

East Stroudsburg Borough, May 17, 2016

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, May 17, 2016. The following members were in attendance: Donald Cross, Edward Flory, Roger DeLarco, Maury Molin, William Reese, and Sonia Wolbert. Also attending were: Mayor Armand M. Martinelli; Manager James S. Phillips; DPW Director Steven DeSalva; Codes Official Marvin Walton; and Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, a Division of UTRS.

Call to Order/Pledge of Allegiance – Vice President Reese

Mr. DeLarco called the meeting to order at 7:30 p.m. The Pledge of Allegiance was led By Craig Todd.

Moment of Silence and Reflection

A moment of silence was observed by all in attendance.

Minutes of May 3, 2016 Regular Council Meeting

Mr. Cross made a motion, seconded by Mr. Molin, to approve the minutes of the May 3, 2016 regular Council meeting as submitted; the motion carried unanimously.

SARPD Report for April 2016

Lieutenant Chuck Schmidt was present to review the monthly police report and answer any questions. Mr. Flory asked about the new PennDOT requirements with no license registration stickers to be issued. Lt. Schmidt said he did not have information on that program.

Request by Crossroads Community Services for overnight Outreach Event at Zacharias Park

Council President Roger DeLarco arrived at the meeting at this point and presided.

Leslie Perryman, Program Director of Crossroads Community Services, was present concerning the proposed “Street 2 Feet” event at Zacharias Pond Park planned for July 9-10th. Leslie reported that she met this afternoon with Mr. Cross and Mr. Phillips to discuss arrangements for the event. They have obtained approval to use the Head Start parking lot for parking; only the event staff and volunteers will park at Zacharias. Mr. Perryman reiterated that this is a fundraising and awareness event; groups will be paying up to \$500 to participate. All activities will be over by 10 p.m. Saturday night. She has conferred with Capt. Lyon at the Regional Police Department, and SARPD will patrol through the park on a regular basis.

After further discussion, Mr. Molin made a motion, seconded by Mr. Cross, to grant approval for the event at Zacharias Park; subject to submittal and review of the required Certificate of Insurance. The motion carried unanimously.

Public Comments – Agenda Items

None.

Proposed Stipulation among Counsel for The Borough, East Stroudsburg University, PASSHE, and University Properties, Inc. for the Conditional Use Hearing to be held May 19, 2016 on Phase 2 of the ESU/UPI Student Housing Project

Mr. Phillips said the public hearing on the ESU/UPI conditional use request for Phase 2 of the new Student Housing Project is set for Thursday 5/19/16 at 10 a.m. John Prevoznik, Solicitor for the Borough, and counsel for UPI, and ESU, have been working on a Stipulation that all parties would agree to and authorize to be submitted to Hearing Officer Joselle Cleary. It is hoped that filing of the Stipulation will shorten the hearing by eliminating the need for either side to have as many witnesses testify at the hearing, as would normally be required; which will save on costs and also hopefully reduce the likelihood of other issues arising at the hearing. Mr. Phillips briefly reviewed the provisions of the Stipulation. One provision that the Counsels have

agreed to is that updates to the Parking Management Plan (PMP) would be required to be done every three years, as was required in the original conditional use decision for Phase 1 of the Housing Project; or sooner if the University undertook another building project.

Mr. Molin made a motion, seconded by Mr. Cross, to authorize approval and execution of the proposed Stipulation as drafted.

Mr. Reese noted concerns for the moving of the Library into the new Commons Building in the second stage of construction, as this will concentrate more intensive uses in the center of the campus. Ken Long, Vice President for Finance and Administration for ESU, noted that construction of the two stages of the Info. Commons Building would occur over a 6 year period; so there will be a required PMP update done at least mid-way through that project; also, the total student enrollment is still almost 1,000 less than at its maximum several years ago. Mr. Phillips noted that a PMP is also required within one year of occupancy of Phase 2 of new housing construction, so with an anticipated opening date of Fall 2017 – PMP updates will occur in 2018, then three years later in 2021, three years after that in 2014, etc. Mr. DeLarco said the new University Center building will have more accessory uses than the existing UC does – more food courts, etc. Mr. Long said those facilities are to provide better service; they still will be servicing the same number of students. Mr. Walton noted comments in the email from Solicitor Prevoznik (who is in trial in Scranton) that the proposed Stipulation is fair; Mr. Walton said he agrees it is fair and in the Borough's best interests to approve.

After further discussion on the issue, the motion carried unanimously.

Resolution No. 15-2016 – Authorizing Submittal of Application to PennDOT for Traffic Signal Approval for East Brown St./Smith St. Intersection

Mr. Phillips said although Council has discussed this project previously, we still need to submit the required signal application form to PennDOT, approved by Resolution. Mr. Molin made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 15-2016 authorizing submittal of the signal permit application to PennDOT; the motion carried unanimously.

Public Comments – New Business

Craig Todd from the Monroe County Conservation District asked about the proposed rain garden site at the end of Lenox Avenue. Mr. Phillips said the Solicitor had advised that the Borough should determine for sure if it has the ability to use the property for that purpose. Mr. Todd says his office is trying to assist the Brodhead Watershed Association with their project and is trying to determine whether to focus on this site, or come up with other locations. Mr. DeLarco suggested that Council discuss this issue at the Committee meeting and asked Mr. Todd to come up with some other alternative locations in case this site does not work out.

Correspondence

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

- i. PA State Association of Boroughs (PSAB) – Proposed Constitution Change to Article IV Officers
- ii. USDA, Rural Development – Request for statement from Borough to de-obligate \$3,374,000 loan fund commitment for Middle Dam project. Mr. Flory made a motion, seconded by Mr. Molin, to notify the USDA officially that the Borough is no longer interested in their loan financing; the motion carried unanimously.
- iii. Ed Freeborn – Resignation from Zoning Hearing Board
- iv. John Schnatter – resignation from DPW Maintenance position. Mr. Flory made a motion, seconded by Mr. Reese, to regretfully accept the resignation; the motion carried unanimously.
- v. First Baptist Church – requests to close Harris Street during:
 - annual Vacation Bible School July 25-29, 2016 from 8 am to 12:30 pm
 - FBC Spanish Fiesta Saturday June 25, 2016 from 12:30 to 6:30 pm.Mr. Flory made a motion, seconded by Mr. Reese, to approve the road closure requests as submitted; the motion carried unanimously.
- vi. PA Municipal Health Insurance Cooperative – Initial Surplus Distribution for 2015 Plan Year - \$81,248

Reports

Ms. Wolbert reported that SROSRC is sponsoring a “Paint in the Park” event at Dansbury Park on three dates this summer.

Mr. Cross said he had given to Mr. Phillips information on a truck-mounted infrared heating unit used for asphalt repairs, and asked that the information be distributed to other Council members.

Mr. Molin said he received a call from a resident concerning poor condition of a rental unit; Mr. Walton asked that the complaint be referred to him.

Mr. Phillips reported that the Fire Truck Committee of the Fire Department has a trip scheduled to the Pierce Factory in Wisconsin to review and approve the final plans for the new Fire Pumper. Mr. Phillips also said the contractor hired by the property owner to demolish the fire-damaged house at 238 Braeside Avenue has agreed to proceed with the work without an advance of funds, since the Borough does have insurance proceeds to pay for the work.

Mr. Flory noted that the Fire Co. aerial truck was out of service for a while due to issues with the emissions system; but repairs were completed, mostly under warranty.

Mr. D’Alessandro reviewed his written Engineer’s Report previously submitted; and elaborated on the following:

- PA DEP was contacted for clarification on the use of the articulated concrete blocks for over-topping protection, and has not responded. His office requested an on-site meeting, but DEP would only agree to a meeting in Harrisburg. Mr. Flory made a motion, seconded by Mr. Molin, to authorize Borough staff to attend the meeting in Harrisburg as needed. The motion carried unanimously.
- It has been determined that the flow meters at the East Stroudsburg Dam had the wrong formula inputted, resulting in the incorrect flows recorded.
- The map for the Non-Use Aquifer Zone downgradient of the former IBW property has been revised to incorporate the larger radius requested by DEP.

Mr. Walton reminded Council of the conditional use hearing being held Thursday at 10 a.m. on the ESU/UPI Phase 2 Student Housing project. Mr. Walton also noted that PNC Bank is replacing sidewalks to make the site ADA accessible, and this is one of the first instances where the new requirements adopted by the Borough have come into play.

Mr. DeSalva said the Streetscape work is now mostly complete, but the double light pole was installed at the last light location on the west side of Courtland St. as originally intended. The recommendation is to keep it at that location and install the double light pole and fixture on the east side at the intersection of Courtland St. and N. Crystal St. as previously discussed; so the first lights on both sides will have the double fixtures, but not across from each other.

Mr. DeLarco said the Committee handling the Financial Officer position has scheduled interviews next week with five applicants at this time. Mr. DeLarco also reminded all that the new Committee structure for Council should be utilized for the Committee meeting next week.

List of Bills Payable – May 17, 2016

Mr. Flory made a motion, seconded by Mr. Reese, to approve expenditures and payroll made through May 17, 2016 and to approve the List of Bills Payable as submitted; the motion carried unanimously.

Executive Session for Discussion of Personnel Matters

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

At 9:25 p.m. Council members reassembled in the meeting room, and Mr. Molin made a motion, seconded by Mr. Flory, to reconvene the public meeting; the motion carried

unanimously. Mr. DeLarco said the executive session was held to discuss a personnel matter; and no decisions were made.

Ratification of Repayment Agreements for Delinquent Water/Sewer and Garbage Fees

Mr. Molin made a motion, seconded by Mr. Flory, to ratify approval of repayment agreement(s) with Robert Bowman of 215 Washington Street, for delinquent water/sewer and garbage fees; the motion carried unanimously.

Adjournment

With no further business, Mr. Flory made a motion, seconded by Mr. Molin, to adjourn the meeting at 9:26 p.m.; the motion carried unanimously.

James S. Phillips, Secretary

