

East Stroudsburg Borough, June 16, 2015

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, June 16, 2015, following the Committee Meeting discussion. The following members were in attendance: Peter Begley, Roger DeLarco, Edward Flory, William Reese, and Sonia Wolbert. Richard Smith was absent. Also attending were: Mayor Armand M. Martinelli; Solicitor John C. Prevoznik, Manager James S. Phillips; Director of Public Works Steven DeSalva; Codes Official Marvin Walton; and Engineering Representative Samuel D'Alessandro of R.K.R Hess, a Division of UTRS.

Call to Order/Pledge of Allegiance – President DeLarco

Council President Roger DeLarco called the regular meeting to order at 8:42 p.m. The Pledge of Allegiance was led by Bill Miller. Mr. DeLarco noted for the record, that Council met earlier for the Committee meeting starting at 7:30 p.m.

Moment of Silence

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

Minutes of June 2, 2015 Council Meeting

Mr. Begley made a motion, seconded by Mrs. Wolbert, to approve the minutes of the June 2, 2015 regular Council meeting as submitted; motion carried unanimously.

Resolution No. 20A-2015 Authorizing Application to PA DEP for filing DMR results electronically for Sewage Treatment Plant

Mr. Reese made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 20A-2015 Authorizing Application to PA DEP for filing DMR results electronically for the Sewage Treatment Plant. The motion carried unanimously.

Resolution No. 20B-2015 Authorizing Application to PA DEP for filing DMR results electronically for Water Filtration Plant

Mr. Begley made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 20B-2015 Authorizing Application to PA DEP for filing DMR results electronically for the Water Filtration Plant. The motion carried unanimously.

Resolution No. 21-2015 Authorizing Changes to Leased Parking Spaces at Day Street Municipal Parking Lot

Mr. Phillips said as discussed in the Committee meeting, Council may designate changes to leased parking spaces at the Day Street municipal parking and Council wishes to create more leased parking spaces by converting the existing six metered spaces in the Lot located along Day Street to leased spaces. In response to a question from Mr. Flory, Mr. Walton said these meters are not very heavily used. Mr. Begley made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 21-2015 authorizing changes to leased parking spaces at Day St. parking lot as discussed. The motion carried unanimously.

Resolution No. 22-2015 Providing for Price Adjustment of Bituminous Materials for Small Quantities in Bid Proposals for Proposed 2015 Road Paving Program

Mr. Phillips said PennDOT permits inclusion of an escalator clause for pricing of asphalt in paving contracts for lesser quantities if authorized by Resolution of Council. Even though the price of asphalt (oil) has been steady, inclusion of an escalator clause permits an adjustment in pricing if the price of asphalt changes significantly between the time of bidding

and when the actual paving work is done. Mrs. Wolbert made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 22-2015 providing for an escalator clause in the bid specifications for the 2015 Road Paving bids work as recommended. The motion carried unanimously.

#### Proposed Ordinance No. 1300 Amending Streets & Sidewalk Code, Adding Requirements for maintenance and construction of sidewalks

Mrs. Wolbert made a motion, seconded by Mr. Begley, to authorize advertising a public hearing on proposed Ordinance No. 1300 as recommended by the Planning & Zoning Committee. Mr. Phillips said the hearing would probably have to be held the 2nd meeting in July. The motion carried unanimously.

#### Dansbury Pool Bathhouse Roof Replacement Project – elimination of skylights

Mr. Phillips reported at the Committee meeting that when the existing rubber roof was uncovered around the skylights, extensive damage to the roof decking was revealed. The skylights were removed and in the entire area including where the skylights were located new plywood was installed to replace the damaged roof decking. Mrs. Wolbert made a motion, seconded by Mr. Begley, to rescind the previous motion of Council at the June 2, 2015 meeting authorizing replacement of the skylights. The motion carried unanimously.

#### Change of Laboratory used for sample analysis at Sewage Treatment Plant

Mr. Phillips said staff has researched and is recommending changing the laboratory firm used by the Borough for routine sampling at the Sewage Treatment Plant, to Hawk Mountain Labs, Inc., located in Hazleton PA. Mrs. Wolbert made a motion, seconded by Mr. Flory, to authorize the proposed change in laboratory used at the Sewer Plant to Hawk Mountain Labs, Inc., based on their 2015 rate schedule for Wastewater as submitted. The motion carried unanimously.

#### Public Comments – New Business

None.

#### Correspondence:

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

- i. PennDOT – Modifications to Signs and Pavement Markings at Intersection of State Route 447 and East Broad Street. Mr. Phillips said PennDOT wants to install larger STOP and STOP AHEAD signs on East Broad Street approaching the Route 447 intersection. They will do so unless the Borough objects.
- ii. Morgan Advanced Materials, 100 Mill Creek Road – Notice of application to PA DEP for renewal of air emissions permit #45-00007. Mr. Phillips noted that the applicant is actually located within Stroud Township.

#### Reports

Mr. D'Alessandro reviewed his written Engineer's report previously submitted to Council. Mr. D'Alessandro reviewed discussions held concerning the SOP for the Water Filtration Plant and the age and condition of the transmission lines running from the Water Plant cross-country into town; he recommends that the original easements be checked and particularly the area near Halterman's Auto facility where fill was allegedly placed. Mr. Reese made a motion, seconded by Mr. Flory, to authorize RKR Hess to research the easements for the transmission lines. The motion carried unanimously.

Mr. Reese said he would like the Planning & Zoning Committee to review possible legislation to establish requirements for Special Events permits.

Mr. Flory noted that some of the shade trees maintained by the Borough need pruning, and asked that this be referred to the Shade Tree Commission. Mr. Flory said the young trees on State Street across from J. M. Hill School particularly need trimming.

Mayor Martinelli asked that “No Swimming” signs be installed on the Brodhead Creek along Dansbury Park as previously discussed. The Mayor also noted a suggestion to designate the space between the planters and metered parking spaces on Crystal Street for motorcycles; and asked Mr. DeSalva to look into that.

Mr. Begley said he was contacted by a resident of Madison Street concerning potholes which are causing drivers of vehicles to go onto his property. Mr. Walton said Madison Street is not an ordained street maintained by the Borough. Mr. Begley also showed an example of why he was against providing public funding for the Arts.

Mr. DeLarco asked Mr. Phillips to send letters to the next group of 25 delinquent customers on our delinquent claims list.

#### List of Bills Payable – June 16, 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 06/16/15 as submitted. The motion carried unanimously.

#### Executive Session for Discussion of Litigation Matters

Mr. Begley made a motion, seconded by Mrs. Wolbert, to adjourn into executive session at 9:14 p.m.; the motion carried unanimously.

At 9:28 p.m. Council members reassembled in the meeting room, and Mr. Flory made a motion, seconded by Mr. Begley, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss several potential litigation matters including the Catalano bankruptcy and the UGI Gas Company issues; no decisions were made.

#### Complaint to Public Utility Commission (PUC) – relocated Gas Meter Along Bank Alley

Mr. Reese made a motion, seconded by Mr. Flory, to authorize the Solicitor to send a formal letter of complaint to UGI regarding the location of this meter along Bank Alley. The motion carried unanimously.

#### Adjournment

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

---

James S. Phillips, Secretary