

East Stroudsburg Borough, July 5, 2016

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, July 5, 2016. The following members were in attendance: Donald Cross, Roger DeLarco, Edward Flory, Maury Molin, William Reese, and Sonia Wolbert. Also attending were: Mayor Armand M. Martinelli; Solicitor John C. Prevoznik; Manager James S. Phillips; Codes Official Marvin Walton; DPW Director Steven DeSalva; Finance Officer Kenneth Konz; and Engineering Representative Samuel D'Alessandro of R.K.R. Hess, a Division of UTRS.

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 William Parrish.

Moment of Silence and Reflection

A moment of silence was observed by all in attendance.

Minutes of June 30, 2016 Regular Council Meeting

Mr. Cross made a motion, seconded by Mr. Flory, to approve the minutes of the June 30, 2016 regular Council meeting as submitted; the motion carried unanimously.

Public Comments – Agenda Items

None.

66 Analomink Street Building – Ending of Listing Agreement

Mr. Phillips said at a previous meeting Council had discussed the possibility of selling the building instead of continuing to list it for rental. Mr. Prevoznik noted the listing agreement had been transferred to Mr. Starrett's new agency, but the original agreement expired last year and the Borough does not have a signed agreement extension in our file. After discussion, Mr. Flory made a motion, seconded by Mr. Molin, to authorize sending a letter to REMAX Commercial Partners ending the listing agreement for lease of the building; the motion carried unanimously.

Public Comments – New Business

None.

Correspondence

Mr. Phillips noted a single item of correspondence; a letter from RKR Hess regarding the survey results of the property at the end of Lenox Avenue for a possible rain garden site. Mr.

D'Alessandro said their investigation shows the Borough does not own the property. Mr. Flory made a motion, seconded by Mr. Reese, to send a copy of the letter to the Brodhead Watershed Association (BWA), which is seeking to develop rain garden sites within the Borough. The motion carried unanimously.

Reports

Mr. Cross reported the following:

- the vacant former Star Furniture Store Building on Milford Road is being demolished.
- A new home is being built on Elm Street by Quality Homes.
- The "Street 2 Feet" event at Zacharias Park is this coming weekend.

Mr. Molin reported the following:

- There is a huge pothole on Roller Street in front of 7 Roller. Mr. Molin said many roads in the Borough are in need of repair, and noted that Hazleton City recently received a \$1.5 million grant they are using for road repairs.
- The Schisler Museum of Wildlife and Natural History at East Stroudsburg University will have open hours all summer.

Mr. Phillips said he had received a complaint/request from resident M. Rojas of Teak Lane who purchased a season swim pass before the pool opening had been delayed and is requesting a discounted rate due to the shortened season. Mr. Phillips said he had told her that Council had already discussed this issue at the June 21, 2016 special meeting. Mr. Molin said Council had decided that since the main reason for the changes in pool operations is to reduce the operating loss for the Pool, and the season will only be shortened by one week to nine weeks, that a refund or discount does not need to be offered for season pass holders.

Mr. DeLarco said he also had spoken with a resident who expressed concern for the condition of roads in the Borough; and also the continuing problem with traffic going the wrong way on the one-way portion of Courtland Street south of Washington Street. Mr. Phillips noted that many of the road complaints are state-maintained roads owned by PennDOT. Mr. DeLarco noted that crosswalks still need to be re-marked in the downtown area.

Mr. Flory asked about the initial payment required towards purchase of the new fire Pumper Truck? Mr. Phillips said the first invoice from Pierce Manufacturing has been received and is on tonight's list of bills.

Mr. Reese thanked Mr. DeSalva for coordinating cleanup efforts in the downtown area by the DPW Maintenance Crew.

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council.

Mr. Walton reported on the following:

- the next Zoning Ordinance Review Comm. meeting will be held Friday 7/8 at 8:00 a.m.

- he has drafted an Ordinance to amend the due dates for the installment payments for the annual Solid Waste Fee, as discussed by Council.
- Plans are being submitted for a Little Ceasar's Pizza store at the former garage at the intersection of Washington, Courtland, and Day Streets.

Mr. DeSalva reported on the following:

- The Streetscape contractor will be back this Friday for several days of work to complete the project. Mr. DeLarco asked if one of the bollards off of Day Street protecting the electric connection had been hit and damaged? Mr. DeSalva said it was the result of a "hit and run" but Maintenance Foreman Mark Hoke had made repairs.
- He is looking at some alternative sites for possible BWA rain garden installations.
- The recent levee inspection by PA DEP noted that the large 54" drainage pipe near Walmart is deteriorating and will need slip-lined and/or repaired. The cost could approach \$200,000, but there is a grant program through DEP and Mr. DeSalva said he had submitted the required application by the June 30th deadline with assistance from RKR Hess. Mr. Flory made a motion, seconded by Mr. Reese, to ratify submittal of the grant application; the motion carried unanimously.
- Intercounty Paving (contractor for this year's paving work) plans to start work on Burson Street the last week of July. Mr. Flory said stormwater on Burson does not drain into the storm inlets up from Patterson Kelly Co. Mr. Phillips said Mr. D'Alessandro and Mr. DeSalva will look at that area prior to the paving work.

List of Bills Payable – July 5, 2016

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

Executive Session

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

At 9:37 p.m. Council members reassembled in the meeting room, and Mrs. Wolbert made a motion, seconded by Mr. Cross, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss a personnel matter and several litigation matters regarding delinquent collections; and no decisions were made.

Action against persons living in condemned residence without water/sewer service

Mr. Flory made a motion, seconded by Mr. Reese, to authorize the Solicitor to take legal action regarding persons residing at 117 Analomink Street in violation of an order of the Codes Official; the motion carried unanimously.

Foreclosure Action on Two Units at Eastway Apartments Complex

Mr. Flory made a motion, seconded by Mr. Reese, to authorize foreclosure action on Units C17 and B6 owned by M. Chaudry for non-payment of delinquent water/sewer and garbage charges; the motion carried unanimously.

Special Counsel for Bankruptcy Matters - Vincent Rubino, Esquire

Mr. Flory made a motion, seconded by Mr. Molin, to authorize appointment of Vincent Rubino as special counsel for bankruptcy matters on behalf of the Borough, based on an hourly rate of \$165 per hour; the motion carried unanimously.

Parking Enforcement Officer (PEO) Staffing

Mr. Flory made a motion, seconded by Mr. Molin, to authorize hiring of an additional part-time PEO, if needed; but only after checking first with current PEO's regarding possible increase in their hours. The motion carried unanimously.

Retaining of Berrill Dennis in Consultant Role

Mr. Molin made a motion, seconded by Mr. Cross, to authorize the retaining of retired Finance Officer Berrill Dennis as a consultant for financial matters for the Borough through 12/31/16, at an hourly rate of \$30 per hour subject to a maximum of \$6,000 for that time period. The motion carried by a vote of 4-2, with Mr. Cross and Mr. DeLarco voting no.

Payment of Accrued Leave Benefits upon retirement - Berrill Dennis

Mr. Cross made a motion, seconded by Mr. Reese, to authorize payment of accrued leave benefits for retired Finance Officer Berrill Dennis, subject to final review and confirmation of previous payment of comp. time leave benefits:

Unused accrued Vacation Leave from 2015 year	120.0 hrs.	
Unused accrued Vacation Leave from 2016 year	200.0 hrs.	
Vacation Leave accrued during 2016 for 2017 year (in accordance with prior employee retirements)*	69.4 hrs.	
Less vacation leave utilized during 2016 year	<u>(6.75) hrs.</u>	
Subtotal		382.65 hrs. paid at ST rate
Unused accrued compensatory leave		40.75 hrs. paid at OT rate
Unused accrued personal leave		<u>8.00</u> hrs. paid at ST rate
Total		431.40 hrs.

*The motion included that in the future, vacation leave shall be accrued strictly in conformance with written policy.

The motion carried unanimously.

Continuation of Meeting

Mr. Flory made a motion, seconded by Mrs. Wolbert, to recess the meeting to be continued on Monday, July 11, 2016 at 3:00 p.m. at Borough Hall; the motion carried unanimously.

James S. Phillips, Secretary