

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, March 6, 2018 - 7:00 p.m.

PRESENT: Roger DeLarco, Ed Flory, Bill Reese, Sonia Wolbert, Maury Molin, Don Cross and Manager Brian Bond, and Mayor Armand Martinelli

ALSO PRESENT: Solicitor John C. Prevoznik, Borough Engineer Nate Oiler, Codes Officer Marv Walton, and DPW Director Steve DeSalva

ABSENT: Finance Officer Ken Konz

The Pledge of Allegiance was led by Ken Coss.

February 20, 2018 Minutes

A motion was made by Mr. Cross, and seconded by Mr. Molin, to approve the February 20, 2018, Council Meeting minutes as presented. The motion carried unanimously.

Public Comments – Agenda Items:

None.

SROSRC

No Report.

Police Report

The Police Report will be given at the March 20th, 2018 meeting.

Mr. Flory inquired about the status of the car that has been parked along 3rd street. Chief Lyon stated officers did respond but she does not know the outcome. She will report back to Mr. Bond.

East Stroudsburg Community Alliance:

No Report.

Mr. Flory asked about the status of the ECA and its meetings, it seems as they are not having regular meetings. Mr. Bond advised the scheduled meeting for Wednesday March 7th was cancelled due to the snow. The ECA is getting everything together and Mr. DeLarco assured Mr. Flory his concerns would be conveyed.

Engineer's Report:

The Engineer's Report was distributed.

Middle Dam and New Water Supply Intake Line:

Mr. Oiler reported on the change of scope for \$58,000.00 for the additional engineering costs for design revisions, additional structural design for the concrete wall in the auxiliary spillway and the left embankment training wall, and resubmission of plans to PADEP Dam Safety, which is all included in the Engineer's Report.

A motion was made by Mr. Reese and seconded by Mr. Flory to authorize RKR Hess to complete the Change of Scope for \$58,000.00 for the additional engineering costs for design revisions, additional structural design for the concrete wall in the auxiliary spillway and the left embankment training wall, and resubmission of plans to PADEP Dam Safety. The motion carried unanimously.

Mr. Prevoznik reported the deeds for the Swartz property have been recorded.

Public Comments – New Business:

Dorothy Porter of 67 Prospect Street expressed her frustration after she and her husband both received tickets late evening on Saturday March 3rd, for parking along a snow emergency route during a snow emergency declared by the Borough effective Friday March 2nd through Sunday March 4th. They did not have power, or any way to know that a snow emergency was in effect. Mr. Bond stated when a snow emergency is declared, the ordinance will be enforced. Mayor Martinelli advised the ordinance is in effect until it is officially called off; he had a discussion with the Manager in regards to correcting the ordinance for better practice. Mr. Bond reported he is in the process of rewriting the ordinance, reviewing the streets that are within the snow

emergency, and changing the signage on those routes. Mr. DeLarco mentioned the snow emergencies are declared for the public's safety, and allows the street crew to clear our streets for all emergency vehicles. Mr. Flory reminded residents that during the storms, the crew plows the roads just enough to keep them open and they come back through later to push back and clean up the snow. Ken Coss also received a ticket for parking along a snow emergency route and said he didn't know the Borough declared the snow emergency because the resident he was visiting did not have power. Mr. Walton advised the recipients of the tickets if they want to dispute the tickets, they need to wait for the citations to be processed by Magistrate Muth's office (usually 30 days from the violation), and plead not guilty to have a hearing scheduled. Mr. Martinelli said the magistrate is a very fair man. Mr. Prevoznik advised neither the Mayor, nor the Borough, has an agreement with the Magistrate; the outcome of each case is determined solely by the Magistrate. Ms. Wolbert recommended that residents should always assume there is a snow emergency if there is more than three inches of snow, and the signs should be changed to be more clear. When the Borough declares a snow emergency, it will be posted on our website, reported to the local news stations, and with the *Pocono Record*. Also, the Monroe County Control Center and Stroud Area Regional Police Department are notified of such emergency. Additionally, residents are encouraged to join CodeRed to receive text/phone/email notifications sent out by the Borough. The link is on our website.

Reports

Steve DeSalva:

The DPW report was distributed prior to the meeting.

Marv Walton:

Mr. Walton requested the consideration to set a conditional use hearing for Kimco Delaware, Inc. for the redevelopment of the Pocono Plaza redevelopment project on Thursday, April 12th at 5:30 p.m.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to set a conditional use hearing for Kimco Delaware, Inc. for the redevelopment of the Pocono Plaza redevelopment project on Thursday, April 12th at 5:30 p.m. The motion carried unanimously.

Ken Konz:

No Report.

Mayor Armand Martinelli:

No Report.

Sonia Wolbert:

No Report.

Don Cross:

Mr. Cross thanked Dan Strunk and his snow plowing crew for a job well done; he noted a few of his constituents also passed on their praise to the department for the past couple of storms.

Maury Molin:

Mr. Molin requested a spring cleanup date to be scheduled at the next council meeting.

Mr. Molin reported that the East Stroudsburg High School South Boy's Basketball team won the District 11 Class 6A Championship on Monday, March 5th. Also, the East Stroudsburg University Men's Basketball team won the 2018 PSAC Championship on Sunday, March 4th. Mr. Molin requested proclamations be presented to both teams for their success.

A motion was made by Mr. Molin and seconded by Mr. Reese to present a proclamation to the East Stroudsburg High School South Boy's Basketball team for their win of the District 11 Class 6A Championship. The motion was carried unanimously.

A motion was made by Mr. Molin and seconded by Mr. Reese to present a proclamation to the East Stroudsburg University Men's Basketball team for their win of the 2018 PSAC Championship. The motion was carried unanimously.

Bill Reese:

No Report.

Ed Flory:
No Report.

Solicitor John Prevoznik, Esq:
Mr. Prevoznik has items for executive session.

Manager's Report:
Mr. Bond requested the consideration to award the East Stroudsburg Borough Waste Water Treatment Plant Sludge Removal to Solid Waste Services, Inc. DBA J.P. Mascaro and Sons contingent upon signing of new addendum.

A motion was made by Mr. Flory and seconded by Mr. Molin to award the East Stroudsburg Borough Waste Water Treatment Plant Sludge Removal to Solid Waste Services, Inc. DBA J.P. Mascaro and Sons contingent upon signing of new addendum. The motion carried unanimously.

Mr. Prevoznik noted that the Mascaro vs. Municipal Waste case has not yet been resolved. The addendum states if they should lose their lawsuit with Municipal Waste during the contract period with the Borough of East Stroudsburg, they are to pay our fees to re-advertise the bid and we can cancel our contract with them.

Mr. Bond also requested the consideration to award the East Stroudsburg Water Filtration Plant removal and disposal of liquid sludge to Biros Septic and Drain Cleaning as they were the low bidder at \$.012/gallon for 2018-2019, \$.0123/gallon for 2019-2020, and \$.126/gallon for 2020-2021 contract years.

A motion was made by Mr. Cross and seconded by Mr. Flory to award the East Stroudsburg Water Filtration Plant removal and disposal of liquid sludge to Biros Septic and Drain Cleaning as they were the low bidder at \$.012/gallon for 2018-2019, \$.0123/gallon for 2019-2020, and \$.126/gallon for 2020-2021 contract years. The motion carried unanimously.

The Manager reported he received a request from the African-American Network to approve the Strut Your Culture Multicultural Parade on Saturday, June 16, 2018 at 10:30 AM. All appropriate forms, fees and proof of insurance have been completed and provided.

Mr. Cross asked what the parade route would be. Mr. Bond advised there are three possible routes from East Stroudsburg High School to East Stroudsburg University and the actual route has not been determined yet.

A motion was made by Mr. Cross and seconded by Mr. Molin to table the request from the African-American Network for the Strut Your Culture Multicultural Parade on Saturday, June 16, 2018 at 10:30 AM until the specific route is outlined. The motion carried unanimously.

Roger DeLarco:
Mr. DeLarco requested the Snow Emergency Ordinance be forwarded to the Zoning Ordinance Review Committee.

A motion was made by Ms. Wolbert and seconded by Mr. Flory for the Snow Emergency Ordinance be forwarded to the Zoning Ordinance Review Committee. The motion carried unanimously.

Bills Payable

A motion was made by Mr. Cross and seconded by Mr. Molin to ratify bills payable through March 6, 2018. The motion carried unanimously.

Executive Session

A motion was made by Ms. Wolbert and seconded by Mr. Flory to go into Executive Session at 7:29 pm. The motion carried unanimously.

A motion was made by Mr. Reese and seconded by Mr. Cross to reconvene the meeting at 7:37 pm. The motion carried unanimously.

Mr. Prevoznik reported that real estate, personnel and contract matters were discussed; no decisions were made.

Adjournment

A motion was made by Mr. Flory and seconded by Ms. Wolbert to adjourn the meeting at 7:38 pm. The motion was carried unanimously.

NEXT REGULAR MEETING: Tuesday, March 20, 2018; 7:00 pm.