

East Stroudsburg Borough, September 1, 2015

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, September 1, 2015. The following members were in attendance: Peter Begley, Roger DeLarco, William Reese, Richard Smith, and Sonia Wolbert. Edward Flory was absent. 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 John Samant.

Moment of Silence

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

Minutes of August 27, 2015 Council Meeting and recessed August 28, 2015 Council Meeting

Mr. Begley made a motion, seconded by Mrs. Wolbert, to approve the minutes of the August 27, 2015 regular Council meeting as submitted; motion carried unanimously. Mr. Prevoznik said the meeting was recessed over to August 28, 2015 at 9:00 a.m when an executive session was held to discuss Collection Litigation; no decisions were made. Mrs. Wolbert made a motion, seconded by Mr. Smith, to approve the minutes of the August 28, 2015 continued Council meeting as submitted; the motion carried 4 -0, with Mr. Begley abstaining due to his absence from that meeting.

Public Comments – Agenda Items

Mr. Begley noted that Lisa Van Why was in attendance, who he had mentioned as a candidate to serve on the Comprehensive Plan Committee as a School District representative, since she is running unopposed for School Director. Ms. Van Why said she is a resident as well as a local business owner. Mr. Begley made a motion, seconded by Mr. Smith, to appoint Lisa Van Why to the Comp. Plan Committee; the motion carried unanimously.

Resolution No. 29-2015 – Authorizing Application for Local Share Account, Monroe County, Grant Funding for Middle Dam Rehabilitation Project

Mr. Phillips said the Borough had applied for and received LSA grant funds for the Middle Dam project in 2013, and had applied again last year but was not funded. Mr. Phillips said the proposed Resolution would authorize application for \$1,400,000 in LSA funds. Mrs. Wolbert made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 29-2015 authorizing application to CFA for LSA grant funds as recommended; the motion carried unanimously.

Resolution No. 30-2015 – Approving Joinder Deed Request by Commonwealth of Pennsylvania, acting by and through the Department of General Services, for consolidated 18.89 acre parcel located on East Stroudsburg University campus - for the Information Commons Building Project

Mr. Prevoznik said the proposed joinder deed is one of forty-three (43) conditions imposed on ESU/Department of General Services as part of the conditional use decision approving the proposed ESU Information Commons Building Project. Mr. D'Alessandro noted there is still a discrepancy in the joinder deed description, but this can be worked out with the Engineer for ESU. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 30-2015 approving the joinder deed, subject to review and approval of the final joinder deed document by the Borough Engineer and Solicitor; the motion carried unanimously.

Resolution/Proclamation No. 31-2015 – Recognizing the 200<sup>th</sup> Anniversary of the Incorporation of Stroudsburg Borough

Mrs. Wolbert made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 30-2015, a Proclamation of Council and Mayor recognizing and commending Stroudsburg Borough on their 200<sup>th</sup> anniversary of incorporation as a Borough; the motion carried unanimously.

Authorize Sale/Disposal of used municipal equipment via Municibid

Mr. Phillips had submitted a list of used/surplus municipal equipment that he proposed to offer for sale via Municibid. Mr. Begley made a motion, seconded by Mrs. Wolbert, to authorize the list of equipment for sale on Municibid as recommended; the motion carried unanimously.

Authorize advertising for proposals for purchase of coagulant for Water Plant

Mr. Phillips noted that with the impending void of the contract for coagulant, the Borough will need to seek new proposals for purchase of the polyaluminum chloride product for the Water Plant. Mr. Begley made a motion, seconded by Mr. Reese, to authorize advertising for bid proposals for coagulant, after consultation with the Engineer; the motion carried unanimously.

Request to temporarily close Ridgeway Street for filming of a wedding party at St. Matthew's R.C. Church – September 12, 2015 (from approx.. 1:45 – 2:00 p.m.)

Mr. Phillips said he had received a request for the Borough to agree to the temporary closing of Ridgeway St. for filming of a wedding party arriving at St. Matthews R.C. Church. Mr. Prevoznik said Ridgeway St. is a state highway, and Council may not want to give approval if it doesn't need to. Mayor Martinelli said Ridgeway St. is a major route and it would be a major inconvenience to stop all traffic on the road for fifteen minutes.

Ratify approval of Updated Panel List of Physicians/medical providers for treatment under Worker's Compensation Insurance

Mr. Phillips said he has an updated list of physicians/medical providers that employees must treat with for the first 90 days of a work injury, which was reviewed with the Borough's Worker's compensation insurance carrier. Mr. Reese made a motion, seconded by Mr. Begley, to ratify approval of the updated Panel List as submitted; the motion carried unanimously.

Public Comments – New Business

Don Cross of 476 Chestnut Street stated he is concerned with the number of rental housing units in his neighborhood, for the occupants of these units cause disruptions to the neighborhood. Mr. Reese encouraged Mr. Cross to contact the Police Department if they are disturbing the neighbors. Mr. Cross noted that the rental units are inspected only every two years, and asked if these units could be inspected more often? Mr. Walton said Council had discussed at length the frequency of inspections under the program, and came up with the every-other-year inspections. Mr. Cross asked if "problem" houses could be inspected more often? Mr. Walton said it is important that problems be reported to the Police, because if multiple disruptive conduct reports are submitted and verified, the landlord may be required to evict his tenants.

Bob Bolduc of 51 Borough Street said there are a lot of sheds/structures popping up in his neighborhood. Mr. Bolduc said he tries to maintain his property, but the neighbors all don't – and it devalues his property value. Mr. Walton said the property across from Mr. Bolduc is currently under investigation.

Correspondence

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

- i. PA Dept. of Environmental Protection – Due to East Stroudsburg inclusion within an urbanized area, NPDES permit to be required for Municipal Separate Storm Sewer

- System (MS4) discharges.
- ii. U.S. Department of Agriculture, Rural Development – Funding for Middle Dam Rehabilitation Project.

### Reports

Mr. DeSalva reported the following:

- Work on the Streetscape project began this past week.
- He is processing additional UGI requests for refund of road deposits.
- Milling work for the streets to be paved began yesterday.
- Mr. DeLarco asked for a detailed report on the UGI permits for the next meeting.

Mr. Walton reported that interviews with three of the consultants that submitted proposals for the Comprehensive plan update are scheduled for this Thursday evening. He is also trying to schedule a Zoning Committee meeting for next week.

Mr. D'Alessandro reviewed his written Engineer Report previously submitted to Council.

Mr. Reese noted that Council had previously discussed closing the pool for the season at the end of August; however he received a report from Mr. Brown that attendance has been steady at the swimming pool recently, and also that the weather forecast calls for temperatures in the high 80's through Labor Day with no rain anticipated; so he feels the Pool should remain open. Council members agreed.

Mr. Begley said a resident of the 5<sup>th</sup> ward had asked him about establishing a Dog Run area at Dansbury Park. Mrs. Wolbert said Dansbury Park has too many playing fields to be able to establish a dog run; but perhaps a regional Dog Park is something the Recreation Commission could work on.

Mr. Prevoznik reported that PennDOT has not yet acted on the Agreement sent to them for the Ridgeway Street Bridge project. Mr. Prevoznik also said ESU has agreed to provide the Borough with a bi-weekly project update for the proposed Information Commons Building project. Mr. Begley made a motion, seconded by Mrs. Wolbert, to authorize the Borough Engineer to work with the Engineer for ESU on the bi-weekly reports; the motion carried unanimously.

Mr. Phillips reported that officer Sampere from the Regional Police Department yesterday had cited an overweight vehicle which crossed the Ridgeway Street bridge – the fine for the truck was in excess of \$16,000. Mr. Phillips also noted that notice of additional assessment appeals has been received, and some of these appeals are for commercial properties within the Borough. Mr. Reese made a motion, seconded by Mrs. Wolbert, to authorize the Solicitor to confer with counsel for the School District on these assessment appeals; the motion carried unanimously.

Mr. Phillips said Pocono Mountains Economic Development Corporation (PMEDC) has requested that the Borough to again submit a letter of support for an LSA application they are preparing for funds to extend a natural gasline to Irridium Industries on Forge Road. Mr. Begley made a motion to authorize the letter of support; the motion died for a lack of a second.

### List of Bills Payable – September 1, 2015

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

### Executive Session for Discussion of Real Estate and/or Litigation Matters

Mr. Begley made a motion, seconded by Mrs. Wolbert, to adjourn into executive session at 8:31 p.m.; the motion carried unanimously.

At 9:03 p.m. Council members reassembled in the meeting room, and Mrs. Wolbert 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 a litigation matter; and no decisions were made.

Establishing Administrative Fees for Repayment Agreements for Collection of Delinquent Water/Sewer Charges

No discussion.

Streetscape Project Procurement Issue

Mr. Prevoznik said Special Counsel from Ballard Spahr had reviewed a procurement issue on behalf of the Borough; and no action is required. Mr. Begley made a motion, seconded by Mr. Smith, to accept the report; the motion carried unanimously.

Ratify Approval of Repayment Agreements for Collection of Delinquent Water/Sewer Charges

Mr. Begley made a motion, seconded by Mrs. Wolbert, to ratify approval/authorize execution of a repayment agreement with Rosanna Paniccia for property located at 102 East Brown Street; the motion carried unanimously.

Adjournment

With no further business, Mr. Reese made a motion, seconded by Mr. Begley, to adjourn the meeting at 9:05 p.m.; the motion carried unanimously.

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James S. Phillips, Secretary