

East Stroudsburg Borough, September 6, 2016

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, September 6, 2016. The following members were in attendance: Donald Cross, Roger DeLarco, Edward Flory, Maury Molin, William Reese, and Sonia Wolbert. Also attending were: Mayor Armand Martinelli; Solicitor John C. Prevoznik, Esquire; Manager James S. Phillips; Codes Official Marvin Walton; DPW Director Steven DeSalva; and Engineering Representative Samuel D'Alessandro, P.E., of RKR Hess, a Division of UTRS.

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 Pat Jeanschild.

Moment of Silence and Reflection

A moment of silence was observed by all in attendance.

Minutes of August 25, 2016 Regular Council Meeting

Mr. Molin made a motion, seconded by Mr. Cross, to approve the minutes of the August 25, 2016 Council meeting with revisions as noted by Mr. Phillips in his email; the motion carried unanimously.

Public Comments – Agenda Items

None.

Consulting Services Agreement with RKR Hess for 2016 Monitoring at two former joint municipal landfill sites

Mr. Phillips said the proposal is for the same approximate cost as in prior years, an estimated \$14-17,000 to be split among the three municipalities. After discussion, Mr. Reese made a motion, seconded by Mrs. Wolbert, to approve the proposal from RKR Hess as submitted, subject to concurrence on the award from Stroudsburg Borough and Stroud Township; the motion carried unanimously.

Water Rate Increase to Brodhead Creek Regional Authority (BCRA) pursuant to Bulk Water Agreement with BCRA

Mr. Phillips noted that the Borough increased water rates earlier this year to general customers but did not increase the bulk water rate charged to BCRA under the Intermunicipal Service Agreement. The last such increase was in 2010. Mr. Phillips said the Agreement has several other limiting factors on a bulk rate increase; it must be in conjunction with a general rate increase, and the percentage increase may not exceed the increase in the Borough's Water Fund expense line items for the period of time since the last increase.

Mr. Phillips said he did discuss this today with Ken Brown, Manager for BCRA, and it is suggested that any increase occur in conjunction with the next BCRA meter readings which will be as of 1/1/17, for the October-November-December quarterly period. Council indicated intent to increase the bulk rate, so Mr. Phillips said he would calculate the cost increase limit on the bulk water rate as provided for in the Agreement.

Further Discussion on Proposed Ordinance No. 1314 – Amending Chapter 134 of E.S. Code, Revising the Due Date for the Annual Solid Waste Fee

Mayor Martinelli said he had been inclined to veto proposed Ordinance No. 1314 which reduces the amount of time for payment of the annual solid waste fee from 180 days to 90 days. The Mayor said he had discussed this issue with the Council executive committee this morning, and there is agreement that a "hardship" provision can be added to the Code to allow for more time to pay the bill, under certain circumstances. Mr. Martinelli said he will not veto the ordinance but wants Council to proceed with coming up with such hardship conditions. Mr.

Walton said he would schedule a Zoning Ordinance Review Committee meeting to discuss this matter.

Security Camera Proposal for Dansbury Park

Mr. Phillips said Council had received a copy of the proposal from ARGS to install cameras at Dansbury Park in conjunction with Stroud Area Regional Police Department (SARPD) and Stroud Region Open Space and Recreation Commission (SROSRC). The Borough portion of costs would be just under \$8,000. After discussion, Mr. Molin made a motion, seconded by Mr. Reese, to approve the proposal from AGRS as submitted, subject to the Manager obtaining a commitment from SARPD that the camera plan will be compatible with and accessible to the SARPD camera system; the motion carried unanimously.

Request for Handicap Parking Sign at 496 Chestnut Street

Mr. Walton read an email from DPW Director Steven DeSalva stating that he recommends approval of the sign since there are limited options for parking at this residence. Mr. Flory made a motion, seconded by Mr. Reese, to approve the request for installation of handicap parking sign as submitted; the motion carried by a vote of 5-0 with Mr. Cross abstaining due to it being his request.

Public Comments – New Business

Pat Jeanschild of East Brown Street said problems with student rental housing in her neighborhood have begun again, with the start of the new School Year. Ms. Jeanschild said 123-125 E. Brown Street residence owned by James Dellaria is the main problem. A young male threatened her Monday night when she had called the Police, because of loud noise. Mr. Walton said he has already received more complaints this early in the school year, than he had received all of last year. Ms. Jeanschild said she had also called Chief Parrish of ESU; and that the Regional Police needs to make more regular patrols of this neighborhood.

Correspondence

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

- i. SROSRC – 2015 Year Financial Statements as prepared by Wesoloh Carney & Co., LLC
- ii. Monroe County Office of Emergency Services – Proposed Monroe County Hazard Mitigation Plan – for municipal adoption. Mr. Prevoznik suggested that Mr. Phillips obtain copies of the proposed Plan so it can be reviewed prior to adoption by the Borough.

Reports

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

- The contractor for the Levee Scour Repair work at Dansbury Park has submitted the invoice for completion of all work, but has not submitted all closeout documents.
- Mr. Phillips has asked RKR Hess to assist in preparing applications for grant funding through the Small Water Systems Grant Program available through the Commonwealth Financing Authority. Applications are being considered for replacement of the roof on the Finished Water Tank, and for the Elizabeth Street waterline replacement project.
- Willow Street reconstruction design work is proceeding, several waterline servicelines must be relocated, and storm sewer lines cleaned out.

Ms. Wolbert asked about the flood control levee storm pipes. Mr. D'Alessandro said he had reviewed the videotape of the storm pipes. Mr. DeSalva said the DEP Flood Mitigation grant application requires the submittal of plans and specifications for the proposed work. After discussion, Mr. Cross made a motion, seconded by Mr. Flory, to authorize preparation of plans and specifications for the relining or replacement of the levee storm pipes as needed; the motion carried unanimously.

Mr. Reese asked the status of relining crosswalks? Mr. DeSalva said the DPW

Maintenance Crew has been out for several nights doing this work, which now is mostly complete. Mr. Reese inquired about the pool consultant doing the testing at the Dansbury Park Pool? Mr. Phillips said we have been in contact with Brent Boyer and he will be advising us shortly on his start date. Finally, Mr. Reese commented on the poor maintenance of the Post Office property, high weeds, uncut grass, etc. Mr. Walton said the Assistant Codes Officer has been in contact with the Post Office regarding these complaints.

Mr. Flory asked who is dumping construction debris at the IBW property, if it is not the Borough doing so? Mr. Flory made a motion, seconded by Mr. Cross, to not allow any more dumping at the IBW site since the material will have to be disposed of when the Borough sells the property; the motion carried unanimously. Mr. Flory inquired about the status of installing fencing at the Fire Station property to prohibit traffic from cutting through the parking lot? Mr. DeSalva said he recommends installation of guiderail where the previous speed bump was located. Mr. Flory made a motion, seconded by Mr. Molin, to authorize installation of guiderail as recommended; the motion carried unanimously. Finally, Mr. Flory said he objects to removal of the trees located around the inlets at the Fire Station that are proposed for rain garden sites; because these trees will provide better filtering of the stormwater than any new plants will. Mr. DeSalva said he thinks the rain gardens could be built around the trees, but will check with the designer of these rain garden sites; and no action will be taken on the trees until he finds out.

Mr. DeLarco questioned an invoice from Wyoming Electric for resetting a street light pole on Courtland Street? Mr. DeSalva said this was a pole/light replacement from the first phase of the project that had been knocked over in a vehicle accident. Mr. Phillips said the Borough had received insurance proceeds after the accident. Mr. DeLarco also noted the massive waterline break on Brown Street which now has caused settlement issues with the pavement. Mr. DeSalva said he met with PennDOT this morning on this and additional pavement restoration work will need to be undertaken by the Borough.

List of Bills Payable September 6, 2016

Mr. Flory made a motion, seconded by Mr. Molin, to approve the List of Bills Payable and to ratify payroll and expenses through September 6, 2016 as submitted; the motion carried unanimously.

Executive Session

Mrs. Wolbert made a motion, seconded by Mr. Molin, to adjourn into executive session at 8:34 p.m.; the motion carried unanimously.

At 9:10 p.m. Council members reassembled in the meeting room, and Mr. Flory made a motion, seconded by Mr. Molin, to reconvene the public meeting; the motion carried unanimously. Mr. Prevonzik said the executive session was held to discuss litigation matters regarding the proposed ESU Stormwater Facilities agreement, settlement of the ESU/CFRED matter, and a personnel matter; and no decisions were made.

Ratify Execution of Repayment Agreement(s) - Delinquent Water/Sewer & Garbage Fees

Mr. Molin made a motion, seconded by Mr. Flory, to ratify execution of repayment agreements with:

- Ian Scheirer for delinquent Water/Sewer and Garbage for 175 King Street; and
- Robert Damato for delinquent Water/Sewer and Garbage for 315 Old Oak Street.

The motion carried unanimously.

Authorization for Bankruptcy Counsel for Delinquent Claims

Mr. Cross made a motion, seconded by Mrs. Wolbert, to authorize Bankruptcy Counsel Zac Christman, Esquire to:

- Revise and file motion for Relief from Stay for Collection – S. Catalano bankruptcy
- File limited objection to Plan to Remove Avoidance of Lien – D. Counterman
Bankruptcy
- Research and correspondence with Borough Staff on Other bankruptcy cases

Adjournment

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

James S. Phillips, Secretary