

East Stroudsburg Borough, August 5, 2014

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, August 5, 2014. The following members were in attendance: Peter Begley, Roger DeLarco, Edward Flory, Richard Smith, and William Reese. Sonia Wolbert was absent. Also attending were: Mayor Armand M. Martinelli; Manager James S. Phillips; Solicitor John C. Prevoznik; DPW Director Steven DeSalva; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; and Stroud Area Regional Police Lieutenant Kevin Transue.

1.

Call to Order/Pledge of Allegiance – President DeLarco

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

Minutes of July 31, 2014 Regular Council Meeting

Mr. Flory made a motion, seconded by Mr. Reese, to approve the minutes of the July 31, 2014 meeting as submitted; motion carried unanimously.

SARPD Report

Lt. Kevin Transue of SARPD reported on a recent rash of thefts from unlocked Vehicles in the area, and also commented on the serious fire on Lackawanna Avenue this morning. Mr. Reese asked that the police be ready for the return of college students later this month. Lt. Transue said plans are already being made to gear up the Quality of Life patrols around the ESU campus.

Public Comments - Agenda Items

None.

Proposed Ordinance No. 1289 Amending the Code of the Borough of East Stroudsburg, Chapter 150 Thereof Entitled Vehicles and Traffic, Revising Provisions Regarding Use of Parking Meter Bags for Contractor/Utility Work and Special Events

Mr. Phillips said this draft of the Ordinance incorporates the additional minor change noted at the Committee meeting. Use of parking meter bags will be limited to utility/contractor use and for special events; the only exemption applies to church services and funerals with a limit of five meter bags for free. Mr. DeLarco thanked the members of the Council Committee for working on revising this Ordinance draft.

Dr. Marcia Welsh of East Stroudsburg University commented that events on campus bring a lot of people to the campus and to the Community; and any limits placed on those events will have an adverse economic impact on the Community.

Mr. Flory made a motion, seconded by Mr. Reese, to authorize advertising the proposed ordinance as submitted; the motion carried unanimously.

Proposed Ordinance Approving Sewage Service Agreement with Smithfield Township and Smithfield Township Sewer Authority

Mr. Phillips said the Solicitor recommends re-adoption of the existing sewage service agreement with Smithfield Township as an Intergovernmental Cooperation Agreement which requires an ordinance. Mr. Prevoznik said the agreement should also reflect the possible additional service area for sewage in Smithfield Township that could be served by the Borough. Mr. Begley made a motion, seconded by Mr. Flory, to authorize preparation and advertising of a proposed ordinance to re-approve the Sewage Agreement with Smithfield Township, with the revision of service area as noted; the motion carried unanimously.

Recycling Grant Application for Twin Boroughs Recycling Program to PA Department of Environmental Protection under Section 902 Program of Act 101

Mr. Phillips said Council had reviewed the proposed items to be submitted for possible DEP grant funding at the Committee meeting. Mr. Begley questioned Act 101? Mr. Phillips said this is the state recycling law in effect since 1990. Mr. Flory made a motion, seconded by Mr. Begley, to authorize preparation and submittal of a recycling grant application to PA DEP as recommended; the motion carried unanimously.

Proposed Resolution No. 24-2014 – Authorizing Application for Loan Assistance from USDA Rural Development Program for Middle Dam Rehabilitation Project

Mr. Phillips said R.K.R, Hess Associates, Inc. has updated the cost estimate for the Middle Dam project, which now includes the increased cost for geotechnical work by URS consultants. The total cost of the dam rehabilitation project is now \$4.1 million.

Mr. Reese made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 24-2014 authorizing application to US Department of Agriculture under the Rural Development Program for low-interest loan assistance for the Middle Dam Rehabilitation Project; the motion carried unanimously.

Mr. Begley made a motion, seconded by Mr. Flory, to approve the Proposal from URS Consultants for Geotechnical Engineering Services for the Middle Dam Rehabilitation project, in the total estimated amount of \$150,419; the motion carried unanimously.

Public Comments – New Business

Pat Kennedy asked about the proposed ordinance regarding driveway requirements. Mrs. Kennedy asked if it would limit the number of cars in a driveway? Does it require installation of sidewalks along the property frontage? Mr. DeLarco said Council is still considering revisions to the ordinance; it does require sidewalks be installed if other construction is being undertaken; it would not apply to existing residential driveways.

Mr. Begley said he is glad to see representatives of the University in attendance, because many of the ordinances being considered by Council are a direct result of the behavior of college students living off-campus. Mayor Martinelli said he had to speak up for the University, because the ESU Administration does work with the Borough and with SARPD on student issues; and they do discipline students who get into problems with the law in the community.

Dr. Marcia Welsh said the ESU Administration will strive to maintain a presence at Borough Council meetings; and they are expecting 6,500 students returning to campus the weekend of August 22-25, 2014. Move-in day is August 22<sup>nd</sup> and classes start August 25<sup>th</sup>. Dr. Welsh also said ESU will be participating in the Crime Watch event Sunday August 10, 2014.

Mayor Martinelli said the East Stroudsburg Crime Watch group hopes to involve ESU Criminal Justice majors in the Crime Watch programs.

Maury Molin said behavior issues are not just a problem involving ESU students, but youth in general.

Correspondence:

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

- i. Weis Markets – Request for Intermunicipal Transfer of Restaurant Liquor License. Mr. Phillips said this application, for the Weis Market at 695 North Courtland Street, actually involves both Stroud Township and the Borough. Mr. Flory made a motion, seconded by Mr. Begley, to authorize advertising a public hearing on the proposed intermunicipal

transfer of liquor license for Tuesday, September 2, 2014 at 8:00 p.m.; the motion carried unanimously.

- ii. PA DEP – Groundwater/Surface Water Monitoring Results for two former Joint Municipal Landfill Sites.
- iii. FEMA – Initiation of Levee Analysis & Mapping Procedure (LAMP) for East Stroudsburg Levee along Little Sambo Creek
- iv. PSAB – Registration materials for Fall Leadership Conference, October 17-19, 2014 at Gettysburg PA. Mr. Reese said he was planning on attending the conference. Mr. Begley made a motion, seconded by Mr. Flory, to authorize attendance by Borough Officials at the PSAB conference, with reimbursement of expenses in accordance with Borough travel policy; the motion carried unanimously.

## Reports

Mr. Flory requested that a report be prepared on Dansbury Park Swim Pool usage by numbers of residents, and non-resident, users.

Mayor Martinelli asked about electronics recycling? Mr. Phillips said the Recycling Center is accepting electronics items, and they have taken at least two loads of (mostly) televisions to the County Waste Authority office in Blakeslee, so far. The Mayor also said he was contacted by a representative of Verizon who has been trying to get a response on Borough interest in a cell tower on Borough property at the Recycling Center.

Mr. Begley said he spent time talking with residents off of Harris Street about making Harris St. one-way. Mr. Begley said there is still problems at the Borough Fire Station concerning insulation falling from the ceiling, and loose floor tiles.

Mr. DeLarco said he is concerned for the need to continue enforcement efforts for the Rental Housing Licensing Program; and suggested that a committee of Council work with Codes Officer Marvin Walton on this matter.

Mr. DeLarco also thanked ESU President Dr. Marcia Welch and Vice President Ken Long for attending the meeting.

Mr. Phillips reported that the Pocono Mountains Council of Governments will hold a picnic meeting at Tobyhanna Township on August 25, 2014. Mr. Phillips also noted a memorandum from PA DCED concerning implementation of their plans to have Counties administer the CDBG programs for all municipalities under 10,000 population. Mr. Phillips noted there will be a meeting on August 20 at the Monroe County Public Safety Building concerning planning for I80 road closings. Finally, Mr. Phillips distributed information on the “E Code App” now available from General Code Company.

Mr. D’Alessandro said no written Engineer’s report was available tonight; but the Ridgeway Street waterline/sewerline project is wrapping up, and his office recommends approval of payment requests by Locust Ridge Contractors for Contract No. 1 (Water) in the amount of \$17,267.34; and \$35,830.30 for Contract No. 2 (Sewer). Mr. Reese made a motion, seconded by Mr. Flory, to approve Payment Request No. 6 (Water) as recommended; the motion carried unanimously. Mr. Begley made a motion, seconded by Mr. Reese, to approve Payment Request No. 6 (Sewer) as recommended; the motion carried unanimously.

Mr. DeLarco asked if anyone had questions on the 6/30/14 Financial Report from the Committee meeting, and there were none.

Mr. DeSalva reviewed his DPW Director Report, and commented that we have now received responses back from the various utilities for the proposed Phase II Streetscape work, and he has also been working on Septage issues for the Sewer Plant Permit Renewal.

List of Bills Payable – August 5, 2014

Mr. Flory made a motion, seconded by Mr. Begley, to approve the List of Bills Payable as submitted and to ratify payroll and bills paid to date; the motion carried unanimously.

Executive Session

Mr. Begley made a motion, seconded by Mr. Flory, to adjourn into executive session at 8:50 p.m.; the motion carried unanimously.

Mr. Flory made a motion, seconded by Mr. Reese, to reconvene into regular session at 9:07 p.m.; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss a litigation matter, with no action taken.

Adjournment

With no further business, Mr. Begley made a motion, seconded by Mr. Flory, to adjourn the meeting at 9:08 p.m.; the motion carried unanimously.

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James S. Phillips, Secretary