

East Stroudsburg Borough, January 26, 2017

A special meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Thursday, January 26, 2017. The following members were in attendance: Roger DeLarco, Maury Molin, William Reese, and Sonia Wolbert. Donald Cross and Edward Flory 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 Finance Officer Kenneth Konz.

Call to Order/Pledge of Allegiance – President DeLarco

Mr. DeLarco called the meeting to order at 7:20 p.m. The Pledge of Allegiance was led by Sharon Laverdure.

Public Comments on Proposal by ECA to apply for Façade Grant Funds

Mr. Phillips said Eastburg Community Alliance (ECA) intends to apply for \$50,000 in Façade Grant Funds from PA Department of Community and Economic Development (DCED) as mentioned by Mr. Randall at the last meeting and notice was advertised in the Pocono Record to solicit comments on such application at this meeting. Sonya Cole of the ECA Board noted that many local businesses and organizations have benefitted from the previous faced grants, including the Elks Club, Dr. Alexis Office, Wesoloh Carney Building, Pocono Community Theater, GAK Construction, Becky Freeman Real Estate, etc. Mr. Molin said 47 previous projects were funded. Mrs. Cole said each \$5,000 grant results in up to \$10,000 in improvements. Mr. DeLarco asked for additional comments from the audience, and there was none.

Karen Parish of Mullin & Lonergan Associates – CDBG Program Update

Karen Parish, community development consultant with Mullin & Lonergan Associates, Inc. was present to review several matters involving community development block grant (CDBG) funds. Mrs. Parish noted that the Elizabeth Street waterline project was not eligible for use of CDBG funds based on income surveys that were completed. A Resolution was then prepared to transfer those funds instead to the ADA Ramp construction activity, but Council also wanted to allocate funds for demolition of the burned structure on Lackawanna Avenue, a new activity.

Demolition or removal of blight is a permitted use of CDBG funds, but no more than 30% of a community's annual allocation may be utilized for demolition. Mrs. Parish said she recommends using the municipal engineer to prepare the bid specifications; and there are several other concerns Council should be aware of:

- Davis Bacon wages do not have to be paid on demolition projects.
- If the Borough acquires the property, then sells it after demolition, it will be responsible for reimbursing the CDBG funds utilized not recovered based on the market value.

- The Borough is not responsible for obtaining market value if the property is going to be utilized for affordable housing.

Mr. Prevoznik said the Borough is contemplating owning the property since the owner is proposes to convey the property as part of his bankruptcy proceedings. After discussion, Mr. Molin made a motion, seconded by Mr. Reese, to authorize advertising a public hearing on the proposed modifications for the February 7, 2017 meeting; the motion carried unanimously.

Mrs. Parish noted that a new agreement is needed between the Borough and Redevelopment Authority for the County to administer the 2017 CDBG allocation. Mrs. Parish said the home rehabilitation program activity is low at this point, which was confirmed by Mr. Walton. Mrs. Parish said Council may want to consider a rehab. Program for rental housing. Also, FAIR program funding will be available in September. Mr. DeLarco thanked Mrs. Parish for attending the meeting.

### State of the Borough Report

Mayor, Council, Staff, East Stroudsburg residents, friends, guests, and the press:

The purpose of this report is to provide a brief overview of the State of the Borough, on this 26<sup>th</sup> day of January, 2017. The report will review the accomplishments of the Borough and its affiliated organizations over the preceding year. It will also address the future plans and goals of the Borough community.

### East Stroudsburg Community Alliance

The Eastburg Community Alliance (ECA) is our downtown “Main Street” organization used to promote business activities in the Borough. The ECA office continues its use of the old Dansbury Depot train station. In addition to housing its office, the Depot is used as a rental and fundraising facility.

The annual July 4<sup>th</sup> “American Freedom Festival” held at Dansbury Park was both a financial and community success. Planning for the 2017 festival is currently underway.

### Stroud Area Regional Police Department

The Stroud Area Regional Police Department (SARPD) continues to provide police services for East Stroudsburg Borough. Captain Jennifer Lyon and Sgt. Chuck Schmidt have assumed a prominent role in the SARPD administration transition. Three new Officers and a new civilian court liaison were hired in 2016. We thank Chief Parrish for his many years of SARPD service and welcome our new Chief John Ward.

The SARPD continues its Quality of Life (QOL) patrols in the East Stroudsburg community. Patrols are funded by a grant from the Pennsylvania Liquor Control Board to help curtail problems resulting from alcohol violations and disorderly behavior which are caused by

underage and dangerous drinking behaviors. The QOL officers work with community stakeholders and residents whose neighborhoods are negatively impacted by alcohol-fueled disruptive behavior. The Department continues in its effort to reduce the number of violations making the program a growing success for the entire community.

### **Acme Hose Volunteer Fire Co. No. 1**

Our Volunteer Fire Department, ACME Hose Co. No. 1, participated in the Fall Festival on Crystal Street, via a community outreach on Crystal Street, to educate the public of the importance of fire safety including demonstrations and also provided firetruck rides. The East Stroudsburg volunteers responded to 295 incident calls in 2016. As always, ACME Hose Co. has demonstrated its ability to rise to the occasion and provide an unsurpassed level of service and protection to the Borough and surrounding communities. On behalf of everyone in their service area, Council thanks them for their efforts and sacrifices.

### **Stroud Regional Open Space and Recreation Commission**

The Borough continues its cooperative efforts with the Borough of Stroudsburg and Stroud Township through the efforts of the Stroud Region Open Space and Recreation Commission by providing healthful recreational and cultural programming. The SROSRC has assumed the management of Dansbury Pool. The Commission, in partnership with ESU, sponsored the Haunted Trail with 300 attendees at Zacharias Pond.

### **East Stroudsburg Projects and Financial Update**

The 2016 year saw the beginning of several major efforts to improve and modernize Borough finances, including:

- Purchase and implementation of new accounting software that is coordinated with the utility billing software.
- Acceptance of credit card payments at the Borough Office and via an on-line option.
- Ongoing work of the Audit Committee of Council working with our new auditor, Carl Hogan, CPA, of BBD, LLP.
- Ongoing work of the Collections Committee who was instrumental in the collection of over \$600,000 in delinquent water/sewer and garbage fees.

In addition, Council approved a major capital loan/refinancing of \$7.8+ million, taking advantage of continued low interest rates, in order to fund a lengthy list of deferred and needed capital improvement projects/equipment upgrades, and refinance \$1.4 million+ in outstanding debt from a 2006 loan. Borough Council took the difficult steps of increasing the real estate tax millage rate, to fund the increase in debt service from the new capital loan and to pay for an increased contribution to the Regional Police Budget; and increasing water rates for the first time in 6 years, again to pay for capital improvements, primarily the Middle Dam Rehabilitation

project. A Capital Improvement Plan Committee was formed to identify numerous projects to be incorporated into a business plan for future implementation.

In 2016, Council formed an MS4 Committee and, along with Borough staff and consultants, began the review of the Sewer Treatment Plant operations. In addition, the development of comprehensive Operation and Maintenance (O&M) Manual for both the Sewer Treatment Plant and the Water Treatment Plant.

The Middle Dam rehabilitation project will commence in the near future thanks to funds received from the Local Share Account grant as well as the loan from ESSA Bank & Trust previously mentioned. The dam was built in 1914 and has undergone extensive engineering analysis in preparation for this rehabilitation project.

The 2<sup>nd</sup> phase of the Downtown Streetscape Improvement project has been completed this past year. The phase involved extending “spines” of lighting out from the downtown area along Washington Street and Courtland Street. Installation of this lighting was paid through a PennDOT Transportation Enhancements grant in the (increased) amount of \$677,000.

The iron railroad bridge on Ridgeway Street is expected to be replaced within the next several years as a result of a multi-governmental agency agreement to fund the project. PennDOT will take responsibility for the engineering and construction of the replacement project. The Borough will be responsible for no more than \$166,000 towards the entire project to be repaid to the Monroe County Commissioners based on funds it expends. In the meantime, the bridge will continue to be posted at a 13 ton weight limit which will restrict local traffic including MCTA buses and snow plow trucks until the bridge is replaced. Upon completion of the project, the Borough will have no additional responsibility for the maintenance and upkeep of the bridge.

The East Stroudsburg Codes Officer conducted 785 (931 in 2015) rental inspections in 2016 and 617 (746 in 2015) rental licenses were issued under the Rental Housing Licensing and Inspection Program.

The Codes Office issued 516 (483 in 2015) total permits in 2016. The projects covered by permits had a total estimated construction cost of \$3,830,573 (\$3,808,073 in 2015). Additionally, the Codes Office also performed a total of 180 (168 in 2015) Uniform Construction Code inspections, and 65 (71 in 2015) inspections for the sale/transfer of property.

Two thousand sixteen saw Borough Council continue working with stakeholders in updating the Comprehensive Plan. The Borough established a Comprehensive Plan Board made up of community members who assisted in interviewing the recommending professional comprehensive planning consultant, Gannett Fleming, to assist in the updating of the Comprehensive Plan. The Comprehensive Plan will be this community's

opportunity to evaluate various facets of the municipality, including jobs, housing, transportation, environment, etc., with realistic, implementable action plans.

We are pleased to announce that in 2016, University Properties, Inc. is continuing construction of the second Phase of its student housing project. East Stroudsburg University received conditional use approval for Phase I of its Keystone Information Commons project. The Pocono Health System has made renovations to its emergency room entrance. As of January 1, 2017, the Pocono Health System merged with the Lehigh Valley Network, and the hospital is now called Lehigh Valley Hospital – Pocono.

I would also like to take a minute to discuss the other various projects, upgrades, and administrative changes which were undertaken in 2016 such as:

- Security improvements/renovations were made to the Borough Hall.
- The foot golf course had its first successful year. The golf course realized an increase in membership and golfers using the facilities.
- Volunteers have stepped forward in continued maintenance of the planters in the Downtown district. Many thanks to Maury Molin and Bill Reese for their efforts in this most appreciated endeavor.
- Decorations and wreaths were incorporated into the Downtown district during the holiday season. Many thanks to Mel Frassinelli and Sue Randall for implementing this project.
- Several maintenance issues were addressed at the Fire Station.
- The Employee Manual was updated.
- The retirement of long-time Borough employees Berrill Dennis and Mark Hoke.
- Welcome our new staff, Ken Konz, and Becky Smith who was promoted from part-time to full-time.

### **Future Goals**

In 2017, the Borough will continue to work with PennDOT on the reconfiguration of the Interstate 80 Exit 308 interchange at Prospect Street. This program is designed to be completed after the replacement of the iron bridge but before PennDOT's major expansion of Route 80 west of Exit 308.

Approximately a decade ago, the Borough undertook the cleaning up of the former IBW industrial site. While the steps have been numerous, it appears that 2017 will be the year that the necessary cleanups and approvals will be complete. This will allow the sale of this formerly blighted property to create new job opportunities within our community.

The Borough will continue to review the transition of single-family housing stock to rental properties and the effect of that transition on the Borough. It is incumbent upon the Borough, its staff, and Council to understand the benefits and hardships arising from the shift in property ownership. While there has been much discussion about the hardships created by rental properties, the Borough needs to temper that discussion with an understanding of the benefits

which come from rental property. The Rental Housing Licensing and Inspection program is one tool which will allow the Borough to obtain a factual basis for its determination of impacts of rental properties in residential neighborhoods. The Borough should include in its assessment working with the interested groups and organizations in improving our neighborhoods with programs like Community Gardens and Neighborhood Playgrounds.

Along with change and growth come challenges, we must continue to find innovative ways to stimulate economic revitalization and job creation in, and for our community. Council will need to work in tandem with other public agencies to enhance our quality of life, provide quality job opportunities to our citizens, and coordinate and plan economic development and revitalization in East Stroudsburg.

Finally, it is important that we all realize that the Borough community is fortunate to have qualified and dedicated employees who administer and oversee the facets of municipal government which impact and improve its citizenry life on a daily basis. In addition to the Borough employees, the community should be very grateful for the large number of volunteers serving on boards and commissions to make East Stroudsburg a better community for all its residents. Their contribution makes the Borough a better place to work and live. I personally want to acknowledge how fortunate the Borough is to have a dedicated Mayor and Council who strive to work together to implement policy and change in the Borough. It has been noted that we as a Council may not always agree, however, we always conclude our decisions with mutual respect.

Thank you and God bless East Stroudsburg!

Respectfully submitted,

Roger L. DeLarco, President East

Stroudsburg Council

#### Public Comments – Other Agenda Item

None.

#### Traffic Study by Traffic Planning & Design, Inc. – Report on Left Turn Restriction for Eli Street at South Courtland Street

Mr. Walton reported that TPD has completed the traffic study report and as expected, the report indicates that there is insufficient site distance for the left-turn movement from Eli Street onto S. Courtland Street and a prohibition on left turns is recommended based on the posted 25 mph speed limit on Courtland St. Mr. Walton said there is an existing STOP sign at the end of Eli Street, but there is no Ordinance currently authorizing this STOP sign.

Proposed Ordinance No. 1317 – Amending the Code of the Borough of East Stroudsburg, Chapter 150 Thereof Entitled Vehicles and Traffic, Revising Provisions Related to Traffic Control (Left Turn Restrictions from Eli Street)

Mr. Reese made a motion, seconded by Mr. Molin, to authorize advertising a public hearing on the proposed ordinance to establish the STOP intersection, and to refer the traffic study by TPD to the Planning & Zoning Committee of Council for further review of the intersection; the motion carried unanimously.

Proposal to permit 3 hr. limit for parking meters in South Courtland Street area

Mr. DeLarco noted that Mr. Molin had brought up this matter regarding parking near the Theater; Mrs. Wolbert made a motion, seconded by Mr. Molin, to refer this matter to the Planning & Zoning Committee of Council. The motion carried unanimously.

Request by Stroud Region Open Space & Recreation Commission (SROSRC) to hold monthly meetings on 4<sup>th</sup> Wednesday at East Stroudsburg Borough Hall

Mrs. Wolbert made a motion, seconded by Mr. Molin, to approve the request by SROSRC to hold their monthly meetings at Borough Hall as requested. The motion carried unanimously.

Resolution No. 6 – 2017 Revising the Annual Solid Waste User Fee Charged to Residences and the Amount of Discount For Early Payment.

Mr. Phillips said Council needs to set the amount of the annual solid waste fee and the discounted rate, before the 2017 bills can be printed and mailed. Council had discussed increasing the amount of the discount offered when the requirements were set for providing for an extended payment option for low income residents. The annual fee for 2016 was \$265 and the discounted rate \$250.

Mr. DeLarco said the Executive Committee had discussed increasing the rate in order to recover more of the total cost of providing garbage collection and disposal services and recycling collection and processing services. Mr. Phillips distributed copies of cost estimates for 2017 solid waste services and revenue estimates for the solid waste fee based on different rate amounts.

After discussion, Mr. Molin made a motion, seconded by Mr. Reese, to adopt proposed Resolution No. 6-2017 setting the 2017 solid waste fee at \$295 and the discounted rate at \$275 for payment within 30 days of billing. Mr. Molin asked if the rate can be changed annually and was advised it must be set each year. Mr. DeLarco noted that this is a user fee and is not deductible for federal tax purposes as opposed to if the costs were included in the taxes, which are deductible. The motion carried unanimously.

Establishment of Salary and Responsibilities for the Borough Real Estate Tax Collector Position for the 2018-2021 Term of Office – Discussion (must be set by candidate filing date)

Mr. Phillips noted that Council must set the compensation for the elected Tax Collector position before the filing deadline for the position in February. The current ordinance had provided for annual 3% increases for the position salary over the four-year term. After discussion, Mr. Reese made a motion, seconded by Mr. Molin, to establish the compensation for the position for the 2018-2021 term of office at the same rate as the 2016 year; the motion carried unanimously. Mrs. Wolbert made a motion, seconded by Mr. Molin, to authorize advertising an ordinance to establish the compensation for the position for the 2018-2021 term of office as discussed; the motion carried unanimously.

Blue Ridge Communications Cable Franchise Agreement Renewal

Mr. Phillips said the renewal terms for the cable TV franchise agreement had been negotiated by Cohen Law Group on a joint basis with other municipalities in 2015 and the new agreement terms still need to be adopted. Mr. Phillips said he would distribute copies of the proposed renewal terms to council for review prior to the next meeting. Mr. Reese made a motion, seconded by Mrs. Wolbert, to request a representative of Cohen Law to attend the second meeting in February to review the franchise terms with Council; the motion carried unanimously.

Public Comments – New Business

None.

Correspondence

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

- i. U.S. EPA, Office of Ground Water & Drinking Water – Borough Water System subject to requirements of Unregulated Contaminants Monitoring Rule – registration for internet-based reporting system

Reports

Mr. DeSalva noted that a compliance meeting for the Sewer System will be held the week of February 6-10<sup>th</sup>. Also, work on dismantling the beaver dam on Sambo Creek will begin next week.

Mr. Konz reported on the following:

- He and Mr. Phillips have obtained a proposal from RCI to update a fixed asset inventory for the Borough which has been reviewed by the Borough's auditor. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Reese, to contract to have the fixed asset inventory done as recommended up to a maximum cost of \$10,500; the motion carried unanimously.

- He and Mr. Phillips recommend obtaining the PLGIT Procurement Card for the Borough. Mr. Molin made a motion, seconded by Mrs. Wolbert, to authorize execution of the documents for the PLGIIT card as recommended; the motion carried unanimously.
- The new Borough website managed by the PAB vendor is “ready to roll”. Mrs. Wolbert asked about obtaining Borough email addresses for Council members; Mr. Konz said that will be available through this program.

Mr. Walton reported on the following:

- The meeting between Council and the Comp. Plan Task Force will be held Thursday, February 16, 2017 at 5:30 p.m. Mr. Molin made a motion, seconded by Mr. Reese, to authorize advertising that meeting as a special meeting since a quorum of Council will be present; the motion carried unanimously.
  - Three (3) public hearings are scheduled for the Feb. 7<sup>th</sup> meeting, including a conditional use hearing for Verizon Wireless.
  - He has received inquiries concerning zoning within the Borough for “medical” marijuana; which is regulated by PA Act 16 of 2016. Mr. Walton said the Monroe County Planning Commission has a model ordinance regulating such use. Mr. Molin said Mr. Lichty, owner of the former Bustin Industries property, has inquired about use requirements for medical marijuana at the empty Bustin building. Mrs. Wolbert made a motion, seconded by Mr. Molin, to refer this matter to the Planning & Zoning Committee of Council; the motion carried unanimously.
- Mr. DeLarco asked Mr. Walton about the report on rental housing licensing revenues and expenses.

Mr. Prevoznik, in response to a question from Mrs. Cole, read from the Code for elected Tax Collectors which only provides for minimum office hours by Tax Collector4s during the discount period for taxes due.

Mr. Molin noted the recent passing of East Stroudsburg resident Jack Wallie, who was a former Council Member with the Borough.

#### List of Payments (2) from CDBG Account

Mr. Molin made a motion, seconded by Mr. Reese, to approve the two invoices to be paid from CDBG funds; the motion carried unanimously.

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

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

At 9:27 p.m. 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 an employment matter and a litigation matter; and no decisions were made.

Adjournment

With no further business, Mr. Molin made a motion, seconded by Mrs. Wolbert, to adjourn the meeting at 9:28 p.m.; the motion carried unanimously.

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James S. Phillips, Secretary