

East Stroudsburg Borough, July 1, 2014

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, July 1, 2014. The following members were in attendance: Peter Begley, Roger DeLarco, Edward Flory, William Reese, Richard Smith, and Sonia Wolbert. Also attending were: Mayor Armand M. Martinelli; Manager James S. Phillips; Solicitor John C. Prevoznik; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; DPW Director Steven DeSalva; and Lieutenant Kevin Transue of the Stroud Area Regional Police Department.

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 Brandon Jones.

Pocono Arts Council – Public Art Project for Downtown East Stroudsburg

Shane Izykowski, Brandon Jones, and Jody Singer of the Pocono Arts Council were present regarding their proposal for phase II of the public art project for the Stroudsburgs. Mr. Izykowski said he had talked with Sue Randall of ECA about the three proposed sites in East Stroudsburg – the unfinished mural wall along Crystal Street, the side of Dr. Alexis's chiropractic office along the Dansbury Terrace walkway, and the restroom building at Dansbury Park. Dr. Alexis has signed a letter of intent with their group to permit painting on her building.

Mr. DeLarco asked if the group has insurance? Mr. Izykowski said yes, through the Arts Council. Mr. DeLarco said traffic control will be needed for the wall site along Crystal St. Mr. Izykowski said the proposed "live painting event" is planned for September 27, 2014. They are working on ten total projects; seven in Stroudsburg and these three locations in East Stroudsburg. Mr. Jones said anyone can submit a design; a committee will review the proposals and select the artists to do the actual artwork.

Mr. Flory asked how long will the artwork last? Mr. Izykowski said regular housepaint will be used, with a anti-graffiti sealer applied; so it should last for ten years. Mrs. Wolbert asked how will the artwork be controlled? Mr. Izykowski said the Arts Council has design criteria that all will have to comply with. Mr. DeLarco noted it may be difficult to do new artwork that will fit in with the existing mural? Mr. Singer said they want to make sure all the artwork "fits in" aesthetically. Mrs. Wolbert asked if any funds raised will be used to fund past projects? Mr. Izykowski said he expects most costs of this work to be funded by donations.

Mr. Begley made a motion, seconded by Mr. Reese, to approve the concept for the public art project, subject to the proper insurance certificates being filed with the Borough prior to any work starting; the motion carried unanimously.

SARPD Report for Month of April 2014

Lt. Transue reported that call volumes were up in May, and further increased in June. The increased presence on Crystal St. has been continued. Pocono Medical Center had requested the speed trailer be placed on East Brown St. to monitor speeds. Two disruptive conducts reports were recently sent to the Codes Office concerning a residence on N. Green St. The Department has been dealing with car cruiser issues along Rte. 611. Mr. Begley asked about the health status of officer Ruben Torres? Lt. Transue reported that, unfortunately, officer Torres is not doing well and the family is trying to arrange for a medical transport flight home from San Diego.

Public Hearing on Cable TV Franchise Renewal

Mrs. Wolbert made a motion, seconded by Mr. Begley, to open a public hearing; the motion carried unanimously. Mr. Phillips said the existing cable TV franchise agreement with Blue Ridge Communications is in the last year of the eight year term. Under that agreement, Blue Ridge is granted a non-exclusive right to provide cable TV

within the Borough, and the Borough receives the maximum 5.0% franchise fee from Blue Ridge revenues. The purpose of the hearing is to solicit comments from the public on the existing cable TV services provided by Blue Ridge, and on the cable TV needs of the Borough. This is similar to the annual hearing that Borough Council holds for the CDBG Program to solicit comments on the community development needs of the Borough. Mr. Phillips said notice of the public hearing was published in the *Pocono Record* on June 23, 2014; and proof of publication was available for inspection.

Mr. DeLarco asked about the terms of the existing agreement in regards to furnishing of free internet access for the Borough? Mr. Phillips said under the agreement Blue Ridge does already agree to provide free internet access to one location within the Borough designated by the Borough. Mr. Phillips noted that the Borough Office seldom, if ever, receives any complaints from residents concerning cable TV service, and any service issues that do occur are handled directly by Blue Ridge.

Mr. DeLarco asked for comments from the audience, and there were none. Mr. Begley made a motion, seconded by Mr. Flory, to close the public hearing; the motion carried unanimously.

Public Comments – Agenda Items

None.

Bids Received 7/1/14 for Proposed 2014 Road Paving Program

Mr. Phillips reviewed the tabulation of bids received and opened this afternoon. Totals are on a unit price basis for all Items 1-5, and each bid was accompanied by the required submittals:

Hanson Aggregates of PA, LLC	10% Bid Bond	\$ 86,436.50
Livengood Excavators, Inc.	10% Bid Bond	\$ 99,912.76
Locust Ridge Contractors, Inc.	10% Bid Bond	\$129,312.00

Mr. Phillips said all three contractors have done work for the Borough previously, and he recommends acceptance of the Hanson proposal. Mr. Reese made a motion, seconded by Mr. Flory, to accept the bid proposal from and award the contract to Hanson Aggregates based on their low bid proposal, subject to Solicitor review; the motion carried unanimously.

Resolution No. 23-2014 Reappointing Gary Walck to Planning Commission

Mr. Phillips said Gary Walck was appointed several months ago to fill a vacancy on the Planning Commission for the balance of an unexpired term, and that term now has expired. Mr. Walck is interested in continuing on the Commission. Mr. Flory made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 19-2014 appointing Gary Walck to a new four-year term on the Planning Commission expiring 6/30/18; the motion carried unanimously.

Authorization for Hearing Officer to Render Decision on Conditional Use Application submitted by PA Depart. Of General Services/East Stroudsburg University – proposed Information Commons Building Project

Mr. Prevoznik said under the Municipalities Planning Code, the Hearing Officer designated to hear the conditional use application request may also issue the final decision on the proceedings, if all parties agree to that beforehand. Mr. Begley noted that Ms. Cleary knew the important questions to ask, and he was impressed with the way she conducted the hearing. After discussion, Mr. Begley made a motion, seconded by Mr. Flory, to authorize Hearing Officer Joselle Cleary to issue the decision on the Conditional Use Application submitted by PA Depart. of General Services/East Stroudsburg University, for the proposed Information Commons Building Project located on an 18.1 acre parcel, in the I-U District, off Normal Street; contingent upon all other parties agreeing as required. The motion carried unanimously.

Application for Renewal of Discharge Permit for East Stroudsburg Sewage Treatment Plant with PA DEP/Update of Docket for same with DRBC

Mr. Phillips said the Borough's NPDES permit expires August 2015, and a renewal application must be submitted to PA DEP one year prior to that. Also, the Delaware River Basin Commission (DRBC) is requiring the Borough to update its Docket with that agency for the STP. Mr. Prevoznik said one issue that the Borough may want to consider for inclusion in its application is the acceptance of septage wastes; since there are no treatment plants in Monroe County currently that accept wastes from septic haulers. After research of the issue, the Borough can always withdraw that portion of its application as needed. After further discussion, Mr. Flory made a motion, seconded by Mr. Reese, to authorize inclusion of a service area for acceptance of septage wastes in the permit applications for the STP; the motion carried unanimously.

Public Comments – New Business

Vicky Bader said she was present because the Borough has not responded to her attorney's letter to the Borough regarding alleged damages to their property at 387 N. Courtland Street due to an ongoing waterline leak. Mrs. Bader said water first began coming into their basement in January, and the waterline was finally repaired on June 12, 2014. Now they have possible damage to their foundation wall, and mold in the basement. Mrs. Bader also asked when the road will be repaired along their building?

Mr. Phillips and Mayor Martinelli both said they never received the letter from Attorney T. Andrew Swain dated 6/12/14. Mr. Phillips noted the letter had the wrong mailing address for the Borough which is, no doubt, why it was not received. Mr. Phillips said the Borough would immediately notify our insurance carrier concerning the letter, and the insurance reps. would be in contact with Mr. and Mrs. Bader.

Correspondence:

None.

Reports

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council; and noted that Locust Ridge Contractors have submitted requests for payment under both Contracts No. 1 and No. 2 for the waterline and sewerline work. Mr. Flory made a motion, seconded by Mr. Begley, to approve the payment requests as recommended in the amounts of \$2,496.69 for Contract No. 1 and \$30,291.30 for Contract No. 2; subject to formal acceptance by PennDOT of the curb replacement work. The motion carried unanimously.

Mr. Reese asked whether the Kalihari "graffiti" had been removed from the sidewalks? Mr. Phillips said he and Mr. DeLarco had noted that the painting across from the Borough Office had been removed recently, probably over the weekend. Mr. Reese asked about plans for replacing the roof on the Danbury Park Pool Bathhouse? Mr. Phillips said he has received nothing new from Schoonover & Vanderhoof Architects; but the anticipated schedule was for opening bids in the Fall. Mr. Reese asked about plans for doing downtown cleanup work, pursuant to his previous motion? Mr. Phillips said the DPW crew has done work downtown; removing shrubbery at Miller Park and along the Kistler St. parking lot, and trimming shrubbery at the Municipal Building. Mr. Phillips said he will attempt to provide a written plan, if that is what Mr. Reese is looking for.

Mrs. Wolbert said the Revitalization Committee met again, and the tentative date for meeting with the planning consultant is August 26-28, 2014. They have decided to move forward with the \$8,000 in grant funding from the National Association of Realtors. Mrs. Wolbert said the Stroud Region Open Space and Recreation Commission wants the Solicitors to work out an agreement between the Borough and SROSRC to handle issues pertaining to the joint nature of SROSRC employees that are on the Borough payroll for health insurance purposes. Mrs. Wolbert made a motion, seconded

by Mr. Begley, to authorize Solicitor Prevoznik to work on a memorandum of understanding with SROSRC for addressing these issues; the motion carried unanimously.

Mr. Begley noted that he and Chief Bryan Wallie would be performing at the American Freedom Festival at Dansbury Park, and invited everyone to attend the AFF this Friday.

Mr. DeLarco asked why the Shade Tree Commission doesn't plant perennial flowers in the planters on Crystal Street, instead of annuals? Mr. Flory said annuals have more color, and some perennials would have to be replaced each year, anyhow. Mr. DeLarco noted an email from Edward Henning asking that the Borough take action to get the ramps cleaned up at Exit 308 of I-80? Mr. Phillips said we could inquire with PennDOT about the AGILITY Program, so that perhaps we could receive some services in exchange for providing our street sweeper to clean the ramps. Mayor Martinelli noted that more than street sweeping is needed; there is a lot of debris along the road that would have to be picked up prior to sweeping.

Mr. DeDeLarco suggested that Council ask Eastburg Community Alliance for permission to hold a public meeting concerning the Exit 308 Project at the old Dansbury Depot building, instead of the Borough Hall? Mrs. Wolbert made a motion, seconded by Mr. Begley, to authorize Mr. Phillips to request approval from ECA to hold the meeting at the old train station, if PennDOT asks the Borough for a location for such meeting; the motion carried unanimously.

Mr. Phillips asked Council if they were OK with a request from the East Stroudsburg University Community Coalition group, to include a flyer in the mailing of recycling calendars by the Borough. Council members expressed no objections; Mr. DeLarco said to be sure the flyer has contact information for ESU, and not for the Borough on their flyer.

List of Bills Payable – July 1, 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 Mrs. Wolbert, to adjourn into executive session at 8:42 p.m.; the motion carried unanimously.

Mr. Flory made a motion, seconded by Mr. Reese, to reconvene into regular session at 9:29 p.m.; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss a litigation matter.

Adjournment

With no further business, Mr. Flory made a motion, seconded by Mrs. Wolbert, to adjourn the meeting at 9:30 p.m.; the motion carried unanimously.

James S. Phillips, Secretary

