

East Stroudsburg Borough, April 1, 2014

A regular meeting of the East Stroudsburg Borough Council was held at the Old Dansbury Depot building on Tuesday, April 1, 2014. The following members were in attendance: Peter Begley, Roger DeLarco, Ed Flory, William Reese, and Richard Smith. Sonia Wolbert was absent. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; and Codes Official Marvin Walton.

Call to Order/Pledge of Allegiance – DeLarco

President Roger DeLarco called the meeting to order at 7:30 p.m. The pledge of Allegiance was led by Wanda Lasher.

Minutes of March 18, 2014 Regular Meeting

Mr. Flory made a motion, seconded by Mr. Reese, to approve the minutes of the regular Council meeting held March 18, 2014 as submitted; the motion carried unanimously.

Public Comments - Agenda Items

None.

Proposed Ordinance 1281 Amending the Code of the Borough of East Stroudsburg, Chapter 157 Thereof Entitled Zoning, Adding Parking and Driveway Regulation Requirements for Existing Residential Uses

Mr. Walton reviewed the provisions of this latest draft of the proposed ordinance, which establishes performance standards including provisions for buffers, installation of new parking in certain circumstances, and installation of new sidewalk also in some situations. Mr. Begley said installing sidewalks could be expensive for a property owner. Mayor Martinelli said he is in favor of requiring sidewalks, and noted that the Borough did not require sidewalks in several housing plans constructed in the 1980's – and now we are sorry it wasn't required then. Mr. Begley asked about the proposed standards of sidewalks? Mr. Walton said that ordinance draft is still being worked on.

Mr. Walton said this ordinance is a zoning amendment, so it must go to the Planning Commission for review. Mr. Flory made a motion, seconded by Mr. Reese, to send the proposed ordinance to the Monroe County and Borough Planning Commissions for review and comments; the motion carried unanimously.

Proposed Ordinance 1288 Further Amending the Code of the Borough of East Stroudsburg, Chapter 151 Thereof Entitled Vehicles, Parking; Revising Provisions Regarding Residential Parking Permits

Mr. Walton said this draft is the result of the Committee review, and reinserts the contractor vehicle exemption back into the Permit Parking provisions, among other changes. After discussion, Mr. Flory made a motion, seconded by Mr. Begley, to authorize advertising the proposed Ordinance as recommended by the Committee; the motion carried unanimously.

Proposed Ordinance No. 1289 Amending the Code of the Borough of East Stroudsburg, Chapter 150 Entitled Vehicles and Traffic, Revising Provisions Regarding Parking Meter Bags

Mr. Walton reviewed the ordinance draft, which had been prepared by Mr. Phillips to address concerns for the increasing number of requests for suspension of parking meter enforcement for special events, and then revised by the Council Committee. Mr. Walton said the limit on the number of meters that can be bagged is increased to 20 from 5, and all organizations – non-profit and for-profit – would be required to pay a daily fee of \$5 per meter bagged. Mr. Flory said when a non-profit has

an event, it takes away metered parking from other for-profit businesses. Mr. Begley said he doesn't feel churches should be charged a fee at all. Mr. Reese questioned the increase from \$3 in the current ordinance to \$5 per meter per day in this draft. Mr. Phillips said we need to order new meter bags that say "Event Parking" as opposed to "No Parking" or "Free Parking".

Susan Randle of the Eastburg Community Alliance (ECA) questioned whether Council could still approve free parking for ECA events downtown? Mr. DeLarco said language is needed in the ordinance to address Borough-sponsored events.

After further discussion, Reese made a motion, seconded by Mr. Flory, to solicit comments from community organizations and businesses on the proposed ordinance as submitted; the motion carried by a vote of 3-2 with Mr. Begley and Mr. Smith voting no. Mayor Martinelli commented that this ordinance makes too many changes from past practices, and Council needs to make allowances for parking for ECA and Borough events.

Proposed Ordinance No. 1290 Amending the Code of the Borough of East Stroudsburg, Chapter 157 Entitled Zoning, Revising Definitions and Provisions for Unrelated Persons Allowed per Dwelling Unit

Mr. Walton said this stand-alone ordinance was prepared from the previously proposed "Gateway District" zoning amendment, to address only the issue of the number of unrelated persons permitted under the definition of "family", to conform with the definition used in the Rental Housing Licensing and Inspection Ordinance. Mr. Begley asked the Solicitor what is the definition of family under "natural law"? Mr. Prevoznik said he does not know what that means, but the legal definition of "family" has changed over the years due to changing values and legal decisions.

Mr. Flory made a motion, seconded by Mr. Reese, to submit the proposed ordinance to the Borough and County Planning Commissions for review and comments; motion carried unanimously.

Roof Replacement Project for Dansbury Park Pool Bathhouse

Mr. DeLarco said Architect John Schoonover had presented alternative designs to Council at the Committee meeting; one option is to replace the existing flat roof, the second option is to construct a hip roof with shingles – which will cost considerably more but should last longer. The estimated cost for preparing the additional alternate plans is approximately \$5,000.

Mr. Phillips said the existing roof was replaced around 1989-1990, and is now leaking badly. Upon question from Mr. Flory, Mr. D'Alessandro said "flat roofs are always a problem" in this climate. Mr. DeLarco said the additional cost for the new raised roof with shingles – maybe \$75,000 – is not budgeted. After further discussion, Mr. Flory made a motion, seconded by Mr. Reese, to authorize Schoonover and Vanderhoof Architects to prepare alternate plans and specifications for bidding the roof replacement work at the Pool Bathhouse both ways; the motion carried unanimously.

Proposed Resolution No. 10-2014 Authorizing Traffic Signal Permit Application to PennDOT for East Brown Street/Smith Street intersection

Mr. Phillips said the traffic study for the ESU/UPI Housing project had identified the need for signalization of this intersection, and ESU/UPI had agreed to pay for 65% of the cost of signalization. An additional contribution was received from the developer of the Doctor's office building built on Normal Street. Mr. DeLarco said Council has discussed this matter for some time, and we need to decide whether to proceed. Mr. Phillips said PennDOT has changed their requirements, and now requires the municipality to adopt a Resolution requesting the traffic signal as part of the application process; also a letter of financial commitment. Mr. Phillips said the cost of signalizing this intersection will probably be at least \$150,000.

Mr. Begley said he is unsure whether to support a traffic signal here. Mr. Reese said it is probably inevitable that a signal will be needed at this intersection, and we have the commitment for a good portion of the cost. Mayor Martinelli said Council knows he is not in favor of another traffic signal.

After discussion, Mr. Begley made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 10-2014 to authorize the signal permit application to PennDOT; the motion carried unanimously.

East Fifth Street Road Acceptance /Improvement Project

Mr. Phillips said the Borough has obtained a deed of dedication from the Jennings property for road right-of-way, also one from the American Legion Kemp Post; although it has to be redone. The Solicitor had suggested having a title search done for the portion of the road where ownership is in question, from Chestnut Street to the property line with the American Legion. Mr. Begley made a motion, seconded by Mr. Flory, to authorize a title search for the portion of the road right-of-way in question; the motion carried unanimously.

Resolution No. 11-2014 – Appointment to Zoning Hearing Board

Mr. Phillips said a notice was advertised for residents interested in filling vacancies on various Boards and Commission for the Borough, and three residents had responded. Mr. Phillips said he contacted each person concerning their particular interests. Mr. Flory made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 11-2014 appointing Maury Molin of 9 Park Street as an Alternate Member of the Zoning Hearing Board for the balance of a three year term ending Jan. 1, 2016, as recommended. The motion carried unanimously.

Resolution No. 12-2014 – Appointment to Planning Commission

Mr. Flory made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 12-2014 appointing Gary Walck of 33 Fulton Street as a Member of the Planning Commission for the balance of a four year term ending June 30, 2014, as recommended. The motion carried unanimously.

Resolution No. 13-2014 – Appointment to Property Maintenance Board of Appeals (PMBA)

Mr. Reese made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 13-2014 appointing Robin Paul of 247 Secor Avenue as an Alternate Member of the PMBA for the balance of a term ending June 30, 2015, as recommended. The motion carried unanimously.

Resolution No. 14-2014 – Appointment to Twin Boroughs Recycling Committee

Mr. Flory made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 14-2014 appointing Councilman Richard Smith to the Twin Boroughs Recycling Committee for the balance of a two year term ending Jan. 1, 2016. The motion carried unanimously.

Director of Public Works Position

Mr. DeLarco said due to the small number of applications received to date for this position, and the recent posting of the job on the ICMA (International City Management Association) newsletter, Mr. Phillips has recommended extending the deadline until April 30, 2014. Mr. Flory made a motion, seconded by Mr. Begley, to ratify extending the application deadline until April 30, 2014 as recommended. The motion carried unanimously. Mr. DeLarco asked Mr. Phillips to notify the existing applicants concerning the extension of the application period.

Public Comments – New Business

Mark Idhe of 337 Merten Street said 125 East Brown St. residence is a “nuisance house” – trash cans are left out all week, rubbish in the yard, etc. Mr. Idhe said on March 19 a white car – he assumes a Borough car - drove the wrong way on Merten St. and parked, blocking the road. He said this was just after he had complained here to the Borough Office about 125 E. Brown St. Mr. Idhe said he then called the Police Dept.; Officer Bingler responded but did not cite the driver.

Mr. Walton said he was not on Merten St. that day in a Borough car. Mr. Prevoznik cautioned Mr. Idhe about slandering any individuals from either the Borough or Police Department with unfounded allegations.

Keith Strunk Sr. asked why such a large area on Crystal St. was blocked off during the St. Patrick’s Day parade? Mr. Strunk also said the parade organizers should provide porta-johns for the crowds to use the day of the parade.

Keith Strunk also noted that cars are parking on Dansbury Terrace on Wednesdays, blocking the road, during the free food giveaways being done by the Crossroads Counseling Office. Mr. DeLarco asked Mr. Phillips to check into this situation.

Wanda Lasher read from an old newspaper article from the 1960’s about plans for revitalizing downtown East Stroudsburg, and reported that the East Stroudsburg Crime Watch is trying to recruit ESU students to assist with the group’s efforts.

Correspondence:

Mr. Phillips reported receipt of the following items of correspondence:

- i. Pennsylvania Municipal League (PML) – Registration information for Annual Convention at Philadelphia June 17-20, 2014. Mr. DeLarco said he has served as Delegate for the Borough to PML in the past and Mr. Phillips has been the Alternate Delegate. Mr. Begley made a motion, seconded by Mr. Flory, to designate Mr. DeLarco as Delegate and Mr. Phillips as Alternate, and to authorize Borough Officials to attend the PML Conference at Philadelphia, with reimbursement of expenses in accordance with Borough travel policy. The motion carried unanimously.
- ii. Blue Ridge Communications – Request to renew existing cable TV Franchise agreement for another eight year period.
- iii. PA State Association of Boroughs (PSAB) – 2013 Year Annual Report.
- iii. Commonwealth Financing Authority (CFA) – Local Share Account for Monroe County Grant Approved for Middle Dam Rehabilitation project. Mr. Flory made a motion, seconded by Mr. Reese, to accept the LSA grant for the Middle Dam project; the motion carried unanimously.

Cable TV Franchise Agreement Renewal Negotiations with Blue Ridge Communications

Mr. Phillips said the Borough utilized Attorney Dan Cohen to negotiate our last franchise renewal agreement, along with Stroud Township and Tunkhannock Township; and this time as many as seven municipalities may participate in joint franchise agreement negotiations utilizing the Cohen Law Group. Mr. Reese made a motion, seconded by Mr. Begley, to authorize the Cohen Law Group to represent the Borough for franchise agreement negotiations with Blue Ridge Communications, as recommended. The motion carried unanimously.

Reports

Mr. D’Alessandro reviewed his written Engineer’s Report previously submitted to Council.

Mr. Walton reported that the garbage pile has been removed from in back of the Goal Line bar.

Mr. Smith reported that individuals must be doing drugs at the pavilion at Zacharias Pond Park, and suggested that a gate is needed to block the entrance driveway to the park at night.

Mr. Begley reported on the COG dinner meeting he attended Monday night.

Mr. DeLarco reported on the 2nd meeting held concerning replacement of the Iron Bridge on Ridgeway Street; PennDOT has agreed to install additional signage concerning the weight limit prior to the approaches for the bridge.

Mr. Prevoznik suggested that in order for planning to proceed for a new bridge, that a letter of no prejudice be drafted to be signed by all the parties involved with the bridge – the Rail Authority, PennDOT, Monroe County, and the Borough. Mr. Begley made a motion, seconded by Mr. Reese, to authorize the Solicitor to prepare such a letter of no prejudice for forwarding to all parties; the motion carried unanimously.

Mr. Flory said several residents had complained to him that the dates for the first brush pickup by the Borough are too early in the year, given the weather conditions we have experienced.

Mr. Phillips reported that the final report on the 66 Analomink St. building lab space, formerly occupied by Chaperone Technologies, has been submitted by Heritage Environmental to the U.S. E.P.A.

Susan Randle reported on the Revitalization meeting held Monday night at the Depot; Taylor Munoz plans to apply for grant funds from the national Realtor's Association for a project here in East Stroudsburg.

List of Bills Payable – April 1, 2014

Mr. Flory made a motion, seconded by Mr. Begley, to approve the List of Bills Payable and to ratify payroll and expenditures made through April 1, 2014 as submitted; the motion carried unanimously.

Executive Session

Mr. Begley made a motion, seconded by Mr. Flory, to adjourn into executive session at 9:25 p.m.; the motion carried unanimously.

At 9:40 p.m. Council members reassembled, and Mr. Begley made a motion, seconded by Mr. Smith, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss a litigation matter, and no decisions were made.

Adjournment

With no further business, Mr. Begley made a motion, seconded by Mr. Flory, to adjourn the meeting at 9:41 p.m.; the motion carried unanimously.

James S. Phillips, Secretary

