

East Stroudsburg Borough, February 3, 2015

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, February 3, 2015. The following members were in attendance: Peter Begley, Edward Flory, Roger DeLarco, William Reese, and Sonia Wolbert. Richard Smith was absent. Also attending were: Manager James S. Phillips; Solicitor John C. Prevoznik; Codes Official Marvin Walton; and Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.

Call to Order/Pledge of Allegiance – President DeLarco

President Roger DeLarco called the meeting to order at 7:32 p.m. The pledge of Allegiance was led by Rebecca Nichols.

Moment of Silence

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

Minutes of January 20, 2015 Regular Council Meeting

Mr. Flory made a motion, seconded by Mr. Reese, to approve the minutes of the January 20, 2015 regular meeting as submitted; motion carried unanimously.

Public Hearing on Proposed Ordinance Amending Chapter 114 of the East Stroudsburg Code, Parks and Recreation, Revising Rules and Regulations for Borough Parks and Facilities

Mr. Flory made a motion, seconded by Mr. Reese, to open a public hearing on this proposed ordinance; motion carried unanimously. Mr. Prevoznik said this amendment to the park rules is necessary due to recent state law; which permits persons challenging an ordinance prohibiting carrying of firearms to see reimbursement of attorney fees. The park rules for Dansbury Park prohibit the carrying of firearms within the park. Mr. Phillips said this has not been enforced, yet the provision puts the Borough open to challenge.

John DeSantis of Roller Street said he was not aware it was illegal to “carry” in the park.

Mr. Reese made a motion, seconded by Mr. Begley, to close the public hearing; motion carried unanimously

Report from Eastburg Community Alliance (ECA)

Susan Randall, Downtown Manager for Eastburg Community Alliance (ECA) was present to give Council a report on 2014 activities and an update on plans for 2015. The façade improvement program ended in May 2014 – eleven properties improved either facades or signage. ECA met the criteria for National Main Street designation, added one new Board member, obtained approval for exit funding from PA DCED, and applied for Keystone Community designation.

Ms. Randall said ECA partnered with East Stroudsburg University and hosted a student intern who assisted with marketing materials; renewed involvement with Steamtown and other railroad groups in event planning; successfully ran the American Freedom Festival over three days last year; assisted the Project Street Art II team with three sites in East Stroudsburg; and saw the interior renovations of the Depot completed. Ms. Randall said ECA is now renting out the Depot to outside groups.

Ms. Randall also commented on the Assessment Report that was issued by the outside consultant for community revitalization. The next steps for ECA include adding more Board members and bringing our committees to full complement. Mr. DeLarco thanked Ms. Randall for her report.

Ms. Randall also said she will have information on sandwich board signs for discussion at the next committee meeting.

Public Comments - Agenda Items

None.

State of the Borough 2015 Address – Mr. DeLarco

Ordinance No. 1296 Amending Chapter 114 of the East Stroudsburg Code, Parks and Recreation, Revising Rules and Regulations for Borough Parks and Facilities

Mr. Begley made a motion, seconded by Mrs. Wolbert, to adopt proposed Ordinance No. 1296 as advertised; motion carried unanimously.

Resolution No. 6-2015 Establishing a Schedule of Fees for the 2015 Year

Mr. Phillips reviewed the Resolution establishing or renewing fees for various items covered by ordinances in the East Stroudsburg Code, that was reviewed by the Council Planning and Zoning Committee. Mr. Prevoznik noted that the administrative fees for copying, for example, should be posted at the Borough Office. Pat Murray asked about the engineer fees; and was advised those fees are typically charged for engineer time for review of plans and inspections. Mr. Flory made a motion, seconded by Mr. Reese to adopt proposed Resolution No. 6-2015. The motion carried unanimously.

Resolution No. 8-2015 Approving Application for Traffic Signal Permit (Revision) for SR 2012 (Milford Rd.) and Sterling Lane/Private Drive Intersection.

Mr. Phillips said the Borough had instructed Traffic Planning & Design, Inc. to review the traffic signal timing at the three intersections along the Business Route 209 corridor, funded with a contribution from the Eagles Glen Plaza expansion conditional use approval. The object was to improve/coordinate timing changes for the three signals. The review has been completed; PennDOT now requires a traffic signal permit application approved by Resolution to implement even signal timing changes. PennDOT requires a separate Resolution for each traffic signal.

Mr. Flory made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 8 -2015 approving the traffic signal permit application for the Milford Rd./Sterling Lane intersection; motion carried unanimously.

Resolution No. 9-2015 Approving Application for Traffic Signal Permit (Revision) for SR 2012 (N. Courtland St.) and SR 447 South (Sixth Street) Intersection

Mr. Flory made a motion, seconded by Mr. Begley, to adopt proposed Resolution No. 9 -2015 approving the traffic signal permit application for the N. Courtland St./Sixth St. intersection; motion carried unanimously.

Resolution No. 10-2015 Approving Application for Traffic Signal Permit (Revision) for SR 2012 (N. Courtland St./ Milford Rd.) and SR 447 North/Private Drive Intersection

Mr. Begley made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 10-2015 approving the traffic signal permit application for the N. Courtland St./Paradise Trail intersection; motion carried unanimously.

Proposed Resolution No. 11-2015 Adoption of Audit Committee Charter

Mr. Prevoznik said the Borough should check with our insurance carrier to see if any special coverages are needed for this Committee. Mrs. Wolbert made a motion, seconded by Mr. Begley, to adopt proposed Resolution No.11-2015 adopting the Audit Committee Charter, motion carried unanimously.

Appointment of Audit Committee of Council

Mr. Reese made a motion, seconded by Mr. Flory, to appoint Mr. DeLarco, Mr. Flory, and Mr. Begley initially to the Audit Committee; motion carried unanimously.

Appointment of CPA Auditor to perform 2014 Borough Audit

Mrs. Wolbert made a motion, seconded by Mr. Reese, to appoint Ardito & Co., LP to conduct the 2014 year Audit for the Borough and complete the Comprehensive Financial Report; motion carried unanimously.

Proposed Zoning Ordinance Amendment Revising the Procedures for Review and Approval of Non-Conforming Uses

Mr. Walton said the proposed Ordinance amends the Zoning Ordinance to require administrative review of non-conforming use applications instead of requiring that such applications be approved by the Zoning Hearing Board. Mr. Phillips said since this is a zoning amendment, it must be reviewed by the Borough and County Planning Commissions. Mr. Flory made a motion, seconded by Mr. Reese, to authorize submittal of the proposed zoning amendment to the planning commissions for review and comments; motion carried unanimously.

Public Comments – New Business

John DeSantis of Roller Street said feral cats in his neighborhood are a real nuisance. Closing up vacant residences is not enough. Catching the animals and spaying/neutering then releasing the animals is not an answer – they need to be exterminated.

Gary Walck said he met with Captain Kimmins of the Police Department, also the Health Officer; he also contacted other agencies including the PA Game Commission, and the U.S. Department of the Interior – those agencies are not in favor of spaying/neutering.

Mr. Begley noted that the Codes Officer, Mr. Walton, did notify the owner of the vacant and open house in the neighborhood.

Rebecca Nichols of Rep. David Parker's office said she would offer whatever assistance could be provided through the Representative's office.

Pat Murray asked if there were any questions concerning this year's upcoming St. Patrick Day's Parade?

Correspondence:

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

- i. PA DEP Bureau of Waterways Engineering – Report on Annual (2014) Inspection of East Stroudsburg Flood Protection Project. Received a Minimally Acceptable

Rating.

- ii. PA DEP – Review of 2014 Annual Inspection Report (submitted by R.K.R. Hess Associates, Inc.) for East Stroudsburg Dam
- iii. PSAB – 2014 Year Annual Report

Reports

Mr. Walton reported that he has been busy issuing violation notices for failure to clear sidewalks of snow and ice. Mr. Begley asked how many of these are senior citizens who cannot clear the walks themselves?

Mr. D'Alessandro reviewed his written Engineer's report submitted to Council; and led a brief discussion on water billing analysis. Also, the final environmental notice was published for the USDA loan financing for the Middle Dam rehabilitation; and the monitoring has begun of the "seep" at the East Stroudsburg Dam.

Mr. Reese asked about the status of the municipal building security improvement work? Mr. Phillips we had a setback when architect Mark Connors declined to participate, but we are now working with Schoonover and Vanderhoof architects.

Mr. Flory noted the report from Mr. DeSalva on the proposal for \$900 to conduct a humidity test for the flooring problem at the Fire Station, and made a motion seconded by Mr. Reese, to authorize the testing on that basis; motion carried unanimously.

Mr. Prevoznik noted that one of the outstanding issues for the UPI Inc./ESU conditional use approval for the first phase of the housing project is the easements that were to be granted for Wells No. 1 and 2. Easement descriptions were apparently never prepared. Mrs. Wolbert made a motion, seconded by Mr. Begley, to authorize R.K.R. Hess Associates, Inc. to prepare metes and bounds descriptions for the easements needed – to be used for the proposed legislation to be introduced by Sen. Scavello to grant SSHE Universities the ability to grant such easements. Mr. Prevoznik said we will also need a description for the easement needed for the Prospect St. turn lane at Normal Street.

Mr. Prevoznik also reported on the proposed agreement received by the Regional Police Department from East Stroudsburg University for police assistance in areas close to the ESU campus.

Mr. Martinelli noted a resident on East Broad Street who has no off-street place for parking on her property; and there is no overnight parking on N. Green Street. He asked what is the history of not permitting overnight parking on this street, and asked Mr. DeSalva to look at that issue.

Mrs. Wolbert reported on the next Revitalization meeting – many people are interested. She also discussed the POO program in Newark DE that uses deed restrictions to encourage home ownership instead of rental properties.

Mrs. Wolbert discussed the concept of providing Foot Golf at Terra Greens golf course and noted that the Stone Meadows course in White Haven now has Foot Golf locally. Mrs. Wolbert said she wants to encourage anything to improve revenues at the golf course.

Mr. Begley noted the segment on WBRE Channel 8 TV the last few nights focusing on panhandlers.

Mr. Phillips reported receipt of the grant agreement from PA DEP for video inspection of the flood protection levee storm conduits in the amount of \$14,368. Mr. Reese made a motion, seconded by Mr. Flory, to authorize execution and return of the grant agreement with PA DEP; motion carried unanimously.

Mr. Phillips also reported receipt of an agreement to extend the previously-approved agreement with the Redevelopment Authority of Monroe County for administration of the community development block grant-funded housing rehabilitation program for the Borough; for remaining FY 2012 and 2013 CDBG funds. Mr. Prevoznik said the agreement, although only an extension, is a form of intergovernmental cooperation agreement and would need to be approved

by ordinance. Mr. Flory made a motion, seconded by Mrs. Wolbert, to authorize advertising of a public hearing on an ordinance for the proposed agreement; motion carried unanimously.

Mr. Phillips also noted that due to the Monroe County requirements that all waste must go to a county-designated landfill, our contractor for sewage sludge must now haul to Waste Management's landfill, instead of Keystone Landfill. Waste Management is requiring submittal of a new Form 43 for the Sewage Sludge to be approved by PA DEP. The problem is, we cannot take a new sludge sample for analysis until we can press sludge; but we cannot press sludge until we have the new Form 43 approved – which requires a new analysis. The Borough is working with Waste Management to get this issue resolved.

Mr. DeLarco noted for the record. a letter he received from a Cindy Quillette.

List of Bills Payable – February 3, 2015

Mr. Flory made a motion, seconded by Mr. Begley, to approve the List of Bills Payable and to ratify expenditures and payroll made through 02/03/15 as submitted; the motion carried unanimously.

Executive Session

None.

Adjournment

With no further business, Mr. Flory made a motion, seconded by Mrs. Wolbert, to adjourn the meeting at 9:55 p.m.; the motion carried unanimously.

James S. Phillips, Secretary