

East Stroudsburg Borough, November 29, 2016

A special/Committee meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, November 29, 2016. The following members were in attendance: Donald Cross, Edward Flory, Roger DeLarco, Maury Molin, William Reese, and Sonia Wolbert. Also attending were: Solicitor John C. Prevoznik; Manager James S. Phillips; Codes Official Marvin Walton; DPW Director Steven DeSalva; and Finance Officer Kenneth Konz.

Call to Order/Pledge of Allegiance – President DeLarco

Mr. DeLarco called the meeting to order at 6:30 p.m. The Pledge of Allegiance was led by Ken Konz.

Moment of Silence and Reflection

A moment of silence was observed by all in attendance.

Minutes of November 1, 2016 Regular Meeting and November 15-16, 2016 Regular Meeting

Mr. Molin made a motion, seconded by Mr. Reese, to approve the minutes of the November 1, 2016 Council meeting as submitted; the motion carried unanimously. Mrs. Wolbert made a motion, seconded by Mr. Cross, to approve the minutes of the November 15-16, 2016 Council meeting as submitted; the motion carried unanimously.

Public Comments – Agenda Items

None.

Announcement of \$1.8 Million State Redevelopment Assistance Capital Program (RCAP) Grant for continued redevelopment of former International Boiler Works (IBW) site

Mr. Phillips reported he had received an email late Wednesday afternoon before Thanksgiving from the staff at Pocono Mountains Economic Development Corp. advising that Governor Wolf had approved the grant request submitted by PMEDC on behalf of the Borough, to assist in redevelopment of the former IBW site. Mr. Phillips said the grant presumably has been designated for demolition and site clearance work to make the site more attractive for industrial re-use.

Mr. DeLarco said this grant approval is a pleasant surprise since PMEDC Exec. Director Chuck Leonard only last month had not been optimistic concerning the prospects for approval.

Letter Review by RKR Hess of Request by Brodhead Creek Regional Authority (BCRA) for Increase in Bulk Water Sale Allowance under Intermunicipal Water Service Agreement

Mr. Phillips noted that the existing agreement with Brodhead Creek Regional Authority (BCRA) provides for a maximum allocation of 250,000 gpd to be sold to BCRA. Currently BCRA is using around 150,000 gpd, and they are requesting approval to increase the maximum to 400,000 gpd. Most of the growth in the Authority's service area is to the west; but there is additional commercial development in Smithfield Township that they will need to serve. Mr. Phillips said the review by RKR Hess basically indicates that the Borough Water System should have sufficient capacity to provide the requested amounts to BCRA.

Mr. Prevoznik stated that there are several things that need to occur before an amendment to the Intermunicipal Agreement can be prepared. A bulk rate has to be negotiated, and the Borough's docket with the Delaware River Basin Commission (DRBC) must be revised. Mr. Prevoznik said Mr. Phillips can meet with BCRA Manager Ken Brown to deliberate the bulk rate; and noted that if terms cannot be reached Alternate Solicitors for both the Authority and Borough may need to become involved since he (Mr. Prevoznik) serves as Solicitor for both entities.

After discussion, Mr. Molin made a motion, seconded by Mr. Cross, to approve the request by BCRA for an increase in the maximum water allocation from the Borough; subject to arriving at a negotiated bulk water rate and the obtaining of DRBC docket approval of a revised agreement, as required. The motion carried unanimously.

#### 2017 Year Budget for Stroud Region Open Space and Recreation Commission (SROSRC)

Mr. Phillips reviewed the proposed SROSRC 2017 Budget, which provides for an appropriation by the Borough to SROSRC of \$41,198 plus an additional \$1,883 for Greenway projects. After discussion, Mr. Molin made a motion, seconded by Mr. Cross, to approve the proposed 2017 SROSRC Budget as submitted to the three municipalities, and to authorize notification of same to the two other municipalities; the motion carried unanimously.

#### 2017 Year Budget for Monroe County Control Center (MCCC)

Mr. Phillips reviewed the proposed MCCC 2017 Budget, which provides for an appropriation by the Borough to MCCC of \$41,791 for 911 dispatching services for the 2017 year. This represent a 25% reduction in rates from 2016; made possible by the amount of revenues received from the state for phone line surcharges and passed on to MCCC. After discussion, Mr. Molin made a motion, seconded by Mr. Reese, to approve the proposed 2017 MCCC Budget as submitted; the motion carried unanimously.

#### 2017 Year Budget for Stroud Area Regional Police Department (SARPD)

Mr. Phillips reviewed the proposed 2017 SARPD Budget, which provides for an appropriation by the Borough of \$2,183,683 for police services for the 2017 year. This represents an increase of \$57,508 over the current year's figure, or + 2.70%. Stroud Township's increase is \$122,386 (+3.78%) and Stroudsburg Borough's increase is \$3,604 (+0.25%). Mr. Prevoznik noted that all three municipalities must approve the budget, or otherwise other provisions come into play to determine the police budget, pursuant to the Intergovernmental Agreement. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Molin, to approve the proposed 2017 SROSRC Budget as submitted to the three municipalities, and to authorize notification so same to the other two municipalities; the motion carried unanimously.

#### Declaration of Drought Warning for East Stroudsburg Water System – Issue Request for n a

Mr. Phillips reported that the level of the East Stroudsburg Reservoir is down 8 ft. as of yesterday, which is equivalent to remaining capacity of 180 million gallons. Under the Borough's Drought Contingency Plan and the chart that tracks historical levels of the reservoir, this places the condition at the "Drought Warning" level. The Delaware River Basin Commission (DRBC) has already designated a Drought Warning for the entire basin. Both designations call for requests for voluntary reductions in water usage of 10-15%.

After discussion, Mr. Cross made a motion, seconded by Mr. Molin, to authorize designation of a Drought Warning for the Borough Water System and issuance of a call for all users of the water system to cut back usage voluntarily by 10-15%; the motion carried unanimously.

#### Public Comments – New Business

Melanie Frasenelli on behalf of the Eastburg Community Alliance (ECA) presented a request for Christmas Wreathes to be displayed on Streetscape light poles in the downtown area for the Christmas season. Ms. Fransenelli said more donations have been received than anticipated, and they should be able to install up to 70 wreathes on poles along Crystal Street, Courtland Street, and Washington Street. The Fire Co. has volunteered to hang the wreathes.

Mr. Molin said this is a very worthwhile project and commended ECA for undertaking this project. Mr. DeLarco also commented favorably on the effort and added his donation. Mr. Molin said he hopes the Borough forces can install the holiday banners this week so they can be up with the wreathes, which are anticipated to be placed this weekend.

Ms. Frasenelli also questioned the smell that is usually noticeable along Interstate 80 between Stroudsburg and East Stroudsburg; and was advised the odor is mostly likely from either of the two sewage treatment plants along the Brodhead Creek in this area.

### Correspondence

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

- i. Monroe County Conservation District – Funding Request for Stream Gauge on Pocono Creek
- ii. Stroud Township Supervisors – Approved 2017 Year SROSRC Budget
- iii. Stroud Township Supervisors – Approved 2017 Year SARPD Budget
- iv. Stroud Region Open Space and Recreation Commission (SROSRC) – expiring terms for Representatives to SROSRC
- v. Stroudsburg Borough Council – Approved 2017 Year SARPD Budget
- vi. East Stroudsburg University – Request for Letter of Support for LSA Grant Application submitted for funding for emergency power for use of Koehler Field House as a Regional Emergency Shelter, and for camera equipment for ESU television studio.

Mrs. Wolbert noted that the Borough has submitted its own LSA grant application (for the Middle Dam Rehab. Project) and suggested that Council may not want to compete against itself by endorsing another LSA application. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Reese, to develop and follow a policy of not supporting competing LSA grant applications for within the Borough; the motion carried unanimously.

### Committee Reports

#### Planning, Zoning, & Codes

Zoning Ordinance Committee - Mr. Walton reported that the Committee is working on revisions to the Water Rate Ordinance; the next meeting is 12/9/16 at 8 a.m.

#### Public/Business/Intergovernmental Relations

Mr. DeLarco noted that Council earlier tonight had approved the Regional Police Budget and Regional Recreation Budget for 2017.

#### Utilities & Public Services

Swimming Pool Committee – Mr. Phillips noted that he is attempting to reschedule meeting with Brent Boyer of Aquatic Facility Design, Inc. to review his report. Mrs. Wolbert questioned the current problem with the pool unable to be filled due to leaks. Mr. Reese made a motion, seconded by Mr. Molin, to close the pool. After discussion, Mr. Reese rescinded the motion, which was not acted upon. After further discussion, Mrs. Wolbert made a motion, seconded by Mr. Reese, to require a solution from Mr. Boyer to resolve the issue of the pool not holding water by Tuesday, 12/20/16. The motion carried unanimously.

Middle Dam Project Committee – Mr. Molin said the Committee had reviewed the options presented by RKR Hess for Renovating or Replacing the Raw Waterline from Intake Reservoir to Water Filtration Plant; and is in favor of the Option to replace the 100-year old waterline which goes from the Reservoir through the dam. Mr. Molin made a motion, seconded by Mr. Cross, to authorize design efforts for the dam project using Option 1, replacing and relocating the raw water line around the dam. The motion carried unanimously.

#### Finance/Administration

Personnel Committee – Mr. Phillips said the revised Employee Manual prepared by the Committee is set for adoption at 12/6/16 Council meeting

#### Transportation/Infrastructure

Capital Projects Committee – Mr. DeLarco reported that the Committee will need to reschedule the meeting that was postponed from this morning.

#### Public Safety

Transition Committee – Mr. DeLarco said the Committee met with Mr. Phillips to

review the job description for the Manager position, and will be working with Ed Knittel of PSAB who will be serving as an unpaid consultant for the Borough to assist in the process.

#### Executive Session

Mrs. Wolbert made a motion, seconded by Mr. Molin, to adjourn into executive session at 8:00 p.m.; the motion carried unanimously.

At 8:40 Council members reassembled in the meeting room, and Mr. Molin 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 litigation matter, and no decisions were made.

#### Approval of Repayment Agreements for Delinquent Garbage Fees

Mr. Reese made a motion, seconded by Mrs. Wolbert, to ratify approval of repayment agreements for Fuat and Ave N. Cinar, W/S for 202 N. Courtland Street residence, as submitted; the motion carried unanimously.

#### Continued Review of Proposed 2017 Borough Budget for All Funds

Mr. Phillips reviewed figures for the existing loans of the Borough and the amount of debt service millage necessary to fund the principal and interest on each loan. Currently, 2.70 mills is dedicated in the Debt Service Fund for the principal and interest on the 2009 Loan with ESSA Bank for the Fire Station project. In order to designate all the debt service costs under the separate millage in the Debt Service Fund, approximately 6.34 mills would be required. Designating the separate mills for debt service enables reduction of the millage rate for general purposes; although there would be no change in the total millage levied. The "cap" for millage for general purposes is 30 mills. Mr. Phillips reiterated that the total millage proposed for the 2017 Budget is 24 mills, an increase of 1.0 mill of taxes; made necessary by the fact that the Borough General Fund has historically been supported by transfers of \$1 million from the Water and Sewer Funds. Now, in the last several years the Borough is no longer able to transfer monies from the Sewer Fund.

Mr. Phillips explained that in order for Council to adopt the Budget at the second meeting in December, notice must be advertised of the availability of the proposed budget for public inspection at least ten days prior to the meeting at which the budget is to be adopted.

After discussion, Mr. Cross made a motion, seconded by Mr. Reese, to authorize advertising the proposed 2017 Budget to include a one mill real estate tax increase, as recommended by the Manager. The motion failed by a vote of 2-3 with Mrs. Wolbert, Mr. Molin, and Mr. DeLarco voting no. After further discussion, Mrs. Wolbert made a motion, seconded by Mr. Molin, to authorize advertising the proposed 2017 Budget with no change in the real estate tax rate. The motion carried by a vote of 4-1 with Mr. Reese voting no.

#### Adjournment

Mrs. Wolbert made a motion, seconded by Mr. Molin, to adjourn the meeting at 9:25 p.m.; the motion carried unanimously.

James S. Phillips, Secretary