

East Stroudsburg Borough, March 3, 2015

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, March 3, 2015. The following members were in attendance: Peter Begley, Roger DeLarco, Edward Flory, William Reese, and Sonia Wolbert. Richard Smith was absent. Also attending were: 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, Inc.

Call to Order/Pledge of Allegiance – President DeLarco

Council President Roger DeLarco called the meeting to order at 7:30 p.m. The Pledge of Allegiance was led by Gary Walck.

Moment of Silence

A moment of silence and reflection was observed by all in attendance. Mr. Reese asked for a moment of silence in memory of former Mayor Irving “Itch” Sommers who passed away last week.

Public Comments - Agenda Items

None.

Report and possible action on Bids Received 2/25/15 for Construction of Walking Trail, Gregory Pond Natural Area

Mr. Phillips reviewed the tabulation of bids opened 2/25/15 for construction of the walking trail on the Gregory Pond Park/former Weiss property along Route 447:

Contractor	Bid Bond	Non-Coll.	Amount
Kobalt Construction, Inc. (Swiftwater, PA18370)	X	X	\$52,350.00
Northeast Site Contractors, Inc. (East Stroudsburg PA 18302)	X	X	\$75,151.44
E.F. Possinger & Sons, Inc. (Bartonsville, PA)	X	X	\$31,117.10
S & G Asphalt Service Co. (Coplay, PA 18037)	X	X	\$51,705.81
Waco Inc. (Waymart, PA 18472)	X	X	\$49,419.57

Mr. Phillips said the proposal from the low bidder, E.F. Possinger & Sons, Inc., did not include several forms which were listed in the Appendix. The bidder did provide the required forms the same afternoon after the bids were opened. Mr. Prevoznik said the bid requirements do mention that the Borough has the right to waive informalities in bidding. Case law also indicates that a governing body does have the ability to determine whether such an action to cure a defect ..... Mr. Prevoznik said the forms in question do not grant the contractor any competitive advantage in the bid process. Mr. D’Alessandro said the forms in question are not germane to the question of whether the contractor has the ability to perform the job bid on. After discussion, Mr. Flory made a motion, seconded by Mr. Reese, to accept the proposal from and award the contract to the low bidder at the base bid price of \$31,117.10; subject to review/approval of the bid bond submitted. The motion carried unanimously.

Award of Contracts for Chemicals for Water Plant and Wells, Sewer Plant, and Swimming Pool – Bids Opened 02/17/15

Mr. Phillips upon review of the bids submitted, his recommendation is to award

contracts to the low bidders for Items No. 1-8 as submitted. Mr. Flory made a motion, seconded by Mr. Begley, to accept the proposals from and award the contracts to the low bidders for the 3/1/15 to 2/28/16 period as follows, subject to review/approval of the bid bonds submitted:

Item 1	Liquid Chlorine 150 lb. cyl.	JCI Jones Chemicals, Inc.	\$ 52.66 per CWT
Item 2	Chlorine 1 ton cyl.	JCI Jones Chemicals, Inc.	\$ 30.00 per CWT
Item 3	Zinc Phosphate	Coyne Chemical Co., Inc.	\$113.02 per CWT
Item 4	Activated Carbon	Univar USA, Inc.	\$102.00 per CWT
Item 5	Sodium Hypochlorite, bulk	Main Pool & Chemical Co.	\$ 1.24 per gal.
Item 6	Sodium Hypochlorite, 15 gal.	Main Pool & Chemical Co.	\$ 1.85 per gal.
Item 7	Caustic Soda	Main Pool & Chemical Co.	\$ 2.43 per gal.
Item 8	Blended Phosphate	Univar USA, Inc.	\$175.43 per CWT

The motion carried unanimously.

#### Approval of Proposal for Architectural Services with Schoonover & Vanderhoof, LLC for Municipal Building Security Renovations

Mr. Phillips said John Schoonover has submitted a proposal for his firm to provide professional services on an hourly basis, not to exceed \$6,700, for the municipal building security work. Mrs. Wolbert asked about the timeline for the work. Mr. DeSalva said he hoped the work can be completed this year. Mr. Begley asked whether security cameras planned can be used for videoing Council meetings in the future. Mr. DeLarco asked about language in the agreement that the Solicitor had mentioned to cover Right-To-Know Act issues; Mr. Phillips said that could be included as an addendum to the proposal. Mr. Reese made a motion, seconded by Mr. Begley, to accept the proposal from Schoonover and Vanderhoof, LLC, for the architectural work; subject to the Right-To-Know provisions as recommended. The motion carried unanimously.

#### Public Comments – New Business

None.

#### Correspondence:

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

- i. PA Department of Community & Economic Development (DCED) – FY 2014 CDBG Contract Condition (for proposed Elizabeth St. waterline project)
- ii. PA Department of Environmental Protection (DEP), Bureau of Waste Management – Act 101 Recycling Grant approved for Twin Boroughs Recycling Program \$245,799.
- ii. Brodhead Watershed Association – Meeting on Lower Brodhead Green Infrastructure Plan – Tuesday, March 31, 2015 at Stroud Township Municipal Building

#### Authorization execution of grant agreement with PA Department of Environmental Protection for Recycling Grant

Mr. Flory made a motion, seconded by Mr. Reese, to accept the grant offer and authorize execution of the Recycling Grant Agreement as submitted; the motion carried unanimously.

#### Reports

Mr. D’Alessandro reported:

- his office is still trying to get all closing documents submitted by the contractor for the Ridgeway St. waterline/sewerline project.
- monitoring work of the “seep” at the East Stroudsburg Dam continues.
- he met with Manager Jim Phillips today to review the Water Code billing definitions, and they will have a report for next Committee meeting.

Mr. Reese asked about re-bidding for the Downtown Streetscape project; and was advised by Mr. DeSalva that PennDOT indicated just today a tentative date of April 9, 2015 for

taking new bids. Mr. Reese noted that Recycling Supervisor Bob Gordon broke his arm in a fall accident at the Recycling Center.

Mr. Flory asked about the floor tile issue at the Fire Station? Mr. DeSalva said the test results show that all the locations checked, but one, show a humidity level exceeding 90% - this will require special treatment to re-apply floor tile. Mr. Flory also asked about Lackawanna Avenue needing repaved where the gas company utility work was done last year; Mr. DeSalva said the road is on the tentative list for repaving.

Mr. Begley suggested that Council consider extending the 72 hr. time period for payment of parking tickets; Mr. DeLarco said Council can discuss that issue at the Committee meeting. Mr. Begley noted that Willow Street is almost impassable due to frost heave, and hoped that this street can be included in paving work.

Mr. Phillips reported:

- he attended the meeting with PennDOT held at Stroud Township 2/19/15 concerning the proposed reconstruction work on I 80 between Exits 303 and 307.
- Monroe County Planning Department is holding an Open Space Workshop on March 30, 2015.
- The bid bond for the proposal accepted by Council for the Dansbury Park Bathhouse roof replacement has been verified, for the contract award.

Mr. Walton reported that Mr. D'Alessandro had found a "loophole" in the proposed Residential Parking Ordinance provisions regarding conversion of dwellings, that needs to be revised. Mr. Walton said he made the revision, and to save time, has sent the revised ordinance back to the Planning Commissions for review. This will be reviewed at the next Planning & Zoning Committee. Mr. Walton said he and the other Codes staff have been busy notifying property owners of the requirements for removal of snow and ice from sidewalks within 24 hours of the precipitation ending.

Mayor Martinelli asked Mr. Walton about an incident where a parking violator had threatened one of our female parking officers. Mr. Walton said the Regional Police Department has charged the person with disorderly conduct. Mr. Martinelli said he feels the person should receive more than a summary violation and should be arrested.

Mr. Reese said he feels that Council should discuss what would be involved to permit parking enforcement staff to carry mace. Mr. Prevoznik that must be considered carefully because of the training requirements and liability.

Mr. DeLarco reported:

- the Executive Committee of Council met with the Manager again this morning.
- the Audit Committee met with Anthony Ardito, C.P.A.; and now has a better understanding of the audit process.
- Council had discussed a matter at the Committee meeting regarding parking ticket reviews. Mr. Flory made a motion, seconded by Mr. Reese, to prohibit administrative waiving of any parking tickets and to decline to set up any new type of administrative review of such tickets; the motion carried 4-1 with Mr. Begley voting no.

#### List of Bills Payable – March 3, 2015

Mr. Reese made a motion, seconded by Mr. Begley, to approve the List of Bills Payable and to ratify expenditures and payroll made through 03/03/15 as submitted; the motion carried 4-0 with Mrs. Wolbert abstaining..

#### Adjournment

With no further business, Mr. Flory made a motion, seconded by Mr. Reese, to adjourn the meeting at 8:16 p.m.; the motion carried unanimously.

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James S. Phillips, Secretary