

East Stroudsburg Borough, June 26, 2014

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Thursday, June 26, 2014. The following members were in attendance: Peter Begley, Roger DeLarco, Richard Smith, and Sonia Wolbert. Edward Flory and William Reese were absent. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; DPW Director Steven DeSalva; and Codes Official Marvin Walton.

Call to Order/Pledge of Allegiance – President DeLarco

President Roger DeLarco called the meeting to order at 9:03 p.m., after the Council Committee meeting. The pledge of Allegiance was led by Gary Walck.

Public Hearing on Proposed Ordinance No. 1290 Amending the Code of the Borough of East Stroudsburg, Chapter 157 Entitled Zoning, Revising Definitions and Provisions for Unrelated Persons Allowed per Dwelling Unit

Marvin Walton, Codes Official for the Borough was sworn in to provide testimony on behalf of the Borough. Mr. Walton stated the legal notice of the public hearing on the proposed ordinance was published in the Pocono Record on June 11 and June 18, 2014 (Exhibit 1); the proof of publication was introduced as exhibit 2. Mr. Walton stated an attested copy of the proposed ordinance was submitted to the Monroe County Law Library (exhibit 3); and a full copy sent to the Pocono Record (exhibit 4). A complete copy of the Ordinance was introduced as exhibit 5. Mr. Walton said the proposed ordinance was reviewed by the East Stroudsburg Borough Planning Commission at their March 11, 2014 meeting; no comments were received from the Plan. Commission.

Mr. Walton said the proposed Ordinance amends the definition of “family” in the zoning ordinance, to conform with the definition in Borough Ord. No. 1261 for Licensing and Inspection of Rental Residential properties. Mr. Walton said the proposed ordinance had also been submitted to the Monroe County Planning Commission for their review; a letter with the MCPC comments was received April 30, 2014 and introduced as exhibit 8. Mr. Walton reviewed the MCPC comments:

1. a question on the applicability of this ordinance provisions to group residences and dormitories? Mr. Walton said the definition of “dwelling” in the ordinance already specifically excludes group residences and dormitory buildings.
2. a suggestion for the Borough to coordinate communication with East Stroudsburg University on the proposed definition in the ordinance. Mr. Walton said, again, the ordinance excludes group residences and dormitories so there is no need to coordinate anything with ESU regarding the implications of the ordinance.
3. a question on possible non-conformities resulting from the definition in regard to group residences? Mr. Walton again repeated the responses to comments 1./ 2.
4. a suggestion to adopt the county recommended definition of “family”. Mr. Walton said it is more important at this point for the definition of “family” to be coordinated among the Borough ordinances.

Mr. DeLarco asked for comments from Council. Mr. Begley commented that he does not feel that up to four unrelated persons should be considered a “family”. Mr. Prevoznik asked for comments from the audience; and there were none. Mr. Prevoznik asked that the exhibits be entered into the record for the hearing. Mrs. Wolbert then made a motion, seconded by Mr. Begley, to close the public hearing and reconvene the regular meeting; motion carried unanimously.

Public Comments - Agenda Items

None.

Resolution No.21-2014 Providing for Price Adjustment of Bituminous Materials for Small Quantities in Bid Proposals for Proposed 2014 Road Paving Program

Mr. Phillips said this Resolution is to provide for an escalator clause for asphalt in the paving bids for 2014 Road Program to be opened at the next regular meeting. Mrs. Wolbert made a motion, seconded by Mr. Smith, to adopt proposed Resolution No. 17-2014 as submitted; motion carried unanimously.

Resolution No. 22-2014 Authorizing Application for Traffic Signal Improvements, South Courtland St. at Washington St. intersection (SR 209 Bus.)

Mr. Phillips said the proposed Streetscape Project phase II includes the installation of pedestrian signals at the South Courtland St./Washington Street intersection, and all signal improvements require a signal permit from PennDOT. Mr. Begley made a motion, seconded by Mrs. Wolbert, to adopt proposed Resolution No. 18-2014 as submitted; motion carried unanimously.

Bids Received 6/2/14 for Sewer System Infiltration/Inflow Project – Ratify Award of contract to Sewer Specialty Services, Co., Inc. - \$46,361.50 on a unit price basis.

Mrs. Wolbert made a motion, seconded by Mr. Begley, to ratify award of contract as recommended since the proper documents have been submitted by the low bidder; motion carried unanimously.

Report on Public Hearing Held 6/25/14 on Conditional Use Request/Application by East Stroudsburg University/PA Department of General Services for preliminary/final land development plan for proposed new ESU Information Commons Building, off Normal Street, I-U District – Hearing to be continued 7/15/14.

Mr. Prevoznik reported on the public hearing held June 25, 2014 and advised that the hearing is to be continued. However, the hearing also needs to be re-advertised for the request by the applicant, PA Dept. of General Services/East Stroudsburg University, for a conditional use to utilize a parking management plan. After discussion, Mr. Begley made a motion, seconded by Mr. Smith, to authorize advertising of a public hearing on the application by PA Dept. of General Services/East Stroudsburg University, for a conditional use to utilize a parking management plan, for their proposed Information Commons Building project. The motion carried by a vote of 3-0, with Mr. DeLarco abstaining due to his position as a member of the ESU Foundation Board of Directors.

Mr. Phillips said it was discussed at the hearing, and a letter has been received from the applicant, requesting an extension on the time limits for acting on the proposed land development plan for the ESU project. Mr. Begley made a motion, seconded by Mrs. Wolbert, to grant the time extension as requested until September 22, 2014. The motion carried unanimously.

Ordinance No. 1290 Amending the Code of the Borough of East Stroudsburg, Chapter 157 Entitled Zoning, Revising Definitions and Provisions for Unrelated Persons Allowed per Dwelling Unit

Mrs. Wolbert made a motion, seconded by Mr. Smith, adopt proposed Ordinance No. 1290 as advertised. The motion carried by a vote of 3-1, with Mr. Begley voting no.

Public Comments – New Business

None.

Correspondence:

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

- i. First Baptist Church – Request to close Harris Street during Vacation Bible School at the church, July 21-15, 2014. Mr. Begley made a motion, seconded by Mrs. Wolbert, to approve the request by First Baptist Church as submitted; motion carried unanimously.
- ii. Pocono Arts Council – Request for Municipal Support for 2014 Year. Mrs.

Wolbert made a motion, seconded by Mr. Smith, approve a \$400 donation to PAC as budgeted. The motion carried by a vote of 3-1, with Mr. Begley voting no.

iii. Locust Ridge Contractors – request for time extension to complete scope of work by July 15, 2014 on Ridgeway Street utility line work; Contract No. 1 – Waterline installation, and Contract No. 2 Sewerline replacement. Mr. Begley made a motion, seconded by Mrs. Wolbert, to approve the time extensions as requested by Locust Ridge for both contracts as submitted; motion carried unanimously.

iv. Delaware River Basin Commission (DRBC) – Renewal docket issued for Groundwater Withdrawals for Borough Water System.

v. Monroe County Assessment Office – Assessment increased for the Kistler Street parking lot property owned by the borough, with the relocated Danbury Depot Building placed on it. Mr. Phillips said there is no change in the exempt status of the property.

Reports

Mr. Phillips reported that the Recycling Program has been accepting electronic items from Borough residents at the Twin Boroughs Recycling Center. About twenty (20) large televisions have been dropped off, and the Recycling Crew will be making arrangements to take a truckload of the TV's to the County Waste Management facility at Blakeslee soon.

List of Bills Payable – June 26, 2014

Mrs. Wolbert 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.

Emergency Response Plan for Traffic Detours that may impact the Iron Bridge on Ridgeway Street

Mr. DeLarco noted that the recent closing of one direction of Interstate 80 resulted in traffic re-routed through East Stroudsburg, and the posting of a weight limit for the Iron Bridge means that truck traffic should not be using the bridge. Mr. DeLarco said the Stroud Area Regional Police Department needs to develop a response plan for such situations, since it is obvious that PennDOT and/or the State Police are not going to do so. Mr. Begley made a motion, seconded by Mrs. Wolbert, to authorize sending a letter to SARPC requesting that an emergency response plan be developed by SARPD to address detour issues resulting from the weight limit posting for the Ridgeway Street bridge. The motion carried unanimously.

Executive Session

None.

Adjournment

With no further business, Mrs. Wolbert made a motion, seconded by Mr. Begley, to adjourn the meeting at 10:00 p.m.; the motion carried unanimously.

James S. Phillips, Secretary