

East Stroudsburg Borough, February 21, 2017

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, February 21, 2017. The following members were in attendance: Don Cross, Roger DeLarco, Edward Flory, Maury Molin, William Reese, and Sonia Wolbert. Also attending were: Mayor Armand Martinelli; Solicitor John C. Prevoznik; Manager James S. Phillips; Codes Officer Marvin Walton; and Finance Officer Kenneth Konz.

Call to Order/Pledge of Allegiance – President DeLarco

Mr. DeLarco called the meeting to order at 7:00 p.m. The Pledge of Allegiance was led by Margaret Ball.

Minutes of February 14, 2017 Regular Council Meeting

Mr. Cross made a motion, seconded by Mr. Flory, to approve the minutes of the February 14, 2017 regular meeting as submitted; the motion carried unanimously.

SARPD Report for January 2017

Lt. Paul Gasper reported on a rash of burglaries recently, and also noted that a new patrol officer has been hired who will start work March 1st. Mr. Reese asked how many officers does the Dept. have now? Lt. Gasper stated 44 uniformed officers. Mr. Cross asked if the new license plate identification software is available, and was advised no.

Public Hearing on Proposed Ordinance No. 1320 of the Council of the Borough of East Stroudsburg on Behalf of East Stroudsburg Borough Authorizing a Sixth Amendment To An Intermunicipal Water Service Agreement and Facilities Transfer Agreement, dated May 6, 1999, and Five (5) Subsequent Amendments Thereto, Between the Borough of East Stroudsburg and the Brodhead Creek Regional Authority Which Amends Section 3.01 To Extend the Term Twenty-Five (25) Years or Until December 31, 2042; Section 4.01 To Increase the Reserved Capacity Allotted to the Authority From Two Hundred Fifty Thousand (250,000) Gallons Per Day (GPD) To Four Hundred Thousand (400,000) GPD; To Establish a One Time Capital Reserve Fee of Fifty Thousand Twenty-Five (\$50,025.00) Dollars Based on the Authority's Request for One Hundred Fifty Thousand (150,000) GDP of Additional Water Usage to be Paid in Two (2) Equal Installments of Twenty-Five Thousand Twelve Dollars and Fifty Cents (\$25,012.50), the First of Which Is Due Upon Signing This Sixth Amendment and the Second of Which Shall Be Due Within Thirty (3) Days After Notification To the Authority By the Borough In Writing of the Award of the Bid for the Transmission Line Project; To Amend Exhibit "C", Bulk Rate Schedule, Pursuant to Section 4.05, Measurement of Flow, of Article IV, Services Availability and Conditions, and Section 6.02(A)(B), Usage Charges, of Article VI, Charges, of the IWA as Amended by East Stroudsburg Borough Resolution No. 9-2010, Thereby Establishing a New Bulk User Rate of Two Dollars and Forty Cents (\$2.40) Per One Thousand (1,000) Gallons and a Fire Hydrant Rental, If Any, of One Hundred Fifty (\$150.00) Dollars Per Hydrant Per Year; Incorporating the Whereas Provisions; Allowing for Severability of Provisions; Incorporating Prior Provisions of the IWA To the Extent the Sixth Amendment Does Not Conflict; and Authorizing Counterpart Signatures

Mr. Molin made a motion, seconded by Mr. Flory, to open a public hearing on the proposed ordinance; the motion carried unanimously. Mr. Phillips reviewed the proposed ordinance and the terms of the agreement. The proposed amendment to the agreement will

extend the term of the agreement between the Borough and Brodhead Creek Regional Authority (BCRA) until 12/31/42; increase the Reserved Capacity in the Borough Water System allotted to BCRA by 150,000 gallons per day (gpd); establish a one-time Capital Reserve Fee to be paid by BCRA of \$50,025 to be paid in two installments; increase the Bulk Rate charged to BCRA from \$2.17 to \$2.40 per 1,000 gallons; and authorize execution of the Sixth Amendment agreement.

Mr. Phillips introduced the following exhibits for the public hearing:

- Exhibit A – copy of notice of the public hearing on the proposed ordinance.
- Exhibit B – proof of publication of the notice of public hearing in the *Pocono Record* on February 14, 2017.
- Exhibit C – copy of notice of an attested copy of the proposed ordinance provided to the Monroe County Law Library.
- Exhibit D – copy of notice of an attested copy of the proposed ordinance provided to the *Pocono Record*.
- Exhibit E – copy of the proposed ordinance.
- Exhibit F – sign-in sheet for the public hearing.

Mrs. Wolbert made a motion, seconded by Mr. Molin, to enter the exhibits into the record for the public hearing on the proposed ordinance; the motion carried unanimously.

Mr. Molin noted that the Borough has ample water supply to be able to provide the additional water to be sold in bulk to BCRA. Mr. DeLarco noted that this proposal was initiated by a request from BCRA. Mr. DeLarco asked for comments from the audience, and there were none. Mrs. Wolbert made a motion, seconded by Mr. Flory, to close the public hearing and reconvene the regular meeting; the motion carried unanimously.

Dale Fetterly, Fire Chief, Acme Hose Co. – Hydrant/sprinkler connections and possible preventative maintenance program for Pierce Fire Apparatus

Fire Chief Dale Fetterly said the Fire Department is recommending that the Borough switch over the threads on Borough fire hydrants to a more universal thread size, and had an adaptor to demonstrate how this can be done; the cost is about \$220 per hydrant. Chief Fetterly also reported that an inspection of the aerial ladder and pump test on the Tower Truck will cost \$4,400, and the Fire Company is recommending that the Borough contract for a maintenance program on the two newer Pierce fire apparatus. Also, the ISO is currently undertaking a re-evaluation of the fire service rating for the Borough.

Mr. DeLarco said he wants to appoint a Fire Services Committee to review these matters and work with a committee from the Fire Company, and suggested that Mr. Cross chair that Committee. Mr. Molin and Mr. DeLarco volunteered to also serve on the Committee. Mr. Cross said he would check with Mr. Fetterly to setup a time to get together.

Public Comments – Agenda Items

Margaret Ball of Braeside Avenue, said she supports the proposal on the agenda to provide 3 hour limit parking meters near the Pocono Community Theater (PCT). Ms. Ball said 3 hr. meters would benefit senior citizens, especially, for attending movie matinees and on Saturdays.

Chuck Curry, CFO for PCT said they want to attract more families to attend the Theater and he feels that providing 3 hr. limit meters will help do that.

Mr. Cross suggested that the Theater ask the Methodist Church for approval to use their parking lot for theater patrons.

Mr. Molin said he now feels that more than six (6) parking meters should be converted to a 3 hr. limit in the South Courtland St. parking lot; six meters does not address the issue. Mr. Molin said Stroudsburg Borough has 3 hr. limit meters.

Mr. Flory said more 3 hr. meters could encourage more local shop owners to park in front of their business, which limits the parking available for customers.

Jane Gagliardo said 3 hr. parking meters could also benefit patrons at the local hair salons.

Mayor Martinelli suggested that all the meters in the South Courtland St. Parking Lot should be changed to a 3 hr. limit.

Michael Stettler said he performs maintenance on the parking meters and the “meter machine” needed to program the change to 3 hr. limit can also be used to re-time other meters used for spares.

Mrs. Wolbert said the Borough may need to look at changes in parking meter limits in other areas of the Borough, as well.

Mr. Flory said a survey should be done before just starting to make changes.

Mr. DeLarco noted that the Borough is also looking at moving towards an automated meter system using kiosks.

Lydia Strunk of Franklin Hill Court said she thinks it could be confusing to have parking meters in the same lot with different time limits.

Resolution No. 8 – 2017 Reallocating FY 2013, FY 2014, and FY 2015 CDBG Funds from Waterline Activity and Housing Rehabilitation Activity to Curb Ramps and Demolition Activities

Mr. Phillips noted that Council held a public hearing 2/7/17 on this proposal to modify the program budgets for FY 2013, 2014, and 2015 CDBG funds. Mr. Cross made a motion, seconded by Mr. Molin, to adopt proposed Resolution No. 8 – 2017 Reallocating FY 2013, FY 2014, and FY 2015 CDBG Funds from Waterline Activity and Housing Rehabilitation Activity to Curb Ramps and Demolition Activity as submitted; the motion carried unanimously.

Action on Proposed Ordinance No. 1320 (see no. 4 above)

Mr. Flory made a motion, seconded by Mr. Reese, to adopt proposed Ordinance No. 1320 authorizing a sixth amendment to the Intermunicipal Water Service Agreement and Facilities Transfer Agreement, as amended, between the Borough and the Brodhead Creek Regional Authority (BCRA) as advertised; the motion carried unanimously.

Proposed Easements requested by Met-Ed for powerline upgrade along Barren Road, Middle Smithfield Twp. (Borough reservoir property)

Mr. Phillips said RKR Hess has reviewed the proposed easement descriptions provided by Met-Ed for the powerline upgrade proposed along Barren Road. Mr. Molin made a motion, seconded by Mr. Reese, to authorize the Solicitor to prepare an easement agreement for approval and recording of the proposed easements; the motion carried unanimously.

Travel Request for Manager and HR Coordinator to attend Benecon Health Benefits Seminar at Lancaster March 9-10, 2017

Mr. Reese made a motion, seconded by Mr. Flory, to authorize Mr. Phillips and HR Coordinator Rebecca Smith to attend the Benecon Health Benefits Seminar as requested, with reimbursement of expenses in accordance with provisions of the Borough Employee Manual; the motion carried unanimously.

Travel Request for HR Coordinator to attend PELRAS Training Conference at State College March 22-24, 2017

Mr. Flory made a motion, seconded by Mr. Reese, to authorize Rebecca Smith to attend the PELRAS Training Conference as requested, with reimbursement of expenses in accordance with provisions of the Borough Employee Manual; the motion carried unanimously.

Resolution No. 9-2017 Rescinding Prior Resolutions No. 20-2005 and No. 21-2006 - Requirements for Display of Banners Across Streets and Other Public Rights-Of-Ways

Mr. Phillips explained that these prior Resolutions were adopted when the Borough had three locations with cables in place for display of over-the-street banners within the Borough. However, the cable over N. Courtland St. was removed when utility poles were relocated by Met-Ed, the location at Ridgeway St. and College Circle is no longer usable due to the replacement of traffic signal posts, and the cable on Washington St. recently broke – and PennDOT will not allow new cables over state highways due to liability concerns. Mr. Flory made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 9-2017 Rescinding Prior Resolutions No. 20-2005 and No. 21-2006 (Requirements for Display of Banners Across Streets and Other Public Rights-Of-Ways) as submitted; the motion carried unanimously.

Drought Warning Designation for Monroe County Downgraded to a Drought Watch

Mr. Phillips said the State has downgraded the Drought Designation for Monroe County and surrounding counties from a Drought Warning to a Drought Watch. Mr. Flory made a motion, seconded by Mr. Reese, to change the designation for the Borough Water System to a Drought Warning; the motion carried unanimously.

Proposed Resolution No. 10 – 2017 Authorizing Issuance of PLGIT Procurement Cards

Mr. Prevoznik questioned whether the Employee Manual needs updated regarding the procurement cards, and suggested that model policies can be obtained from PLGIT. Mrs. Wolbert made a motion, seconded by Mr. Molin, to table this matter; the motion carried unanimously.

Proposal to provide for up to six (6) 3 hr. Limit Parking Meters in the South Courtland Street Parking Lot

Mr. Cross made a motion, seconded by Mr. Molin, to changeover all parking meters in the South Courtland St. parking lot to 3 hr. limits; with this change to be evaluated after one year. The motion carried by a vote of 5-1 with a Mr. Flory voting no.

Authorize preparation of specifications/bids and advertising for bids for Sewer collection system cleaning, televising and repairs (infiltration/inflow work)

Mr. Molin asked how much is budgeted for sewer system I and I work? Mr. Phillips said \$60,000. After discussion, Mr. Molin made a motion, seconded by Mr. Cross, to authorize preparation of specifications/bids by Glace Associates for sewer system cleaning, televising, and grouting/repairs as recommended; the motion carried unanimously.

Authorize purchase (via Co-Stars Pricing) of 2018 model GMC 3500 (or equal) Dump Truck for Twin Boroughs Recycling – funded via DEP Section 902 Recycling Grant

Mr. Molin made a motion, seconded by Mr. Reese, to authorize purchase via Co-Stars pricing of a 2018 model GMC 3500 (or equal) Dump Truck for Twin Boroughs Recycling, funded via DEP Section 902 Recycling Grant; the motion carried unanimously.

Authorize Bids for purchase of Compartmentalized Dump Body for Recycling Truck – funded via DEP Section 902 Recycling Grant (if not available under Co-Stars pricing)

Mr. Flory made a motion, seconded by Mr. Reese, to authorize purchase via Co-Stars Pricing, if available, a compartmentalized dump body for the previously approved dump truck for Twin Boroughs Recycling, funded via DEP Section 902 Recycling Grant; the motion carried unanimously.

Proposed Addendum to Professional Services Contract with Mullin & Lonergan Associates, Inc. for community development services for CDBG Program:

- Cancel \$3,000 budgeted for prep. of 2014 Environmental Review Record
- Add \$3,000 for Technical Services billed on hourly basis

Proposed Ordinance No. 1322 – Authorizing Approval of a Cable TV Franchise Renewal Agreement with Blue Ridge Technologies, Inc. – Authorize Advertising Public Hearing

Appointments to Vacancies on Boards and Commissions

Mr. Molin noted a vacancy exists on the Shade Tree Commission and he was approached by resident Charlie Gardner of King Street who is interested in serving on the Commission. After discussion, Mr. Molin made a motion, seconded by Mr. Cross, to adopt proposed Resolution No. 11-2017 appointing Charles Gardner to the Shade Tree Commission for the balance of a four year term expiring 04/30/2021; the motion carried unanimously.

Mr. Molin said the terms of two persons on the Property Maintenance Board of Appeals (PMBA) expired 06/30/16, Donald Ludwig and John Toleno. Mr. Walton said Mr. Ludwig is interested in continuing to serve on the PMBA. After discussion, Mr. Molin made a motion, seconded by Mr. Cross, to adopt proposed Resolution No. 12-2017 re-appointing Don Ludwig to

the Property Maintenance Board of Appeals for the balance of a three year term expiring 06/30/2019; the motion carried unanimously.

Mr. Molin said the term of Victor Brozusky on the Planning Commission expired 06/30/13, and apparently action on his reappointment was missed even though a new four-year term is now almost up. After discussion, Mr. Molin made a motion, seconded by Mrs. Wolbert, to adopt proposed Resolution No. 13-2017 ratifying Mr. Brozusky's service on the Planning Commission and re-appointing him to a new four year term expiring 06/30/2021; the motion carried unanimously.

Mr. DeLarco suggested that a notice be placed on the Borough website for any openings on Boards and Commissions. Mr. Molin said he is interested in continuing to diversify the makeup of our voluntary Boards and Commissions.

Mr. Walton said he received a text response from Mr. Toleno indicating that he is interested in continuing on the Property Maintenance Board of Appeals. Mrs. Wolbert made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 14-2017 re-appointing John Toleno to the Property Maintenance Board of Appeals for the balance of a three year term expiring 06/30/2019; the motion carried by a vote of 5-1 with Mr. Molin voting no.

Public Comments – New Business

Susan Randall of the Eastburg Community Alliance (ECA) displayed a sign for the rain gardens, similar to the one installed at Dansbury Depot at the rain garden site. Mrs. Randall said ECA would like to replace the old ESU banners installed on utility poles; the old banners are getting rather worn. Mrs. Randall said a Downtown Cleanup effort will be scheduled in conjunction with the "Great American Cleanup" for March or April.

Bill Cameron of the Pocono Record asked about the letter of support for the Keystone project which Council had discussed at last meeting. Mr. Molin made a motion, seconded by Mr. Cross, to send a letter of support to the State System of Higher Education for the Keystone Project, with a copy to our local legislators; the motion carried unanimously.

Correspondence

None.

Reports

Mr. Walton reported that his office had issued 18 violation notices for failure to remove ice and snow from sidewalks, which resulted in 6 citations. Mr. Walton also noted that new state legislation that took effect in January limits the ability of the Borough to withhold approval for resale inspections for minor violations; he will be preparing a draft ordinance to change Borough requirements to comply with state law.

Mr. Konz reported that total collections are up over \$683,000 since the start of the Borough Collections Committee efforts. Also, the Capital Improvements Committee will be meeting Friday morning 2/24/17 at 8:30 a.m.

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted and highlighted several matters:

- The MS4 waiver request was submitted to PA DEP in December and action may be taken by DEP by the end of February.
- The ADA Ramp project funded by CDBG Funds is out for bidding.

Mr. D'Alessandro reviewed the raw waterline replacement options for the Middle Dam rehabilitation project. After discussion, Mr. Flory made a motion, seconded by Mr. Molin, to make the raw waterline replacement from below the dam down to Fawn Road as an optional bid item in order to offer the possibility for cost savings on the project; the motion carried unanimously.

Mr. Flory noted that the problem with the floor tile at the Fire Station is getting worse and suggested that Council could meet with the Floor Source contractor prior to the 2/28/17 meeting.

Mrs. Wolbert reported that at the meeting last week with the consultant for the comprehensive plan it was discussed having a future land use map prepared for review at the next meeting. Mrs. Wolbert said she intends to schedule a Pool Committee meeting for later this week.

List of Bills Payable – February 21, 2017

Mr. Reese made a motion, seconded by Mr. Molin, to approve the list of bills payable as submitted and to ratify payroll and expenditures to date; the motion carried unanimously.

Executive Session for Discussion of Litigation and/or Personnel Matters

Mrs. Wolbert made a motion, seconded by Mr. Flory, to adjourn into executive session at 9:23 p.m.; the motion carried unanimously.

At 10:03 p.m. Council members reassembled in the meeting room, and Mr. Molin 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 a personnel matter and potential litigation regarding a stormwater issue; and no decisions were made.

Adjournment

With no further business, Mr. Flory made a motion, seconded by Mr. Molin, to adjourn the meeting at 10:04 p.m.; the motion carried unanimously.

James S. Phillips, Secretary
