

MINUTES FOR REGULAR MEETING  
EAST STROUDSBURG BOROUGH COUNCIL  
THURSDAY, JULY 27, 2017 - 7:00 p.m.

PRESENT: Roger DeLarco, Don Cross, Ed Flory, Mayor Armand Martinelli, Maury Molin, Bill Reese, and Sonia Wolbert

ALSO PRESENT: Interim Manager Peter Marshall, Solicitor John C. Prevoznik, Borough Engineer Nate Oiler, Zoning & Codes Officer Marv Walton, Financial Officer Ken Konz, and DPW Director Steve DeSalva

The Pledge of Allegiance was led by Chad Lello.

A motion was made by Mr. Molin, and seconded by Mr. Flory, to approve the July 11, 2017, Council Meeting minutes as presented. The motion was carried unanimously.

There were no public comments.

Captain Jennifer Lyon provided the monthly SARPD report. Highlights of the report included that the canine fundraiser has yielded over One Hundred Thousand (\$100,000.00) Dollars toward the purchase of canine patrol dogs. The first car has been ordered and they are waiting to order a dog. Captain Lyon reviewed statistics and noted that calls were consistent with prior year. She did note that eighteen (18) calls to Dansbury Park were made in the month of June. Mr. Molin was happy to hear that the police were patrolling the park. He noted that the Fifth Ward gets the brunt of the problem. He is hoping that a grant can be received to increase patrols. Mr. DeLarco congratulated the police department on their presence at the Freedom Festival and fireworks. He noted there was a great presence and everything seemed orderly.

Ms. Wolbert provided the SROSRC report on behalf of Sherry Acevedo, Director of SROSRC, who was not feeling well enough to attend the meeting. Ms. Wolbert reported that there was a meeting with Mr. Molin and Ms. Acevedo to discuss concerns regarding complaints of improper behavior in Dansbury Park. Mr. Molin reported that he felt was an effective meeting and that a lot was accomplished. He did note that more needs to be done. Ms. Acevedo will prepare a report to address the issues and the strategy to address those issues going forward. Ms. Acevedo will work with Steve DeSalva to create signage for rules in the park. After discussion, a motion was made by Ms. Wolbert, and seconded by Mr. Molin, to accept the SROSRC report as submitted and attach it hereto as a part of the minutes. The motion was carried unanimously.

Mr. Oiler reviewed the action items from his Engineer's report. He reported that a public input session on the pollution reduction plan ("PRP") needed to occur quickly in order for all relevant portions of the MS4 permit application to be submitted timely. He noted that there is a forty-five (45) day public notice period and the PRP is due September 16, 2017. The PRP will be posted on the Borough website as of July 31, 2017, for written comment. Public comment will be heard at the August 1, 2017, meeting. After discussion, a motion was made by Mr. Flory, and seconded by Mr. Cross, to advertise the PRP public input session for August 1, 2017, at 7:30 p.m. The motion was carried unanimously.

Mr. Oiler recommended payment of Change Order No. 2 for the CDBG reconstruction of the Day and Broad Street ADA ramps in the amount of Five Thousand Two Hundred and Ninety-Two (\$5,292.00) Dollars. The Change Order is for additional milling and paving on East Broad

Street at Lackawanna Street. After discussion and upon recommendation of the Engineer, a motion was made by Mr. Reese, and seconded by Mr. Flory, to approve Change Order No. 2 in the amount of Five Thousand Two Hundred Ninety-Two (\$5,292.00) Dollars for additional milling and paving on East Broad Street at Lackawanna Street necessary to comply with Borough Ordinance for paving restoration. The motion was carried unanimously.

Mr. Oiler discussed the status of the Student Housing Phase II As-Built plans for the UPI project. He noted that there were several small outstanding items based upon the reviews by Engineer, Zoning Officer, and Building Codes Officer. After discussion, a motion was made by Mr. Cross, and seconded by Mr. Molin, to approve the Student Housing Phase II As-Built plans for the UPI project, contingent upon UPI addressing and revising the As-Built plans for all comments of Engineer, Zoning Officer, and Building Codes Officer, and RKR Hess final review and approval. The motion was carried unanimously.

Manager reported that the 2016 Audit had been finalized and should be made available to the public. After discussion, a motion was made by Mr. Flory, seconded by Mr. Reese, to accept the final 2016 audit. It was noted that the audit is now available to the public and should be posted on the website, if possible.

Manager noted that Mr. Konz met with the Personnel Committee to review the PLGIT card procedure policy. At the request of the Committee, Mr. Konz made revisions to the procedure policy, which was distributed prior to the meeting. After discussion, a motion was made by Mr. Molin, and seconded by Mr. Flory, to approve the PLGIT card procedure policy and codify it into the existing Employee Manual. The motion was carried unanimously.

The Manager requested a motion to approve Ordinance No. 1324, an ordinance revising the Manager's job description. A motion was made by Mr. Cross, and seconded by Mr. Flory, to pass Ordinance No. 1324. The motion was carried unanimously.

Discussion on the motion revealed that a hearing was necessary before motion passing the ordinance could be made. A motion was made by Mr. Cross, and seconded by Mr. Flory to rescind the first motion, which passed the ordinance without a hearing. The motion was carried unanimously.

A motion for hearing on Ordinance No. 1324 was made by Mr. Cross, and seconded by Mr. Flory to open the hearing at 7:16 p.m. The Manager stated the notice and advertising requirements of the ordinance and the Municipalities Planning Code were met and exhibits were placed into evidence in furtherance thereof. The Manager reviewed the Ordinance and the changes to existing Ordinance. The Manager noted that there is a twenty-five (25) mile residency requirement from Borough Hall removing the requirement that the Manager live in Pennsylvania. He also noted that the provisions of the Commonwealth of Pennsylvania Borough Code regarding contracts for Borough Managers were incorporated into the existing Ordinance. After reviewing the Ordinance, a discussion was held by Council. It was noted that one residence was concerned about the removal of the Borough residency requirement. Mr. Marshall stated that it was his recommendation that the requirement be removed in order to get a better pool of applicants. Mr. DeLarco also stated that the Borough had removed the Borough residency requirement in a previous amendment and that this amendment only removed the Commonwealth of Pennsylvania requirement. Mr. Prevoznik noted that the title for §29-10 was changed to coincide with the content of the section and with the provision of the State Borough code from which it was taken. The changing of the title was not even a substantive change. A

motion to close the hearing at 7:29 p.m. was made by Mr. Molin, and seconded by Mr. Flory. The motion was carried unanimously.

A motion was made by Mr. Flory, and seconded by Mr. Reese, to pass Ordinance No. 1324, including changing the title for §29-10 as discussed, which amends Borough Manager Ordinance §29-1 *et. seq.* The motion was carried unanimously.

Manager and Zoning Officer requested that they obtain a proposal from The Cohen Law Group to amend the Borough's current zoning ordinance regulations regarding wireless telecommunications facilities. Attorney Prevoznik indicated that Attorney Weitzmann, solicitor for the Planning Commission, had also made that request. After discussion, a motion was made by Mr. Cross, and seconded by Ms. Wolbert, to approve obtaining a proposal from The Cohen Law Group to draft an amendment to the existing wireless telecommunication ordinance and to work with the Zoning Officer and the Planning Commission. The motion was carried unanimously.

Manager discussed the request from the Church of St. Matthew to close Brodhead Avenue, and to temporarily change the traffic flow on Elk Street between Braeside and Brodhead to a two-way traffic flow with no street parking, during its annual festival on August 11, 2017 from 4-11 p.m., August 12 from 4-11 p.m., and August 13 from 12-7 p.m. It was noted that this was a request made annually and previously granted. After discussion, a motion was made by Mr. Cross, and seconded by Flory, to approve the closure of Brodhead Avenue, and to temporarily change the traffic flow on Elk Street between Braeside and Brodhead to a two-way traffic flow with no street parking, during the Church of St. Matthew's annual festival on August 11, 2017 from 4-11 p.m., August 12 from 4-11 p.m., and August 13 from 12-7 p.m., contingent upon satisfactory proof of insurance and coordination with Police and Fire Department. The motion was carried unanimously.

Manager led a discussion regarding the upcoming meeting dates of August 1, August 31, and September 5. He noted that meetings should be scheduled more consistently. It was agreed that the August 1 meeting would be held, as items have already been approved to appear on that date. He then recommended advertising a regular meeting on August 15 and canceling the meeting scheduled for August 31. After discussion, a motion was made by Mr. Molin, and seconded by Mr. Flory, to advertise August 15, 2017, as a Regular Meeting and to cancel the Committee meeting on August 31, 2017. The motion was carried unanimously.

Manager recommended that Council pass Resolution No. 31-2017, which is an ESSA Bank & Trust Resolution authorizing Ed Flory and Maury Molin as signatories on Borough accounts. After discussion, a motion was made by Mr. Cross, and seconded by Mr. Reese, to pass Resolution No. 31-2017 ESSA Bank & Trust Resolution approving Ed Flory and Maury Molin as authorized signatories on Borough accounts. The motion was carried unanimously.

Manager discussed a letter from ESU dated July 11, 2017, requesting no meter enforcement on the following Saturdays of the 2017-18 school year: (i) Move-In Weekend – Saturday, August 26, 2017; (ii) Family Weekend – Saturday, September 23, 2017; (iii) Homecoming Weekend – Saturday, October 21, 2017; (iv) Undergraduate Commencement – Saturday, December 16, 2017; and (v) Undergraduate Commencement – Saturday, May 5, 2018. Mr. Marshall noted that Mr. Long was in the audience. Mr. Long indicated that he had no objection to the no meter enforcement request being limited to meters on Smith and Normal Streets in and around the college campus. Mr. Marshall asked Mr. Long whether ESU police enforce and ticket ESU's

policies during those days for which they have requested relief. Mr. Long indicated they did not. Mr. Long indicated that ESU will post this information on its website. He did not feel it was necessary for the Borough to post it on their website. After discussion, a motion was made by Mr. Molin, and seconded by Mr. Cross, that the Borough will not enforce metered parking on Smith and Normal Streets in and around the college campus on the following days: (i) Move-In Weekend – Saturday, August 26, 2017; (ii) Family Weekend – Saturday, September 23, 2017; (iii) Homecoming Weekend – Saturday, October 21, 2017; (iv) Undergraduate Commencement – Saturday, December 16, 2017; and (v) Undergraduate Commencement – Saturday, May 5, 2018. The motion was carried unanimously.

The meeting was opened for public comments. Ms. Barbara Miller of Greys Meadow Road inquired about the Borough pool. She wanted to know why the pool was open later and closing earlier. She indicated that her children liked to go to the pool. She noted that the conduct around the pool was often difficult to be around with children. Ms. Wolbert responded that there is a shortage of lifeguards. Most of the employees of the SROSRC will be starting school and therefore there are not sufficient lifeguards to maintain both pools. She was further advised that if she had complaints as to the conduct of the staff or the people at Dansbury Park, that she should go to the SROSRC meeting inasmuch as they have jurisdiction over those issues.

Mr. DeSalva distributed the Department of Public Works report prior to the meeting. He had no further report.

Mr. Walton reported that parking enforcement hardware and staff are in place. Training will begin on Monday, July 31, 2017. Permit Manager will be installed on Tuesday, August 1, 2017.

Manager noted that Mr. Konz previously distributed the June 2017 financial statements. Mr. Konz indicated that if there were any questions regarding the financial statements, to please feel free to contact him.

Mr. Molin requested an update regarding the status of the CLU Club property, overgrown weeds at the Post Office, and the future of K-Mart Plaza. Mr. Walton informed Mr. Molin that the CLU Club owner had cut the weeds on the property. He indicated that it was private property and that the owner could keep the property undeveloped or develop it in accordance with the zoning ordinances. He did indicate that if the condition of the property deteriorated, he would continue to enforce the Borough's ordinances. Mr. Walton further said that he did not have any direct knowledge as to what the owners of the K-Mart plaza were going to do with the plaza now that K-Mart is no longer in business. Mr. Walton stated that he received a request for the building plans of the building several months ago but had no further information on the issue. It was again noted that this was private property and the owners could develop the property in accordance with the Borough's ordinances. Mr. Walton indicated that he would review the situation with the Post Office and the current state of its property. He stated that if there was a zoning violation he would cite them for it.

Mr. Reese requested an update on the status of occupancy at 106 Analomink Street. Mr. Walton reported that a temporary certificate of occupancy had been issued upon inspection of the property. The building formerly had four units and now has two units. A final occupancy certificate should be issued within the next month, contingent upon compliance of the remaining repairs.

Mr. Flory apologized to Mr. DeSalva regarding comments from the last meeting about the firehouse door. He noted that Mr. DeSalva was correct.

The Solicitor reported he had Executive Session items to discuss.

Mr. DeLarco noted that the Transition Committee would report at the August 1, 2017, meeting. He reported that issues had been raised regarding the line of sight at 447 and North Broad Street. He and the Manager agreed to contact the property owner.

A motion was made by Ms. Wolbert, and seconded by Mr. Molin, to ratify bills payable through July 27, 2017. The motion was carried unanimously.

A motion was made by Mr. Reese, seconded by Mr. Flory adjourn the meeting to Executive Session at 7:49 p.m.

A motion was made by Mr. Flory, and seconded by Mr. Reese, to reconvene the meeting at 8:39 p.m.

Mr. Prevoznik reported that during Executive Session, discussions on litigation, contractual matters, and personnel were held. No decisions were made.

A motion was made by Mr. Molin, and seconded by Mr. Flory, to authorize the Manager to post and hire two (2) part-time parking enforcement officers at the rate of Fifteen (\$15.00) Dollars per hour and to hire one (1) full-time parking enforcement officer at the rate of Twenty and 60/100 (\$20.60) Dollars per hour. A vote was taken, for which a roll call was made and the results were: Mr. Molin, Mr. Flory, and Mr. Cross voted in favor; Mr. DeLarco, Ms. Wolbert, and Mr. Reese voted against, noting that they did not have enough information to proceed. Mr. DeLarco also stated that he would have liked to have an opinion from labor counsel. Because it was a tie vote, Mayor Martinelli was requested to vote to break the tie. Mayor Martinelli voted in favor of the motion, thereby breaking the tie vote. The motion was carried 4-3.

Motion made by Mr. Flory, seconded by Mr. Cross to adjourn the meeting at 8:59 p.m.

NEXT COMMITTEE MEETING: Thursday, September 28, 2017; 7:00 p.m.

NEXT REGULAR MEETING: August 1, 2017; 7:00 p.m.



15 Day Street, East Stroudsburg, PA 18301

Call 570-426-1512 Fax 570-426-1839 Visit [www.srosrc.org](http://www.srosrc.org)

7/27/17

East Stroudsburg Borough Council  
RE: Dansbury Park Updates

Dear Council Members,

I want to provide an update on Stroud Region Open Space & Recreation Commission's park management in Dansbury Park. Park Patrol staff started in May. The Dansbury Park pool was opened on Saturday, June 17, 2017. Park Caretakers and Borough maintenance staff worked together to repaint the basketball poles, backboards, and rims. The replacement grills have been installed. New heavy duty lifeguard umbrellas have been purchased and are in use.

Compared to the past few years, this summer we are seeing more minor occurrences and incidents (rather than major ones) such as disrespectful behavior, smoking, dogs in the park, and profane language. Staff in all departments have been experiencing a lack of respect from patrons. This is an overall societal change that also occurs in all of our parks. There is a decline in the larger incidents compared to previous years.

Park Patrol had minimal problems with participants at the skate park prior to Stroudsburg's skate park closure due to vandalism. Since then, we have seen an increase in negative behavior at the Dansbury skate park. Park Patrol has been talking with the park visitors hanging around at the skate park about appropriate behavior. Park patrol closes the skate park earlier when the negative behavior occurs. They are locking the skate park at 8:30 pm and re-opening at 7 am daily. Stroudsburg skate park has been re-opened and the activity at Dansbury has decreased.

Park Patrol has communicated a delay (not all the time) in some response times when they called the police. I met with Captain Jennifer Lyon from SARPD. We discussed looking at the response times from calls made to the Monroe County Control Center, dispatch to the police department, and police arrival on the scene, which the Captain is going to share data on. Park Patrol is to provide one warning and then call police if the behavior or incident was not resolved. We are advised not to get into a confrontational situation.

The police drive through the parking lot and making sure everyone is out of the pavillion after 9 pm, once Park Patrol locks the bathrooms and turns off the pavillion lights. Once Labor of Love basketball is finished cleaning up the basketball courts, park patrol has everyone off the courts and out of parking lot by 10 pm during the week, which the police can assist with. An increased police presence makes a positive difference in all of our parks, but also supports Park Patrol staff.

SROSRC is working on:

- New signage with consolidated rules at multiple sites within the park (such as basketball courts, trallhead, pavillion, etc.)
- New skate park rules signage

- Season pool passes - staff has removed Housing Authority name from any new passes that would be made in the future (passes are named for each category that we sell)
- Coordinate with Public Works on purchase of new mulch for Dansbury & Zacharias Pond playgrounds
- Look at new timer options with the electrician to prevent lights at basketball courts from going on during unscheduled times

A recommendation for council to consider in the budget is a locking swing gate at the access road to the trailhead. The gate would be locked each night to deter any after hour activity in the trailhead parking.

If you have any questions, please don't hesitate to contact me at 570-426-1512.

Respectfully submitted,



Sherry L. Acevedo  
Executive Director