

## East Stroudsburg Borough, June 30, 2016

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Thursday, June 30, 2016. The following members were in attendance: Donald Cross, Roger DeLarco, Edward Flory, Maury Molin, William Reese, and Sonia Wolbert. Also attending were: Solicitor John C. Prevoznik, Manager James S. Phillips; Director of Public Works Steven DeSalva; Codes Official Marvin Walton; Finance Officer Kenneth Konz; and Samuel D'Alessandro, P.E., Engineering Representative from RKR Hess, a Division of UTRS.

### Call to Order/Pledge of Allegiance – President DeLarco

Council President Roger DeLarco called the meeting to order at 7:30 p.m. The Pledge of Allegiance was led by Ken Konz. Mr. DeLarco introduced Mr. Konz, who started work this week as the Borough Finance Officer.

### Moment of Silence

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

### Minutes of June 21, 2016 Special Council Meeting

Mr. Molin made a motion, seconded by Mr. Flory, to approve the minutes of the June 21, 2016 special meeting as submitted; the motion carried unanimously.

### SARPD Report – May 2016

Lieutenant Paul Gasper was present to answer any questions concerning the May Police Report. Lt. Gasper noted there were several serious vehicle accidents last month, including an infant fatality, for which an arrest was made. Mr. Molin noted problems at Dansbury Park; including cars driving at night on the road going back to the levee trailhead access. Lt. Gasper said the police have been working with the park patrol, and there is an “element” at the Park that are a concern. Mr. Prevoznik noted that one recommendation he has been working on with Captain Lyon is to amend the park rules to provide a “3 strikes” policy for persons breaking the park rules. Mr. Flory suggested that a gate be installed at the entrance to the road to restrict traffic at night. Mrs. Wolbert suggested that the Zoning Ordinance Review Committee discuss an Ordinance to amend the park rules, and asked Mr. Walton to set up a meeting to include representation from SROSRC.

### Public Comments – Agenda Items

None.

### Proposed Memorandum of Understanding Between Stroud Region Open Space and Recreation Commission, and Borough of East Stroudsburg, for management of the Dansbury Park Swimming Pool for 2016 Season

Mr. Prevoznik said the Memo of Understanding was drafted based on the motions by Council and the Recreation Commission to authorize the concept of SROSRC managing the swimming pool for the 2016 season. After several minor revisions, the Agreement is ready for adoption. Mr. Molin made a motion, seconded by Mr. Cross, to approve the proposed Memorandum of Understanding with the Stroud Region Open Space and Recreation Commission as submitted; the motion carried unanimously.

Proposed Ordinance No. 1313 Amending Article II of Chapter 154 of Code of the Borough of East Stroudsburg, Precluding the Use of Ground Water for Domestic, Potable or Agricultural Purposes From a Certain Revised Area of the Borough Designated as the Aquifer Non-Use Area; Restricting Drilling of Wells and Extraction of Ground Water from Such Area, and Requiring Buildings and Structures from Such Area to be Connected to the Borough Water System, and Providing Penalties for Violations.

Mr. Phillips said Council had adopted an Ordinance in 2012 at the direction of PA DEP to establish the former IBW property as a non-use aquifer zone; prohibiting the drilling or use of wells for domestic, potable, or agricultural uses. Now, because of a concern that contaminated groundwater from the former industrial site could migrate off-site, DEP is requiring that the Borough extend the non-use aquifer zone to an approximate 1,700 ft. radius down-gradient of the property. The proposed Ordinance amends Article II of the Water Code; and references the map which identifies all properties to be included in the non-use zone.

Mr. Phillips said he and Tony Dellaria of MEA, Inc. had met last week with Stroud Township Supervisors to advise them of the Borough action. Mr. Prevoznik said even though the proposed Ordinance will not be effective in Stroud Township, the Borough should still notify all properties affected that are located in Stroud Township as well. Mr. Flory made a motion, seconded by Mr. Reese, to authorize advertising the proposed ordinance as submitted; the motion carried unanimously.

Public Comments – New Business

Susan Randall, Downtown Manager for the Eastburg Community Alliance (ECA), reported that the American Freedom Festival at Dansbury Park will again be a three-day event, with the rides and vendors open from 3-9 p.m. on Saturday/Sunday and 3-11 p.m. Monday with the fireworks. Mrs. Randall showed copies of the new map/brochure that was produced in collaboration with East Stroudsburg University.

Mr. Cross noted that ECA recently received Main Street designation again from the State, due to Mrs. Randall's efforts; and made a motion, seconded by Mr. Molin to send a letter of commendation to the ECA Board; the motion carried unanimously.

Correspondence:

i. Brodhead Watershed Association – Renewal of Stream Sponsor Membership for the 2016-2017 year. Mr. Flory made a motion, seconded by Mr. Reese, to authorize renewal at the \$300 level as budgeted; the motion carried unanimously.

ii. Spread Eagle Associates – Response to MCCD Inspection Report at Forge Road fill site.

iii. PA Department of Environmental Protection – Site Characterization Report for fuel release incident at Mountain Fuels, 190 King Street

#### List of Bills Payable June 30, 2016

Mr. Flory made a motion, seconded by Mr. Reese, to ratify expenditures and payroll made through June 30, 2016 and approve the List of Bills Payable as submitted; the motion carried unanimously.

#### Reports

##### Planning, Zoning, & Codes (E. Flory, Chairman):

Comprehensive Plan Task Force Committee - Mr. Walton reported that the next meeting will be held on Business and Economic Development.

Stormwater and Development Agreements for ESU Student Housing Project and Information Commons Building Project - Mr. Prevoznik reported that he is near agreement with counsel for the UPI housing project; and hopefully that can be used as the basis for agreements for the Info. Commons project.

##### Transportation/Infrastructure

Willow Street Reconstruction Plans - Mr. D'Alessandro reviewed plans for storm sewer construction and water service line replacements in preparation for the road reconstruction work.

Prospect Street (at Normal Street) turning lane project - Mr. Phillips said he is waiting to hear from TPD, Inc. on the status of utility pole relocation by Met-Ed.

PennDOT Exit 308 Reconstruction Project - Mr. D'Alessandro briefly reviewed the status of review of possible utility conflicts.

##### Public/Business/Intergovernmental Relations

SROSRC Committee – Mrs. Wolbert reported that the Dansbury Swim Pool opened up this past Monday under SRORSC management.

Brodhead Watershed Association Green Infrastructure Project – Mr. D'Alessandro reviewed the results of the survey of proposed rain garden site at end of Lenox Avenue. Unfortunately, survey showed that the Borough does not own the property.

Mr. Molin reported there is interest expressed in an effort to install new holiday decorations in the downtown area for next Christmas.

##### Utilities & Public Services

Swim Pool Infrastructure Committee – Mr. Phillips reported he is working on an RFP for consultant services for options for repairs to the swimming pool. Repairs will include crack repairs and joint sealing, and refinishing (plaster); alternative repairs could include repiping. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Flory, to request a proposal from Wade Associates for options for pool repairs. The motion carried by a vote of 5-1, with Mr. Reese voting no.

Sewer System Alternatives Committee – Mr. Phillips said Glace Associates, Inc. has

submitted the formal agreement for the work approved by Council.

Water System Report for 2015 Year (CCR) - Mr. Phillips said the annual report was mailed to all water customers today.

Terra Greens Golf - Mr. Reese noted that Golf revenues are ahead of last year at this time, and 42 rounds of Foot Golf were played last month.

#### Finance/Administration

Collections Committee – Mr. DeLarco said the Committee is continuing its efforts. Mr. Phillips said total collections since start of the program have exceeded \$413,000.

Audit Committee – Mr. DeLarco noted an item for executive session.

66 Analomink St. Building Committee – Mr. Prevoznik said he will review the listing agreement with Remax prior to Council making a decision on possible sale of the building.

Agreement with Paychex for additional payroll/HR services – Becky Smith, Payroll and HR Coordinator, noted some issues Mr. Prevoznik had raised with the agreement and expressed concern for taking on additional services until we are more fully able to utilize the existing services. Council asked Mr. Konz to review this matter for recommendation.

Security Renovations Project at Municipal Building - Mr. Phillips said the work is now completed, including the carpeting which was not part of the original security project.

#### Public Safety

Fire-damaged structure at 46 Lackawanna Avenue – discussion for executive session.

Fire-damaged residence at 238 Braeside Ave. – Mr. Walton reported that the owner is proceeding with reconstruction of the dwelling, instead of demolition.

Twin Boroughs Recycling Committee – Mr. Flory complained that residents in his area may stop putting out their recycling because their pickup has been delayed so many times.

SARPD Committee – Mr. DeLarco said the interview panels for Police Chief candidates have been scheduled for early August.

Starr Furniture Building – Mr. Cross said he understands that the long-vacant building on Milford Road is going to be demolished. Mr. Walton said it still is under a long-term lease by Rite Aid.

Fire at Residence on Ransberry Avenue - Mr. Reese said there are reports that nine students lived in the duplex that caught on fire this Spring; and asked Mr. Walton to write ESU concerning their information on the students living there.

#### Executive Session

Mr. Molin made a motion, seconded by Mr. Flory, to adjourn into executive session at 9:09 p.m.; the motion carried unanimously.

At 9:49 p.m. Council members reassembled in the meeting room, and Mr. Flory made a motion, seconded by Mr. Reese, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss personnel matters; and no decisions were made.

Approval of Repayment Agreements for Delinquent Water/Sewer and Garbage Accounts

Mr. Phillips requested ratification of approval of agreements with the following:

- Brian J. Ruddy, 23 Park Street – Water/sewer and Garbage.

Mr. Flory made a motion, seconded by Mr. Reese, to ratify approval of these agreements as listed; the motion carried unanimously.

Adjournment

With no further business, Mrs. Wolbert made a motion, seconded by Mr. Reese, to adjourn the meeting at 9:51 p.m.; the motion carried unanimously.

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James S. Phillips, Secretary