

East Stroudsburg Borough, January 17, 2017

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, January 17, 2017. The following members were in attendance: Donald Cross, Roger DeLarco, Edward Flory, 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; Finance Officer Kenneth Konz; and Engineering Representative Samuel D'Alessandro, P.E., of RKR Hess, a Division of UTRS.

Call to Order/Pledge of Allegiance – President DeLarco

Mr. DeLarco called the meeting to order at 7:00 p.m. The Pledge of Allegiance was led Justin Grabe.

Moment of Silence and Reflection

A moment of silence was observed by all in attendance.

SARPD Report – December 2016

An SARPD representative was not in attendance.

Eastburg Community Alliance (ECA) Report

Susan Randall, Downtown Director for ECA, said ECA has permission to apply for additional façade grant funds from DCED; she distributed a list of previous businesses which were funded, a total of \$115,083 has been funded and matched by the local businesses. Mr. Molin asked where the funding comes from? Mrs. Randall said the funds come from PA DCED and would be received by the Borough and passed on to ECA. A public meeting must be held to receive comments on the application. Mr. Phillips said the notice for public comments would need to be scheduled for a future meeting.

Public Comments – Agenda Items

None.

Proposed Resolution No. 5 – 2017 Reallocating FY 2013 and FY 2014 CDBG Funds from Waterline Activity to Curb Ramps Activity

Mr. Phillips said the proposed Resolution will modify the FY 2013 and 2014 allocations as discussed at the previous meeting. Karen Parish of Mullin & Lonergan was unable to attend tonight's meeting but can attend the Jan. 26<sup>th</sup> meeting. Mr. DeLarco asked about the additional modification proposed to utilize CDBG funds for demolition of the burned –out structure on Lackawanna Avenue? After discussion, Council agreed to hold off action on the modification Resolution in hopes that one Resolution can be done for modifications for both purposes.

Mr. Reese arrived at the meeting at this time.

#### Proposal for Parking Enforcement Upgrades

Mr. Walton reviewed the two-phase proposal to upgrade parking enforcement operations; by purchasing the software upgrades necessary for use of hand-held units for writing parking tickets (approx.\$10,000), with the second phase involving the purchase and implementation of two parking “kiosks” for use at municipal parking lots. After discussion, Mr. Molin made a motion, seconded by Mr. Reese, to authorize funding up to \$10,000 for the first phase of parking enforcement upgrades as proposed; the motion carried unanimously.

#### Middle Dam Rehabilitation Project – Consulting Services Proposal from RKR Hess to Design New Water Supply Line through the Auxiliary Spillway and New Outlet Drawdown Outfall

Mr. Phillips said the proposal from RKR Hess is in the amount of \$136,000 for engineering design services for the raw waterline replacement work that Council had decided to include in the scope of the Dam project. Mr. Molin made a motion, seconded by Mr. Flory, to authorize execution of the proposal for additional engineering services; the motion carried unanimously.

#### Proposed Revised Job Description for Borough Manager Position

Mr. DeLarco and Mr. Prevoznik reviewed some additional changes recommended by Ed Knittel of the PA Boroughs Association (PSAB) to the job description prepared by the Transition Committee. Mr. Prevoznik said in order to finalize the job description Council must decide the residency requirement issue

Mr. DeLarco said the Committee is recommending a change to the current Code which requires the Manager to be a resident of the Borough. It is felt a broader applicant pool can be attracted without a residency requirement. Mr. Flory said he like the proposal to require residency within a 15 mile radius of the Borough. Mr. Cross suggested a requirement for the Manager to live within a certain travel time of the Borough. Mrs. Wolbert said residency within a 15 mile radius seems to be reasonable, as long as it is within Pennsylvania. Mr. Reese said he too can support the 15 mile requirement.

Mr. Molin made a motion, seconded by Mrs. Wolbert, to authorize advertising an Ordinance to amend Chapter 29-3 of the East Stroudsburg Code to revise the residency requirement for the Borough Manager position, by requiring the Manager to reside within a 15 mile radius of the Borough within Pennsylvania. The motion carried unanimously.

Mr. Flory made a motion, seconded by Mr. Cross, to approve the revised job description for the Borough Manager position incorporating the revised residency requirement. The motion carried unanimously.

#### Proposed Settlement Stipulation on Assessment Appeal – East Stroudsburg Area School District v. Bhimnath Mahadev, LLC (Budget Inn & Suites)

Mr. Prevoznik said there is a proposed settlement of this assessment appeal (for the Budget Inn and Suites property), which will result in a significant increase in the assessment. Mr. Prevoznik requested authorization to sign and return the proposed Settlement Stipulation. Mr. Cross made a motion, seconded by Mr. Flory, to authorize execution of the Stipulation as recommended; the motion carried unanimously.

#### Advertising Jan. 26<sup>th</sup> Committee meeting as a special meeting

Mr. Cross made a motion, seconded by Mr. Molin, to authorize advertising the January 26, 2017 meeting as a special meeting for conduct of general business.

Mrs. Wolbert made a motion, seconded by Mr. Flory, to authorize advertising public comment on the possible CDBG modifications at the January 26, 2017 meeting to include the possible demolition work; if there is sufficient advertising time. The motion carried unanimously.

#### Borough Official(s) to attend PSAB Annual Conference at Hershey PA 5/7/17

Mr. Phillips stated Councilman Reese plans to attend the PSAB conference for one night at Hershey. Mr. Prevoznik noted that Council may want staff to attend sessions at the conference also. Upon a question regarding the cost, Mr. DeLarco said the registration for the entire conference is \$310 and the conference room rate is \$209 per night including taxes. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Cross, to authorize Borough officials to attend the PSAB conference as authorized under the Borough Code, with reimbursement of travel expenses in accordance with Employee Manual requirements. The motion carried by a vote of 5-0; Mr. Reese abstained.

#### Public Comments – New Business

Justin Grabe asked about the [www.eastburg.org](http://www.eastburg.org) website? Mr. Konz explained the Borough website is in transition, being switched over to PSAB for contracted management. Mr. Grabe said notice of this meeting was not on the website, nor the Agenda, or a copy of the Recycling map (which was recently mailed out to residents with the collection calendar. Mr. Molin said the new website should be up and running in February.

#### Correspondence

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

- i. East Stroudsburg University – Fall 2016 Parking Management Plan Report.

Mr. Walton said ESU is required to submit a semiannual report on implementation of their parking management plan.

- ii. SROSRC – Application for Monroe County Open Space Development Program 2017 Grant (Mini-Grant Development Project) for Athletic Field Improvements at Zacharias Pond Park.

Mr. Phillips said the application includes a proposal for in-kind services to be provided by the East Stroudsburg Area School District. Mr. Flory questioned why the School District should be

permitted to use our fields. Mr. Phillips said there should not be conflicts since the School would use the field primarily in the afternoon; local groups use is mostly in the late afternoon/evening hours. Mr. Reese noted the School District uses the Dansbury Park ballfield and contributes for the maintenance of the field. Mrs. Wolbert said SROSRC is working with the School District in a joint effort to undertake improvements to the fields. Mr. Cross said no one used these fields last season. Mr. Molin made a motion, seconded by Mrs. Wolbert, to authorize the Manager to submit the requested Letter of Support for the project to SROSRC for the application. The motion carried unanimously.

## Reports

Mr. Flory said the Fire Department needs to use water to train on the new Pumper Truck; but are unsure whether they can due to the Drought Warning still in effect. Mr. Phillips said the level of the reservoir has come up to the point that we are no longer in a Drought Warning level based on our Chart; however, the State still lists Monroe County and surrounding area under the Drought Warning designation. Mr. Prevoznik asked Mr. D'Alessandro to find out whether "special dispensation" is needed for the Fire Department to conduct training exercises that utilize water.

Mr. Cross reported on the recent Twin Boroughs Recycling Meeting. One item discussed is the need to hire a part-time worker to replace one of the full-time East Stroudsburg employees who if facing extensive knee surgery. The Committee also discussed prohibiting contractors from disposing of brush at the Recycling Center after March 1, 2017.

Mr. Molin reported on a water issue at the Richard Bush residence on West Broad Street. Mr. Molin also reported that the DPW Maintenance employees will take down the Christmas wreathes for ECA. Mr. Molin also questioned whether parking meters near the Pocono Community Theater could be changed to permit a longer time limit; since many movies go longer than the two-hour limit on the meters.

Mr. DeLarco stated he intends to prepare a written "State of the Borough" report for the Committee meeting but will not read the entire report at the meeting.

Mr. D'Alessandro reviewed his written Engineer's Report previously submitted to Council. His office is setting up a pre-application meeting with PA DEP for the Middle Dam project. For the Willow Street project, the recommendation is to replace the sanitary sewerline since the road is going to be completely reconstructed.

Mr. DeSalva reported on a meeting held with the State Game Commission regarding the problem with the beaver dams impounding the Sambo Creek near Eagle Valley Mall. The beaver dam will be removed in stages and the beaver trapped and relocated elsewhere. The Borough's water transmission lines from the water plant cross the creek in this area.

Mr. Walton said he will be sending out a "doodle poll" to arrive at the date for a meeting with Council on the Comprehensive Plan.

### List of Bills Payable – January 17, 2017

Mr. Flory questioned the \$2,495 invoice for payment for replacing floor tile at the Fire Station. Mr. Flory said some of the new tile is coming up already, so the bill should not be paid.

Mr. Cross questioned the amount of the invoice for custodial services at the Municipal Building. Mr. DeLarco said the Borough may want to seek bids for this service. Mr. Cross made a motion, seconded by Mr. Reese, to authorize preparation of specifications for a Request for Proposals for this service; the motion carried unanimously.

Mr. DeLarco questioned an invoice from Norfolk Southern Railroad for a pipe license? Mr. Phillips said he recalls that agreement is for the Borough waterline that crosses under the railroad tracks on Analomink Street.

Mr. Flory made a motion, seconded by Mr. Molin, to approve the List of Bills Payable, except for the Floor Source invoice for the Fire Station work, and to ratify payroll and expenditures made through 1/17/17 as submitted; the motion carried unanimously.

### Executive Session for Discussion of Litigation and/or Personnel Matters

Mr. Flory made a motion, seconded by Mr. Molin, to adjourn into executive session at 8:54 p.m.; the motion carried unanimously.

At 9:52 p.m. Council members reassembled in the meeting room, and Mr. Flory made a motion, seconded by Mr. Cross, to reconvene the public meeting; the motion carried unanimously. Mr. Prevoznik said the executive session was held to discuss employment matters and litigation; and no decisions were made.

### 111 Analomink Street Residence – Court Action

Mr. Flory made a motion, seconded by Mr. Reese, to authorize the Solicitor to file a court action regarding Patrick Carangelo, who is still residing in this residence without water service in violation of the condemnation order by the Codes Official. The motion carried unanimously.

### Washington Street Culvert Replacement Project

Mr. Flory made a motion, seconded by Mr. Molin, to authorize the Solicitor to file a quiet title action for the easement obtained by the Borough for the storm sewer easement at 214 Washington Street. The motion carried unanimously.

### Sanitary Sewerline within Railroad Right of Way under Iron Bridge

Mr. Molin made a motion, seconded by Mr. Reese, to authorize the Solicitor, Engineer, and Manager to develop a description of an easement for the Borough sanitary sewerline within the railroad right of way under the Iron Bridge on Ridgeway Street. The motion carried unanimously.

Ratification of Agreements for Delinquent Water/Sewer and Garbage

Mr. Flory made a motion, seconded by Mr. Cross, to ratify approval of agreements with Thomas Hachmeister, 137 King Street - W/S and Garbage; the motion carried unanimously.

Adjournment

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

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James S. Phillips, Secretary