

MINUTES FOR REGULAR MEETING  
EAST STROUDSBURG BOROUGH COUNCIL  
TUESDAY, JUNE 20, 2017 - 7:00 p.m.

PRESENT: Roger DeLarco, Don Cross, Sonia Wolbert, Ed Flory, and Bill Reese

ALSO PRESENT: Interim Manager Peter Marshall, Solicitor John C. Prevoznik, Borough Engineer Nate Oiler, and Financial Officer Ken Konz

ABSENT: Mayor Armand Martinelli and Maury Molin

The Pledge of Allegiance was led by Wando Holt.

A motion was made by Mr. Flory, and seconded by Mr. Cross, to approve the June 6, 2017, Council Meeting minutes as presented. The motion was carried unanimously.

Public comments were heard from Marguerite Hope, who asked whether any cultural or environmental studies were needed with respect to the wetlands being procured for the Middle Dam project. Mr. Oiler indicated that site endangered species studies were conducted for biological and vegetative endangered species and none were found.

Lieutenant Gasper discussed the S.A.R.P.D. May monthly report. He noted that two new officers will start this month. He reported that there were five (5) assaults, three (3) of which had been solved, and several burglaries occurred within the Borough. Solicitor will provide a copy of the report to Council.

Mr. Oiler reviewed with Council information updates and proposed action items. He led his discussion with a report on the Middle Dam Rehabilitation project. He reported that RGA, Inc. Cultural Resource Consultants performed field investigations and no significant impacts were found. The report was submitted to the PA Historical and Museum Commission for final approval. Mr. Oiler also noted that notifications have been made to Hamilton Township and the Monroe County Commissioners, as required by the GP-5 permit application.

Next Mr. Oiler requested that Council approve reimbursement to Smithfield Township for costs associated with its review of the Smithfield property acquisition. After discussion, a motion was made by Mr. Reese, and seconded by Mr. Flory, to approve reimbursement to Smithfield Township for reasonable costs associated with the review and approval of the property acquisition required for the Middle Dam Rehabilitation Project. The motion was carried unanimously.

Mr. Oiler reported that construction of the CDBG Day and Broad Street ramps is underway.

Mr. Oiler then discussed the Willow Street improvements, noting that final design of the sanitary sewer and storm sewer improvements are in progress. RKR Hess has prepared exhibits for the easements necessary for the project. Mr. Oiler requested Council authorization for Solicitor to proceed with title review and the easement acquisition process. After discussion, a motion was made by Mr. Flory, and seconded by Mr. Cross, to approve Solicitor to perform the title review for each parcel and proceed with the easement acquisition process. The motion was carried unanimously.

Mr. Oiler noted that after the June 6, 2017 meeting, Solicitor sent a request to Marc Troutmann, Esq., counsel for Met-Ed, for payment of fees incurred by Engineer and Solicitor on behalf of the Borough for the Met-Ed project. No response has been given to Solicitor, Manager or Engineer.

Mr. Oiler reported that updated terms for the Smith Street paving project had been developed between RKR Hess and Pennoni. He provided a draft agreement outlining the scope of the Smith Street improvements to Manager and Solicitor for their review. Mr. Oiler requested Council's approval of the draft agreement for incorporation into a final agreement with UPI/ESU, contingent upon approval of Manager, Engineer and Solicitor. After discussion, a motion was made by Mr. Cross, and seconded by Mr. Flory, to approve the agreement between the Borough of East Stroudsburg and UPI for improvements to Smith Street, conditioned upon approval of Manager, Engineer and Solicitor of the final agreement. The motion was carried unanimously.

Mr. Oiler reported that the Delaware River Basin Commission (DRBC) issued Docket D-2007-039 CP-3. Copies of the docket were distributed to Council.

Mr. Oiler asked if there were any other questions with regard to his Engineering Report. No questions were asked.

Manager reported that the 2016 audit would be presented at the June 29, 2017 regular meeting, which would have an otherwise limited agenda. The Audit Committee is scheduled to meet on June 23, 2017, after which a draft audit will be distributed to Council for review.

Manager led a discussion regarding the new rental housing licensing and inspection rates. As discussed at the June 6, 2017 meeting, Manager recommended changing the rental housing license ordinance to allow for revisions of the fees to be charged to be made by resolution as opposed to by ordinance. The amendment to Ordinance No. 1268 – Rental Permit/Inspection Fees, which will allow rental housing licensing and inspection fees to be set by resolution and thereafter listed in the Borough fee schedule, is scheduled for July 11, 2017, at 7:30 p.m.

Manager recommended to Council to advertise the enactment of Ordinance No. 1323 to establish Borough employee parking at North Crystal Street. After discussion, a motion was made by Mr. Reese, and seconded by Mr. Flory, to advertise for June 29, 2017 at 7:15 p.m., Ordinance No. 1323 to establish Borough employee parking at North Crystal Street. The motion was carried unanimously.

The Manager noted that the Borough is still in the process of finalizing its decision regarding new financial software. He recommended tabling discussion regarding the purchase of financial software until the June 29, 2017 meeting. Information packets were distributed to Council for review. Manager and Mr. Konz requested that any questions be provided to them by no later than June 26, 2017 in order that all questions may be addressed at the June 29 meeting. After discussion, a motion was made by Mr. Flory, and seconded by Mr. Cross, to table the discussion and recommendation of the financial software purchase until the June 29, 2017 meeting.

Manager reported that Ms. Margaret Muth, a member of the Planning Commission, had expressed interest in serving another four-year term as her present term expires on June 30, 2017. After discussion, a motion was made by Mr. Flory, and seconded by Ms. Wolbert, to reappoint Ms. Margaret Muth to a four-year term as a member of the Planning Commission, commencing on July 1, 2017 and expiring on June 30, 2021. The motion was carried unanimously.

Manager presented a membership renewal request for 2017-18 from the Brodhead Watershed Association (“BWA”) in the amount of Three Hundred and 00/100 (\$300.00) Dollars. He noted that this amount is equal to last year’s contribution, which is in the budget. After discussion, a motion was made by Mr. Reese, and seconded by Mr. Cross, to approve the renewal of the BWA membership for 2017-18 in the amount of Three Hundred and 00/100 (\$300.00) Dollars. The motion was carried unanimously.

Manager reported that there had been several glitches at the Firehouse in refinishing the floors: the tiles were not removed as they were supposed to be; the contractor left doors open during the process, which allowed cement dust to settle indoors, which had to be cleaned; and the finished floor is multicolored. Manager stated that the floor is safe.

Manager noted that he would distribute the rental properties registration report for discussion at a later date. After discussion, a motion was made by Mr. Reese, and seconded by Mr. Flory, to table the presentation and discussion of the rental properties registration report until the July 11, 2017 meeting. The motion was carried unanimously.

Manager provided an update on the pool. He noted that the pool was repaired so that it would be open for the summer. He reported that an issue regarding the pool valve actuators had recently been brought to his attention, and that this repair was slated to be addressed in the fall, after the pool closes for the season. Mr. Flory voiced concern that although the actuators may be functioning now, if the actuators should stop working it would cause problems as three of the four actuators are in need of repair. Mr. Flory also stated that there is a possibility that the water would discharge into Brodhead Creek. Manager noted that the pool could be closed for repair now, or remain open for the summer and be repaired in the fall. The pool cannot remain open while the repairs are made. After discussion, Council agreed to allow the pool to remain open and address the issue at the end of the season. A motion was made by Mr. Reese, and seconded by Mr. Flory, to authorize Manager and the Director of Public Works to work with RKR Hess to determine if safety measures could be implemented to prevent the dumping of pool water into Brodhead Creek in the event the actuators fail, and to determine the status of the pool valve actuators. The motion was carried unanimously.

Manager and Mr. Walton reported that Mobilitie, LLC appeared before the Planning Commission on June 13, 2017. Thereafter, Mobilitie, LLC withdrew its three (3) applications to construct pole towers. Council proceeded to discuss the existing cell tower/wireless network in right-of-way.

Manager reported that he and Solicitor participated in a conference call with the attorney for DGS/ESU, with respect to Information Commons. He stated that it was a good meeting and he anticipates that the easements will be resolved within the next week.

Ms. Wolbert reminded Council that the second round of interviews for the Borough Manager position would be conducted prior to the June 29, 2017 meeting beginning at 4 p.m. in Executive Session.

Public comments regarding new business were heard from Mr. Holt. He reported that Greek Life at ESU indicated that several programs were coming up for new students, which include a public service component. He wished to make the information available to Borough residents. Mr. DeLarco thanked him and spoke about street cleanup.

Mr. DaSalva distributed the Department of Public Works report prior to the meeting. He had no further report.

Mr. DeLarco confirmed that Mr. Walton was coordinating moving the Planning Commission meeting scheduled on July 11, 2017 to Dansbury Depot. Mr. Walton also indicated that he would arrange for advertisement of the meeting.

Mr. Reese discussed basketball hoops and other structures in roadways and cul-de-sacs in the Borough. Mr. Walton indicated that he is not aware of an ordinance prohibiting this. Manager agreed to review and provide his report.

Mr. Reese also reported that weeds are blocking the line of sight at the Kirk Building. Mr. Walton agreed to contact the owner and ask them to remove the weeds. Mr. Cross added that this is an issue in many places in the Borough where vegetation encroaches on sidewalks and streets. Manager asked Mr. Cross to report specific locations to him and he will move it down the chain of command.

Solicitor Prevoznik reported that a hearing for tax abatement was scheduled for July 5, 2017 on Parcel #05-4/1/7/8. After discussion, a motion was made by Mr. Reese, and seconded by Mr. Flory, to authorize Solicitor to attend the assessment hearing on July 5, 2017 to waive back taxes on Parcel #05-4/1/7/8, contingent upon receipt of property. The motion was carried unanimously.

Mr. DeLarco reported that he attended the Annual Pocono Foundation Grant and Scholarship Award Ceremony on June 13, 2017. Lehigh Valley Health Network made a contribution to the Borough Fire Department in the amount of Fifteen Thousand and 00/100 (\$15,000.00) Dollars for the fire truck fund. Mr. Dan Strunk, the Fire Chief and Assistant Fire Chief were all present to receive the award. Mr. Flory noted that the hospital offers this grant each year, and reported that the Fire Department will continue to apply for the grant. Mr. Strunk stated that it was a nice event.

A motion was made by Mr. Flory, and seconded by Ms. Wolbert, to ratify bills payable through June 20, 2017. The motion was carried unanimously.

A motion was made by Mr. Flory, and seconded by Mr. Cross, to adjourn the meeting to Executive Session at 7:41 p.m.

A motion was made by Mr. Reese, and seconded by Mr. Cross, to reconvene the meeting at 8:26 p.m.

Mr. Prevoznik reported that during Executive Session, discussions on litigation, contractual matters, and personnel were held and no decisions were made.

A motion was made by Mr. Cross, and seconded by Mr. Flory to adjourn the meeting at 8:30 p.m.

NEXT COMMITTEE/REGULAR MEETING: Thursday, June 29, 2017; 7:00 p.m.

NEXT REGULAR MEETING: Tuesday, July 11, 2017; 7:00 p.m.