

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, MAY 16, 2017 - 7:00 p.m.

PRESENT: Roger DeLarco, Don Cross, Sonia Wolbert, Ed Flory, Mayor Armand Martinelli, Maury Molin, and Bill Reese

ALSO PRESENT: Manager Peter Marshall, Solicitor Prevoznik, Nate Oiler, Borough Engineer, Ken Konz, Financial Officer

The Pledge of Allegiance was led by Becky Smith.

Minutes

Motion made by Mr. Cross, seconded by Mr. Flory to approve the May 2, 2017 Council meeting minutes as presented. The motion was carried unanimously.

Public Comments – Agenda Items

There were no comments.

Police Report

Lieutenant Gasper provided the S.A.R.P.D. report for the month of April. He reported that there had been three (3) attempted homicides and three (3) arrests. However, overall things are going well. Lt. Gasper will forward a copy of the report to Council.

Engineer's Action Items

- A. CDBG/Broad Street Ramp: Mr. Oiler reported that the demolition portion of the CDBG funding had been removed from linkage with the CDBG ramp. He is waiting for confirmation to let out bids for the project. It was also noted that CDBG requires approvals to be attached to contracts for each contract year.

Motion made by Mr. Molin, seconded by Mr. Reese, to approve the execution of the contracts, contingent upon verification of CDBG funding. The motion was carried unanimously.

- B. CDBG Demolition: Solicitor Prevoznik reported that the property is still in bankruptcy. Mr. Oiler noted that all documentation required by DCED had been presented by the Borough. He provided an update on the demolition costs, noting that the previous cost estimate was Seventy-One Thousand Four Hundred Twenty-Six and 00/100 (\$71,426.00). Mr. Oiler recommended a budget of Seventy-Seven Thousand and 00/100 (\$77,000.00). The updated cost estimate will be forwarded to Karen Parish for the CDBG budget.
- C. Engineer's Report: The Engineer's report was distributed prior to the meeting. No comments were made.
- D. WTP NPDES Permit: Mr. Oiler and Solicitor Prevoznik reported that the second draft of the NPDES permit had been released. A conference call will be held by Solicitor, Mr. Oiler and Mr. Gold.

Manager's Report

A. Resolution No. 27-2017: Motion made by Ms. Wolbert, seconded by Mr. Flory, to pass Resolution No. 27-2017 authorizing a price adjustment for bituminous material for small quantities in bid proposals for the proposed 2017 year paving program. The motion was carried unanimously.

B. Handheld Parking Ticket Writers: Council discussed the purchase of handheld ticket writers and associated parking system software. Mr. DeLarco reported that the Technology and CIP Committee recommend United Public Safety. Manager stated that this system will integrate with the new financial system software.

A motion was made by Mr. Molin, seconded by Ms. Wolbert, to approve the purchase of three (3) handheld parking ticket writers and associated parking system software from United Public Safety in an amount not to exceed Twenty-Four Thousand and 00/100 (\$24,000.00), based on the United Public Safety COSTAR price, as set forth on the report distributed at the meeting. The motion was carried unanimously.

C. Replacement of Financial Software: Manager reported that a recommendation would be made at the next meeting regarding the replacement of financial software.

A motion was made by Mr. Molin, seconded by Ms. Wolbert, to table the approval of new financial software to the next meeting to be held on June 6, 2017. The motion was carried unanimously.

D. Open Accounting Assistant Position: Manager reported that progress had been made to fill the open Accounting Assistant position. Three (3) strong candidates had been identified and Manager intends to make an offer this week.

Manager reported that a Public Works road crew worker would be hired as well as seasonal, part-time employees for general labor and the golf course.

E. Firehouse: Manager reported that based on discussions with Mr. Cross and the Firehouse Committee, it had been agreed that a new camera system would be a good idea going forward. The Firehouse Committee agreed to include the cost for a new camera system in next year's budget.

F. Elizabeth Street: Manager reported that the small water grant agreement and notice had been signed and filed with the DCED on April 20, 2017.

G. Borough Manager Interviews: Manager noted that a Public Notice of Special Meeting on May 20, 2017 would be posted in the *Pocono Record* on Thursday, May 18, 2017.

H. IBW: Manager reported that a meeting would be scheduled during the first or second week of June with the IBW Committee and Solicitor.

I. Pool Update: The pool is scheduled to be filled by the first week of June and is scheduled to open on June 17, 2017. Discussion was held regarding acid washing part of the pool. Manager recommended that very weak acid be used. Mr. Oiler agreed to provide a recommendation regarding acid washing before it is undertaken by the Borough.

- J. Monroe County Housing Authority: As recommended by Manager and in accordance with annual practice, a motion was made by Mr. Cross, seconded by Mr. Molin, to provide the Monroe County Housing Authority with up to thirty (30) family passes at a cost of Twenty-Five and 00/100 (\$25.00) each, to be utilized by their constituents. The motion was carried unanimously.
- K. Green Valley/Park Towne Stipulation: A motion was made by Ms. Wolbert, seconded by Mr. Flory, to ratify the Stipulation of counsel to settle the tax appeal docketed at No. 8342 CV 2015, ESASD v. Green Valley Apartments et al., which motion was recommended by Solicitor, ESASD and Manager. The motion was carried unanimously.
- L. Employee Parking: Manager reported that he will make a recommendation regarding employee parking in areas away from the municipal building in order to provide sufficient parking spaces for citizens and visitors.
- M. First Baptist Church of East Stroudsburg: A motion was made by Mr. Cross, seconded by Ms. Wolbert, to authorize the closure of Harris Street from the corner of East Broad Street to Dearth Street for daily Vacation Bible School from 8 a.m. to 12:30 p.m., July 24-28, 2017, contingent upon proof of insurance naming the Borough of East Stroudsburg as additional insured and coordination by applicant with emergency services. The motion was carried unanimously.

Transition Committee Report

Mr. DeLarco provided a reminder that Borough Manager interviews will be conducted on Saturday, May 20, 2017 from 8 a.m. to 3 p.m. at Borough Hall. This will be advertised as a special meeting.

Public Comments – New Business

There were no comments.

Reports

- A. Steve DeSalva: Mr. DeSalva reported that his team is preparing the pool for opening. He also noted that the contractor will begin work on the Firehouse floors.
- B. Marv Walton: Mr. Walton reported that the ZORC Committee recommended that Manager and Solicitor review liability issues regarding banners crossing Borough streets. He also suggested that Manager should determine the personnel who will place banners, if any.
- C. Ken Konz: Mr. Konz provided the Borough financial statements as of March 31, 2017. Mr. DeLarco asked whether the financial statements could be included on the Committee meeting agenda. All Council members were in agreement with this request.
- D. RKR Hess/UTRS: No report.
- E. Mayor Armand Martinelli: No report.
- F. Sonia Wolbert: No report.

- G. Don Cross: Mr. Cross provided an update regarding the fire hydrant cap replacement program, noting that six (6) caps had been purchased for hydrants. The Firehouse Committee is to meet to determine how to pay for the remaining 280 caps to be replaced. The next Firehouse Committee meeting will be held on June 1, 2017.
- H. Maury Molin: Mr. Molin inquired as to striping spaces in the parking lot of the municipal building. Manager noted that he is looking into options for relocating employee parking away from the municipal building, which should address this issue.
- I. Bill Reese: Mr. Reese commended the crew that worked on the sewage back up earlier this week for their diligent work. He requested that curb painting be considered for the near future. Mr. DeSalva agreed to look into the issue and provide a follow up report. Mr. Reese then reported on the PSAB conference. He noted that the MS4 program is still in development, as it is too expensive for many communities. Mr. Reese also noted that discussion is pending regarding the proposed bill for a fifteen percent (15%) tax on fireworks for fire companies.
- J. Ed Flory: Mr. Flory inquired as to the status of the rain gardens at the Firehouse. Mr. DeSalva agreed to look into it and follow up with a report.
- K. Solicitor John C. Prevoznik, Esq.: Mr. Prevoznik reported that before a meeting can be scheduled, he is waiting for Met-Ed to provide a plotting overlay of the existing and desired easements for the purpose of extinguishing old easements.
- L. Roger DeLarco: No report.

Bills Payable

A motion was made by Mr. Cross, seconded by Mr. Flory, to ratify bills payable through May 16, 2017.

Executive Session

A motion was made by Mr. Molin, seconded by Mr. Cross, to adjourn the meeting to Executive Session at 7:36 p.m.

A motion was made by Mr. Flory, seconded by Mr. Reese, to reconvene the meeting at 8:52 p.m.

Solicitor's Report on Executive Session

Solicitor reported that during Executive Session, discussions on employment issues and litigation were held.

Sewer Task Force

Mr. Prevoznik reported that he had exposed a potential conflict of interest in that the Brodhead Creek Regional Authority is subject to RFI. Mr. Prevoznik has not done work on the RFI, but did not feel that it would be appropriate to review it. He recommended Ralph Matergia, Esq. be retained as local counsel for the Sewer Task Force.

A motion was made by Mr. Molin, seconded by Mr. Flory, to retain Ralph Matergia, Esq. at the rate of Three Hundred and 00/100 (\$300.00) per hour with respect to the RFI. The motion was carried unanimously.

Information Commons Well No. 1 and 2 Easements

A motion was made by Mr. Flory, seconded by Ms. Wolbert, to authorize Solicitor to contact DGS and express that the April 18, 2017 markups of Solicitor Prevoznik's March 17, 2017 easement draft were not acceptable and to request a meeting between DGS, the University and a Committee of Council comprised of Mayor Martinelli, Maury Molin, Bill Reese and the Manager. The motion was carried unanimously.

Smith Street

A motion was made by Ms. Wolbert, seconded by Mr. Reese, to authorize the Manager and Nate Oiler to meet with University representatives to discuss the Smith Street rehabilitation project from Normal to Spangenburg and negotiate the University completing the work and the Borough contributing funds dedicated to the rehabilitation of Smith Street it received pursuant to a Developer's Agreement and Conditional Use Decision with University Properties, Inc. and the University. The motion was carried unanimously.

Transition Committee

Council agreed that lunch should be provided to attendees of the Borough Manager interviews on Saturday, May 20, 2017.

A motion was made by Ms. Wolbert, seconded by Mr. Reese, to spend up to Five Hundred and 00/100 (\$500.00) to provide lunch for the attendees of the Borough Manager interviews on Saturday, May 20, 2017. The motion was carried unanimously.

Appointment of Road Crew Foreman

Upon recommendation of the Manager, a motion was made by Mr. Cross, seconded by Mr. Flory, to promote Assistant Road Crew Foreman Daniel Strunk to the position of Road Crew Foreman. The motion was carried unanimously.

Adjournment

Motion made by Mr. Flory, seconded by Mr. Molin to adjourn the meeting at 9:00 p.m. The motion was carried unanimously.

NEXT COMMITTEE MEETING: Thursday, May 25, 2017 at 7:00 p.m.

NEXT REGULAR MEETING: Tuesday, June 6, 2017 at 7:00 p.m.