

East Stroudsburg Borough, November 4, 2014

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, November 4, 2014. The following members were in attendance: Peter Begley, Roger DeLarco, Edward Flory, William Reese, Richard Smith, and Sonia Wolbert. Also attending were: Mayor Armand Martinelli; Manager James S. Phillips; Solicitor John C. Prevoznik; Codes Official Marvin Walton; DPW Director Steven DeSalva; and Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.

Call to Order/Pledge of Allegiance – President DeLarco

President Roger DeLarco called the meeting to order at 7:30 p.m. The pledge of Allegiance was led by Sherry Acevedo.

Minutes of October 21, 2014 Regular Council Meeting

Mr. Flory made a motion, seconded by Mr. Begley, to approve the minutes of the October 21, 2014 Regular Meeting as submitted; motion carried unanimously.

Resolution No. 30-2014 Recognizing Project Street Art and the Artists/Organizers

Mr. DeLarco recognized Shane Izyokski and approximately ten other individuals who were present, that worked on the joint effort to bring public art to East Stroudsburg and Stroudsburg Boroughs through the Project Street Art, at ten locations within the two Boroughs. Mr. Begley made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 30-2014 Recognizing Project Street Art and the Artists/Organizers; the motion carried unanimously. Pictures were taken of the entire group along with Borough Council members.

Public Comments - Agenda Items

Susan Randle, Downtown Manager for Eastburg Community Alliance (ECA), thanked Council for acting on the Resolution for Exit funds for ECA from DCED; and distributed information on various events to be held at the old Dansbury Depot over the next two months. Ms. Randall noted that November 19th is the next meeting of the Revitalization Committee, to be held at Dansbury Depot.

Mr. Begley asked why the flyer for the ECA events doesn't mention "Christmas"; and was advised of the history of the "Unity Tree" Lighting event which was started after the events of September 2001.

Proposed Budget for 2015 Year for Stroud Region Open Space and Recreation Commission (SROSRC)

Sherry Acevedo, Executive Director for SROSRC, was present to review the proposed 2015 Budget for the joint Recreation Commission which all Council members had received a copy of. Mr. DeLarco noted that Council has not had a work session yet to review our own Borough Budget, but has several planned.

Report and Action on Bids Received 10/21/14 for Roof Replacement at Pool Bathhouse

Mr. Phillips asked that this matter be considered later on in the agenda.

Report and Action on Bids Received 11/4/14 for new Garbage Collection and Disposal Contract beginning 1/1/2015

Mr. Phillips reported that only two bids were received for the new garbage service starting January 2015; but he was pleased to report that we were successful in receiving much lower bids from both firms by specifying the disposal costs on an actual tonnage basis:

Waste Management of PA, Inc.

2015 year:

collection/transportation cost \$5,093.00 disposal cost \$195,937.50 Total \$460,773.50

2016 year:

collection/transportation cost \$5,246.00 disposal cost \$195,937.50 Total \$468,729.50

2017 year:

collection/transportation cost \$5,403.00 disposal cost \$195,937.50 Total \$476,893.50

2018 year:

collection/transportation cost \$5,565.00 disposal cost \$195,937.50 Total \$485,317.50

Total for four-year contract \$1,891,714.00

J.P. Mascaro & Sons, Inc.

2015 year:

collection/transportation cost \$7,135.00 disposal cost \$195,937.50 Total \$566,957.50

2016 year:

collection/transportation cost \$7,242.00 disposal cost \$198,880.00 Total \$575,464.00

2017 year:

collection/transportation cost \$7,423.00 disposal cost \$203,853.50 Total \$589,853.50

2018 year:

collection/transportation cost \$7,645.00 disposal cost \$209,962.50 Total \$607,502.50

Total for four-year contract \$2,339,777.50

Mr. Reese made a motion, seconded by Mr. Flory, to accept the proposal from and award the contract to Waste Management of PA, Inc.; subject to review of the bid proposals and approval by the Solicitor; the motion carried unanimously.

Resolution No. 29-2014 Authorizing Filing of Application for Grant Funds with PA DCED under the New Communities Program

Mrs. Wolbert made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 29-2014 authorizing filing of an application with PA DCED for exit funding for the Eastburg Community Alliance (ECA); the motion carried unanimously.

Proposed Ordinance Amending the Code of the Borough of East Stroudsburg, Chapter 150 Thereof, Entitled Vehicles And Traffic; Revising Parking Restrictions on Chestnut Street

Mr. Phillips said the proposed Ordinance will provide for No Parking on Chestnut Street, for 30 ft. south of the intersection with East 3rd Street. This is already provided for in the State Vehicle Code at a STOP sign. Mr. Smith made a motion, seconded by Mrs. Wolbert, to authorize advertising this provision as an Ordinance; the motion carried unanimously.

Request for Handicap Parking Sign (Space Designation) at 261 Brodhead Avenue

Mr. DeSalva said he had reviewed the application, and recommends approval. Mr. Reese made a motion, seconded by Mr. Flory, to approve the request for designation of handicapped parking at 261 Brodhead as recommended; the motion carried unanimously.

Request by Met-Ed for Easement for new pole and service line under existing overhead powerlines along Poole Road, Terra Greens property owned by Borough

Mr. Phillips said Met-Ed has revised their request for an easement for a new pole and lines to serve the renovated Pub 199 Restaurant on Route 447, via a new service off of Poole Road instead of via extending a line along Route 447. An easement is still required from the Borough-owned property; but this location is clearly more preferable to the Borough in terms of it not affecting Borough property. Mr. Prevoznik said he does not like the open-ended language in the easement form provided by Met-Ed, and will substitute language requiring the utility co. to come back to the Borough for approval should they have to relocate the pole and/or line in the future. Mr. Flory made a motion,

seconded by Mr. Begley, to approve the easement as requested subject to the Solicitor drafting language acceptable to the Borough; the motion carried unanimously.

Proposed Ordinance No. 1281 Amending the Code of the Borough of East Stroudsburg, Chapter 157 Entitled Zoning, Adding Parking and Driveway Regulation Requirements for Existing Residential Uses

Mr. Walton said Council has received comments back from the Monroe County Planning Commission and Borough Planning Commission on the proposed ordinance provisions, and there is nothing substantive that is required to be addressed. Mr. Begley said residents he has talked to in his ward are not very happy that they would have to hire an engineer to prepare plans for paving their driveway. After discussion, Mr. Flory made a motion, seconded by Mr. Reese, to authorize advertising a public hearing on the proposed zoning amendment; the motion carried unanimously. After more discussion, Mr. Reese made a motion, seconded by Mr. Flory, to authorize advertising the public hearing on the proposed zoning amendment for the December 16, 2014 Council meeting; the motion carried unanimously.

Proposed FY 2014 Community Development Block Grant Program Use of Funds

Mr. Reese made a motion, seconded by Mr. Flory, to authorize advertising a public hearing on the Proposed 2015 Community Development Block Grant (CDBG) Program for the December 2, 2014 Council meeting at 7:30 p.m.; the motion carried unanimously.

Work Session Meetings for 2015 Borough Budget and Rescheduled Committee Meeting for November

Mr. Begley made a motion, seconded by Mr. Flory, to authorize advertising 2015 Budget work session meetings for Monday, Nov. 10, 2014 and Monday, Nov. 24, 2014 at 7:00 p.m. as previously discussed; and to reschedule the November Committee Meeting for Tuesday Nov. 25, 2014 (due to the Thanksgiving Holiday). The motion carried unanimously.

Resolution No. 31-2014 - Appointment to the Zoning Hearing Board

Mr. Flory made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 31-2014 appointing Maury Molin of 9 Park Street to fill a vacancy as a regular member of the Zoning Hearing Board for an unexpired terms ending January 1, 2016; the motion carried unanimously.

Resolution No. 32-2014 – Appointment to Planning Commission

Mrs. Wolbert made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 32-2014 appointing Andrea McClanahan of 248 Braeside Avenue to fill a vacancy as a member of the Planning Commission for an unexpired terms ending June 30, 2015; the motion carried unanimously.

Request - Finance Officer Berrill Dennis to carryover unused vacation leave to 2015 year

Mr. Flory made a motion, seconded by Mr. Begley, to authorize Berrill Dennis to carryover accrued unused vacation leave into the 2015 year, in amounts in excess of the normal carryover provisions as provided for in the Employee Manual, as recommended; the motion carried unanimously.

Resolution No. 33-2014 Establishing Policy Regarding Conducting Moment of Silence/Reflection at beginnings of meetings of East Stroudsburg Borough Council

Mr. DeLarco noted that Council had discussed establishing a moment of prayer at the beginning of Council meetings as proposed by Mr. Begley; but the majority of Council members had reservations with the prayer policy and preferred doing a moment of silence instead. Mr. Begley asked the Solicitor if Council adopts this policy by

Resolution, would that preclude Council from adopting an ordinance establishing a policy on opening prayer in the future? Mr. Prevonzik replied no, an Ordinance would preempt a Resolution. Mr. Begley then made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 33-2014 establishing a Moment of Silence/Reflection as presented; the motion carried unanimously.

Request by Eagle Valley Realty for Release of Financial Security for minor expansion of Eagles Glen Plaza – Davita Dialysis Center in former Blockbuster video building

Mr. Walton said Eagle Valley Realty has completed all conditions covered by the financial security posted under the Development Agreement for the expansion at Eagle Glen Plaza. Mr. Begley made a motion, seconded by Mrs. Wolbert, to authorize release of the financial security in the amount of \$3,630 as recommended; the motion carried unanimously.

Public Comments – New Business

None.

Correspondence:

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

- i. PA Department of Environmental Protection – Remedial Action\ Completion Report for former Smith’s Gas Station facility at 135 N. Courtland Street Approved.
- ii. Eastern Monroe Public Library (EMPL) – Opening on Library Board of Trustees for member representing East Stroudsburg Borough and Price Township, effective 1/1/15.
- iii. PennDOT – Open House Plans Display for Interstate 80 Reconstruction Project (Exits 303-308) rescheduled for December 4th and 7th, 2014 at Stroudsburg High School.
- iv. Loretta Anthes – condition of sidewalk at Loder Buidling Senior Citizen Center.

Reports

Mr. D’Alessandro reviewed his written Engineer’s Report previously submitted to Council. Mr. D’Alessandro noted that the Ridgeway Street Sewer/Water project is still being closed out.

Mr. Flory said he will be away for the next Council meeting; and noted that the traffic cones are back in front of J.M. Hill School because of issues with people parking in front of the school. Mr. Flory suggested that new signs are needed stating “ No Parking, Standing, or Waiting”. Mr. Prevonzik said perhaps the Ordinance needs to be changed adding this language.

Mr. Smith said the storm drain at 3rd Street and Chestnut St. needs repaired.

Mr. Begley said he had fielded a resident complaint that Perry Street at Berwick Heights Road needs repaved. Also, the Fire Company wants to replace a Fire Pumper Truck in 2015.

Mr. Phillips reported that the East Stroudsburg Reservoir is down 52” as of 11/3/14.

Mr. DeLarco noted that Council had received a copy of the 1990 Comprehensive Plan for the Borough as requested. Also, he had received a request for a Letter of Support from Pocono Community Theater for their grant application for Local Share Account funds from PA Department of Community and Economic Development (DCED). After discussion, Mr. Begley made a motion, seconded by Mrs. Wolbert, to authorize sending a Letter of Support for the Theater grant request for LSA funds; the motion carried unanimously.

Mr. DeLarco said there are some out-of-date provisions in the Borough Code of Ordinances – such as a 1925 noise ordinance – that need to be repealed, and asked Mr. Phillips to prepare an Ordinance to rescind such obsolete Code.

Mr. Prevoznik said the Borough has received a letter response to our letter from Mr. Walton noting violations of the Development Agreement approved by East Stroudsburg University for the UPI housing project. Mr. Flory made a motion, seconded by Mr. Begley, to authorize the Solicitor to contact counsel for University Properties, Inc. concerning this matter; the motion carried unanimously.

List of Bills Payable – November 4, 2014

Mrs. Wolbert made a motion, seconded by Mr. Begley, to approve the List of Bills Payable and to ratify expenditures and payroll made through 11/4/14 as submitted; the motion carried unanimously.

Executive Session

Mrs. Wolbert made a motion, seconded by Mr. Begley, to adjourn into executive session at 8:54 p.m.; the motion carried unanimously.

At 9:05 p.m. Council members reassembled in the meeting room, and Mr. Begley 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 real estate matter and potential litigation - no decisions were made.

Report and Action on Bids Received 10/21/14 for Roof Replacement at Pool Bathhouse

Mr. Phillips said a letter of recommendation on the bids was not received for tonight as expected from the Architects' Office. Mr. Begley made a motion, seconded by Mr. Reese, to table action on this matter; the motion carried unanimously.

Adjournment

With no further business, Mr. Begley made a motion, seconded by Mr. Flory to adjourn the meeting at 9:08 p.m.; the motion carried unanimously.

James S. Phillips, Secretary