

East Stroudsburg Borough, May 3, 2016

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, May 3, 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; Solicitor John C. Prevoznik; Manager James S. Phillips; Codes Official Marvin Walton; and Engineering Representative Russell Scott of R.K.R. Hess Associates.

Call to Order/Pledge of Allegiance – President DeLarco

Mr. DeLarco called the meeting to order at 7:30 p.m. The Pledge of Allegiance was led by Pam Kemelsy.

Moment of Silence and Reflection

A moment of silence was observed by all in attendance.

Minutes of April 19, 2016 Regular Council Meeting

Mr. Flory made a motion, seconded by Mr. Reese, to approve the minutes of the April 19, 2016 regular Council meeting as submitted; the motion carried unanimously.

Request by Crossroads Group for overnight event at Zacharias Pond Park

Leslie Perryman of Crossroads Community Services was present concerning the proposed Street 2 Feet event at Zacharias Pond Park. The purpose of the event is to help people appreciate the difficulties homeless persons face every day. Ms. Perryman said the issues she was asked to address are:

- Certificate of Insurance (ordered from their agent)
- Portajohn units (will be provided)
- Security (meeting with SARPD)
- Electricity needed for pavilion and rest room areas only
- Parking (will request use of American Legion parking lot nearby)

Mr. Flory asked where would the tents be set up? Ms. Perryman said in the ballfield area. Mr. DeLarco asked if this is an RSVP event? Ms. Perryman said yes, they would know how many people will participate ahead of time. Mr. Cross asked who will cleanup after the event? Ms. Perryman said the Crossroads Group would be responsible for that. Mr. Cross asked if she has talked with residents from the neighborhood; because he has talked with residents who have some concerns.

Mr. DeLarco asked Ms. Perryman to come back to the next meeting with additional responses to these issues.

Comprehensive Plan Update – Identified Priorities

Mr. DeLarco noted that the Comp. Plan Task Force had solicited input from surveys and meetings with constituent groups, and received a lot of feedback which the consultant had summarized into seven main priorities as discussed at the recent Committee meeting:

- Renew our Community Identity
- Delineate a Town Center
- Define the Character and Standards of our Townscape
- Revise Zoning Regulations
- Attract New Business
- Integrate a Network of Parks and Open Spaces
- Improve Multimodal Mobility

Gannett Fleming has asked that Council indicate its concurrence with the identified priorities. Mrs. Wolbert made a motion, seconded by Mr. Cross, to concur with the identified priorities for the comprehensive plan update as submitted; the motion carried unanimously.

Report/Possible Action on Bid Proposals Received 5/3/16 for Proposed Road Paving Program

Mr. Phillips had distributed a copy of the bid tabulation for four bids received for paving; the total bids on a unit price basis are as follows:

Intercounty Paving Associates, LLC	Hackettstown, NJ	10% BB	\$109,769.50
Livengood Excavators, Inc.	Walnutport PA	10% BB	\$148,152.78
Locust Ridge Contractors	Hazleton PA	10% BB	\$134,131.45
Northeast Site Contractors	East Stroudsburg PA	10% BB	\$141,303.90

Mr. Phillips noted that all the bidders are PennDOT-prequalified, as required; and the low bidder is Intercounty Paving. Mike Stettler noted that the Borough had had an issue years ago with a paving contractor from outside the area, because the asphalt was too cold by the time it got here. Mr. Phillips said the Borough would have to not accept material if it did not arrive at the proper temperature. After discussion, Mr. Flory made a motion, seconded by Mr. Reese, to approve the minutes of the April 19, 2016 regular Council meeting as submitted; the motion carried unanimously.

Authorize proposal for preparation of Staff Manual for Dansbury Park Swim Pool

Mrs. Wolbert said we need to develop a Staff Manual for the Swimming Pool for this coming season, and she has obtained a proposal from Michelle Cuna to prepare one at a cost of \$35 per hour for a maximum of 10 hours. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Reese, to authorize preparation of the Manual as recommended at a not-to-exceed cost of \$350; the motion carried unanimously.

Ratify Purchase of Replacement Pickup Truck for Water Department – Costars Pricing

Mr. Phillips said we need to replace a 1998 pickup truck for the Water Department, and the Co-stars pricing from Starr GMC is \$37,052. Mr. Flory made a motion, seconded by Mr. Reese, to ratify purchase of the pickup truck as submitted; the motion carried unanimously.

Authorize Request by Relay for Life Committee to tie bows on Borough light posts

Mr. Phillips noted that the Committee would like to again tie bows to street lights downtown, in recognition of the Relay for Life Event to be held June 11-12, 2016. Mr. Molin made a motion, seconded by Mr. Cross, to approve the request; but only for the Borough-owned lights posts downtown and on condition that the bows be removed within 48 hours after the event. The motion carried unanimously.

Public Comments – New Business

Dr. Marcia Welch of East Stroudsburg University reported that all the students who lost their housing as a result of the fire on Ransberry Avenue have now been provided with new housing arrangements.

Correspondence

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

- i. Smithfield Township Sewer Authority – Payment received for 20 EDU fees under the Sewer Service Agreement, \$70,580.
- ii. FEMA – Letter of Map Revision, proposed flood hazard determinations affecting FIRM and FIS now final.
- iii. Monroe County – Distribution of payment in-lieu-of taxes from Monroe County Housing Authority for 2016 year, \$3,537.81.

Reports

Mr. Flory asked if homes with attics are required to have two ways in and out; referring to the fire last night on Ransberry Avenue. Mr. Walton said the Building Code does not require two means of entry; an accessible window can be used which was present in this case.

Mr. Reese asked if the Borough could “step up” the rental housing licensing and inspection program to require more frequent inspections. Mr. Reese also reported that ECA held a downtown cleanup this past Saturday; he would like to see the Borough maintenance crew do more in the downtown area. Finally, Mr. Reese noted that the new Streetscape light posts are going up downtown.

Mr. Walton provided some information on the fire at 46-48 Ransberry Avenue:

- This residence was initially inspected in April 2014.
- The last inspection was in May 2015.
- Electric power had been disconnected to the one unit that same morning.
- The building code requires a fire-rated separation wall between units.
- The fire was contained in unit 48 where it started.

Mr. Walton concluded this is an example where the “Code worked”.

Mr. DeSalva reported he had met with a PennDOT LTAP representative to review Willow Street, and in-place pavement recycling may be a viable option for reconstructing this road.

Mr. Cross asked about a shed that is falling down at 80 Chestnut Street. Mr. Walton said the shed is on private property.

Mr. DeLarco noted that Bognet, Inc. did a great job on the Municipal Building Security Renovations project which is mostly complete.

Mr. Scott reviewed the written Engineer’s Report previously submitted, and highlighted several areas. Mr. Scott said one condition for renewal of the Borough’s NPDES permit for the Water Filtration Plant is the filing of a PPC (Prevention, Precaution, and Contingency) Plan. Mr. Molin made a motion, seconded by Mr. Flory, to authorize preparation of the draft PPC Plan by RKR Hess for the Water Plant; the motion carried unanimously.

Mr. Scott said the recent letter received from FEMA states that the revised flood map has been approved; the next step is to contact FEMA to discuss alternatives for addressing the Little Sambo Creek levee which does not have the required “freeboard” height. Mr. Cross made a motion, seconded by Mr. Flory, to authorize RKR Hess to contact FEMA on behalf of the Borough; the motion carried unanimously.

In addition, Mr. Scott reported on the following:

- East Stroudsburg Dam; plans are being finalized for the drain to be installed on the upper side of the spillway.
- The Little Sambo Creek Levee Scour Repair work is out to bid; bids due 5/25/16.
- The inclusion of the Borough in the new “East Stroudsburg urbanized area” will kick in new stormwater requirements under the MS4 regulations. RKR Hess recommends the following actions:
 - * coordinate data gathering with the Monroe County Planning Commission.
 - * assess possible waivers and exemptions
 - * conduct a cost estimate for compliance

Mr. Reese made a motion, seconded by Mr. Flory, to authorize the recommended actions regarding the MS4 requirements; the motion carried unanimously.

Finally, Mr. Scott reviewed the map for the non-use aquifer zone for the former IBW property with a larger radius, which extends the zone almost to the Brodhead Creek and into portions of Stroud Township. Mr. Cross made a motion, seconded by Mr. Flory, to authorize the Engineer, Manager and MEA, Inc. to contact Stroud Township Supervisors regarding the non-use aquifer zone map; the motion carried unanimously.

Mr. Phillips reported that Water System Flushing is scheduled for this Wednesday/Thursday 5/4-5/5 starting around 10 pm each night.

List of Bills Payable – April 19, 2016

Mr. Molin made a motion, seconded by Mr. Cross, to approve the request; but only for the Borough-owned lights posts downtown and on condition that the bows be removed within 48 hours after the event. The motion carried unanimously.

Executive Session for Discussion of Real Estate and/or Personnel Matters

Mr. Molin made a motion, seconded by Mrs. Wolbert, to adjourn into executive session at 8:55 p.m.; the motion carried unanimously.

At 9:44 p.m. Council members reassembled in the meeting room, and Mr. Molin made a motion, seconded by Mrs. Wolbert, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss a potential litigation matter and a personnel matter; and no decisions were made.

Settlement of Lawsuit v. Center for Research and Economic Development (CFRED), East Stroudsburg University

Mr. Prevoznik said there is a proposed settlement of the Borough's action against CFRED regarding the cleanup costs at the 66 Analomink Street Building after Chaperone Technologies abandoned their lab space there. Mr. Flory made a motion, seconded by Mr. Molin, to approve the proposed settlement as negotiated by special counsel Robert Fox. The motion carried unanimously.

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

Mr. Flory made a motion, seconded by Mr. Reese, to ratify approval of the following repayment agreement: Betty Ann Hays, 128 Berwick Heights Road – W/S and G
The motion carried unanimously.

Sale of Property for Delinquent Water/Sewer and Garbage Fees

Mr. Prevoznik said the owner of 329/331 Brookside Avenue has not come to terms on payment of almost \$30,000 in delinquent water/sewer and garbage fees owed, despite the Borough working with him for many months. Mr. Molin made a motion, seconded by Mr. Cross, to authorize sale of the property for payment of the delinquent fees owed to the Borough. The motion carried unanimously.

Accounting Help through Corcoran & Hegarty

Due to the retirement of Finance Officer Berrill Dennis, Mr. Molin made a motion, seconded by Mr. Cross, to authorize contracting with the Corcoran & Hegarty Accounting firm for part-time accounting assistance for up to 24 hrs. per week, based on their current fee schedule. The motion carried unanimously.

Adjournment

With no further business, Mr. Molin made a motion, seconded by Mr. Cross, to adjourn the meeting at 9:46 p.m.; the motion carried unanimously.

James S. Phillips, Secretary