

East Stroudsburg Borough, January 6, 2015

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, January 6, 2015. The following members were in attendance: Peter Begley, Roger DeLarco, Edward Flory, Richard Smith, and Sonia Wolbert. William Reese was absent. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; Codes Official Marvin Walton; DPW Director Steven DeSalva; and Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.

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 Gary Walck.

Moment of Silence

In accordance with the recent Resolution adopted by Council, a moment of silence and reflection was held.

Minutes of December 18, 2014 Regular Council Meeting

Mr. Begley made a motion, seconded by Mrs. Wolbert, to approve the minutes of the December 18, 2014 Regular Meeting as submitted; motion carried unanimously.

SARPD Report

No one was present from the Police Department, but Council members had received a copy of the SARPD Report for December 2014.pt.

Public Comments - Agenda Items

Gary Walck of Fulton Street said there is a growing problem with stray and feral cats in his neighborhood. There are many cat harborage areas, including a vacant structure at 10 Fulton Street that is open and dangerous. Maury Molin said he has also witnessed the problem first hand at his property.

Mr. DeLarco asked how this issue is addressed under the Borough's Code; Marv Walton said the Health Officer may have jurisdiction. Mr. Prevoznik said the problem is that animal shelters such as AWSOM in our area will not accept or keep feral cats; if anything they may spay/neuter them (at our cost), and then release them again.

Mr. Walton said he would contact the owner of 10 Fulton Street to get the building closed off properly.

Pat Jeanschild of East Brown Street said the rental housing licensing ordinance is working – because her neighborhood is a lot quieter this year. Pat also noted that elderly people – including herself – are not able to do snow removal themselves, and can't afford to pay a contractor. Does the Borough have any volunteers or someone who can help older people at a reasonable cost? Mr. Walton said the Borough used to have a list of people willing to do such work, but it is not current.

Ken Long, Vice President for Finance and Administration at East Stroudsburg University, said some ESU students would be looking for work; and perhaps a list could be compiled

Resolution No. 1-2015 Proclaiming January 18-24, 2015 as Martin Luther King Jr. Equality Week

Mr. Phillips read Proposed Resolution No. 1-2015 Proclaiming the Week of January 18-24, 2015 as Martin Luther King Jr. Equality Week. Mr. Flory made a motion,

seconded by Mrs. Wolbert, to adopt proposed Resolution No. 1-2015 as submitted; motion carried unanimously.

Resolution No. 2-2015 Appointments to Zoning Hearing Board

Mr. Flory made a motion, seconded by Mr. Begley, to adopt Proposed Resolution No. 2-2015, re-appointing Sonya Cole to a new five-year term on the Zoning Hearing Board ending 1/1/2020 and appointing Donald Cross as an Alternate Member of the ZHB for a three-year term ending 1/1/2018; motion carried unanimously.

Resolution No. 3-2015 Appointment to Stroud Region Open Space and Recreation Commission

Mr. Begley made a motion, seconded by Mr. Flory, to adopt Proposed Resolution No. 3-2015, re-appointing James Phillips to a new three-year term on SROSRC ending 1/1/2018, and re-appointing Pete Begley as an Alternate Member of the SROSRC for a three-year term ending 1/1/2018; motion carried unanimously.

Resolution No. 4-2015 Appointment to Stroud Area Regional Police Commission

Mr. Phillips said the same three people have represented the Borough on SARPC since formation of the Regional Department, and there was a mix-up in appointing someone to the Police Commission last year, when Armand Martinelli's term expired, so this Resolution corrects that action. Mr. Begley made a motion, seconded by Mrs. Wolbert, to adopt Proposed Resolution No. 4-2015, re-appointing Armand Martinelli to the balance of a new three-year term on SARPC ending 1/1/2017, and re-appointing James Phillips for a three-year term ending 1/1/2018; motion carried unanimously. Mr. DeLarco asked if it is a problem that Mr. Martinelli had not been appointed last year; Mr. Prevoznik said no, since a member serves until a successor is appointed and qualifies, but Council can ratify his actions while serving on the SARPC last year. Mr. Begley made a motion, seconded by Mr. Flory, to ratify the actions of SARPC member Armand Martinelli since the technical expiration of his term on SARPC; motion carried unanimously.

Resolution No. 5-2015 Appointment of Delegates to Monroe County Tax Collection Committee (MCTCC) for 2015 Year

Mr. Begley made a motion, seconded by Mrs. Wolbert, to adopt Proposed Resolution No. 5-2015, re-appointing James Phillips as Primary Delegate on the MCTCC for the 2015 year; and re-appointing Pete Begley as Alternate Delegate to the MCTCC; motion carried unanimously.

Proposed Resolution No. 6-2015 Establishing a Schedule of Fees for the 2015 Year

Mr. Phillips said he has drafted a Resolution to incorporate and update various fees charged by the Borough that are set by Resolution of Council, and it is already eight pages long – but there are additional fees that should be included. Mr. DeLarco said he suggests that Council table action and discuss this at the Planning and Zoning Committee meeting. Mr. Begley made a motion, seconded by Mrs. Wolbert, to table action as recommended; motion carried unanimously.

Resolution No. 7-2015 Appointments to Property Maintenance Board of Appeals (PMBA)

Mr. Flory made a motion, seconded by Mr. Begley, to adopt Proposed Resolution No. 7-2015, re-appointing Lisa Van Why to a new three-year term on the PMBA, and re-appointing David Czahor to a new three-year term as an Alternate Member of the PMBA; motion carried unanimously.

Appointment of Vacancy Board Chairperson

Mr. DeLarco said Council has previously chosen not to appoint a Vacancy Board

Chairperson, which only comes into play in the event of a vacancy in an elected office, and then only if there would be a tie vote in filling such position; although Council can do so at any time. Mr. Flory made a motion, seconded by Mr. Begley, to not appoint such position at this time; motion carried unanimously.

Appointment of CPA to perform 2014 Year Audit – Ardito & Co., LLP

Mr. DeLarco said he has several questions concerning the auditing services, and asked that action be tabled on this matter. Mrs. Wolbert made a motion, seconded by Mr. Smith, to table action; motion carried unanimously.

Proposed Renewal of Cable TV Franchise Agreement with Blue Ridge Communications

Mr. Phillips said Council had previously authorized Cohen Law Group to negotiate renewal of the cable TV franchise agreement with Blue Ridge in conjunction with three other municipalities; Mr. Prevoznik was not involved. Cohen Law has submitted the proposed renewal agreement and the draft ordinance for adoption. There are few major changes to the franchise agreement since most “improvements had been incorporated in the last agreement in 1996. However, the agreement does provide for free broadband service to one municipal location of our choice. Mr. Phillips said Mr. Prevoznik had suggested that Council may want to have a Cohen representative attend a Council meeting to answer any questions on the agreement, and he will contact them to try to arrange that, before scheduling the public hearing on the proposed ordinance to approve the agreement. Mr. DeLarco noted that cable TV services are changing, and we may not have franchise fees as a revenue source in the future.

Bid Proposals for Contracted Services for 2015 Year

Mr. Phillips said the current contracts for removal and disposal services for sewage sludge from the Wastewater Treatment Plant, and water sludge from the Water Filtration Plant will be expiring, and asked for approval to take new bids. Mrs. Wolbert made a motion, seconded by Mr. Flory, to authorize advertising for bid proposals for the services requested; motion carried unanimously.

Bid Proposals for Purchase of various Chemicals for Water Plant and Wells, Sewer Plant, and Swimming Pool

Mr. Phillips said the current contracts for various chemicals also expire early this year. Mrs. Wolbert made a motion, seconded by Mr. Smith, to authorize advertising for bid proposals for purchasing the various chemicals as requested; motion carried unanimously.

Public Comments – New Business

Dr. Marcia Welsh of East Stroudsburg University noted that the ESU Martin Luther King Jr. Breakfast will be held January 19, 2015; and a service day in honor of the MLK Day observance will be held January 22, 2015.

Pat Jeanschild noted a lot of changes are occurring at Pocono Medical Center; and that physicians at Medical Associates of Monroe County, now owned by St. Lukes Hospital, may not have admitting privileges at PMC in the future.

Correspondence:

- Mr. Phillips reported receipt of the following items of correspondence:
- i. PA DEP – Notice of Violation of NPDES permit requirements at East Stroudsburg Water Treatment Plan
 - ii. PA DEP – Completion of Brownfield Grant Project for former International Boiler Works (IBW) Site Remediation

Reports

Mr. DeSalva reported that the Borough is contracting with Blue Ridge Communications for new internet service, which will provide the ability for wi-fi service at the Municipal Building.

Mr. Walton noted the Planning and Zoning Committee will meet Friday morning at 8:00 a.m. Mr. Walton also noted the recent fire at 510 N. Courtland St., which was contained from spreading to the adjoining unit by the firewall construction required under our rental housing licensing and inspection requirements.

Mr. D'Alessandro reported that PennDOT has released the HOP permit based on completion of the Ridgeway St. utility work. His office has done a preliminary analysis of the water rate increase needed to generate approx.. \$200,000 in additional water revenues; and that increase will be 18%. Mr. D'Alessandro also reported on the meeting yesterday in Harrisburg, which Mr. Phillips and Mr. DeSalva attended, concerning the seepage issue at the East Stroudsburg Dam and the status of plans for rehabilitating the Middle Dam. In addition to the monitoring activities discussed, Mr. D'Alessandro said he recommends doing some water chemistry testing to help determine the source of the seepage.

Mr. Flory said the problem with the floor tile at the Fire Station is worsening. Upon question from Mrs. Wolbert, Mr. Prevoznik said he is not familiar with the contracts from when the work was done to be able. But we need to get someone to take a look at it to advise what we can do with the floor. Mr. DeSalva was tasked with contacting a flooring contractor to get an opinion.

Mr. Prevoznik said the easement agreement with Met-Ed for new service to the Pub 199 on Route 447 was recorded.

Mrs. Wolbert asked about a realtor for leasing the 66 Analomink St. building? Mr. Phillips said he has contacted all four realtors suggested and met with three of them, and will be compiling proposals from each.

Mr. DeLarco said we need to install signs at the parking lot for this building, because people attending the Senior Center in the Loder Building use this lot instead of the other municipal lot they are supposed to use.

Mrs. Wolbert said someone had told her there is a large pothole on Lackawanna Avenue where UGI had worked, also that recycling had been picked up only on one side of Courtland Street the last time. Mrs. Wolbert questioned the status of designs for the Ridgeway Street bridge replacement? Mr. Phillips said PennDOT had solicited proposals from engineering firms and is reviewing those; they hope to have a firm under contract by February. Mr. DeLarco suggested that a public meeting be held with residents affected by the project. Mr. Phillips said he would send a letter to PennDOT requesting a meeting as soon as the design firm is on board.

Mr. Begley asked about new ADA ramps for the Loder Building? Mr. Phillips said the County Commissioners have agreed to fund ramp and sidewalk work with County CDBG funds, and RKR Hess Associates is working on those plans for both the Borough and County, for bidding this Spring. Mr. Begley also said he discussed with the Fire Company having a "meet and greet" event with hospital and University representatives.

Mr. DeLarco noted that PennDOT had installed traffic-counting strips on several roads, pertaining to the proposed I 80 improvement project – but they were installed after classes ended for the first semester at East Stroudsburg University. Mr. Phillips said he called the PennDOT project manager, Heather Heeter, about this; and was advised that they knew that but are only trying to get some supplemental traffic counts so decided to install them anyhow. Ken Long said ESU had also advised them that the timing was not best for getting accurate counts – and received the same response from PennDOT.

Mr. Phillips said he was contacted by a resident of State Street, opposite the J.M. Hill School, complaining that they are unable to park in front of their residence because people going to the school park there, instead of in the rear parking lot at the school – because it is closer to the front of the building. Mr. Phillips said the resident suggested that the permit parking district be extended to include this area. Council agreed to discuss at the next Committee meeting.

List of Bills Payable – January 6, 2015

Mr. Flory made a motion, seconded by Mr. Begley, to approve the List of Bills Payable and to ratify expenditures and payroll made through 01/06/15 as submitted; the motion carried unanimously.

Proposed Ordinance Amending Chapter 154 of East Stroudsburg Code – Amending Water Rates

Mr. Begley made a motion, seconded by Mr. Flory, to table action on scheduling a public hearing on a proposed ordinance pending review of the information from Mr. D'Alessandro; motion carried unanimously.

Executive Session

Mrs. Wolbert made a motion, seconded by Mr. Begley, to adjourn into executive session at 8:58 p.m.; the motion carried unanimously.

At 9:13 p.m. Council members reassembled in the meeting room, and Mr. Flory made a motion, seconded by Mr. Begley, reconvene the public meeting; the motion carried unanimously. Mr. Prevonzik said the executive session was held to discuss potential litigation - no decisions were made.

Adjournment

With no further business, Mr. Flory made a motion, seconded by Mr. Begley, to adjourn the meeting at 9:14 p.m.; the motion carried unanimously.

James S. Phillips, Secretary