

East Stroudsburg Borough, December 17, 2013

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, December 17, 2013. The following members were in attendance: Peter Begley, Roger DeLarco, Ed Flory, William Reese, Don Repsher, and Sonia Wolbert. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; Codes Official Marvin Walton; and Stroud Area Regional Police Department Lieutenant Kevin Transue.

Call to Order/Pledge of Allegiance – President DeLarco

President DeLarco called the meeting to order at 7:33 p.m. The pledge of Allegiance was led by Joshua Walker.

Stroud Area Regional Police Department Report

Lt. Kevin Transue reported that the Department issued 53 citations in November, new portable radios were received and placed in service, and there was an “uptick” in robberies recently. Mr. Reese asked if local recyclers/salvagers are cooperative with the Police investigating stolen copper, etc.? Lt. Transue said generally, yes. Mr. Repsher asked about increased home break-ins? Lt. Transue said usually the burglaries have been from unattended homes.

Public Comments - Agenda Items

None.

Public Hearing on Proposed Ordinance No. 1278 Amending the East Stroudsburg Code, Chapter 151 Thereof Entitled Vehicles, Parking; Revising Provisions Regarding Residential Parking Permits and Visitor Passes

Mr. Repsher made a motion, seconded by Mr. Flory, to open the public hearing; the motion carried unanimously. Marv Walton was sworn in to give testimony on the proposed ordinance for the Borough, and introduced the following exhibits: B1 – sign in sheet, B2- proposed Ord. 1278. Mr. Prevoznik questioned Mr. Walton who responded to the questions. Mr. Walton said the ordinance amends Chapter 151, the Permit Parking regulations, and provides for two permit parking districts identified as the “blue” and “yellow” districts; and adds Orchard St. and Merten St. to the permit parking areas. This amendment limits parking permits to two per dwelling unit, due to the change in maximum density permitted in residential zoning districts from two to four. There is a change with display of the permit; which will be a decal posted on the back of the vehicle’s rear-view mirror. The ordinance provides for an exception for commercial vehicles providing a service at a residence in the parking district. The time when permit parking is in effect has not changed. Mr. Walton said the ordinance provides that an owner must apply for the permits; if a tenant applies, the application must have the notarized signature of the owner. The parking permit is good for a two year period, and the fee is \$10 for the two years, which is unchanged. Mr. Walton said Visitor Passes will be limited to short-term stays of 7 days or less with an expiration date, and no more than three will be issued per year. There is also a provision for a medical visitor pass. Violations of the ordinance are a summary offense.

Mr. DeLarco asked for comments from the audience and there were none. Mr. Prevoznik asked that the exhibits be moved into the record. Mr. Reese made a motion, seconded by Mr. Flory, to close the public hearing; the motion carried unanimously.

Action on Proposed Ordinance No. 1278 Amending the East Stroudsburg Code, Chapter 151 Thereof Entitled Vehicles, Parking; Revising Provisions Regarding Residential Parking Permits and Visitor Passes

Mr. Flory made a motion, seconded by Mr. Reese, to adopt proposed Ordinance No. 1278 as advertised; the motion carried by a vote of 5 – 1, with Mr. Begley voting no.

Public Hearing on Proposed Ordinance No. 1282 Amending the East Stroudsburg Code, Chapter 136 Thereof Entitled Solid Waste, Revising the annual Solid Waste Fee

Mr. Repsher made a motion, seconded by Mrs. Wolbert, to open the public hearing; the motion carried unanimously. Mr. Phillips said the Ordinance proposes to increase the annual solid waste fee from \$276 to \$285 per year, based on the increase in the cost to the Borough under the last year of the five-year contract with Waste Management of PA for garbage collection and disposal. Mr. DeLarco noted that the new cost is still less than charged by other local garbage haulers in the area, and the service provided to residences is an unlimited service including pickup of bulky goods. Mr. DeLarco asked for comments on the ordinance from the audience or Council? No one from the audience had comments. Mr. Begley said the owner of the Cinder Inn had complained to him that they had to pay this garbage fee for an apartment on the property even though they have a dumpster service for the tavern they can utilize. Mr. Phillips noted that if the Borough starts making exceptions, who else will ask for an exemption – a person who takes their garbage to work with them? A person who says they have no garbage? With no further discussion, Mr. Flory made a motion, seconded by Mr. Repsher, to close the public hearing; the motion carried unanimously.

Action on Proposed Ordinance No. 1282 Amending the East Stroudsburg Code, Chapter 136 Thereof Entitled Solid Waste, Revising the annual Solid Waste Fee

Mrs. Wolbert made a motion, seconded by Mr. Begley, to adopt proposed Ordinance No. 1282 as advertised; the motion carried unanimously.

Establish Council Meeting Dates for 2014 Year

Mr. Phillips said the State Borough Code provides that Council have a reorganization meeting on the first Monday of January of even-numbered years, which will be January 6, 2014. Mr. Phillips asked if Council wanted to maintain the same meeting schedule, and if so, whether to also have a regular meeting on January 6<sup>th</sup>? After discussion, Mr. Flory made a motion, seconded by Mr. Begley, to have a regular meeting on January 6, 2014 and to set the same meeting schedule for Council meetings as in effect for this year – regular meetings on the first and third Tuesdays of each month; except for the months of June, July, and August when meetings will be held on the first Tuesday and last Thursday; and Committee meetings on the last Thursday of each month except for the months of November and December. All meetings to be held at 7:30 p.m. The motion carried unanimously.

Proposed Resolution No. 36-2013 – Approval of Section 3 Plan for Community Development Block Grant (CDBG) Programs

Mr. Phillips said the PA Department of Community and Economic Development (DCED), which administers the state-wide CDBG program, is requiring that entitlement communities show evidence they are following the federal requirements by having the applicable standards/policies in place. These requirements have basically not changed and policies were previously adopted in the early years of the program, but in some cases we do have written policies to submit. One of these is a Section 3 Plan for providing employment and training opportunities for lower income persons of the municipality in programs funded by CDBG monies. The proposed Plan was prepared by the Redevelopment Authority of Monroe County for use by the County, and was reviewed and modified for our use by Karen Parish of Mullin and Lonergan Associates. Mr. Prevoznik noted the Plan provides for additional requirements of contractors working for the Borough and asked Mr. D'Alessandro if his firm will be able to administer these requirements? Mr. D'Alessandro said we do check with the CDBG consultant to make

sure our contract specifications includes the proper CDBG language and they also review the bids received and consult with us on administering the contract requirements. Mr. Phillips said if we want to utilize the CDBG monies, we have to “jump through the hoops” that DCED requires.

After further discussion, Mr. Reese made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 36-2013 approving the Section 3 Plan as submitted; the motion carried unanimously.

#### Authorize Cost of Living Adjustment for Borough Employees for 2014 Year as provided in 2014 Budget

Mr. Phillips said the adopted 2014 Budget provides for a 2 per cent cost of living increase in pay for Borough employees. Mr. Phillips said he would recommend implementing the increases in the same manner as last year; using an average increase for all supervisory employees, an average increase for other non-supervisory employees, and an increase for the Manager position all within the 2/0% range. These figures work out to hourly increases of \$0.83 for the Manager position, \$0.50 for supervisory employees, and \$0.39 for non-supervisory employees. Mr. DeLarco questioned whether the Manager should be included in the cost of living adjustments? Mr. Phillips said all fulltime and regular part-time positions have been included in the cost of living adjustment previously. After further discussion, Mr. Flory made a motion, seconded by Mr. Begley, to grant the hourly rate cost of living adjustments for Borough employees for 2014 as discussed; the motion carried unanimously.

#### Public Comments – New Business

None.

#### Correspondence:

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

- i. Pennoni Associates, Inc. – Request for Extension of Time Limits for action on Preliminary/Final Land Development Plan and Conditional Use Application by East Stroudsburg University for proposed Information Commons Building Project. After discussion, Mr. Reese made a motion, seconded by Mr. Flory, to grant the time extension request as submitted; the motion carried unanimously.
- ii. PA Department of Environmental Protection (DEP) – 12/05/13 Inspection Report for East Stroudsburg Water Department
- iii. Federal Emergency Management Agency (FEMA) – Notice of Provisionally Accredited Levee Period Expiration 01/04/14 for Stroudsburg/East Stroudsburg Flood Protection Project

#### Reports

Mr. D’Alessandro said his firm is working on completing the information needed for the levee certification work to be submitted by January 3, 2014. Mr. D’Alessandro said the PennVEST loan closeout for the East Stroudsburg Dam project is only awaiting a final inspection by PA DEP; and the Ridgeway Street utility replacement project should finish close to budget for the Waterline work and about \$20,000 over budget for the Sewerline work.

Mr. Reese reported on the Twin Boroughs Recycling Committee meeting held last Wednesday Dec. 11, 2013.

Mr. Flory said the Volunteer Fire Relief Association is purchasing a new command vehicle to replace the 2000 Ford Expedition currently in service.

Mr. Prevoznik noted he had an item for discussion in executive session.

Mr. Martinelli noted that snow removal by the Borough was “not as good” this past storm, but acknowledged that the Borough crew also had to service a waterline break during the snowfall on Saturday.

Mrs. Wolbert questioned the two SROSRC employees listed on the health insurance invoice? Mr. Phillips said Mrs. Dwyer and Mr. Herd are being removed from coverage back to their date of termination, and the new full-time employee (Mrs. Possinger) has not been added yet.

Mr. Begley said the Emergency Management Coordinator for Middle Smithfield Township had asked whether the Borough has an update for the Emergency Action Plan for the East Stroudsburg Dam? Mr. Phillips said they have the current copy. Mr. Begley also asked about the beaver dam built on the Sambo Creek just above the railroad overpass near King Street? Mr. Phillips said the location is actually in Stroud Township and he did notify the Stroud Supervisors about the situation.

#### List of Bills Payable – December 17, 2013

Mr. Reese made a motion, seconded by Mr. Flory, to approve the List of Bills Payable and to ratify payroll and expenditures made through December 17, 2013 as submitted; the motion carried unanimously.

#### Executive Session

Mrs. Wolbert made a motion, seconded by Mr. Flory, to adjourn into executive session at 8:45 p.m.; the motion carried unanimously. At 9:45 p.m., Council members reassembled in the meeting room, and Mr. Flory made a motion, seconded by Mr. Reese, to reconvene the public meeting. The motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss potential litigation matters.

#### Adjournment

With no further business, Mr. Reese made a motion, seconded by Mr. Flory to adjourn the meeting at 9:47 p.m.; the motion carried unanimously.

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James S. Phillips, Secretary