

East Stroudsburg Borough, February 2, 2016

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, February 2, 2016. The following members were in attendance: Donal Cross, Edward Flory, Roger DeLarco, Maury Molin, William Reese (arrived 8:15 p.m.), and Sonia Wolbert. Also attending were: Solicitor John C. Prevoznik; Manager James S. Phillips; Public Works Director Steven DeSalva; and Codes Official Marvin Walton.

Call to Order/Pledge of Allegiance – President DeLarco

Mr. DeLarco called the meeting to order at 7:30 p.m. The Pledge of Allegiance was led by Tara Stettler.

Moment of Silence and Reflection

A moment of silence and reflection was observed by all in attendance.

Minutes of January 19, 2016 Reorganization and Regular Council Meeting

Mr. Flory made a motion, seconded by Mr. Molin, to approve the minutes of the January 19, 2016 Council meeting as submitted; the motion carried unanimously.

State of the Borough 2016 Report – Mr. DeLarco

Mayor, Council, Staff, East Stroudsburg residents, friends, guests, and the press:

The purpose of this report is to provide a brief overview of the State of the Borough, on this 2nd day of February 2016. The report will review the accomplishments of the Borough and its affiliated organizations over the preceding year. It will also address the future plans and goals of the Borough community.

East Stroudsburg Community Alliance

The Eastburg Community Alliance (ECA) is our downtown “Main Street” organization used to promote business activities in the Borough. The ECA office has completed its first full year in the old Dansbury Depot. In addition to housing its office, the Depot is used as a rental and fundraising facility.

The annual July 4th “American Freedom Festival” held at Dansbury Park was both a financial and community success. Planning for the 2016 festival is currently underway.

Stroud Area Regional Police Department

The Stroud Area Regional Police Department (SARPD) continues to provide police services for East Stroudsburg Borough under the watchful eye of Chief William Parrish. As a result of retirement by Captain Kimmins, new Captain Jennifer Lyon has taken a prominent role in the SARPD administration. Paul Gasper was promoted as a new Lieutenant. Six new Officers were hired in 2015.

The SARPD continues its Quality of Life (QOL) patrols in the East Stroudsburg community. Patrols are funded by a grant from the Pennsylvania Liquor Control Board to help curtail problems resulting from alcohol violations and disorderly behavior which are caused by underage and dangerous drinking behaviors. The QOL officers work with community stakeholders and residents whose neighborhoods are negatively impacted by alcohol-fueled disruptive behavior. We are happy to report that in the year 2015, the Department has seen the lowest amount of violations to date, making the program a growing success for the entire community.

Acme Hose Volunteer Fire Co. No. 1

Our Volunteer Fire Department, ACME Hose Co. No. 1, celebrated their 125th anniversary this past year with events commemorating the years of service to the community. The East Stroudsburg volunteers responded to 303 incident calls in 2015. As always, ACME

Hose Co. has demonstrated its ability to rise to the occasion and provide an unsurpassed level of service and protection to the Borough and surrounding communities. On behalf of everyone in their service area, Council thanks them for their efforts and sacrifices. A new \$650,000 firetruck pumper was added in 2015 to be paid for by the Borough.

Stroud Regional Open Space and Recreation Commission

The Borough continues its cooperative efforts with the Borough of Stroudsburg and Stroud Township through the efforts of the Stroud Region Open Space and Recreation Commission by providing healthful recreational and cultural programming.

East Stroudsburg Borough

I am happy to welcome two new members to the Borough Council – Councilmen Don Cross and Maury Molin. The rest of Council look forward to working with them in the coming years. I should also note the debt of thanks we have to outgoing Council members, Peter Begley and Richard Smith, for their service.

East Stroudsburg Projects and Financial Update

The 2015 year saw the beginning of several major efforts to improve and modernize Borough finances, including:

- Purchase and implementation of new accounting software that is coordinated with the utility billing software.
- Acceptance of credit card payments at the Borough Office and via an on-line option.
- Establishment of an Audit Committee of Council; which oversaw an RFP process resulting in the retaining of a new CPA firm to conduct the annual audit.
- Establishment of a Collection Committee to oversee implementation of an on-going collection effort regarding delinquent water/sewer and garbage fees. The first five months' efforts resulted in the collection of \$150,000+ and obtaining of commitments for an additional \$100,000 through repayment agreements.

In addition, Council took proposals for a major capital loan/refinancing of \$7.8+ million, taking advantage of continued low interest rates, in order to fund a lengthy list of deferred and needed capital improvement projects/equipment upgrades, and refinance \$1.4 million+ in outstanding debt from a 2006 loan. Borough Council took the difficult steps of increasing the real estate tax millage rate, to fund the increase in debt service from the new capital loan and to pay for an increased contribution to the Regional Police Budget; and increasing water rates for the first time in 6 years, again to pay for capital improvements, primarily the Middle Dam Rehabilitation project.

In 2015, Borough staff and consultants began the process of updating and renewal of the operating permits for both the Water Filtration Plant and the Sewer Treatment Plant. The permit process through the regulatory agencies has been smooth so far. This process included the development of a comprehensive Operation and Maintenance (O&M) Manual for both facilities. The Borough also instituted an electronic compliance calendar for the sewage treatment plant which allows multiple users to keep abreast of important dates for filing and testing, etc.

The Middle Dam rehabilitation project will commence in 2016 thanks to funds received from the Local Share Account grant as well as the loan from ESSA Bank & Trust previously mentioned. The dam was built in 1914 and has undergone extensive engineering analysis in preparation for this rehabilitation project.

The 2nd phase of our Downtown Street Lighting Improvement project began in the fall of 2015, with completion expected in the spring of 2016. This phase involves extending “spines” of lighting out from the downtown area along Washington Street and Courtland Street. Installation of this lighting is being paid for through a PennDOT Transportation Enhancements grant in the (increased) amount of \$677,000.

The iron railroad bridge on Ridgeway Street is expected to be replaced within the next several years as a result of a multi-governmental agency agreement to fund the project.

PennDOT will take responsibility for the engineering and construction of the replacement project. The Borough will be responsible for no more than \$166,000 towards the entire project to be repaid to the Monroe County Commissioners based on funds it expends. In the meantime, the bridge will continue to be posted at a 13 ton weight limit which will restrict local traffic including MCTA buses and snow plow trucks until the bridge is replaced. Upon completion of the project, the Borough will have no additional responsibility for the maintenance and upkeep of the bridge.

The East Stroudsburg Codes Officer conducted 931 rental inspections in 2015 and 746 rental licenses were issued under the Rental Housing Licensing and Inspection Program.

Last year, the Council Zoning and Planning Committee developed and finalized an Ordinance designed and adopted to regulate off-street parking) an Ordinance establishing construction standards for construction, repair, and replacement of curb and sidewalks. This Committee's activities will continue in 2016.

The Codes Office issued 483 total permits in 2015. The projects covered by permits had a total estimated construction cost of \$3,808,073. Additionally, the Codes Office also performed a total of 168 Uniform Construction Code inspections, and 71 inspections for the sale/transfer of property.

2015 saw Borough Council realize its vision of updating the 1991 Comprehensive Plan. The Borough established a Comprehensive Plan Board made up of community members who assisted in interviewing the recommending professional comprehensive planning consultant, Gannett Fleming, to assist in the updating of the Comprehensive Plan. The Comprehensive Plan will be this community's opportunity to evaluate various facets of the municipality, including jobs, housing, transportation, environment, etc., with realistic, implementable action plans.

I would also like to take a minute to discuss the other various projects, equipment upgrades, and administrative procedures which were undertaken in 2015 such as:

- Wi-Fi within the Municipal Building became fully operational in 2015.
- A new street sweeper was purchased and funded partially through lease financing to replace the existing 1999 unit.
- The 2015 Paving Program was completed, including milling and repaving of portions of Lackawanna Ave., Brodhead Ave. Braeside Ave., and Analomink St.
- The Borough undertook steps to start construction of Security Improvements to the entrance of the Municipal Building.
- Several maintenance issues were addressed at the Fire Station.
- An energy saving unit was installed at the Wastewater Treatment Plant.
- A formal, annual performance evaluation process for Borough employees was implemented for the first time.

Future Goals

In 2016, the Borough will continue to work with PennDOT on the reconfiguration of the Interstate 80 Exit 308 interchange at Prospect Street. This program is designed to be completed after the replacement of the iron bridge but before PennDOT's major expansion of Route 80 west of Exit 308.

Approximately a decade ago, the Borough undertook the cleaning up of the former IBW industrial site. While the steps have been numerous, it appears that 2016 will be the year that the necessary cleanups and approvals will be complete. This will allow the sale of this formerly blighted property to create new job opportunities within our community.

The Borough will continue to review the transition of single-family housing stock to rental properties and the effect of that transition on the Borough. It is incumbent upon the Borough, its staff, and Council to understand the benefits and hardships arising from the shift in property ownership. While there has been much discussion about the hardships created by rental properties, the Borough needs to temper that discussion with an understanding of the benefits which come from rental property. The Rental Housing Licensing and Inspection program is one tool which will allow the Borough to obtain a factual basis for its determination of impacts of rental properties in residential neighborhoods. The Borough should include in its assessment

working with the interested groups and organizations in improving our neighborhoods with programs like Community Gardens and Neighborhood Playgrounds.

Along with change and growth come challenges, we must continue to find innovative ways to stimulate economic revitalization and job creation in, and for our community. Council will need to work in tandem with other public agencies to enhance our quality of life, provide quality job opportunities to our citizens, and coordinate and plan economic development and revitalization in East Stroudsburg.

Finally, it is important that we all realize that the Borough community is fortunate to have qualified and dedicated employees who administer and oversee the facets of municipal government which impact and improve its citizenry life on a daily basis. In addition to the Borough employees, the community should be very grateful for the large number of volunteers serving on boards and commissions to make East Stroudsburg a better community for all its residents. Their contribution makes the Borough a better place to work and live. I personally want to acknowledge how fortunate the Borough is to have a dedicated Mayor and Council who strive to work together to implement policy and change in the Borough. It has been noted that we as a Council may not always agree, however, we always conclude our decisions with mutual respect.

Thank you and God bless East Stroudsburg!

Respectfully submitted,
Roger L. DeLarco, President

Public Comments – Agenda Items

None.

Proposed Ordinance No. 1305 Amending Article II of Chapter 154 of the Code of the Borough of East Stroudsburg, Precluding the Use of Groundwater for Domestic, Potable or Agricultural Purposes from a Certain Area of the Borough Designated as the Aquifer Non-Use Area, Restricting Drilling of Wells and Extraction of Groundwater from such Area, and Requiring Buildings and Structures from such Area to be Connected to the Borough Water System, and Providing Penalties for Violations

Mr. Phillips noted that Council in 2011 had adopted such an Ordinance pertaining to the former IBW property, as a requirement for obtaining the Act 2 Clearance for the IBW site from PA DEP. Since then, it has been identified that the groundwater contamination under the property has migrated offsite; so DEP is requiring that the non-use aquifer zone include an area within a 1,000 ft. radius downgradient of the site. Council had discussed preparing an ordinance restricting wells within the entire Borough, since the Borough operates the municipal water system. Mr. Prevoznik said Council may not want to designate the entire Borough as a non-use aquifer zone, so the option now may be to amend the Code to comply with the DEP requirements for properties in the Borough within the 1,000 ft. radius downgradient. After discussion, Mr. Flory made a motion, seconded by Mrs. Wolbert, to authorize preparation and advertising of a public hearing on a proposed Ordinance to amend Chapter 154 of the East Stroudsburg, designating an extended non-use aquifer zone downgradient of the former IBW property. The motion carried unanimously.

Proposed Vacation of a portion of the Road Right-of-way of Burson Street and Acceptance of a proposed Deed of Dedication from Harsco Corp.(Patterson Kelly

Mr. Phillips noted that Council at the January 19th meeting had the presentation on the Harsco land development plan, which also included reference to the need for vacating a portion of the Burson St. road right-of-way where existing buildings encroach on the ROW, and the re-dedication of another portion of the ROW that previously had only been granted as an easement. After discussion, Mr. Molin made a motion, seconded by Mr. Flory, to authorize preparation and advertising of a public hearing on proposed Ordinance(s) to accomplish the Vacation and Dedication of the applicable portions of Burson Street ROW, as discussed. The motion carried unanimously.

Bid specifications Construction of turning lane on Prospect Street approaching Normal Street

Mr. Phillips said the need for this project had been identified in the traffic study for the East Stroudsburg University (ESU) Student Housing project back in 2010, and the University is committed to funding this work under the development agreement for the project. The Borough has only recently actually obtained the easement from the Commonwealth for the proposed road widening. Mr. Phillips said the ideal time to do the actual construction is from Memorial Day to August 15th; when the University is not in main session. To meet that time frame this year, the work needs to be put out to bid this Spring.

Mr. Molin asked if all parties have been notified of that schedule? Mr. Phillips said he did send an email on this to V.P. Kenneth Long at ESU. Christine Langlois of the ESU Facilities Management Department said Mr. Long did receive the email and forwarded it on to her; and should be responding soon.

Mr. Flory made a motion, seconded by Mr. Molin, to authorize the Borough Engineer to prepare bid specifications and authorize advertising for bid proposals for the Prospect St. turning lane as recommended; the motion carried unanimously.

Authorize acquisition of Easements for Signalization of East Brown Street/Smith St. Intersection

Mr. Phillips said this project likewise, was identified by traffic studies done by ESU and the University is also committed to pay for a majority of project costs. Preliminary discussions have been held with PennDOT, and we need to obtain the formal easements for signal improvements on the northwest and southwest corners of the intersection, from the Commonwealth and owners of Pocono Seniors Housing, Inc., respectively. Mr. Cross asked if traffic counts were reviewed? Mr. Phillips said a detailed traffic study was conducted; the intersection meets some, but not all, warrants for a signal. After further discussion, Mrs. Wolbert made a motion, seconded by Mr. Flory, to authorize acquisition of the easements needed for the traffic signal permit application to PennDOT; the motion carried unanimously.

Appointment to Twin Boroughs Recycling Committee – Proposed Resolution No. 8-2016

Mr. DeLarco noted that Councilman Cross had agreed to fill the other position on the Recycling Committee. Mr. Molin made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 8-2016 appointing Donald Cross to the Twin Boroughs Recycling Committee for a two year term expiring 1/1/18; the motion carried unanimously.

Public Comments – New Business

Geoffrey Roche of Pocono Medical Center said he was present tonight as a Board Member of the Eastburg Community Alliance; one of the recommendations of the PA Downtown Center in their assessment of ECA was for Board members to regularly attend Borough Council meetings, not just the Downtown Manager. Mr. Molin thanked Mr. Roche for attending, and asked when the next ECA Board meeting was? Mr Roche said Wednesday, February 17, 2016.

Correspondence

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

- i. AWSOM – Thank you for donation.
- ii. MCCD – Request for funds for operation/maintenance of Pocono Creek Stream gauge in Stroud Township
- iii. PennDOT – Preliminary Engineering for Reconstruction of Exit 308 Interchange of Interstate 80 – anticipated bid letting date of 7/27/17.

Mr. D’Alessandro said the letter indicates that the Borough must indicate if it wants the Department to engineer the relocation or replacement of any Borough utilities within the project area; or if the Borough wants to obtain approval for its consultant to do the work. Mr. Molin asked if the Borough will be responsible for part of that cost? Mr. D’Alessandro said PennDOT has changed their requirements; they used to pay for 90% of the cost for relocating utilities, now they may only pay for 50% of that cost. Mr. Phillips said he would meet with the Engineer to review the PennDOT plans as to how it will affect the Borough water and sewer facilities.

Reports

Mr. DeSalva reported:

- a pre-construction meeting for the Municipal Building Entry Security Renovations project will be held this Thursday 2/4/16 at 10:30 a.m.
- the contractor for the Streetscape project is currently not working, waiting for delivery of the poles and lights from the manufacturer; the new anticipated completion date is May 24, 2016.

Mr. Walton reported:

- The first meeting of the Comprehensive Plan Task Force with the consultant will be held Thursday 2/11/16 at 5:30 p.m.
- He anticipates having the proposal from Trans Associates for updating the Borough's parking management provisions for universities for the next Council meeting.
- He has contacted the Borough's IT consultant to assist with identifying costs and issues involved with E-filing of citations with the District Justice office.

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council. Mr. D'Alessandro said another item not on the Report is the issue of removal of a beaver dam blocking the Sambo Creek and backing up water between Eagle Valley Mall and the Halterman property in Stroud Township; Mr. D'Alessandro said he would look up the name of a trapper that could be utilized to remove the beavers from this location.

Mr. Flory noted he would be away for both the 2/25/16 Committee meeting and 3/1/16 regular meeting of Council.

Mr. DeLarco said he will also be away over the 2/25/16 Council Committee meeting date.

Mrs. Wolbert reported that the Stroud Region Open Space and Recreation Commission (SROSRC) was recently awarded a PA DCNR grant for the trail gap analysis project.

Mr. Molin said he was concerned that UGI recently had blocked off Roller Street while doing work there. Mr. DeSalva said he had not issued any permits to UGI recently, other than for emergency repairs from leaks. Mr. Molin commented that the problem with stray cats in the "Flats" neighborhood is increasing. Finally, he noted the recent Stroudsburg headlines about using social media to notify residents. Mr. Phillips said Council has discussed trying to utilize social media for notifying residents about snow emergencies, etc. – but suggested that Council may want to utilize a Committee of Council to pursue this further. Mrs. Wolbert volunteered to chair such a "Public Relations" subcommittee; Mr. Molin agreed to serve on it as well.

List of Bills Payable – February 2, 2016

Mr. Flory made a motion, seconded by Mr. Molin, to ratify expenditures and payroll made through February 2, 2016 and approve the List of Bills Payable as submitted; the motion unanimously.

Executive Session for Discussion of Litigation Matters

Mrs. Wolbert made a motion, seconded by Mr. Molin, to adjourn into executive session at 8:29 p.m.; the motion carried unanimously.

At 8:51 p.m. Council members reassembled in the meeting room, and Mrs. Wolbert made a motion, seconded by Mr. Reese, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss several litigation matters; and no decisions were made.

Approval of Repayment Agreements for Delinquent Water/Sewer and Garbage Fees

Mr. Flory made a motion, seconded by Mr. Reese, to ratify approval of the following repayment agreements:

- Lavinia Myree, POA for Mildred Myree of 284 Mary Street for delinquent water/sewer and garbage charges.
- Cheryl Wellman of 416 Willow Street for delinquent water/sewer and garbage charges. The motion carried unanimously.

Proposed Settlement of Tax Assessment Appeal for Rite Aid Building on N. Courtland Street

Mr. Phillips noted that the School District had appealed the assessment in effect for the new owner of the Rite Aid; and after negotiations the new proposed assessment will actually result in a significant assessment increase for the property, effective for 2016. Mrs. Wolbert made a motion, seconded by Mr. Flory, to ratify the proposed settlement of this matter negotiated on behalf of the School District and Borough as recommended; the motion carried unanimously.

Adjournment

Mr. Flory made a motion, seconded by Mr. Molin, to adjourn the meeting at 8:54 p.m.; the motion carried unanimously.

James Phillips, Secretary