

East Stroudsburg Borough, June 7, 2016

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, June 7, 2016. The following members were in attendance: Donald Cross, Edward Flory, Roger DeLarco, William Reese, and Sonia Wolbert. Maury Molin was absent. Also attending were: Mayor Armand M. Martinelli; Solicitor John C. Prevoznik; Manager James S. Phillips; Codes Official Marvin Walton; DPW Director Steven DeSalva; and Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates.

Call to Order/Pledge of Allegiance – President DeLarco

Mr. DeLarco called the meeting to order at 7:30 p.m. The Pledge of Allegiance was led by Bill Rhodes.

Moment of Silence and Reflection

A moment of silence was observed by all in attendance.

Minutes of May 26, 2016 Regular Council Meeting

Mr. Flory made a motion, seconded by Mr. Reese, to approve the minutes of the May 26, 2016 regular Council meeting as submitted; the motion carried unanimously.

Public Comments – Agenda Items

None.

Sewer System Alternatives Committee –Report

Mr. Prevoznik stated that the Council Committee has been looking at the sanitary sewer system infrastructure. The last major upgrades to the Sewage Treatment Plant were undertaken in 1989-1991. The original sewer collection system was constructed in the 1960's. The group has been looking at alternative options to consider for the future operation of the sewer system, including re-forming a Sewer Authority, accepting septage at the STP for a fee, and needed renovations. Mr. Prevoznik introduced William Rhodes, Esq. of Ballard Spahr law firm, and Max Stoner, P.E., of Glace Associates, Inc., Engineers for the sanitary sewer system, who have been consulting with the Committee.

Bill Rhodes said the first issue the Committee raised was reviewing the environmental permits for the STP; that was done through Mark Gold, Esquire. The preliminary determination is that the sewer discharge permits should be able to be transferred to another entity without problems, if necessary. That is probably not the case with the Borough's permits for the Water System, however.

Mr. Rhodes reviewed the memo he prepared for Council on the current circumstances for the Sewer System. The main points are:

- The Borough STP permit is for a discharge of up to 2.25 MGD; but only about 1.2 MGD is normally being used.
- The Borough has no outstanding sewer system-related indebtedness.
- There are no engineering assessments of long-term needs of the sewer system.
- The Borough has been paying for sewer capital improvements from the Sewer Fund on a "pay-as-you-go" basis.
- Current sewer rates are among the lowest in the county/region.
- A significant portion of the Borough's assessed value is tax-exempt; and the Borough is mostly built-out.
- The Borough system relies almost exclusively on its connected customer base to generate revenues, and that is primarily residential; septage nor holding tank waste is accepted.

The Committee is advising Council to undertake an engineering analysis as the first step in the process of determining the long-term sustainability of the sewer system.

Mr. Rhodes estimated the costs for the first phase of the overall analysis to be \$110,000, for engineering and legal expenses. Mr. Stoner noted that the STP has been well-maintained, but some of the equipment is reaching the end of its useful life. Mr. Cross asked what is the typical

lifespan for such equipment? Mr. Stoner replied 20 years for major equipment, such as pumps, blowers, bar screen, etc. Mr. Phillips asked, what is the time frame for doing the engineering analysis? Mr. Stoner said that process could take 3-4 months, and Council 6 weeks to review.

Gary Walck of Fulton Street asked if rehabilitation work would have to be done before any possible transfer of the Plant to an Authority or even sale of the Plant? Mr. Rhodes said that all depends; some private entities might want to do the work themselves, but if done first obviously that would effect the lease or sale prices. Dave Czahor of 147 Analomink Street asked if the study will include the costs of deferred maintenance? Mr. Stoner said the “do nothing” alternative would have to address needed renovation work at a minimum.

After discussion, Mr. Flory made a motion, seconded by Mr. Cross, to authorize the undertaking of the described engineering analysis of the sanitary sewer system as recommended by the Sewer Alternatives Committee; at an overall cost not to exceed \$110,000. The motion carried unanimously.

Resolution No. 15-2016 Annual Fair Housing Declaration

Mr. Cross made a motion, seconded by Mr. Flory, to adopt proposed Resolution No. 15-2016 restating the Borough’s Fair Housing Policy and appointing Marvin Walton, Codes Official as the Fair Housing Officer as submitted; the motion carried unanimously.

Proposal from RKR Hess for construction administration and inspection services – Levee Scour Repair work

Mr. Flory made a motion, seconded by Mrs. Wolbert, to approve the proposal for providing construction administration and inspection services for the upcoming levee repair project at an estimated cost of \$5,200 as submitted; the motion carried unanimously.

Proposal from RKR Hess to survey site at end of Lenox Ave. for possible BWA rain garden location

Mr. Flory questioned whether it was worth the \$3,500 cost for surveying to verify Borough ownership of this parcel; for a Brodhead Watershed Association project. Mayor Martinelli said Council had previously agreed to cooperate with BWA on this project. After discussion, Mr. Reese made a motion, seconded by Mrs. Wolbert, to approve the proposal for survey services as submitted; the motion carried by a vote of 4-1 with Mr. Flory voting no.

Request for meeting with SARPD and SROSRC regarding police response concerns at Danbury Park

Mr. Flory made a motion, seconded by Mr. Reese, to request a meeting with the Stroud Area Regional Police regarding police response concerns at Dansbury Park; the motion carried unanimously.

Recommendation to authorize RKR Hess to prepare specifications for reconstruction of Willow Street and portion of East Fifth St.

Mr. Flory made a motion, seconded by Mr. Cross, to authorize RKR Hess to prepare specifications for Willow Street and E. Fifth Street road work, utilizing in-place recycling/paving as recommended; the motion carried unanimously.

Advertising for vacant DPW Maintenance Worker position

Mr. Cross made a motion, seconded by Mr. Flory, to authorize advertising for applicants for a vacant DPW Maintenance Worker position, as recommended. Mr. DeLarco suggested placing notice for the position on the Borough website. Mrs. Wolbert asked where we normally would place the ad for this position? Mr. Phillips said the *Pocono Record*. After discussion, Mr. Phillips said he would confer with the Personnel Committee on the advertising to utilize; the motion carried unanimously.

Public Comments – New Business

David Czahor of 147 Analomink Street asked about the fire-damaged structures on Lackawanna Avenue and Braeside Avenue? Mr. Phillips said the Borough has been trying, without result yet, to obtain the Lackawanna Ave. site so that the structure can be torn down; since the owner is in bankruptcy. Mr. Walton said the owner of the Braeside property now is going to try and salvage and rebuild the house rather than tear it down; we will know in about two weeks whether she has obtained the financing to do so.

Mr. Czahor asked how long will it take to develop a “rain garden” at the Lenox Ave. site? Mr. Flory noted that depends on the results of the survey. Mr. Czahor also said a large tree along South Green Street overhangs his house; it has been trimmed before by the Borough – but last year a large branch fell on his car in the driveway, causing vehicle damage. However, the Borough’s insurance company would not reimburse his auto policy deductible; they said the Borough “had no notice” of problems with the tree.

Correspondence

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

- i. Monroe County Board of Assessment Revision - Countywide Reassessment of all real estate within the County authorized.

Reports

Mr. Phillips reported that Alan Strand had come back to the Dansbury Park Swimming Pool with his “snake” camera to check one of the gutter drain lines that had shown up as “suspicious” on the previous video. The camera showed water flowing both directions to one point, indicating a leak. John Wisegarver had contacted contractor Norman Fish about digging up this area; there will be no additional cost (unless unforeseen circumstances are found) to excavate this area because the previous work did not involve the amount of excavation originally anticipated. If the work is started tomorrow, repairs should be able to be completed to still open the Pool on Saturday June 11 as planned. Mr. Phillips said he recommends this repair be attempted since it appears this could be a major leak and the source of much of the current water loss.

Mr. Flory said that he is not in favor of spending more money on the Pool, and noted that based on the cost of staffing the pool, we need 200+ people to attend daily in order to break even. Plus, there are about 100 day campers at Dansbury each day that use the pool – but do not pay a separate admission. Mrs. Wolbert agreed that is a concern. Mr. DeLarco asked Mr. Phillips to express this concern to the SROSRC. Mr. Flory also noted that only less than 50% of the users of the Pool are from the Borough, in total. Mr. Flory made a motion to close the pool pending completion of needed repairs, seconded by Mr. DeLarco. The vote ended in a 2-2 tie, with Mr. Flory and DeLarco voting “Yes” and Mr. Reese and Cross “No”. Mrs. Wolbert abstained. Mayor Martinelli voted “No” on the motion, which then failed 2-3.

After discussion, Mr. Reese made a motion, seconded by Mrs. Wolbert, to proceed with the needed repairs at a cost not to exceed \$9,900, and to open the Pool on June 11 as previously planned; but only if the repair work is completed in time including replacement of the concrete deck, and the Pool Staff must be notified that the Pool may not open if the work cannot be completed in time. The motion carried unanimously.

Mrs. Wolbert made a motion, seconded by Mr. Flory, to instruct Mr. Phillips to prepare a Request for Proposals for consultant services for repairs to the Swimming Pool; by July 1, 2016. The motion carried unanimously.

Mr. Prevoznik noted that counsel for UPI, Inc. has requested that the Borough accept as security for improvements proposed for the second phase of the student housing project at ESU the bond that will be posted by the contractor for completion of all the work; as was done with the first phase of the project. Mr. Prevoznik said the problem is that the bond is required for the agreement between UPI, Inc. and the contractor for the project, but the Borough would not really be able to enforce the bond because the Borough will not be party to that agreement. After discussion, Mr. Flory made a motion, seconded by Mr. Cross, not to approve any waiver from Borough requirements to bond proposed public improvements as part of the UPI, Inc./ESU housing project. The motion carried unanimously.

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

Mr. Walton reminded Council about the meeting next Tuesday for the Comprehensive Plan project regarding community identity.

Mr. DeSalva stated he has put together the proposal for purchase of a new 33,000 GVW Dump Truck for the Borough DPW via the Co-stars pricing, and requested approval to place the order for the new Peterbilt diesel engine truck with dump body, snow plow, and hydraulics, for the total cost of \$148,000. This will replace a 1991 GMC truck recently taken out of service, and will be paid for from the 2016 loan funds. Mr. Flory made a motion, seconded by Mr. Reese, to authorize the purchase of the new dump truck as recommended; the motion carried unanimously.

Mrs. Wolbert said a resident had received a delinquent notice for their rental housing license, and asked when those notices go out? Mr. Walton said after the August 1 deadline. Mrs. Wolbert also said the businesses on Crystal Street were not notified in advance of the repaving work on Crystal St. in front of their shops. Mr. DeSalva said the Borough was only notified by the contractor for UGI Gas Co. the day before the work, which had been postponed several times because of the weather, but apologized for not being able to get in touch with the businesses earlier. Mrs. Wolbert made a motion, seconded by Mr. Flory, to have the Public Works Director come up with a written policy on notifying residents of upcoming paving operations; the motion carried unanimously. Mrs. Wolbert also asked that a report on computer issues in the Admin. Office be discussed at the June Committee meeting.

Mr. DeLarco said the Audit Committee had received a list of delinquent rental licensees as of the beginning of this year; and asked Mr. Walton to update such list.

List of Bills Payable – June 7, 2016

Mr. Phillips said there are two additional bills that came in late today to include with the list; one from BBD, Inc. for additional audit services (\$6,900), and one from Donna Kenderdine for the stenographer fee for transcript of the ESU/UPI conditional use hearing. Mr. Flory made a motion, seconded by Mrs. Wolbert, to ratify approval of payroll and expenses to date and to approve the List of Bills Payable as submitted with the additions as noted; the motion carried unanimously.

Executive Session

Mr. Flory made a motion, seconded by Mrs. Wolbert, to adjourn into executive session at 9:38 p.m.; the motion carried unanimously.

At 10:30 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 a personnel matter; and no decisions were made.

Hiring of Financial Officer

Mrs. Wolbert made a motion, seconded by Mr. Cross, to ratify the hiring of Kenneth D. Konz for the Finance Officer position effective June 27, 2016 at an annual salary of \$60,000. The motion carried unanimously.

Adjournment

With no further business, Mr. Flory made a motion, seconded by Mr. Cross, to adjourn the meeting at 10:32 p.m.; the motion carried unanimously.

James S. Phillips, Secretary