

East Stroudsburg Borough, May 5, 2015

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, May 5, 2015. The following members were in attendance: Peter Begley, Roger DeLarco, Edward Flory, William Reese, Richard Smith, and Sonia Wolbert. Also attending were: Mayor Armand M. Martinelli; Solicitor John C. Prevoznik, Manager James S. Phillips; Director of Public Works Steven DeSalva; Codes Official Marvin Walton; and Engineering Representative Samuel D'Alessandro of R.K.R 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 Nathaniel Coleman.

Moment of Silence

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

Minutes of April 21, 2015 Council Meeting

Mr. Flory made a motion, seconded by Mr. Begley, to approve the minutes of the April 21, 2015 regular Council meeting as submitted; motion carried unanimously.

Public Comments - Agenda Items

None.

Downtown Streetscape Project Phase II – PennDOT Transportation Enhancement Program

Resolution No. 16-2015 Approving Revised Federal Aid Reimbursement Agreement

Mr. Phillips said PennDOT has allocated additional funding for the project and is requiring execution of a new Federal Aid Reimbursement Agreement. Mrs. Wolbert made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 16-2015 approving the revised Reimbursement Agreement with PennDOT (\$677,000) as submitted; the motion carried unanimously.

Award of Construction Contract to Wyoming Electric, Inc. – bid proposal submitted 4/9/15.

With the additional funding from PennDOT, the single bid proposal received for the Phase II work can now be awarded. Mr. Begley made a motion, seconded by Mr. Flory, to ratify award of the construction contract to Wyoming Electric, Inc. in the base bid of \$621,812.60 as recommended; the motion carried unanimously.

Request for approval of additional engineering services on Phase II Project by Stantec Associates

Mrs. Wolbert made a motion, seconded by Mr. Begley, to approve the request for additional engineering services submitted by Stantec Associates, Inc. subject to review by the Solicitor. The motion carried unanimously.

Ordinance Amending the Code of the Borough of East Stroudsburg by Repealing Chapter 94 Entitled Junk Dealers

Mr. DeLarco said this proposed ordinance would repeal an old section of the Code no longer in use, as discussed by the Planning & Zoning Committee. Mr. Flory made a motion, seconded by Mr. Begley, to authorize advertising the proposed ordinance as recommended; the motion carried unanimously.

Consulting Services agreement to Perform Monitoring of the East Stroudsburg Dam Wetlands Replacement site – R.K.R. Hess, Division of UTRS

Mr. Phillips said RKR Hess has submitted a proposal to perform this year's monitoring of the wetlands replacement site located on the former Charron property above the East Stroudsburg Reservoir. Mrs. Wolbert made a motion, seconded by Mr. Flory, to approve the proposal from RKR Hess as submitted; the motion carried unanimously. Mr. D'Alessandro said this should be the last year for monitoring this particular site created during construction on the East Stroudsburg Dam.

Dansbury Park Swimming Pool – Maintenance at Pool required for 2015 summer season

Mr. Phillips said Council at the Committee meeting had requested advertising for bid proposals for paint materials, and for contracted painting services for the Pool in order to prepare it for the 2015 season. Mr. D'Alessandro questioned whether we would want to paint the pool or look at possible re-plastering of the Pool if the existing plaster finish requires it.

After discussion, Mr. Flory made a motion, seconded by Mr. Reese, to table action on proposals pending having a meeting at the Pool with Mr. D'Alessandro and Alan Strand of Strand Pools to work out a maintenance plan for 2015 and beyond; the motion carried unanimously

Sewage Treatment Plant – Ratify authorization for Engineer to prepare Compliance Schedule and Standard Operating Procedure

Mr. Phillips said the Borough Engineers for the Sewer Plant, Glace Associates, have already committed to preparing the Compliance Schedule and SOP as part of the discussions with PA DEP regarding renewal of the Sewer Plant NPDES permit. Mrs. Wolbert made a motion, seconded by Mr. Begley, to ratify authorization for Glace Associates to proceed with the work within the previously approved time frame; the motion carried unanimously. Mr. Wolbert suggested that Glace also look at facility maintenance and a Capital Plan for the Sewage Treatment Plant.

Water Filtration Plant – Authorize Engineer to prepare Compliance Schedule and Standard Operating Procedure

Mr. Phillips said RKR Hess has proposed to prepare a similar Compliance Schedule and SOP for the Water Filtration Plant. Mr. D'Alessandro said he would prepare a cost estimate for Council review. Mrs. Wolbert made a motion, seconded by Mr. Flory, to request a cost proposal from RKR Hess for the work, to be completed within the same time frame as for the Sewer Plant; the motion carried unanimously

Terra Greens Golf Course – Authorize development of Foot Golf

Mr. DeLarco said Council had discussed Foot Golf at the Committee Meeting, and said he had gone to the golf course and had Superintendent Bryan Zukawski show him the area proposed for the Foot Golf located off of the golf course but near holes 8 and 9. Most of this area is already mowed and Bryan feels this area can be developed for 9 holes of Foot Golf this year, without major construction. After further discussion, Mrs. Wolbert made a motion, seconded by Mr. Begley, to authorize proceeding with the implementation of Foot Golf at Terra Greens by:

- Contacting the Foot Golf Association to purchase the needed Foot Golf supplies.
- Preparing a detailed work plan by Mr. Zukawski including a proposed time schedule.
- Direct out of pocket costs not to exceed \$3,000 at this time.

The motion ended in a 3-3 tie, with Mr. DeLarco, Mr. Flory, and Mr. Reese voting no. Mayor Martinelli then broke the tie by voting for the motion which carried 4-3. Mr. Reese expressed concern that we are jumping into this too quickly.

Resolution No. 17-2015 – Reappointing Evelyn Miller/Maria Cohen to Shade Tree Commission

Mr. Flory made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 17-2015 reappointing Maria Cohen to the balance of a new five-year term on the Shade Tree

Commission, and Evelyn Miller to a new five-year term on the Commission as submitted; the motion carried unanimously.

Recommendation to re-authorize Agreement with Smithfield Township for Township residents Swim Pool Use at Borough Resident Rates – reimbursement by Township

Mr. Phillips said Smithfield Township has asked about renewal of the agreement for 2015 whereby Township residents can obtain season passes at the Dansbury Park Swimming Pool at Borough resident rates, and the Township then reimburses the Borough for the cost difference between the non-resident and resident rates. Mr. Begley made a motion, seconded by Mrs. Wolbert, to renew the agreement with Smithfield Township for the 2015 season. The motion carried by a vote of 5-1 with Mr. Flory voting no.

Public Comments – New Business

Gary Walck of 33 Fulton Street said he is concerned about the cat problem which he feels is a health issue. He said the Health Officer for the Borough is working on getting volunteers to help trap cats so they can be spayed or neutered. He said Anita Einolf did talk to several of the residents who were feeding the strays. Mr. Walck asked if the Borough can take action against the people who feed or harbor the cats. Mr. Walton said it is his impression that the State Game Commission will not allow trap-neuter-release of stray and feral cats. Mr. Begley said a resident of Maple Avenue has also complained to him about the stray cat issue in her neighborhood. Mr. DeLarco asked Mr. Phillips and Mr. Walton to get together with the Health Officer to see what is going on with this issue.

Correspondence

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

- i. PML – Annual Conference at Allentown June 23-25, 2015. Mr. DeLarco said he had received the information for designation of the Voting Delegates for the annual conference. Mr. Flory made a motion, seconded by Mr. Reese, to authorize attendance of Borough officials at the conference with reimbursement of expenses in accordance with Borough policy; and to designate Mr. DeLarco as the Voting Delegate and Mr. Phillips as the Alternate Delegate for the PML Conference; the motion carried unanimously.
- ii. Stroudsburg Borough – The Proposal from RKR Hess for 2015 Monitoring of former the former joint municipal landfill sites has been approved by their Council.
- iii. PA Municipal Health Insurance Cooperative - first distribution of Claim Fund Surplus for 2014 year – received check for \$57,049.
- iv. Monroe County Commissioners – FY 2015 CDBG Program Administration. The County is not in favor of the Borough setting aside administrative funds to continue its relationship with Mullin & Lonergan consulting firm.
- v. PA Auditor General Office – Audit Report received for Borough Liquid Fuels Fund for Period 1/1/12 – 12/31/13

Reports

Mr. DeSalva reported on the following:

- He recently met with architect John Schoonover who has prepared construction plans for the Municipal Building security renovations, and he will set up a Committee meeting.
- The annual levee inspection was held today by the US Army Corps of Engineers.
- He met with an independent adjuster assigned by the insurance company for the general contractor at the Fire Station concerning the floor tile issue.
- Reviewed his written report on options for addressing the parking issue involving North Green St. and East Broad Street.

Mr. Flory noted that residents on Sopher Street were against permitting overnight parking on their street previously. Mayor Martinelli said the difference here is that Ms. Legace has no off-street parking available to her; she has tried to put in parking but cannot meet the setback requirements. Mr. Begley noted that if the option is taken to extend permit parking to this area, that residents would also receive a Visitor Pass to use for on-street parking. Mr. DeLarco said this issue should be referred to the Planning & Zoning Committee for final recommendation.

Mr. DeLarco questioned why UGI was taking up so many parking spaces while working on Crystal Street. Mr. DeSalva said they are paying for the spaces occupied. Mr. DeLarco noted there is a Planning & Zoning Committee meeting scheduled for this Friday at 8 a.m.

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council and reported:

- FEMA has approved notification to properties whose flood insurance zone is being changed because of the recent levee certification work.
- Representatives of his firm met with the representatives of the US Army Corps to review the scour area along the Little Sambo Creek near the pedestrian bridge.
- Easement descriptions for Well No. 1 and No 2 have been finalized for approval as part of the ESU conditional use hearing to be held next week.

Mayor Martinelli said he has tickets available for the fundraiser to be held by the Fire Company for volunteer Steve Adams.

Mrs. Wolbert reported on the following:

- a meeting held with a Committee looking at providing housing incentives for people working in the Borough.
- There is a need to formalize a program for volunteer groups, other than from the University, to perform scheduled litter pickups along local streets.
- There is a need to have a clear policy on when the swimming pool shall be open or closed on a daily basis due to weather conditions or attendance. Mrs. Wolbert asked that be an item for the next Committee meeting agenda.

Mr. Begley reported that another resident of Willow Street complained to him about the condition of the road. Also, resident Janice Gianolla of N. Courtland Street complained about unregistered vehicles being stored on property near hers.

Mr. Reese suggested that the County Probation Office be contacted concerning help with litter pickups.

Mr. Phillips reported that fencing at the front of the Sewage Treatment was damaged last week by a vehicle running into it; no police report was received so we are turning the claim into our own insurance.

List of Bills Payable – May 5, 2015

Mrs. Wolbert made a motion, seconded by Mr. Flory, to approve the List of Bills Payable and to ratify expenditures and payroll made through 05/05/15 as submitted; the motion carried unanimously.

Executive Session for Discussion of Litigation Matter

Mr. Flory made a motion, seconded by Mr. Reese, to adjourn into executive session at 9:20 p.m.; the motion carried unanimously.

At 9:40 p.m. Council members reassembled in the meeting room, and Mr. Flory made a motion, seconded by Mr. Smith, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss a potential litigation matter; and no decisions were made.

Adjournment

With no further business, Mrs. Wolbert made a motion, seconded by Mr. Flory, to adjourn the meeting at 9:41 p.m.; the motion carried unanimously.

James S. Phillips, Secretary