

East Stroudsburg Borough, June 18, 2013

A regular rescheduled meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, June 18, 2013. The following members were in attendance: Peter Begley, Ed Flory, Don Repsher, William Reese, and Sonia Wolbert. Roger DeLarco was absent. Also attending were: Manager James S. Phillips; and Solicitor John C. Prevoznik; Stroud Area Regional Police Department Lieutenant Kevin Transue.

Call to Order/Pledge of Allegiance – Vice President Reese

Mr. Reese called the meeting to order at 8:15 p.m. after the monthly Committee meeting, and led the pledge of allegiance.

Minutes of May 28, 2013 Special Council Meeting and June 4, 2013 Regular Meeting

Mr. Phillips noted revisions to the draft minutes sent out for the May 28, 2013 special meeting concerning the discussion on the Water Allocation Permit applications, and Mr. Flory made a motion, seconded by Mr. Repsher, to approve the minutes of the special meeting held May 28, 2013 as revised; the motion carried unanimously. Mr. Flory then made a motion seconded Mr. Repsher to approve the minutes of the regular council meeting held Tuesday, June 4, as submitted; the motion carried unanimously.

SARPD Report – May 2013

SARPD Lieutenant Kevin Transue was present to answer any questions concerning the Police Department Report previously provided to Council. Lt. Transue noted that the Department is investigating an incident involving homeless person(s) at the Salvation Army, and made several arrests on Crystal St. Also the Department is aware of the extended dates for the carnival rides at Dansbury Park after the July 4<sup>th</sup> Festival and will be monitoring that situation as well as providing the normal staffing for the July 4<sup>th</sup> event. Mr. Begley made a motion seconded Mrs. Wolbert to accept the Police Report as submitted; the motion carried unanimously.

Public Comments - Agenda Items

None.

Resolution No. 12-2013 – Providing For Price Adjustment of Bituminous Materials for Small Quantities in Bid Proposals for the Proposed 2013 Year Paving Program

Mr. Phillips said we have advertised for bid proposals for the 2013 Paving Program, and we want to again provide for an Escalator Clause for the price of asphalt for the proposed work. Our proposed quantities are less than the amount normally used by PennDOT for an escalator provision; but we are permitted to include an Escalator Clause for “small quantities” if a Resolution authorizing same is adopted by Council. Mr. Flory made a motion seconded Mrs. Wolbert to adopt proposed Resolution No. 12-2013 providing for price adjustment of bituminous materials in the bid proposals for the 2013 Road Paving Program as recommended; the motion carried unanimously.

Resolution No. 13-2013 – Establishing Rates of Pay for 2013 Seasonal Employees at Dansbury Park Swim Pool

Mr. Reese noted that the proposed increases for 2013 are moderate, 2.00% or less; Mr. Phillips said the increase for the Lifeguard positions, for example, is \$0.15 per hour. Mr. Begley made a motion seconded Mrs. Wolbert to adopt proposed Resolution No. 13-2013 establishing rates of pay for 2013 seasonal employees at Dansbury Park Swim Pool, as submitted; the motion carried unanimously.

### Waiver of PA Insurance Requirement for Subcontractor for Ridgeway Street Waterline and Sewerline Replacement Project

Mr. Phillips said the subcontractor does not have insurance from a PA licensed insurance company as required by the bid specifications. Mr. Prevoznik said this is not unusual that they are not using a PA insurance firm; and the only downside is that in the event of a problem with the subcontractor, the Borough would not have access to utilize the State Insurance Indemnification Fund. Council can choose to waive the requirement since they did not have to submit the insurance as part of the bid proposal. Mr. Repsher made a motion seconded Mr. Flory to waive the PA Insurance Requirement for the subcontractor for the Ridgeway Street Waterline and Sewerline Replacement Project, the motion carried unanimously.

### Revision to Job Description for Borough Manager Position

Mr. Phillips said the PennPRIME Workers Compensation Insurance Program that the Borough participates in is requiring that the Borough adopt and implement various procedures and provisions regarding worker safety, and the Borough needs to do so by July 1 in order to be considered eligible for continued designation as a ‘Peak Performer’. One item is that they want us to specifically add responsibilities for “employee safety, risk management, and loss control” to the job description for the applicable supervisory employee – the Borough Manager position. Mrs. Wolbert made a motion seconded Mr. Flory to approve a Revision to the Job Description for Borough Manager Position to add these specific responsibilities, as submitted; the motion carried unanimously.

### Resolution No. 14-2013 – Amendments to Employee Policy Manual

Mr. Phillips said the PennPRIME Workers Compensation Safety Group is also requiring that the municipal members adopt – and enforce – provisions requiring seat belt use by employees in vehicles, and that the municipality have a formal procedure for reporting and investigating employee injuries. He has prepared amendments to the Employee Manual which revises provisions for:

- Work Place Safety and Accident Reporting 3.7 (Investigation of injuries)
- Operation of Vehicles 3.16 (Requiring Seat Belt Use)
- Disciplinary Procedures 3.23 (Failure to Use Seat Belts in Vehicles)

Mrs. Wolbert made a motion seconded Mr. Begley to adopt proposed Resolution No. 14-2013 amending the Borough Employee Manual regarding the above provisions as submitted; the motion carried unanimously.

### Public Comments – New Business

None.

### Correspondence:

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

- i. Monroe County Municipal Waste Management Authority – Update on Monroe County Waste Management Plan Revision.

Mr. Phillips said he has not looked at the lengthy document yet, but plans to do so.

### Reports

Mrs. Wolbert said she has received positive response to her proposed Revitalization Committee, but wants to get even more residents involved, possibly from each Ward of the Borough.

Mr. Reese asked Mr. Flory if the Volunteer Fire Co. would be able to “wet down” the baseball field in the summer? Mr. Flory said that question needs to be addressed to the Fire Chief.

Mr. Repsher noted that there has been a car parked on Chestnut Street for literally a year now; it's tires are now going flat.

Mr. Phillips discussed the implementation efforts for the new Rental Housing Licensing/Inspection Program, and that due to time constraints we are looking at doing one mailing to all residential property owners in the Borough (as opposed to two mailings with slightly different letters; one to all owners and one to known rental properties). Mrs. Wolbert suggested that Council may want to review the Rental Lists by street for their ward to help in identifying all the known rental properties.

#### List of Bills Payable – June 18, 2013

Mr. Flory made a motion, seconded by Mr. Begley, to approve the list of bills payable as submitted and to ratify payroll and expenditures made to date; the motion carried unanimously.

#### Executive Session

Mr. Repsher made a motion, seconded by Mrs. Wolbert, to adjourn into executive session at 8:35 p.m.; the motion carried unanimously.

At 9:09 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 potential litigation matters.

#### Adjournment

Mr. Flory made a motion, seconded by Mrs. Wolbert, to adjourn the regular rescheduled meeting at 9:09 p.m.; the motion carried unanimously.

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James S. Phillips, Secretary