

East Stroudsburg Borough, February 4, 2014

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, February 4, 2014. The following members were in attendance: Peter Begley, Ed Flory, William Reese, and Sonia Wolbert. Roger DeLarco 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 – Mr. Reese

Vice President William Reese called the meeting to order at 7:35 p.m. Richard Smith led the pledge of allegiance.

Public Comments - Agenda Items

Rob Casella said he owns the double residence at 70-72 Ransberry Avenue and has questions regarding the new permit parking regulations. Mr. Casella said his tenant in 72 Ransberry has issue with the Visitor Pass provisions; they have a cleaning lady that comes in weekly, and they have been using a neighbor's driveway to park her vehicle – but that isn't always available. He would like to see at least one Visitor Pass made available for each residence; without them having to come to the Borough office to apply for one each time. Mr. Casella said he has no driveway for the residences and does not have room to have one on the property. Mr. Casella said he supports the Permit Parking program; but it needs "tweaked".

Mr. Flory noted that the reason that Council changed the regulations is because there is not room on certain streets – such as Ransberry – to park all the vehicles if everyone was issued the same number of permits and Visitor passes as was in effect previously.

Council Vacancy for the Sixth Ward

Mr. Reese noted that action on filling the vacancy on Council for the 6th Ward was not taken last meeting due to the weather; now tonight, only one person has appeared still expressing interest in the position. Mr. Prevoznik said Council has thirty days to take action, otherwise a Vacancy Board will have responsibility for filling the vacancy. Mr. Begley made a motion, seconded by Mr. Flory, to appoint Richard Smith of 546 North Courtland to fill the vacancy on Council for the 6th Ward; the motion carried unanimously. Mr. Prevoznik told Mr. Smith he will have to be sworn into office before he can take his seat on Council, and will serve a two-year term through the 2015 year. Mr. Prevoznik also suggested that Mr. Smith check with the County Elections Office to make sure there is no paperwork he will have to complete before taking office.

Further Discussion on Permit Parking Regulations

Mr. Prevoznik noted that Council can make whatever changes it wants to for the residential permit parking system, and any kind of regulation does involve restrictions to some persons' activities. Council has heard from a few residents – but is Council sure these views represent the majority of residents within the permit parking area? Also keep in mind that the vast majority of properties do have some form of off-street parking available to them.

Mr. Flory said we cannot discriminate between homeowners and renters in the number of permits they are able to obtain. Mr. Begley said the Borough does treat rental units differently – they are subject to inspections – so why can't we treat them differently for parking? Mrs. Wolbert said the rental licensing/inspections are required because some landlords don't care how well they take care of their rental properties.

Mr. Begley referred to the email message he had sent in response to Mr. Walton's memo, with his ideas for changes needed to the permit parking regulations. Mr. Begley said his main concern is that long-time residents in these permit parking areas cannot park on their own streets without getting parking tickets. Mr. Reese said, before permit parking went into effect, he could not park on his street because of students parking there instead of paying to park at the university. Mr. Reese opened up the discussion to the audience.

Steve Zimmerman thanked Council for their previous consideration regarding parking, but said the university students came back after the semester break and received multiple parking tickets – because they didn't know about the changes to the parking regulations. He asked Council to reconsider the tickets that were issued during that first week of this semester.

Mr. Reese said the Visitor Passes, or lack of, still appears to be the biggest point of contention; and suggested that Council may want to go back to the previous system. Mr. Prevoznik said Council must have better criteria in the ordinance to be able to enforce "temporary" visitor passes.

Mrs. Wolbert asked about having metered parking? Mr. Walton said that would be the easiest way to enforce parking regulations. Mr. Phillips noted that installing meters would require marking parking spaces; and that would probably reduce the number of parking spaces available on streets such as Ransberry Ave.

Mr. Flory said perhaps we should go back to the old system – issue two Visitor passes per dwelling; but then you have the potential for people to try to replicate the visitor passes. Sonya Cole suggested requiring the Borough seal on each pass? Mr. Walton said any seal could be used, and the PEO's wouldn't be able to tell from outside the car if it was in fact the Borough seal.

Mr. Phillips asked if Council is at least able to limit the options to be discussed to some form of Visitor Pass to be utilized again? Mr. Walton suggested the consensus appears to be for the Borough go back to issuing two Visitor Passes, to be kept at the residence, not issued each time at the Borough office. Mr. Prevoznik said then the next charge will be for the Committee to come up with a viable violation/penalty procedure that can be enforced.

East Stroudsburg Community Partnership – Request for American Freedom Festival

Susan Randle, Downtown Manager for the East Stroudsburg Community Partnership (ECP) – formerly ECA – requests approval to have a three day carnival at Dansbury Park over the July 4th weekend, since the holiday is on a Friday. The rides contractor and food vendors would like to stay for the three-day weekend.

Sonya Cole said ECP hopes to raise \$20,000 by having the festival over three days instead of one.

Mr. Reese noted that the main issue for Saturday and Sunday would be allowing enough parking for the swimming pool, which can be crowded on a summer weekend. Ms. Randall said they hope to be able to place the food vendors off of the parking lot since we now have a generator available through the Borough for electricity for the vendors. Mr. Reese asked that they get together with Borough staff and come up with a plan to address how the food vendors and rides can be accommodated while still allowing parking for normal swim pool and park usage.

Proposals for Mowing and Lawn Care Services

Mr. Phillips said the contract for mowing at various Borough parks and facilities is up for renewal this Spring. Mr. Flory made a motion, seconded by Mrs. Wolbert, to authorize preparation of specifications and advertising for bids proposals for mowing and lawn care services for a new multi-year contract period; the motion carried unanimously.

Special Counsel for Bankruptcy Matters

Mrs. Wolbert made a motion, seconded by Mr. Begley, to appoint Kim Diddio, Esquire, as special counsel for bankruptcy matters, as recommended. Mr. Prevoznik noted the motion should include Ms. Diddio's hourly rate of \$150 per hour; Mrs. Wolbert and Mr. Begley agreed to amend their motion accordingly. The motion carried unanimously.

Engineering Work for Two Intersections within the Borough

Mr. Phillips said he requests authorization to have Traffic Planning and Design, Inc. proceed with traffic engineering work for these two intersections; both of which will be paid for by UPI, Inc./East Stroudsburg University under terms of the Development Agreement in effect for the ESU student housing project which was approved in 2010. Mr. Flory made a motion, seconded by Mr. Begley, to authorize TPD, Inc. to proceed with preliminary engineering for the two intersections as recommended; the motion carried unanimously.

Public Comments – New Business

None.

Correspondence

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

- i. A letter request from R. Troy Nauman on behalf of Buff-Nauman LLC for a time extension for action on the minor subdivision plan submitted for a 10.5 acre parcel off Franklin Hill Road. Mr. Begley made a motion, seconded by Mr. Flory, to grant the time extension until March 12, 2014 as requested. The motion carried unanimously.
- ii. Registration information for the Public Employee Labor Relations Advisory Service (PELRAS) training conference to be held at State College PA March 19-21, 2014. Mr. Begley made a motion, seconded by Mr. Flory, to authorize Manager James Phillips to attend the training seminar with reimbursement of expenses in accordance with Borough travel policy; the motion carried unanimously.
- iii. A request from the Stroud Region Open Space and Recreation Commission (SROSRC) staff for waiver of the banner installation fee for a Stroud Kids Summer Program Banner. Mr. Flory made a motion, seconded by Mr. Begley, to waive the banner installation fee since SROSRC is the Borough's recreation department. The motion carried unanimously.

Reports

Mr. Begley reported he had talked with State Rep. Mario Scavello concerning the weight limit recently imposed for the "Iron Bridge" on Ridgeway St. over the railroad tracks – Rep. Scavello said he would pursue funding to repair or replace the bridge, but we need to know what repairs are needed and the cost estimate. Mr. D'Alessandro said PennDOT should have information on the problems with the bridge from their periodic inspections.

Mr. Begley said the owners of Mamasita's Restaurant have asked about repairs to the sidewalk along Gay Street – and the repaving of Gay St. Mr. Reese said the property owner would be responsible for the sidewalk condition.

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council, and said his office is still trying to obtain information on possible flood insurance rates if a portion of the levee along the Little Sambo Creek has to be de-certified, as previously discussed.

Mr. Flory said he had received complaints from residents of Gap View Heights housing plan about problems with their road not being plowed early enough during previous storms this winter, although there no complaints concerning service during the most recent snowfall event.

List of Bills Payable – February 4, 2014

Mr. Flory made a motion, seconded by Mr. Begley, to approve the List of Bills Payable and to ratify payroll and expenditures made through February 4, 2014 as submitted; the motion carried unanimously.

Executive Session for Discussion of Litigation Matters

Mr. Begley made a motion, seconded by Mrs. Wolbert, to adjourn into executive session at 9:25 p.m.; the motion carried unanimously. At 9:48 p.m. Council members reassembled in the meeting room, and Mrs. Wolbert made a motion, seconded by Mr. Begley, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik reported the executive session was held to discuss several litigation matters, and no decisions were made.

Adjournment

With no further business, Mr. Flory made a motion, seconded by Mrs. Wolbert, to adjourn the meeting at 9:49 p.m.; the motion carried unanimously.

James S. Phillips, Secretary