

East Stroudsburg Borough, April 15, 2014

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, April 15, 2014. The following members were in attendance: Peter Begley, Roger DeLarco, Ed Flory, William Reese, Richard Smith, and Sonia Wolbert. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; Codes Official Marvin Walton; and Stroud Area Regional Police Lieutenant Kevin Transue.

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 Andi McClanahan.

Minutes of April 1, 2014 Regular Meeting

Mr. Begley made a motion, seconded by Mr. Smith, to approve the minutes of the regular Council meeting held April 1, 2014 as submitted; the motion carried unanimously.

SARPD Report for March 2014

Lt. Kevin Transue reported on several major arrests made by the Department, and also noted that two officers were recently promoted to Corporal positions – Matthew Broncatello and John Vogt. Also, two new officers were sworn in after hiring and a third is scheduled to begin in June. All three have previous police officer experience.

Mr. DeLarco noted parking issues on Dansbury Terrace during free food giveaways held by Crossroads Counseling Ministry, and asked the police to check on the situation. Mr. Begley asked if bicycle patrols will be used this Spring on Crystal Street? Lt. Transue said the bike unit may be able to be at least partially reactivated with the recent patrol officer hirings. Mr. Phillips asked if there were any issues this past weekend with early “Spring Break” parties? Lt. Transue said there were only a few minor issues.

Public Comments - Agenda Items

Andrea McClanahan of 248 Braeside Avenue distributed a copy of a “scratch off” parking permit pass she obtained from Stanford University, and suggested this may be an option for providing additional visitor passes for one-time uses by residents for special gatherings.

Mr. DeLarco asked Ms. McClanahan about the possibility of removing Braeside Avenue from the permit parking district? Ms. McClanahan said she would not be in favor, because students from ESU and staff from Pocono Medical Center would quickly

use their street for free parking if they knew it was not included in the Permit Parking District.

Bids Received 4/15/14 for sale of pulpwoods from Borough Reservoir property

Mr. Phillips reported that one bid proposal was received for removal of some spruce and pine trees from the reservoir properties. Many of the spindly trees have fallen and more are continuing to come down. The bid from Michael Kaminsky Logging of Sayre, PA is for \$6 per ton for “saw logs” only; he will remove the fallen trees to be processed for pulpwood but will not pay for those trees. Mr. Flory made a motion, seconded by Mr. Reese, to accept the proposal from and award the contract to Michael Kaminsky Logging for removal of spruce and pine trees as designated by our Forester. The motion carried unanimously.

Bids Received for Sale of Used Vehicles offered for sale via Municibid Public Auction:

Mr. Phillips reviewed his memo indicating the high bids received for each of four used vehicles offered for sale through the Municibid website:

- 1987 Grumman Aerialcat Fire Tower Truck – Bid of \$8,200 from James Daugherty of South Connellsville, PA.
- 1999 Ford Crown Victoria sedan – Bid of \$646.00 from Silvio Valdes of Ledgewood, NJ.
- 1989 GMC Truck with service body – Bid of \$862.00 from Hyder binJameel of New York, NY.
- 1979 GMC Dump Truck – Bid of \$1,062.00 from Thomas Doemling of Murrysville PA.

Mr. Flory asked if the bidder for the old Fire Co. aerial truck has acknowledged that the apparatus may not be used for actual firefighting purposes? Mr. Prevoznik said the bidder should sign an acknowledgement/certification to that effect. Mr. Flory then made a motion, seconded by Mr. Smith, to accept the proposals from and award sale for each vehicle to the high bidder as indicated; with sale of the 1987 Aerial Truck being subject to acknowledgement by the bidder that the apparatus may not be used for firefighting purposes. The motion carried unanimously.

Timber Sale Proposal with Northeast Timber Services for Sale of selected hardwoods on Borough Reservoir property

Mr. Phillips said the proposal from Forester Rod Jones to handle the bidding, sale and harvesting of select timber cuttings from a section of the Borough’s reservoir property is on the basis of a commission of 16% of the sale price of the timber. Mr. Flory made a motion, seconded by Mr. Begley, to approve the proposal dated March 28, 2014 from Northeast Timber Services for handling the timber sale from an approximate 150 acre area of the Borough’s property. The motion carried unanimously.

Revised 2014 Year Budget for Stroud Region Open Space and Recreation Commission

Mrs. Wolbert said the SROSRC has revised the proposed 2014 Budget in order to base anticipated revenues and expenses more on previous actual figures. The per capita contributions from each municipality are not changed at all, however. After brief discussion, Mr. Flory made a motion, seconded by Mr. Begley, to approve the proposed revised 2014 Year Budget for SROSRC as submitted; the motion carried unanimously.

Schedule Public Hearing on Community Development Needs of the Borough that may be addressed by Use of Community Development Block Grant (CDBG) funds

Mr. Reese made a motion, seconded by Mrs. Wolbert, to schedule the first of two required annual public hearings for the CDBG program for Tuesday, May 20, 2014 at 7:30 p.m. as recommended; the motion carried unanimously.

Resolution No. 15-2014 Observance of Arbor Day – Friday April 25, 2014

Mrs. Wolbert made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 15-2014 for the Observance of Arbor Day as submitted; the motion carried unanimously.

Resolution No. 16-2014 – Restating Fair Housing Policy for Borough

Mr. Flory made a motion, seconded by Mrs. Wolbert, to adopt proposed Resolution No. 16-2014 Restating the Borough Fair Housing Policy and appointing Codes Official Marvin Walton as the Fair Housing Officer for the Borough; the motion carried unanimously.

Proposed Resolution No. 17-2014 – Appointment to Shade Tree Commission

Mr. Phillips said Margaret Sexton-Smith has resigned from the Shade Tree Commission, and the Borough has received a letter of interest from a resident interested in filling the position. Mrs. Wolbert made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 17-2014 Appointing Diane Bowman to the balance of a five year term expiring 4/30/18 on the Borough Shade Tree Commission; the motion carried unanimously.

Request for Handicapped Parking Sign – 186 State Street

Mr. Phillips said the resident requesting the handicapped parking sign has a driveway/parking area, but the house is a split-level with a access ramp constructed out the front door. The driveway is accessible only via several steps, which is why they are requesting the handicapped parking on the street. Mr. Flory said he is familiar with the house, and the resident must realize that parking is only permitted on the opposite side of State Street – the west side. After discussion, Mr. Flory made a motion, seconded by Mr.

Reese, to approve the request for handicapped parking on State Street as recommended; the motion carried unanimously.

Proposal from Traffic Planning & Design, Inc. for Engineering Services for Turning Lane Improvements to Prospect St./Normal Street Intersection

Mr. Phillips said the proposal from TPD is to design plans for constructing a turning lane on Prospect Street approaching Normal Street from the south; East Stroudsburg University/UPI, Inc. is committed to pay for these improvements under the development agreement for the first phase of the ESU student housing which opened in 2012. The cost for engineering services under this proposal is \$24,900. Mrs. Wolbert made a motion, seconded by Mr. Flory, to approve the proposal from TPD, Inc. dated April 3, 2014 as submitted; the motion carried unanimously.

Proposal from Traffic Planning & Design, Inc. for Engineering Services for Traffic Signal Application and Signal Design for East Brown Street (SR 2024)/Smith Street intersection

Mr. Phillips said this proposal from TPD is for preparing and submitting the traffic signal permit application to PennDOT, and for design and bidding of the signalization of this intersection. East Stroudsburg University/UPI, Inc. is also committed to pay for 65% of the cost of these improvements under the development agreement for the first phase of the ESU student housing, and the Borough also received several thousand dollars for this work from the developer of the doctor's office project on Normal Street built in 2011. Mr. Phillips said East Stroudsburg University has recently indicated they will agree to pay for the balance of costs for signalizing this intersection because of the degradation of level of service at this intersection which has been identified to occur with the proposed new construction project by ESU, the Information Commons Building. The costs for engineering services under this proposal is \$2,500 and \$7,200 for the two phases. Mrs. Wolbert made a motion, seconded by Mr. Begley, to approve the proposal from TPD, Inc. dated April 14, 2014 as submitted; the motion carried unanimously.

Proposal from Traffic Planning & Design, Inc. for Engineering Services for Traffic Signal Timing work along Business Route 209 from Sterling Lane to East Sixth Street

Mr. Phillips said this proposal from TPD is to re-analyze the signal timing along the Business Route 209 corridor. The Borough has funds escrowed by Eagle Valley Realty, Inc. from the expansion of Eagle Glen Plaza for this purpose. The cost for engineering services under this proposal is \$5,200. Mr. Flory made a motion, seconded by Mr. Begley, to approve the proposal from TPD, Inc. dated April 8, 2014 as submitted; the motion carried unanimously.

Application to USDA (U.S. Department of Agriculture) for long-term Loan Financing for Middle Dam (Intake Reservoir) Rehabilitation Project

Mr. Phillips said the Borough is eligible for funding under the Rural Development Water and Environmental Program since our official population is under 10,000. The current loan interest rate is 3.25% and a 40 year term is available. Temporary financing by the Borough will be required, since the loan will not close until actual construction costs are known. With receipt of the Local Share Account grant in the amount of \$822,000, the amount needed to be financed from USDA is \$2,100,000. This program has significantly less “strings” attached than the PennVEST state loan program. Mrs. Wolbert made a motion, seconded by Mr. Flory, to authorize application to USDA for loan financing for the Middle Dam Rehabilitation project as recommended; the motion carried unanimously.

Public Comments – New Business

None.

Correspondence:

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

- i. Housing Authority of Monroe County – Request for Discounted Swim Pool Passes for r HAMC Residents for the 2014 Season. Mr. Reese made a motion, seconded by Mr. Begley, to approve offering up to 30 season passes to low income residents from the HAMC projects at 50% of the normal cost for the Dansbury Park Swimming Pool, as has been past practice. The motion carried unanimously.
- ii. MRM Property & Liability Insurance Trust – Dividends from SIR (Self-insured Retention) Program received for Policy Years 2008-2012 - \$15,201.70
- ii. Arbor Day Foundation – East Stroudsburg granted Tree City USA Designation again for 2013 Year.
- iii. Buff-Nauman LLC – Request for Time Extension for proposed Minor Subdivision off of Franklin Hill Road. Mr. Begley made a motion, seconded by Mrs. Wolbert, to grant the time extension until May 22, 2014 as requested; the motion carried unanimously.
- iv. Request from DEIN Properties for credit on Sewer/Water Bill due to Waterline break/leak at former Cooper Industries Building. Mr. Phillips said DEIN had a large increase in their water reading; the Borough helped then find a break in a major 6” waterline that goes from one part of the building to another. Their water/sewer bill exceeds \$10,000 for water and \$8,000 for sewer, they have requested a credit from the Borough due to this unforeseen water loss. Mr. Phillips said he indicated to George Strunk that the Borough does typically credit the sewer bill in these cases; since the water did not go through the sewer and require treatment. However, the water did go through the meter and is normally billed in full. After discussion, Mr. Reese made a motion, seconded by Mr. Flory, to approve granting a credit for the sewer portion of the bill based on normal usage, but to decline the request for credit on the water portion as has been past practice; the motion carried unanimously.

Reports

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council, and noted two information items:

- Article in the PA Borough News magazine concerning flood insurance rates
- Information on "small" stormwater systems for single residences.

Mr. D'Alessandro also noted that a possible problem with the sewerline on Braeside Avenue had been identified during the Ridgeway St. sewerline replacement. Mr. Phillips said this section of sewer is to be televised with other lines being identified for inclusion in a contract for sewerline cleaning, televising, and grouting/repairs.

Mr. Reese asked about the status of rental housing registrations? Mr. Walton said the current figures are: total of 1,860 rental units, 1,410 are currently registered (76%); leaving 450 which have not been registered (24%). Mr. Reese also asked about liens for delinquent water/sewer bills? Mr. Prevoznik said the Borough Office has sent out notices and his office now will be following up on filing liens as needed.

Mr. Reese said the Borough needs to be proactive in cleaning up the downtown area; and made a motion to have the Manager program the DPW crew to do cleanup work in the downtown area "on a regular basis". Mr. Flory seconded the motion, which was approved unanimously.

Mr. Flory asked if the Borough did new tree plantings on State Street? Mr. Phillips said the Borough planted trees several years ago after the curbs were reconstructed, but we did not do any recent plantings.

Mr. Prevoznik reported that the Pocono Community Theater has appealed the denial of their tax exemption application for the theater property, and that Solicitor Chris Brown for the School District will be attending the upcoming hearing on this matter.

Mr. Phillips said he was recently contacted by a resident who uses the tennis courts at Dansbury Park, complaining of the cracks in the courts and a depression area on one of the courts which results in water ponding there. The resident feels this makes for an unsafe condition. Mr. Phillips said this depression may be too deep to build up during re-coating of the courts, and complete overlay or reconstruction of the courts may be necessary. Council members discussed options for addressing this situation, including the possibility of closing the one court; and asked Mr. Phillips to obtain cost estimates for consideration.

Mr. Phillips said he was also contacted by the Dialysis Center on South Courtland Street concerning the possibility of having a "Loading Zone" designated in front of the building, because many dialysis patients travel to and from via the Monroe County Shared Ride min-bus and there is no place for the bus to pull over. Two metered parking spaces would be required to be utilized for a loading area. Mr. Phillips said the bus

apparently has pulled into the Methodist Church driveway to let off patients, but the Church has discouraged such use.

Mr. Phillips reported that he has promoted Michael Stettler to the full-time DPW Maintenance Worker position effective May 1, 2014, and has recommended a starting rate of pay of \$17.25 per hour. Mr. Reese made a motion, seconded by Mr. Flory, to approve the starting rate of pay as recommended; the motion carried unanimously.

Mr. DeLarco reported on the PA Municipal League (PML) Northeast District Meeting which he and Mr. Phillips attended at Pittston on April 9, 2014. Mr. DeLarco also asked about initiating proceedings before the State Public Utility Commission (PUC) in regards to possible replacement of the “Iron Bridge” on Ridgeway Street over the railroad tracks. Mr. Prevoznik said he will talk with an attorney who does PUC work concerning representing the Borough on this matter.

Mr. Walton said the Planning/Zoning Committee of Council needs to meet to review comments received from the Borough Planning Commission concerning the draft ordinance providing for new parking/stormwater requirements for residences. Mr. Walton was directed to schedule a Committee meeting for next week.

Mr. Begley asked about the condition of Gay Street? Mr. Phillips said he needs to look at the road with Foreman Mark Hoke. Mr. Begley asked about designating a crosswalk across N. Courtland Street in the “Bricktown” neighborhood? Mr. Phillips said the Borough may apply to PennDOT for approval of a crosswalk, but it will not be a simple matter of only marking a crosswalk; there are no ADA ramps currently and the Borough will take on liability for designating such a crosswalk. Mr. Begley asked if anyone has ideas for re-using the trusses from the Iron Bridge – PennDOT indicated a re-use plan might speed up the environmental review process. Finally, Mr. Begley noted that college students have built a dock into the Sambo Creek at the back of a house on Brookside Avenue. Mr. Walton said he is aware of the construction, and will be notifying the property owner of this violation.

Mr. Smith commented that the East Brown Street/Smith Street intersection is getting busier and the traffic signal is needed there.

Mrs. Wolbert said Taylor Munoz of the Monroe County Realtors Association is looking into possible grant funds from the National Realtors Association to encourage local home ownership, similar to recent funding announced for State College Borough. Mrs. Wolbert noted that the East Stroudsburg Area School District recently settled the tax exemption appeal with UPI, Inc. for the ESU student housing project – by accepting a one-time \$850,000 payment from UPI in lieu of taxes. Mrs. Wolbert asked about possible wi-fi service for the Municipal Building.?

Mayor Martinelli asked Mr. Phillips to try and schedule work on at least one of the softball fields at Zacharias Park, to remove the grass and “skin” the infield area for better play.

List of Bills Payable – April 15, 2014

Mrs. Wolbert made a motion, seconded by Mr. Begley, to approve the List of Bills Payable and to ratify payroll and expenditures made through April 15, 2014 as submitted; the motion carried by a vote of 5 – 0 with Mr. Reese abstaining in regard to one invoice payable to him for reimbursement of travel expenses for attending the PSAB Awards Luncheon on April 8, 2014.

Executive Session

None.

Adjournment

With no further business, Mr. Reese made a motion, seconded by Mr. Flory, to adjourn the meeting at 9:40 p.m.; the motion carried unanimously.

James S. Phillips, Secretary