

**AGENDA FOR THE REGULAR
EAST STROUDSBURG BOROUGH COUNCIL MEETING
MONDAY, JANUARY 6, 2025– 7 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. **Minutes of December 17, 2024, Council Regular Meeting:**

Motion made by _____, seconded by _____, to approve the December 17, 2024 Council Regular Meeting Minutes.

3. **Minutes of December 23, 2024, Council Special Business Meeting:**

Motion made by _____, seconded by _____, to approve the December 23, 2024 Council Special Business Meeting Minutes.

4. **Position Appointments (employees):**

- A. **Borough Manager:** Kelly Lewis
- B. **Right-To-Know Officer:** Danielle Decker
- C. **Director of Finance:** Layla Richard-Rau
- D. **Director of Public Works:** Lee Philips
- E. **Emergency Management Coordinator:** Chief Nate Black
- F. **Fair Housing Officer:** Sue Balmoos
- G. **Health Officer:** Thomas Detweiler

Motion made by _____, seconded by _____ to approve the employee position appointments as stated.

5. **Position Appointments (non-employee):**

- A. **Borough Solicitor:** John Prevoznik, Esquire, \$235.00 hourly plus costs; Paralegal \$125.00. A litigation rate of \$265.00 per hour plus costs and paralegal \$140.00.
- B. **Borough Engineer:** RKR Hess, a division of UTRS, acting through Nathan S. Oiler, P.E. and Russell D. Scott IV, P.E. \$145.00 hourly, plus costs (see attached Rate Schedule)
- C. **Zoning Hearing Board Solicitor:** Durney, Worthington, and Madden, LLC, acting through Hillary Madden, Esquire, _____ hourly plus costs.
- D. **Planning Commission Solicitor:** Weitzman, Weitzman, and Huffman, LLC, acting through Todd W. Weitzman, Esq. _____ hourly plus costs.
- E. **Borough Sewer Engineer:** RKR Hess, a division of UTRS, at rates set forth in the attached Rate Schedule
- F. **Borough Environmental Solicitor:** Manko, Gold, Katcher, Fox, LLP, acting through Bryan P. Franey, Esq. \$550.00 hourly plus costs and Mike Nine, Esq. \$340.00 hourly plus costs.
- G. **Borough Labor Solicitor:** Campbell Durrant, P.C. acting through John P. McLaughlin, Esquire, \$_____ per hour blended rate.

- H. **Alternate Borough Engineer and Alternate Sewer Engineer:** Hanover Engineering Associates, Inc., acting through Charles H. Unangst, P.E., PLS at rates set forth in the attached Rate Schedule.
- I. **Right-To-Know Solicitor:** Obermayer, Rebmann, Maxwell, and Hippel, LLP acting through Terry Mutchler, Esquire, _____ hourly plus costs.

Motion made by _____, seconded by _____ to approve the non-employee position appointments as above stated and to authorize Council Members and the Borough Manager to sign and deliver any documents to effectuate the same.

- 6. **Annual Board Appointments:** (Note: Names in parentheses are current members/alternates)
 - A. **Council of Governments** (currently Lee Philips, alternate Jane Gagliardo) – **1 year term**
 - B. **Pennsylvania Municipal League** (currently Paul Shemansky, Vacant Alternate) – **1 year term**
 - C. **Middle Eastern Council Association of Boroughs** (currently Vacant Member, alternate Sonia Wolbert) – **1 year term**
 - D. **Monroe County Control Center** (currently Ed Freeborn and Maury Molin) – **1 year term**
 - E. **Monroe County Tax Collection Committee** (currently Vacant Member, alternate Ed Freeborn, Vacant alternate) – **1 year term**
 - F. **Monroe County Association of Township Officials (MCATO)** (currently Vacant Member, Vacant Alternate) – **1 year term**

Motion made by _____, seconded by _____, to approve the Annual Board appointments as stated.

- 7. **Board and Commission Appointments:**
 - A. **Stroud Area Regional Police Commission**, (currently Sonia Wolbert term ending 12/31/2026, Armand Martinelli term ending 12/31/2027, and alternate Victor Brozusky term ending 12/31/2025) – **3 year term**
 - B. **Stroud Region Open Space & Recreation Committee** (currently Sonia Wolbert term ending 12/31/2025, Kelly McKenzie term ending 12/31/2026, and Vacant Alternate) – **3 year term**
 - C. **Shade Tree Commission** (currently Maria Cohen term ending 12/31/2028, Laura Mason-Caiazzo term ending 12/31/2028, 2 Vacant Members)
 - D. **Planning Commission** (Karen Barwick term ended 12/31/2023, Jay Armitage term ending 12/31/2025, Tracy Granger term ending 12/31/2025, Keith Flory term ending 12/31/2025, and Gary Walck term ending 12/31/2025) – **4 year term**
 - E. **Zoning Hearing Board** (David Rheinheimer term ending 12/31/2025 and 2 Vacant Members, and 1 Vacant Alternate) – **5 year term**
 - F. **Utility Dispute Resolution Committee** (currently Ed Freeborn term ending 12/31/2025 and 2 Vacant Members)
 - G. **Property Maintenance Board of Appeals** (currently Donald Ludwig term ending 12/31/2025, 4 Vacant Members, and 2 Vacant Alternates)

Motion made by _____, seconded by _____ to approve the Board and Commission Appointments as stated.

8. Set Borough Regular Council Meetings and Work Sessions Schedule for 2025

Motion made by _____, seconded by _____, to set and advertise the 2025 Borough Council Meeting Schedule as the first and third Tuesday of each month at _____ PM and 2025 Borough Council Work Sessions as the fourth Monday of each month at _____ PM.

9. Set Borough Committees Meeting Schedule for 2025 (all meetings at Borough Hall)

- A. **Shade Tree Commission:** 2nd Monday of each month at 11 AM
- B. **Community Relations Committee:** 1st & 3rd Monday of each month at 5 PM
- C. **Planning Commission:** 2nd Tuesday of each month at 7 PM
- D. **Operations Committee:** 2nd & 4th Wednesday at 5 PM
- E. **Zoning and Planning (ZAP) Committee :** 2nd Tuesday at 5 PM
- F. **Zoning Hearing Board:** 3rd Thursday at 7 PM
- G. **Professionals Meeting:** Every Tuesday at 8:30 AM
- H. **Recycling Committee (held at Stroudsburg Borough Hall):** TBD – once a quarter

Motion made by _____, seconded by _____, to set and advertise the 2025 Borough Committees Meeting Schedule as presented.

10. Additional Position Appointments: Reorganization of Building Code, Zoning and Code Offices

- A. Consideration of contract proposal from Municipal Code Solutions, LLC, for services as the Borough Building Code Official ("BCO") and related UCC and Pennsylvania Construction Code duties for a fee structure that shall be seventy (70%) percent of the adopted 2025 Fee Schedule pertaining to Building Permits, Construction and the UCC, and as amended, by the Borough Council of the Borough of East Stroudsburg, with the Borough of East Stroudsburg retaining the remaining thirty (30%) percent of the collected fees; as well as an hourly rate of \$65.00 per hour for all other work not pertaining to the 2025 Fee Schedule for Building Permits, Construction, and the UCC.

Motion made by _____, seconded by _____, to approve the contract proposal from Municipal Code Solutions, LLC, for services as the Borough Building Code Official ("BCO") and related UCC and Pennsylvania Construction Code duties for a fee structure that shall be seventy (70%) percent of the adopted 2025 Fee Schedule pertaining to Building Permits, Construction and the UCC, and as amended, by the Borough Council of the Borough of East Stroudsburg, with the Borough of East Stroudsburg retaining the remaining thirty (30%) percent of the collected fees; as well as an hourly rate of \$65.00 per hour for all other work not pertaining to the 2025 Fee Schedule for Building Permits, Construction, and the UCC, and the authorize Borough Council members and the Borough Manager to sign and deliver documents to effectuate the same.

- B. Consideration of contract proposal from Municipal Code Solutions, LLC, for services as the Zoning and Code Enforcement Official ("ZCO"), related zoning and code enforcement as is more fully described in contract proposal, which shall include the named Zoning Code Enforcement Officer, one office manager, and two office

administrators for an annual fee not to exceed \$150,000, which shall be paid at a monthly rate of \$12,500 per month.

Motion made by _____, seconded by _____, to approve the contract proposal from Municipal Code Solutions, LLC, for services as the Zoning and Code Enforcement Official ("ZCO"), related zoning and code enforcement as is more fully described in contract proposal, which shall include the named Zoning Code Enforcement Officer, one office manager, and two office administrators for an annual fee not to exceed \$150,000, which shall be paid at a monthly rate of \$12,500 per month, and the authorize Borough Council members and the Borough Manager to sign and deliver documents to effectuate the same.

- C. Consideration to retain Sam D'Allesandro as a part-time employee of the Borough of East Stroudsburg for zoning and code consultation, review, and comments on submitted land development plan, zoning and codes proposals, and other zoning and code related projects, all assigned by the Borough Manager at an annual salary of \$35,000.00.

Motion made by _____, seconded by _____, to approve the retention of Sam D'Alesandro as a part-time employee of the Borough of the East Stroudsburg for zoning and code consultation, review, and comments on submitted land development plan, zoning and codes proposals, and other zoning and code related projects, all assigned by the Borough Manager at an annual salary not to exceed \$35,000.00 per year.

REGULAR MEETING:

11. Public Comments – Agenda items:

12. Public Hearings:

A. Ordinance 1409 - Cable Franchise Agreement

Motion made by _____, seconded by _____, to recess the Regular Council Meeting, and convene the Public Hearing on Ordinance 1409, Cable Franchise Agreement. Note time: _____

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. Note time: _____

Motion made by _____, seconded by _____, to approve Ordinance 1409, Cable Franchise Agreement.

13. Treasurer's Report:

A. Review of Cash and Accounts Receivable Report prepared by the Director of Finance: distributed via email

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:
distributed via email

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

C. Review of the Budget Modification Report prepared by the Director of Finance:
distributed via email

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:
distributed via email

Motion made by _____, seconded by _____, to approve the Cash Account Transfer Report prepared by the Director of Finance.

E. Finance Report: distributed via email

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

14. 2025 Debt Restructure and Refinance:

A. Presentation by Chris Gibbons and Daryl Peck of Concord Public Finance regarding the 2025 Debt Refinance and Restructure.

B. Consideration of financial advisor fee proposal from Concord Public Finance dated December 20, 2024 in an amount of \$31,000, plus an amount not to exceed \$4,000 for the coordination of Preliminary and Final Official Statements (if a bond issue is pursued) and agrees to reimburse Concord for its actual, reasonable out-of-pocket expenses, and authorize Council members and the Borough Manager to sign and deliver documents effectuating this motion.

Motion made by _____, seconded by _____, to approve the financial advisor proposal from Concord Public Finance, dated December 20, 2024 in an amount of \$31,000, plus an amount not to exceed \$4,000 for the coordination of Preliminary and Final Official Statements (if a bond issue is pursued) and agrees to reimburse Concord for its actual, reasonable out-of-pocket expenses, and authorize Council members and the Borough Manager to sign and deliver documents effectuating this motion.

C. Consideration to authorize the advance of the 2025 debt refinance and restructure proposal, presented by Concord Public Finance, to refinance and restructure a portion of the Borough Debt, and reimburse the Borough certain capital expenditures to provide cash flow relief in Fiscal years 2025 and 2026, plus refinancing capital projects for road construction (\$1,000,000) and water system improvements (water filtration project \$2,750,000 and completion of water meter project (\$400,000) (together the "Financing").

Motion made by _____, seconded by _____, to authorize the advance of the 2025 debt refinance and restructure proposal, presented by Concord Public Finance, to refinance and restructure a portion of the Borough Debt, and

reimburse the Borough certain capital expenditures to provide cash flow relief in Fiscal years 2025 and 2026, plus refinancing capital projects for road construction (\$1,000,000) and water system improvements (water filtration project \$2,750,000 and completion of water meter project (\$400,000) (together the "Financing") and authorize Council members and the Borough Manager to sign and deliver any documents to effectuate this motion.

D. Consideration of the proposed timeline for the 2025 debt refinance and restructure proposal.

1. January 6, 2025, Council to authorize the advance of the 2025 debt refinance and restructure proposal.
2. January 15, 2025, Concord to disseminate the bank loan RFP.
3. February 5, 2025, Concord to receive RFP responses.
4. February 18, 2025, Consideration of Borrowing Ordinance adoption by Borough Council.
5. March 18, 2025, Settlement, if bank loan

Motion made by _____, seconded by _____, to accept the proposed timeline submitted by Concord Public Finance for the 2025 debt refinance and restructure, subject to change.

E. Consideration of debt counsel proposal from Ballard Spahr, LLP dated December 28, 2024, to serve as debt counsel and legal advisor in the connection with the proposed issuance by the Borough of a series of general obligation bonds or loans at 10% discounted rates in an aggregate amount not to exceed \$50,000, without additional Council approval.

Motion made by _____, seconded by _____, to approve the debt counsel proposal from Ballard Spahr, LLP dated December 28, 2024, to serve as debt counsel and legal advisor in the connection with the proposed issuance by the Borough of a series of general obligation bonds or loans at 10% discounted rates in an aggregate amount not to exceed \$50,000 without additional Council approval, and authorize Council members and the Borough Manager to sign and deliver documents effectuating this same.

15. Consideration of Resolution 1-2025: Setting the 2025 Fee Schedule:

Motion made by _____, seconded by _____, to approve Resolution 1-2025 setting the 2025 Fee Schedule as presented and attach to the minutes.

16. Stroud Region Open Space and Recreation Commission (SROSC) Reports: distributed via email

17. Engineer's Action Items: no items

18. 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.

19. **Committees:**

- A. **Operations Committee:** No Meeting
- B. **Zoning and Planning Committee:** No Meeting
- C. **Community Relations Committee:** No Meeting

20. **Correspondence:**

21. **Mayor Victor Brozusky:**

22. **Council Members:**

- A. Carrie Panepinto
- B. Jane Gagliardo
- C. Paul Shemansky
- D. Erika Huber
- E. Ed Freeborn
- F. Sonia Wolbert

23. **Solicitor's Report:**

24. **Manager's Report:**

- A. Consideration to ratify moving Andrew Stallings from Maintenance Worker C to Maintenance Worker B as of January 1, 2025 because he has completed all the necessary classes and training.

Motion made by _____, seconded by _____, to ratify
moving Andrew Stallings from Maintenance Worker C to Maintenance Worker B as of
January 1, 2025 because he has completed all the necessary classes and training.

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

26. **Ratification of Bills Payable:**

A. **Approval of Warrant List #250103**

Motion made by _____, seconded by _____, to approve
the Warrant List #250103 as presented.

27. **Adjournment:**

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