

East Stroudsburg Borough, October 15, 2013

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, October 15, 2013. The following members were in attendance: Peter Begley, Roger DeLarco, Ed Flory, William Reese, Don Repsher, and Sonia Wolbert. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc., Codes Official Marvin Walton, and Stroud Area Regional Police Department Lieutenant Kevin Transue.

Call to Order/Pledge of Allegiance – President DeLarco

President DeLarco called the meeting to order at 7:32 p.m. The pledge of Allegiance was led by Scott Schwartz.

Minutes of October 1, 2013 Regular Council Meeting

Mr. Flory made a motion, seconded by Mr. Repsher, to approve the minutes of the regular Council meeting held October 1, 2013 as submitted; the motion carried unanimously.

Recognition of Scott Schwartz – Eagle Scout Project

Mr. DeLarco presented a letter to Scott Schwartz and thanked him for his efforts in having all the Borough's fire hydrants repainted, performed for his Eagle Scout Project.

SARPD Report

Lt. Kevin Transue reviewed the monthly Regional Police Department Report for September 2013. Lt. Transue reported that the Department has written 130 citations since the beginning of the new college school year, mostly by the "Quality Life" patrols. He and Sgt. Rick Greene met with Mr. Walton and Mr. DeLarco recently to discuss issues related to disruptive conduct reports filed by the Department, and police response to the Rental Housing Licensing Ord. requirements. Mr. Walton said the discussion was beneficial to understanding how the police handle these matters. Lt. Transue agreed, and noted that there are cell phone applications that people can download that enable them to pickup police scanner broadcasts on their cell phones. Lt. Transue said Cpl Tom Lemond will be the primary contact/liaison person for issues on Crystal Street.

Public Comments - Agenda Items

None.

Public Hearing on Proposed Ordinance No. 1277 Approving an Amended and Restated Plan Document for the Stroud Area Regional Police Department Non-Uniformed Employees' Pension Plan

Mr. Repsher made a motion, seconded by Mr. Flory, to open the public hearing; the motion carried unanimously. Mr. Prevoznik reviewed the history of the need for the amended Pension Plan document for the Non-Uniformed Employees' Pension Plan as mentioned in the WHERAS clauses of the proposed Ordinance, and noted that the Ord. also ratifies the actions of the SARPD Non-Uniform Pension Board in acting to temporarily place the pension monies in a money market account with PNC Bank pending an agreement with the new pension plan investment manager. Mr. DeLarco asked for questions or comments on the proposed ordinance; and there were none. Mr. Flory made a motion, seconded by Mr. Repsher, to close the public hearing; the motion carried unanimously.

Proposed Ordinance No. 1277 Approving an Amended and Restated Plan Document for the Stroud Area Regional Police Department Non-Uniformed Employees' Pension Plan

Mr. Begley made a motion, seconded by Mr. Flory, to adopt proposed ordinance No. 1277 as advertised; the motion carried unanimously.

Resolution No. 26-2013 Requesting \$20,000 Commonwealth Act. 13 grant funds for Gregory Pond Natural Area Trail System

Mr. Phillips said the Stroud Region Open Space and Recreation Commission applied for the Act 13 grant funds from the Pennsylvania Department of Conservation and Natural Resources (DCNR) to develop trails on the Borough's Gregory Pond and Terra Greens Park properties. However, DCNR is requiring that the Borough be the applicant instead of SROSRC. After discussion, Mr. Repsher made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 26-2013 requesting the Act 13 grant funds from PA DCNR; the motion carried unanimously.

Designation of Date/Time for Halloween Trick or Treating – October 31, 2013 6-8 p.m.

Mrs. Wolbert made a motion, seconded by Mr. Flory, to designate the Date/Time for Halloween Trick or Treating in the Borough to be Thursday, October 31, 2013 from 6-8 p.m. The motion carried unanimously.

Recommendation to suspend enforcement of additional (late) license fee for Rental Housing Licensing and Inspection Program

Mr. Flory said there was discussion at the Zoning Committee meeting regarding suspension of enforcement of imposing the additional (late) license fee for Rental Housing Licensing and Inspection Program beyond the October 1st date, in order to encourage compliance. Mr. Reese said the intent of Council is not to raise money from this fee, only to cover costs. Mr. DeLarco noted that an applicant will not be issued a license until they have fully complied with the ordinance requirements. Mr. Begly asked if anyone will be subject to criminal sanctions for violations? Mr. Prevoznik said the ordinance penalties are civil violations. Mr. Walton said he would encourage Council to suspend the late fees indefinitely, pending compilation of a report on the registrations. After discussion, Mr. Flory made a motion, seconded by Mr. Begley to suspend enforcement of the late fees as recommended, and to refund any late fees collected; the motion carried unanimously.

Public Comments

Marie Summa of 249 East Broad Street said she objects to the registration form for the Rental Housing Licenses stating that a landlord may rent up to four tenants.

Correspondence

- Mr. Phillips reported receipt of the following items of correspondence:
- i. MEA, Inc. – Remedial Action Progress Report received for the former Smith's gas station site on North Courtland Street.
 - ii. Federal Emergency Management Agency (FEMA) – 90 Notification to Borough of expiration of the Provisionally Accredited Levee Period.
 - iii. PA Department of Environmental Protection (DEP) – Annual 2013 Inspection Report for the Upstream and Downstream Flood Protection Projects.
 - iv. RKR Hess, Division of UTRS – 2013 Year Analytical Results for two former Joint municipal landfill sites.
 - v. Monroe County Municipal Waste Management Authority (MCMWMA) – Request for Municipal ratification of Revised County Municipal Waste Management Plan.
 - vi. PA Department of Environmental Protection (DEP) – Monitoring Waivers granted for Asbestos (SOC) for monitoring period of 2011-2019.

Craig Todd said Act 101 requires counties to plan for disposal of solid wastes

from each county for a ten year period. The Waste Management Authority went out for proposals and has awarded contracts with two landfills which will be designated to handle all wastes from Monroe County. Mr. Flory asked what if a garbage contractor doesn't comply with the designated landfills? Mr. Todd said they are required to comply by the terms of their license. Mr. Phillips said he has asked that Mr. Lambert from the Waste Authority attend the next Council Committee meeting to discuss the revised County Plan.

Mike Schwartz said in regard to disposal of televisions which cannot now be put out with the garbage, Best Buy will accept a limited number of televisions for recycling - without a fee.

Reports

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council. Mr. D'Alessandro noted that his firm has reviewed payment requests from Locust Ridge Contractors for the Ridgeway Street waterline/sewerline project. Mr. Reese made a motion, seconded by Mr. Flory, to approve payment #2 for the waterline project, as recommended. The motion carried unanimously. Mr. Flory made a motion, seconded by Mr. Repsher, to approve payment #2 for the sewerline project, as recommended. The motion carried unanimously.

Mr. Reese asked about pedestrian crossing signs that used to be on Crystal Street? Mr. Phillips said he would check on ordering new "Yield to Pedestrian" signs to use there. Mr. Reese also noted a "poor" utility patch on North Green Street, again expressed concerns for improving security at the Municipal Building, and asked about the level of the Reservoir? Mr. Phillips said the main reservoir is down approximately 22", which is not unusual for this time of year.

Mr. Flory reported that the Zoning Committee met last Thursday at 7:30 a.m., and will meet again this Thursday.

Mr. Repsher reported a "hole" in the pavement westbound near 76 King Street, and inquired about the Johnson Controls contract? Mr. Prevoznik said he is not satisfied with the proposed contract they had furnished.

Mr. Begley asked about installation of the flagpole for the new Fire Station? Mr. Begley said he distributed a survey of business owners on Crystal Street to gauge whether they are in favor of removing the benches on Crystal St. Mr. Begley also reported on the Festival held by Eastburg Community Alliance (ECA) at Miller Park this past Saturday.

Mr. Reese said he does not think removing the benches will make any difference concerning the vagrants on Crystal St. Mrs. Wolbert said she likewise doesn't believe the situation will be improved by moving a bench. Mr. DeLarco said the Committee of Crystal St. representatives is going to meet with Police Chief Parrish, and they will look at options including installing more cameras on Crystal St.

List of Bills Payable – October 15, 2013

Mr. Reese made a motion, seconded by Mr. Flory, to approve the List of Bills Payable and payroll and expenditures made through October 15, 2013 as submitted; the motion carried unanimously.

Executive Session

Mr. Repsher made a motion, seconded by Mr. Begley, to adjourn into executive session at 9: 15 p.m.; the motion carried unanimously. At 9:35 p.m., Council members reassembled in the meeting room, and Mr. Reese made a motion, seconded by Mr. Begley, to reconvene the public meeting the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss potential litigation matters.

Special Counsel for Rental Housing Ordinance

Mrs. Wolbert made a motion, seconded by Mr. Flory, to retain attorney Josey Cleary to review the Rental Housing Licensing/Inspection Ordinance on behalf of the Borough at an hourly rate of \$175. The motion carried by a vote of 5 – 1, with Mr. Begley voting no.

Budget Work Session

Mr. Phillips asked that Council members stay around briefly after the meeting for a brief budget-related report.

Adjournment

With no further business, Mrs. Wolbert made a motion, seconded by Mr. Repsher to adjourn the meeting at 9:40 p.m.; the motion carried unanimously.

James S. Phillips, Secretary