

East Stroudsburg Borough, August 6, 2013

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, August 6, 2013. The following members were in attendance: Peter Begley, Roger DeLarco, Ed Flory, Don Repsher, and William Reese. Sonia Wolbert was absent. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; and Codes Official Marvin Walton.

Call to Order/Pledge of Allegiance – President DeLarco

President DeLarco called the meeting to order at 7:30 p.m. The pledge of allegiance was led by Keith Strunk, Sr.

Minutes of July 25, 2013 Regular Council Meeting

Mr. Repsher made a motion, seconded by Mr. Flory, to approve the minutes of the regular Council meeting held July 25, 2013 as submitted; the motion carried unanimously.

Public Comments - Agenda Items

Mr. DeLarco asked Finance Officer Berrill Dennis, who was in the audience, if she had comments for the agenda? Ms. Dennis said the Borough office employees have had to take abuse recently from residents upset with the new Rental Housing Licensing and Inspection Program, including one landlord who threw the forms back at the staff member at the front counter.

Stroud Area Regional Police Department Report

Lieutenant Kevin Transue of SARPD reported that the Department has again applied for funding from the PA LCE for the next two years to continue the extra patrols and enforcement efforts around the ESU campus. Mr. Phillips asked if the speed trailer could be scheduled on Mary Street near the ESU soccer fields, because of complaints regarding speeding in that neighborhood? Mr. Phillips also asked Lt. Transue to follow up on complaints regarding the taxi cab drivers congregating around the Pocono Cab Co. office on N. Courtland St. late at night and early in the morning, disrupting the neighborhood.

Continuation of Public Hearing on Conditional Use Request - Application by Eagle Valley Realty, L.P. for 980 sq. ft. Addition to former Blockbuster Building for use as a Dialysis Center, C-2 District

Mr. Begley made a motion, seconded by Mr. Repsher, to reconvene the public hearing on this matter, continued from the July 25, 2013 meeting; the motion carried unanimously. Mr. Walton said the applicant had resubmitted revised plans late last week, but the Borough Engineer has not been able to review same for this meeting tonight.

Bill Letwinsky of Site Services Group said he did receive the previous review letter from R.K.R. Hess Associates, and had attempted to respond to it. Mr. D'Alessandro said in this case, the "project" (shopping center) is the reason for the conditional use application. He also noted that the Borough had adopted a new Floodplain Management ordinance this year which the applicant may need to review how it affects their property. Mr. Prevoznik said Eagle Valley Realty needs to spell out all the waivers they may need to request under the provisions pertaining to shopping centers; and the hearing may be continued to the next meeting on August 29, 2013. Mr. Letwinsky said he would get together with Mr. D'Alessandro before then to work out any concerns.

Mr. Flory made a motion, seconded by Mr. Begley, to continue the public hearing on this matter until 7:30 p.m. August 29, 2013; the motion carried unanimously.

Mr. Reese arrived at the meeting at this time.

Resolution No. 16-2013 – Authorizing Joint Application for Local Share Account Grant Funds, with Stroudsburg Borough and Stroud Township, for purchase of three police vehicles for Stroud Area Regional Police Department (SARPD)

Lt. Transue stated the SARPD wants to apply for Local Share Account Grant Funds, for purchase of three police vehicles for Stroud Area Regional Police Department (SARPD), but the application must be made by a municipality. Mr. DeLarco noted that it was suggested at the Police Commission meeting that the three municipalities should apply jointly on behalf of the Police Department; and Stroudsburg Borough has already approved that concept. Mr. Prevoznik said he just received a message that Stroud Township Supervisors have also approved this approach at their meeting tonight. After further discussion, Mr. Begley made a motion, seconded by Mr. Repsher, to adopt proposed Resolution No. 16-2013, approving a joint application for Local Share Account Grant Funds, with Stroudsburg Borough and Stroud Township, for purchase of three police vehicles for Stroud Area Regional Police Department (SARPD) as submitted; the motion carried unanimously.

Public Comments – New Business

Marv Walton expressed safety concerns from the Borough staff at the municipal building due to the layout of the office, especially in light of the shooting event at Ross Township last night. Council discussed several options for improving security, including:

- Having an “emergency button” for notifying police.
- Installing a more secure window(s) at the front counter.

Mr. Flory made a motion, seconded by Mr. Repsher, to have staff look into a protective glass enclosure for the counter area and other measures to improve security/safety of staff; the motion carried unanimously.

Correspondence

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

- i. PA Department of Environmental Protection (DEP) – Recycling Performance Grant awarded to Twin Boroughs Recycling for 2011 year - \$27,348.00.
- ii. MEA, Inc. – Remedial Action Progress Report for Former Smith’s Gas Station Site, N. Courtland St., East Stroudsburg PA.
- iii. Ralph A. Matergia, Esquire – Request for Public Hearing on Application for Intermunicipal Transfer of Eating Place Retail Liquor License proposed for Cluck U Stroudsburg LLC location, 107 Brown Street.

Mr. Flory made a motion, seconded by Mr. Repsher, to authorize advertising a public hearing on the intermunicipal license transfer at the September 3, 2013 meeting as requested; the motion carried unanimously.

Reports

Mr. Repsher had a picture of broken curb on Jade Ave. in Stones Throw that is permitting stormwater to drain into the front yard of a residence there.

Mr. Begley reported that the Pocono Mountains Council of Governments (COG) will be having a golf tournament on August 22, 2013 at Country Club of the Poconos, and a picnic meeting at Tobyhanna Township on August 26, 2013. Mr. Begley said a Detective from the District Attorney’s Office spoke at the COG meeting on efforts to have all municipalities adopt ordinances legislating pawnshops, scrap dealers, and precious metal dealers to assist law enforcement in prosecuting theft of materials accepted by these dealers.

Mr. Phillips reported that the DPW Maintenance crew yesterday completed replacement of an inoperative waterline valve on Washington Street that controls the Emergency Interconnection line to Brodhead Creek Regional Authority Water System across the Veteran’s Bridge. Mr. Phillips said he received notification that a public

hearing will be held at Stroud Township on August 29 concerning proposed prevailing wage reform legislation – and asked if Council wants someone to submit testimony from the Borough? Council indicated yes. Mr. Phillips said he had provided Council with a memo from Tim Herd, Exec. Director of SROSRC, requesting support from Council for a proposal being submitted to the County Commissioners for funding for the regional recreation and open space commissions in the County.

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council.

Mr. Prevoznik reviewed proposed changes to Chapter 151, Residential Parking Permits, as discussed at the last meeting. Mr. Walton said the changes would:

- Limit the no. of permits issued to two per dwelling.
- Visitor passes would be issued for a designated time period with a card, instead of issuing two stickers per residence (which has been abused).

Mayor Martinelli asked about a situation where a visiting nurse must come to a residence on a regular basis? Also, what about families with more than two vehicles? Mr. DeLarco said he had done an unofficial survey of the Brodhead/Center St. area and noticed that most residences have some form of off-street parking available to them. Mr. Prevoznik said Council is trying to come up with the "greater good"; providing residents with the ability of parking in their own neighborhood and eliminating the abuse of the "Visitor Passes", but not restricting residents too much. Mr. Walton noted that the current passes expire at the end of this year, and the new provisions could be effective then.

List of Bills Payable – August 6, 2013

Mr. Repsher made a motion, seconded by Mr. Begley, to approve the List of Bills Payable and payroll and expenditures made through August 6, 2013 as submitted; the motion carried unanimously.

Executive Session

Mr. Repsher made a motion, seconded by Mr. Begley, to adjourn into executive session at 9:07 p.m.; the motion carried unanimously.

Council members reassembled in the meeting room at 9:45 p.m., and Mr. Repsher made a motion, seconded by Mr. Begley, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss litigation matters. Mr. DeLarco said a personnel matter was also discussed; completion of the Evaluation Review for Manager James Phillips.

Litigation Matter - Remediation Specialist for 66 Analomink St. property

Mr. Begley made a motion, seconded by Mr. Flory, to authorize Mr. Phillips to retain a remediation contractor for removal/disposal of chemicals and other items from the former Chaperone Technologies, Inc. lab space in the Borough Building at 66 Analomink St., under terms of a Consent Order from the U.S. Environmental Protection Agency. The motion carried unanimously.

Residential Parking Permits

Mr. Flory made a motion, seconded by Mr. Reese, to review and act on a revised draft of ordinance to amend Chapter 151 of the East Stroudsburg Code at the August 29, 2013 meeting; the motion carried unanimously.

Adjournment

With no further business, Mr. Repsher made a motion, seconded by Mr. Begley, to adjourn the meeting at 10:00 p.m.; the motion carried unanimously.

James S. Phillips, Secretary