

East Stroudsburg Borough, October 18, 2016

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, October 18, 2016. The following members were in attendance: Donald Cross, Roger DeLarco, Edward Flory, Maury Molin, William Reese, and Sonia Wolbert. Also tending were: Mayor Armand M. Martinelli; Manager James S. Phillips; Solicitor John C. Prevoznik, Esquire; Codes Official Marvin Walton; DPW Director Steven DeSalva; and Finance Officer Kenneth Konz.

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 Vicki Bader.

Moment of Silence and Reflection

A moment of silence was observed by all in attendance.

Minutes of October 4, 2016 Regular Council Meeting

Mr. Cross made a motion, seconded by Mr. Molin, to approve the minutes of the October 4, 2016 Council meeting as submitted; the motion carried unanimously.

Public Comments – Agenda Items

Vicki Bader said she owns the building at 387 N. Courtland Street and presented copies of water/sewer bills for the building, which currently has three uses. However, Mrs. Bader said she does not feel it is fair to have to pay three water/sewer minimums. Mrs. Bader questioned whether other property owners, such as Walmart, have to pay for separate water/sewer minimums for separate uses they may have within a building. Mrs. Bader said she had raised this question with Mr. Phillips over a year ago and had not received an answer.

Mr. DeLarco said Council had looked at this issue at the time but had not come to any resolution, and Council needs to have the Ordinance Review Committee take up this issue again. Mr. DeLarco asked Mr. Walton if a meeting could be scheduled for next Friday, October 28, 2016. Mr. DeLarco asked Mrs. Bader if she would be available to attend that meeting? Mrs. Bader said she would not be available then. Mr. DeLarco asked Mrs. Bader to submit any information she wants to prior to that meeting for consideration by the Committee.

Resolution 20-2016 Authorizing Adoption of Minimum Rehabilitation Standards Contained in updated PA DCED Housing Rehabilitation Guidebook

Mr. Walton said the DCED Guidebook for housing rehabilitation has been revised, but he checked with Building Official John Blick, and the revisions are fairly minor; and neither he nor Mr. Blick see any issues with the changes. Mr. Flory made a motion, seconded by Mr. Molin, to adopt proposed Resolution 20-2016 authorizing adoption of the minimum rehabilitation standards contained in the current PA DCED Housing Rehabilitation Guidebook; the motion carried unanimously.

Resolutions Authorizing Submittal of Small Water System Grant Applications

Mr. Phillips said RKR Hess has been working on two grant applications for the Borough, and asked Russell Scott to review the two projects. Mr. Scott said the estimated cost of the water reservoir roof replacement is \$234,900; the grant application is for the maximum 85% of project cost or \$199,665. Mr. Flory made a motion, seconded by Mr. Reese, to adopt proposed Resolution 21-2016 authorizing submittal of a Small Water System Grant Application to the Commonwealth Financing Authority, for replacement of the roof on the Finished Water Storage Reservoir at the Borough Water Filtration Plant; the motion carried unanimously.

Mr. Scott said the Elizabeth Street waterline project is separated into two phases. The estimated cost for the section from West Vine Street to West Broad St. is \$217,525, the estimated cost for the section from West Broad Street to Lenox Avenue is \$115,400; the total

project cost including contingencies is \$445,218. The grant application is for 85% of that cost, or \$378,435. Mrs. Wolbert made a motion, seconded by Mr. Flory, to adopt proposed Resolution 22-2016 authorizing submittal of a Small Water System Grant Application to the Commonwealth Financing Authority, for the Elizabeth street waterline replacement project; the motion carried unanimously.

Proposed 2017 Borough Budget Review and Adoption Schedule

Mr. Phillips said he had distributed a copy of a proposed Budget Review meeting schedule to determine availability of Council for such meetings. Mr. Molin indicated he will be away the week of Nov. 1-4 so will not be able to attend a meeting on November 3rd. Mr. Flory said he is not available on Monday evenings. Mr. DeLarco asked Mr. Phillips to circulate new possible date(s) to Council for review.

Proposed Ordinance No. 1315 – Amending the Code of the Borough of East Stroudsburg, Chapter 134 Entitled Solid Waste; Establishing a Hardship Provision Allowing For an Extended Payment Period for the Annual Solid Waste User Fee by Low/Moderate Income Residents

Mr. Prevoznik said the latest draft of the Ordinance to provide for an extended payment option for residents based on income provides for the annual solid waste fee, and the amount of discount, to be established annually by Borough Council. Mr. Prevoznik asked Mayor Martinelli if this Ordinance addresses his concerns; Mr. Martinelli said yes. Mrs. Wolbert made a motion, seconded by Mr. Flory, to authorize advertising the proposed Ordinance for action at the November 1, 2016 Council meeting; the motion carried unanimously.

Public Comments – New Business

None.

Correspondence

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

- i. MEA, Inc. – Notification of Submission and Publication of Notice of Intent to Remediate (NIR) for former International Boiler Works site
- ii. Pocono Arts Council – thank you to Borough for continued support in 2016

Reports

Mr. Konz distributed copies of the August 31, 2016 financial reports prepared using the AMS software, with a summary sheet detailing the totals for all the Funds together. Mr. Konz reported that the account reconciliations are almost completed. Also, the borough will be utilizing the modified accrual basis of accounting on a test basis to determine to determine how well that will work on a permanent basis.

Mr. DeSalva reported he had distributed his Public Works Report to Council; and noted that the rain gardens have been installed at both the Fire Station and Dansbury Depot sites. He is analyzing the trend in waterline leaks/repairs along the Rte. 209 business corridor.

Mr. Walton reminded Council that the consultant for the comprehensive plan update will be attending the Council Committee meeting next week to give a report. Mr. Walton also gave a report on the ESU/UPI Housing project; construction is proceeding. He will also be tracking the matrix of conditions for the UPI project and the Information Commons project.

Mrs. Wolbert asked about two “recycled” cars at the rear of the Recycling Center? Mr. Phillips said the cars are being used for “practice” by the Fire Company; Mr. Flory said the Fire Company will dispose of the cars properly when they are done.

Mr. Cross asked the status of the burned structure at 46 Lackawanna Avenue? Mr. Phillips said the Borough will still request the County and School District to waive the delinquent taxes on the property. Mr. Prevoznik reminded Council that the issues involved are complicated by the bankruptcy petition of the current owner.

Mr. Molin reported that the Info. Technology Committee met last week, and discussed among other things the Borough website.

Mr. Phillips said the swim pool consultant did identify the location of three leaks at the Dansbury Park Swimming Pool, and reported that John Wisegarver has contacted contractor Norman Fish concerning excavating for the needed repairs. Mr. Flory said he would like to see the consultant's report before proceeding with repair of these leaks. Mr. Molin said he thought the intent was to get as much work done as possible this Fall while the weather permits.

Mr. Phillips also reported that the most recent quarterly test results for trihalomethanes in the Borough water system came back well within limits; which is good news.

Mr. Phillips said PennDOT contacted him in response to our letter regarding the parcel of property located near the Prospect Street/Forge Road intersection owned by the Rosa Brush Estate. Although the Borough had filed a declaration of taking in 1995, payment of compensation to the heirs was never completed; PennDOT will file a new declaration of taking naming the Estate and the Borough in order to proceed to obtain title as necessary for the Exit 308 interchange work.

Finally, Mr. Phillips noted that SROSRC has requested several temporary traffic changes during the hours for the Haunted Trail Event at Zacharias Pond Park on Saturday evening, October 22, 2016. During the shuttle bus service to the Park they request making E. 3rd Street one way "out" from the Park, and E. 2nd Street one way "in. Mr. Flory said he is not sure about the need to make 2nd Street one-way because of the number of residents that use that street for access; and made a motion, seconded by Mr. Cross, to authorize making 3rd Street one-way during the event with appropriate signage and barricades. The motion carried unanimously.

Mr. DeLarco commented that great progress has been made with resolving the issues with the AMS software.

Mr. Flory asked about installation of the guiderail at the Fire Station? Mr. DeSalva said he has been contacting the contractor, Chemung Supply Co., almost every day on this. Mr. Flory also asked if DEIN Properties will be installing "protection" around the new rain garden locations within the parking lot near the Fire Station. Mr. DeSalva said Mr. Strunk had indicated they could install delineators to mark the rain gardens better to avoid vehicles running into the rain garden plantings.

Mr. Reese said a resident had questioned him about the short time to pay the water/sewer bill this quarter. Mr. Phillips said the bills, which were mailed out by AMS, have a due date of Oct. 18 and asked if Council wished to extend the "grace period". Mr. DeLarco said this matter needs to be referred to the Zoning Ordinance Review Committee as well.

Mr. Scott briefly reviewed the written Engineer's Report from RKR Hess previously submitted to Council.

Mr. DeLarco noted that SARPD Police Lieut. Paul Gasper was detained at another meeting and could not get away to attend tonight's Council meeting.

List of Bills Payable – October 18, 2016

Mr. Flory made a motion, seconded by Mr. Molin, to approve the List of Bills Payable and to authorize payroll and expenses through 10/18/16 as submitted; the motion carried unanimously.

Executive Session for Discussion of Litigation and Personnel Matters

Mr. Reese made a motion, seconded by Mr. Flory, to adjourn into executive session at 8:36 p.m.; the motion carried unanimously.

At 9:09 p.m. Council members reassembled in the meeting room, and Mr. Flory made a motion, seconded by Mr. Cross, to reconvene the public meeting; the motion carried

unanimously. Mr. Prevoznik said the executive session was held to discuss several litigation matters and personnel matters; and no decisions were made.

Approval of Repayment Agreement(s) for Delinquent Water/Sewer and Garbage

Mr. Flory made a motion, seconded by Mr. Molin, to ratify approval of the repayment agreements for Ian J. Schreier, 175 King Street; the motion carried unanimously.

Advertise Special Meeting

Mr. Reese made a motion, seconded by Mr. Cross, to authorize advertising the October 27, 2016 Committee meeting as a regular meeting for general purposes; the motion carried unanimously.

CFRED Litigation Settlement

Mrs. Wolbert made a motion, seconded by Mr. Moliin, to ratify execution of the settlement agreement with the ESU Center for Research & Economic Development regarding the litigation over the former Chaperone Technologies, Inc. lab space in the 66 Analomink St. Building owned by the Borough. The agreement calls for payment of \$42,500 to the Borough in reimbursement of cleanup costs at the former lab space. The motion carried unanimously.

Phone System

Mrs. Wolbert made a motion, seconded by Mr. Cross, to authorize implementing a “phone tree” feature for the Borough telephone system at the Municipal Building by October 31, 2016; the motion carried unanimously.

Adjournment

With no further business, Mr. Flory made a motion, seconded by Mrs. Wolbert, to adjourn the meeting at 9:12 p.m.; the motion carried unanimously.

James S. Phillips, Secretary