

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, OCTOBER 2, 2018 – 7:00 p.m.

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

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

The Pledge of Allegiance was led by Diego Sanchez.

September 18, 2018 Minutes

A motion was made by Ed Flory and seconded by Maury Molin, to approve the September 18, 2018, Council Meeting minutes. The motion carried unanimously.

Public Comments – Agenda Items

None.

SROSRC

The SROSRC report was distributed via email.

Police Report

The SARPD report will be given at the October 16, 2018 meeting.

East Stroudsburg Community Alliance

The Borough Manager announced there will be a work session held with ECA Board of Directors and Borough Council on Monday, October 8, 2018 at 5:15 pm.

Deb Kuchinski asked if the Borough would donate \$1000 towards the Christmas street wreaths. Mr. DeLarco asked if that money is reflected in our budget. Mr. Bond advised this will be discussed in the upcoming work session. Mr. Flory stated he feels the ECA should not receive any money from the Borough until we know the status of the ECA. A motion was made by Mr. Reese and seconded by Mr. Molin to table the request for Christmas street wreath donation money until the work session. The motion carried unanimously.

Engineer's Report

The Engineer's Report was distributed.

Mr. Oiler requested authorization for RKR Hess to evaluate the PRP review letter from DEP and meet with the Borough Manager to discuss a plan to address the DEP requirements.

A motion was made by Mr. Flory and seconded by Mr. Reese to authorize RKR Hess to evaluate the PRP review letter from DEP and meet with the Borough Manager to discuss a plan to address the DEP requirements. The motion carried unanimously.

Public Comments – New Business

Laura Kessler of 126 Analomink Street suggested there should be a ban on single use plastic bags and straws. Also, Ms. Kessler asked if the Borough can enforce the recycling ordinance. Mr. Bond advised when the new solid waste regulations are in effect, residents will pay for the size cart they need, which will encourage people to recycle. Mr. Molin added November 15 is America Recycles Day. Ms. Kessler would like people to be proactive and preserve our area.

Diego Sanchez, a student of ESU, expressed his concerns with the parking meter regulations around the university. He stated with back to back classes, it is almost impossible to make it back to the meter before it expires and they are only two-hour limit meters. Mr. DeLarco asked if he has a parking permit for the university lots. Mr. Sanchez said he chooses to park at the meters instead of purchasing a permit through the university. Mr. Prevoznik advised the meter parking is not meant for long-term parking, but as a continuous turn over; some may not think this is fair but the meters have been like this for years. Mayor Martinelli stated two classes equals one hour and fifty minutes, which allows 10 minutes to get back and forth to meters. Additionally, the meters are a part of the university's parking management plan so they gain turnover. It was suggested by the university for our parking meter fines to be increased. Mr. Walton reiterated that the meters are to encourage turn over, the borough increased the fines to

match the university's fines, and the university offers permits for numerous lots. Mr. DeLarco suggested this issue be sent to a committee for review. Ms. Wolbert disagreed and stated our parking regulations are what they are and do not need to be reviewed.

Marie Summa inquired about the overnight parking in the S. Kistler Street lot behind Trackside Restaurant and stated it is not being enforced. Mr. Bond advised per a land development agreement, Trackside apartments have 18 permitted parking spaces within S. Kistler Street lot. There are additional spots that are available for which other people can purchase permits. Mike, our parking enforcement officer, advised the cars with permits can park anywhere within that lot and it is being enforced. Also, any car with a permit for the S. Kistler Street parking lot and a handicapped placard or permanent plate can park in any handicapped parking place within that lot overnight. Mr. Bond suggested Ms. Summa submit a Right to Know Request for specific information about the land development plan referenced above.

The owner of 365 N. Courtland Street asked Council to reconsider the solid waste fee for the apartment above the gas station that is rented to a blind tenant. Mr. Bond advised the ordinance required every unit within the Borough to take part in the Solid Waste Pick Up. The owner stated he filed an appeal, however, Mr. Bond stated the appeal is only for properties that are vacant for 180 or more consecutive days. Mr. Prevoznik added the owner is responsible for the payment per the ordinance across the board, the ordinance does not make allowances for special circumstances. Mr. DeLarco suggested raising the rent to include the garbage fee, as the bill is ultimately the owner's responsibility. A motion was made by Mr. Reese and seconded by Mr. Molin to waive the late fee on the garbage bill for 365 N. Courtland Street. The motion carried unanimously. Additionally, the owner is to contact Mr. Konz to work out a payment agreement.

Chris Kross owns a rental property along Walnut Street and complained about the potholes throughout the town, specifically on North Courtland, Elizabeth and Walnut Streets. Mr. DeLarco advised North Courtland Street is a state road and suggested Mr. Kross contacts Senator Scavello's or Representative Madden's office. Also, Elizabeth Street is set to be paved next year. Finally, the Street Committee is meeting Tuesday, October 9th at noon to set a paving list and will address Walnut Street. Mr. Bond advised they will try to patch potholes sooner. Mr. Kross also expressed his concerns about the safety of Walnut Street as it is a heavily used street for foot traffic but has no sidewalks. He asked if there is a grant we can try to obtain to install sidewalks. Mayor Martinelli said we previously applied for the "Safeway to Schools" grant and were denied, but we can look into it again to find more grants. The Mayor thinks all streets should have sidewalks. Mr. DeLarco stated home owners are responsible for the maintenance of sidewalks. He advised we will explore our options.

Ms. Summa asked to clarify the previous response regarding the handicapped parking. Mr. Bond stated anyone with a handicapped plaque and a permit can park overnight in the handicapped space within the S. Kistler Street parking lot. There is a three-hour time limit on Crystal Street and nobody can park overnight at any of those parking meters, including the handicapped space. Mr. Molin mentioned if there is a handicapped spot in front of a house, anyone with a handicapped plaque or plate can park there, the space is not owned by the owner of the home.

Reports

Outstanding Meeting Update:

Mr. Molin commented on the NEPA Alliance Dinner. He stated it was a nice get together and a good contact meeting. Stroud Township wants to work together on common problems within the county. Pick Up the Poconos was a great community event. Mr. DeLarco said it was worth every penny and mentioned he saw Senator Scavello, who stated he will send a crew from the state this week to pave or patch North Courtland Street. Mr. Bond reported that the dinner was attended by over 330 business and community leaders from around the region. Representatives of the Borough of East Stroudsburg were Mr. DeLarco, Mr. Molin, Mr. Cross and Mr. Bond. NEPA presented the NEPA Alliance Regional Leadership Award. The award is presented to an agency, group or individual demonstrating a significant contribution to regional growth, development or cooperation within the seven counties of the NEPA region. This year's award recipient was Lamar Advertising for their impact on the regional economy and involvement in the regional community of Northeastern Pennsylvania.

Ms. Wolbert talked about the Fall 2018 ESU Town & Gown event. She said it was a great meeting with ESU officials and is looking forward to working together in the future. Mr. Molin said there are clear conversations when groups are together on common ground and work together positively. Mr. Bond reported this event was attended by Mr. DeLarco, Mr. Molin, Ms.

Wolbert and himself as well as Dr. Welsh, Brenda Friday, Ken Long, Mary Frances Postupack, and Miguel Barbosa, all of ESU. The evening was very productive with many good topics being discussed. The Borough and the University are moving forward in a positive manner and we look forward to working with the University in making the Borough and the University a place to be proud of.

Steve DeSalva:

The DPW report and the Water Treatment Plant Report were distributed. Mr. DeSalva noted the Pick Up the Poconos event worked well with ESU; 5 ½ miles of streets were cleaned up and was a major effort and benefit to the Borough. Mr. Molin added he and Mr. Reese and Ms. Wolbert also participated in the event. Mr. Cross asked about the status of the exercise trail along Zacharias Pond. Ms. Wolbert advised that is a SROSRC issue.

Marv Walton:

Mr. Walton requested approval to set and advertise a Public Hearing on Chapter 154, Water, for Tuesday, November 6 2018 at 7:00 pm, as recommended by the Zoning Ordinance Review Committee.

A motion was made by Mr. Flory and seconded by Ms. Wolbert to approve setting and advertising a Public Hearing on Chapter 154, Water, for Tuesday, November 6 2018 at 7:00 pm. The motion carried unanimously.

Mr. Walton reported in the six years he has been with the Borough, he has never received a complaint about the Creamery Building on State Street until recently. Mr. Walton received a letter from Attorney Matergia regarding potential code violations, the condition of the structure and underground storage tanks at this property. Mr. Walton stated the underground storage tanks would be a DEP issue, not a Borough issue. His next step will be condemnation of the building. Mr. Flory advised the building was destroyed by fire about 30 years ago and asked why we cannot tear it down. Mr. Walton stated it would require analysis by a structural engineer. A motion was made by Mr. Flory and seconded by Mr. Reese to authorize Mr. Walton to obtain a quote from an engineer to survey the property. The motion carried unanimously.

Mr. Bond provided a summary of changes to Chapter 154, Water. A motion was made by Mr. Molin and seconded by Mr. Flory to accept the summary of changes and attach them to the minutes. The motion carried unanimously.

Ken Konz:

The August 2018 Borough Financial Statements were distributed.

Mr. Konz requested council to approve Resolution 26-2018 acknowledging East Stroudsburg Borough's intent to adopt written procedures on how professional services are chosen for its pension plans in order to comply with Act 44 of 2009 and the Auditor General's recommendation.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to approve Resolution 26-2018 acknowledging East Stroudsburg Borough's intent to adopt written procedures on how professional services are chosen for its pension plans in order to comply with Act 44 of 2009. The motion carried unanimously.

Mr. Konz noted the state pension aide in the amount of \$107,740.93 was received on September 20th. The 2018 payment to PMRS in the amount of \$219,677.00 is included in tonight's bills payables. The newly implemented control pertaining to pension fund contributions mitigates the audit finding from 2017.

Mayor Armand Martinelli:

Mr. Martinelli thanked the East Stroudsburg School District Teachers Union for cleaning up the borough while on strike. A motion was made by Ms. Wolbert and seconded by Mr. Cross to attach Mayor Martinelli's letter of gratitude to the teachers in the minutes. The motion carried unanimously.

Mayor Martinelli reported he received a letter from MCTA requesting a waiver of fees for permits required to install a bus shelter on S. Kistler Street. The letter was forwarded to the Manager and will be given to the Zoning Ordinance Review Committee for discussion.

Sonia Wolbert:

No Report.

Don Cross:

Mr. Cross asked when the new garbage regulations will be in effect, to which Mr. Bond answered January 1, 2019. The contract is going to be advertised for bid, the next newsletter will advise residents of the change and the successful bidder will be responsible for community outreach. Mr. Cross inquired about the status of the Kimco project. Mr. Walton stated core samples have been done, however, no permits have been requested yet.

Maury Molin:

Mr. Molin reported he attended the 20th annual breakfast at East Stroudsburg University.

Bill Reese:

Mr. Reese provided an update on Veteran's Park, which is the focal point as you enter East Stroudsburg from Stroudsburg. Grass has already been planted in the area. Recommendations for improvement include adding color using different varieties of flowers and shrubs, replacing the chain link fence with a wooden fence that can incorporate patriotic artwork that is compatible with the park, and removal of the tall trees. Mr. Reese stated it is important to honor our veterans. Mr. Molin noted the stones placed in the park by Kemp Lodge need a makeover and suggested we contact Kemp Lodge to perform upkeep to these stones. Mr. Cross recommends we acknowledge veterans on Memorial Day and Veteran's Day with a 21-gun salute. Mr. Flory volunteered to provide a plan for the planting of bulbs and perennials. Melanie from Bloom stated there are no electrical sockets to use when decorating the park area with lights and/or wreaths. Dan Strunk advised the only electric is from the traffic signals. Deb Kuchinski asked if the Shade Tree should work with the planting and removal of trees within the park. Mr. DeLarco said this will be referred to Shade Tree. A motion was made by Mr. Cross and seconded by Mr. Flory to authorize Ed Flory to provide a plan for Veteran's Park within one month. The motion carried unanimously.

Ed Flory:

No Report.

Solicitor John Prevoznik, Esq:

Mr. Prevoznik has items for executive session.

Manager's Report:

Mr. Bond received a request to provide Golf Carts to East Stroudsburg Area School District and Stroudsburg Area School District for Homecoming Courts on Friday, October 12th and Friday, October 19th.

A motion was made by Mr. Flory and seconded by Mr. Cross to approve providing Golf Carts to East Stroudsburg Area School District and Stroudsburg Area School District for Homecoming Courts on Friday, October 12th and Friday, October 19th. The motion carried unanimously. Mr. Cross asked if the carts are going to be taken care of. Mr. Bond stated only adults will be driving the carts.

Mr. Bond requested approval to complete a Title Search of the former IBW property.

A motion was made by Mr. Cross and seconded by Ms. Wolbert to approve the request from the Borough manager to complete a Title Search of the former IBW property. The motion carried unanimously.

The Manager requested approval for emergency repairs to the roof of the Borough Annex Building at a cost not to exceed \$29,500.00.

A motion was made by Ms. Wolbert and seconded by Mr. Flory to approve emergency repairs to the roof of the Borough Annex Building at a cost not to exceed \$29,500.00. The motion carried unanimously. Mr. Molin requested a time to be arranged to visit the Annex Building.

Mr. Bond requested approval to set the date and hours for Trick or Treat for Wednesday, October 31st from 6:00 pm to 8:00 pm.

A motion was made by Ms. Wolbert and seconded by Mr. Flory to approve the date and hours for Trick or Treat for Wednesday, October 31st from 6:00 pm to 8:00 pm. The motion carried

unanimously. Mr. Cross asked if any roads will be closed during Trick or Treat, to which Mr. Bond answered no closures.

Mr. Bond provided an update on the Prospect Street turning lane project. There were updated and approved plans and the contractor should begin work Friday and the project should be complete next week. Chris Kross advised the timing of traffic lights in that area seem to be faulty. Mr. Bond stated the timing is set by PennDot and is based on traffic volume. Mr. Walton suggested it is not the timing of the lights but the close proximity of the lights and amount of traffic.

Mr. Bond requested approval to solicit a quote from TPD to conduct a traffic study of the intersection of Highland Drive and Smith Street to determine if stop signs are warranted due to traffic volume and accident statistics at this intersection.

A motion was made by Mr. Cross and seconded by Mr. Molin to authorize the Borough Manager to solicit a quote from TPD to conduct a traffic study of the intersection of Highland Drive and Smith Street to determine if stop signs are warranted due to traffic volume and accident statistics at this intersection. The motion carried 4-2 (Yea: Mr. Cross, Mr. Molin, Mr. DeLarco, Mr. Reese; Nay: Ms. Wolbert, Mr. Flory).

Mr. Bond requested authorization for the Borough Manager, Solicitor and Code Enforcement Officer to contact the Cohen Law Group to discuss the FCC ruling on Small Cellular Facilities.

A motion was made by Ms. Wolbert and seconded by Mr. Reese to authorize the Borough Manager, Solicitor and Code Enforcement Officer to contact the Cohen Law Group to discuss the FCC ruling on Small Cellular Facilities. The motion carried unanimously. Mr. Cross asked the cost. Mr. Bond is not sure of the cost yet.

Roger DeLarco:

Mr. DeLarco reminded Council that he and Mr. Bond will be in Pittsburgh Thursday through Sunday for the PML Annual Summit.

Bills Payable

A motion was made by Mr. Flory and seconded by Ms. Wolbert to ratify bills payable through October 2, 2018. The motion carried unanimously.

Executive Session

A motion was made by Ms. Wolbert and seconded by Mr. Molin to go into Executive Session at 8:27 pm. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Flory to reconvene the meeting at 8:43 pm. The motion carried unanimously.

Mr. Prevoznik reported that personnel and potential litigation matters were discussed and no decisions were made.

Mr. Flory stated he will not be available for the Council Meeting on November 6, 2018. Mr. Molin stated he will not be available for the Council Meeting on December 4, 2018.

Adjournment

A motion was made by Mr. Flory and seconded by Mr. Cross to adjourn the meeting at 8:44 pm. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, October 16, 2018; 7:00 p.m.