree Committee and authorize the Borough Council President and/or Borough Manager to execute and deliver all documents for the same. The grant has a \$1,200.00 match, which the Borough can achieve through in-kind contributions.

F. Consideration to authorize the President of Council, Sonia Wolbert to sign the proposed Agreement with National Utilities Refund, LLC, to conduct cost savings audits for utilities and telephone expenses, but not to include internet or fiber broadband service expenses. Disclosure: Borough Manager, Kelly Lewis, discloses his company Lewis Strategic, PaLLC, had a contract with National Utilities refund, LLC, helping governments, businesses, and non-profits seek cost-savings. This contract has been terminated.

Motion made by _____, seconded by _____, authorize the President of Council, Sonia Wolbert to sign the Agreement with National Utilities Refund, LLC to conduct cost savings audits for utilities and telephone expenses, but not to include internet or fiber broadband service expenses.

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

21. Ratification of Bills Payable:

A. Approval of Warrant List #241015

Motion made by _____, seconded by _____, to approve the Warrant List #241015 as presented.

22. Adjournment:

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

NEXT COMMUNITY RELATIONS COMMITTEE MEETING: Monday, October 21, 2024 at 5PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and at the East Stroudsburg Borough Municipal Building.

NEXT OPERATIONS COMMITTEE MEETING: Wednesday, October 23, 2024 at 5 PM to be held in person at the East Stroudsburg Borough Municipal Building.

NEXT COUNCIL SPECIAL BUSINESS MEETING: Monday, October 28, 2024 at 7PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and at the East Stroudsburg Borough Municipal Building.

NEXT COUNCIL REGULAR MEETING: Tuesday, November 5, 2024 at 7:15 PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and at the East Stroudsburg Borough Municipal Building.

NEXT ZONING AND PLANNING COMMITTEE MEETING: Tuesday, November 12, 2024 at 5PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and at the East Stroudsburg Borough Municipal Building.

NEXT BUDGET WORK SESSION MEETING: Tuesday, November 12, 2024 at 7 PM to be held in person and virtually on the East Stroudsburg Borough Facebook Page and at the East Stroudsburg Borough Municipal Building.