

East Stroudsburg Borough, April 7, 2015

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, April 7, 2015. The following members were in attendance: Peter Begley, Roger DeLarco, Edward Flory, William Reese, Richard Smith, and Sonia Wolbert. 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. 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 Sue Czahor.

Moment of Silence

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

Minutes of March 26, 2015 Council Meeting

Mr. Begley made a motion, seconded by Mr. Flory, to approve the minutes of the March 26, 2015 regular Council meeting as submitted; motion carried unanimously.

Public Comments - Agenda Items

None.

Possible Action on Bids Proposals received 3/13/15 for purchasing/furnishing of polyaluminum chloride (Primary coagulant) for Water Filtration Plant

Mr. Phillips said the low bid received is a new product not utilized before by the Borough, and although jar testing was done, we still need to do full-scale testing of the product to make sure it does what we need for our water treatment process. Mr. Phillips said the bids were received March 13, 2015, and the bid specifications require that the bidders hold their prices firm for 30 days. Mr. Prevoznik said we may need a statement from the bidder that they will extend the bid prices until at least the next Council meeting date. Mr. Flory made a motion, seconded by Mr. Reese, to extend the time period for review of bids subject to the bidder agreeing to same; if not all bids must be rejected. The motion carried unanimously.

Proposed Resolution No. 13-2015 Re-adoption of Fair Housing Policy for the Borough

Mr. Flory made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 13-2015 re-adopting the Fair Housing Policy for the Borough regarding equal opportunity in housing for all persons regardless of race, color, sex, national origin, religion, familial status, handicap status, age and ancestry, as submitted; motion carried unanimously.

Formation of Joint UCC (Uniform Construction Code) Board of Appeals with Stroudsburg Borough

Mr. Phillips reported that Stroudsburg Borough also needs to appoint new persons to its UCC Board of Appeals, so they are interested in forming a joint Board of Appeals that could serve both municipalities. Mr. Prevoznik said he will prepare the agreement necessary which will need to be approved by ordinance; but the Boroughs should seek to obtain names of persons who may be able to serve on the Board of Appeals by placing notices or making the need known on the municipal websites.

Request by SROSRC for letter of support for Stroud Greenway Trail Gap Analysis project grant application to PA DCNR

Mrs. Wolbert made a motion, seconded by Mr. Flory, to authorize the Manager to prepare a letter of support for the project grant application to be submitted by SROSRC to PA DCNR; the motion carried unanimously.

Downtown Streetscape Project - Request by Stantec Engineering for Addition to Service Contract for revising plans and bid documents, construction consultation services during re-bid by PennDOT

Mr. Phillips said he received a request from Stantec for additional compensation as a result of work needed for the rebidding of the project and for construction consultation. Mr. Prevoznik suggested that we need to check the original agreement with Stantec concerning the scope before agreeing to additional work. Mr. Reese made a motion, seconded by Mr. Flory, to table action on the request pending further review; the motion carried unanimously.

Schedule Needs Hearing for use of federal Community Development Block Grant funds for May 19, 2015 at 7:00 p.m. – FY CDBG Program

Mr. Phillips said the first of the two required public hearings for the CDBG program, to obtain public comments on the community development needs of the Borough, can be held before summer even though DCED has not yet issued a definite schedule for the FY 2015 CDBG application process. Mr. Begley made a motion, seconded by Mrs. Wolbert, to authorize advertising the public hearing for the second meeting in May at 7:00 p.m.; the motion carried unanimously.

Draft Proposal to Monroe County for Administration of Small Communities Program (CDBG) per PA DCED requirements

Mr. Phillips distributed copies of a chart listing various activities needed to be performed for the CDBG program, some of which will now be performed by Monroe County because of the edict from PA DCED that Counties administer the CDBG program for entitlement communities under 10,000 population – East Stroudsburg Borough will come under that requirement for the FY 2015 CDBG allocation. Mr. Phillips also noted that the Borough has contracted with Mullen & Lonergan Associates to perform many of those services for the Borough – since the 1970's. Council needs to decide if we want to continue that relationship with M & L, and how to fund that since the County will be responsible for overall administration. Up to 18% of the annual CDBG allocation may be used for administration; we will also need to negotiate with the County what they will charge for administration services. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Begley, to authorize the executive committee to meet with Mr. Phillips and with the County to negotiate the terms for administration of the CDBG program starting with the FY 2015 allocation; the motion carried unanimously.

Public Comments – New Business

Dave Czahor of 147 Analomink Street said students at a S. Green St. residence sit out on the roof of the house, 8 or 9 at a time, drinking beer and yelling; he feels it is a safety issue and a disruption to the neighborhood. Is it a Code violation? Mr. Walton said he is not sure if it is a Code violation, but will check – he encouraged Mr. Czahor to contact the Police Department if the activities are disruptive.

Gary Walck of 33 Fulton Street said the vacant house at 10 Borough Street is still a harborage area for stray and feral cats. Mr. Walton said he did send notice to the property owner but has not received a response; the next step will be to file citations.

Correspondence

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

- i. Monroe County Planning Commission – copy of Monroe 2030 Comprehensive Plan including Economic Development and Open Space Components

- ii. Rep. David Parker – PA DEP Grant approved for flood protection levee storm conduits video inspections (\$24,368)
- iii. PA Municipal League – Annual Convention at Allentown June 23-25, 2015

Reports

Mr. D'Alessandro reviewed his written Engineers Report previously submitted to Council. Mr. D'Alessandro also noted that his office is working on the easements needed for Wells No. 1 and 2 located on the East Stroudsburg University campus.

Mr. Walton advised Council that he has issued an order closing the sidewalk on the east side of Lackawanna Avenue in front of the fire-damaged structure owned by Catalano, because part of the façade of the structure is falling down. Mr. DeLarco suggested not allowing parking on that side of the street in front of the structure as well.

Mr. Walton reported that the Committee working on the Comprehensive Plan Update has met and he is firming up the notice for RFP for planning consultants.

Mr. DeSalva presented cost information on several alternatives for replacing the 1999 Tymco Street Sweeper, or just replacing the hopper on the sweeper. Mr. DeSalva noted that calculation of an equivalent uniform annual cost shows a slightly lower cost for the rehab. (hopper replacement) option; however that difference could be minimized by higher annual maintenance expenses for the older truck cab & chassis, which are hard to estimate. Also, a difference of only one year in the estimate of useful life for the existing unit could bring that annual cost up equivalent to the cost of a new unit. Mr. Reese asked how much has been budgeted for a street sweeper? Mr. Phillips said \$60,000 in the 2015 Budget. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Flory, to opt for purchasing a new street sweeper unit; subject to the Tymco unit being available through the State Co-Stars pricing; the motion carried unanimously.

Mr. Reese reported on the Twin Boroughs Recycling Committee meeting held last week. The recycling staff is trying to catch up on processing old TV's which have been brought to the Center and accumulated over the winter months. Also, the first yard waste pickup is scheduled for this week.

Mr. Reese also reported on the meeting held yesterday on the "triangle project", or former Gateway District. Mrs. Wolbert also commented on that meeting and said she is pleased that East Stroudsburg University has indicated willingness to invest in the downtown area.

Mr. Flory said he has received complaints about a resident's car parked in the driveway off of Sopher St. but extending out into the road and blocking the sidewalk.

Mayor Martinelli reported that he and the Manager attended the Brodhead Watershed Association meeting last week, where they reported on high fecal counts obtained from water samples taken from the Brodhead Creek. The problem, apparently, is the large amount of geese and ducks habituating near the Creek – and people feeding them. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Reese, to authorize posting of no swimming signs along the Brodhead Creek near Dansbury Park; the motion carried unanimously.

Mr. Begley noted new State Rep. David Parker in the audience, and asked the Rep. to comment. Mr. Parker said he has had several discussions with the Governor and his staff concerning proposed legislation for real property tax relief. Mr. DeLarco asked about legislation that would change the criteria for property tax exemption for non-profits; Mr. Parker said a bill has already passed the Senate. Mr. Phillips asked about proposed pension "reform" legislation; Mr. Parker asked that the Borough submit a letter to him on this issue.

Mr. Smith asked why the Pocono Cab Co. building on N. Courtland St. has not been fixed after being hit by a vehicle? Mr. Walton said the building is not structurally damaged; it just doesn't look good, the owner will have to decide on making repairs.

Mr. DeLarco said he received a call from Bill Hibschim of University Properties, Inc. concerning their interest in doing the next phase of the ESU housing project.

Mr. DeLarco noted that the PA Municipal League District Meeting will be held on April 22, and that is the time for Resolutions to be submitted for consideration at the League Convention in June. Mr. DeLarco suggested we submit a Resolution request for a separate millage allowance under the Municipal Codes for police protection services.

List of Bills Payable – April 7, 2015

Mr. Begley made a motion, seconded by Mr. Flory, to approve the List of Bills Payable and to ratify expenditures and payroll made through 04/07/15 as submitted. The motion carried 5-0 with Mrs. Wolbert abstaining. Mrs. Wolbert said she has a family member with an interest in one of the payments being made, and would provide a letter stating her reason for abstention for the record.

Executive Session

Mr. Flory made a motion, seconded by Mr. Reese, to adjourn into executive session at 8:52 p.m.; the motion carried unanimously.

At 9:15 p.m. Council members reassembled in the meeting room, and Mrs. Wolbert made a motion, seconded by Mr. Flory, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss potential litigation concerning the Chaperone Technologies matter and the sewage sludge contract award matter - no decisions were made.

Chaperone Technologies Matter - 66 Analomink Street Building

Mr. Begley made a motion, seconded by Mr. Flory, to authorize special counsel to notify Chaperone Technologies, East Stroudsburg University and its Center for Research and Economic Development that the Borough may seek reimbursement of its costs in cleaning out the former Chaperone Technologies lab space at the building, including the costs recently assessed by the U.S. Environmental Protection Agency (EPA). The motion carried unanimously.

Addendum to Contract with J. P. Mascaro & Sons for Sewage Sludge Removal/Disposal

Mr. Begley made a motion, seconded by Mr. Flory, to approve the indemnification language prepared by Mr. Prevoznik for the Addendum to the Sewage Sludge contract; subject to approval of same by counsel for J. P. Mascaro & Sons and final review by the Solicitor; the motion carried unanimously.

Adjournment

With no further business, Mrs. Wolbert made a motion, seconded by Mr. Begley, to adjourn the meeting at 9:18 p.m.; the motion carried unanimously.

James S. Phillips, Secretary