

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, OCTOBER 16, 2018 – 7:00 p.m.

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

ALSO PRESENT: Solicitor John C. Prevoznik, Borough Engineer Nate Oiler, Codes Officer Marv Walton, Finance Officer Ken Konz and DPW Director Steve DeSalva

The Pledge of Allegiance was led by Manny Laboy.

October 2, 2018 Minutes

A motion was made by Mr. Molin and seconded by Mr. Flory, to approve October 2, 2018, Council Meeting minutes. The motion carried unanimously.

Public Comments – Agenda Items

None.

SROSRC

The SROSRC report was distributed via email.

A request was received from SROSRC to utilize two golf carts for the Haunted Trail Event on Saturday, October 20th, with a rain date of Sunday, October 21st. Mr. Bond stated we have honored this request in the past and is normal practice to utilize support vehicles. Mr. Cross asked if Second and Third Streets will be closed this year during the event. Mr. Bond stated road closures were not requested this year. Mr. DeLarco advised Council never approved any road closures.

A motion was made by Mr. Flory and seconded by Mr. Reese to approve the request from SROSRC to utilize two golf carts for the Haunted Trail Event on Saturday, October 20th, with a rain date of Sunday, October 21st. The motion carried unanimously.

Police Report

The September SARPD report was distributed via Email. Captain Gasper reported two new officers have been sworn in. Additionally, SARPD worked closely with PA Liquor Control Board over ESU Homecoming Weekend. A raid took place at an off-campus house and SARPD will continue to work with PLCB.

East Stroudsburg Community Alliance

No Report.

Engineer's Report

The Engineer's Report was distributed.

Mr. Oiler requested the ratification of additional engineering services regarding the Middle Dam and New Water Supply Intake Line to address DEP review comments estimated to be \$16,000. Mr. Cross asked why these projects are being delayed so much. Mr. Prevoznik advised RKR Hess has been working on these since 2014 but have hit a brick wall with DEP, as they are not reviewing or providing cursory reviews. DEP is bringing up issues from items submitted in 2015, which is now causing delays. For these reasons, Mr. Bond and Mr. Oiler have included legislature for assistance. Mr. Flory asked if these additional fees have been budgeted. Mr. DeLarco mentioned we recently received grant monies.

A motion was made by Mr. Flory and seconded by Mr. Reese to approve the ratification of additional engineering services regarding the Middle Dam and New Water Supply Intake Line to address DEP review comments estimated to be \$16,000. The motion carried unanimously.

Mr. Oiler recommended the approval of Payment Request No. 1 for the Willow Street Utility, Drainage and Road Improvement project in the amount of \$25,437.89.

A motion was made by Mr. Flory and seconded by Mr. Molin to approve the Payment Request No. 1 for the Willow Street Utility, Drainage and Road Improvement project in the amount of \$25,437.89. The motion carried unanimously.

Mr. Oiler also recommended the approval of Change Order No. 1 for the Willow Street Utility, Drainage and Road Improvement project in the amount of \$11,534.57.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve Change Order No. 1 for the Willow Street Utility, Drainage and Road Improvement project in the amount of \$11,534.57. The motion carried unanimously.

Public Comments – New Business

Mr. Czahor, owner of 147, 149 and 151 Analomink Street expressed his concern regarding an issue in Analomink Street by the sidewalk. Water is continuously bubbling and the hole is getting wider. This is also causing a safety concern for pedestrians as they are forced to walk in the street to avoid the water laying on the sidewalk and gets icy in the winter. Also, vehicles avoid the water in the road and drive in the oncoming lane. Mr. Czahor said after officials from the Borough checked it and determined it is the homeowner's responsibility, he hired a contractor. The contractor advised there is an issue within the culvert that would be the Borough's responsibility. Mr. Bond stated he visited the site Friday along with the engineer, and two maintenance department employees to investigate further, and advised the Borough will not repair issues on private property, only on our right-of-way. Mr. Prevoznik suggested Mr. Czahor enter into a Professional Services Agreement. This allows Borough employees and other officials, including the engineer, to investigate properly and determine who is responsible for the costs of repair. If it is the homeowner's responsibility, he will pay the Borough, and if the responsibility is the Borough's, we will accept the charges. Mr. Martinelli asked if the contractor posts a bond when a Professional Services Agreement is executed. Mr. Prevoznik stated our employees and engineers perform the services, therefore, no bond is posted. However, a lien will be filed against the owner's house if it is their responsibility but fail to reimburse the Borough.

A motion was made by Mr. Molin and seconded by Mr. Reese to authorize Mr. Bond to email a copy of the Professional Services Agreement to Mr. Czahor. The motion carried unanimously.

Reports

Steve DeSalva:

The DPW report, Monthly Man Hour report and Street Opening Report were distributed.

Marv Walton:

The Permits report, Violations report and Parking Enforcement Report were distributed.

Mr. Walton reported the recommendation of the Zoning Ordinance Review (ZORC) to advertise and set a Public Hearing to amend Chapter 122, Property Maintenance – High Grass and Weeds. Mr. Walton stated we currently go through the International Property Maintenance Code for these violations. Amending the ordinance would allow us to issue tickets as warnings, fines and citations, which will make it easier for enforcement.

A motion was made by Mr. Cross and seconded by Mr. Flory to authorize advertising and setting a Public Hearing to amend Chapter 122, Property Maintenance – High Grass and Weeds for Tuesday, November 20, 2018 at 7:00 p.m. The motion carried unanimously.

Mr. Walton reported the recommendation of ZORC to advertise and set a Public Hearing to amend Chapter 132, Snow and Ice Removal. Mr. Walton stated we currently go through the International Property Maintenance Code for these violations. Amending the ordinance would allow us to issue tickets as fines and citations, which will make it easier for enforcement. Mr. Prevoznik added all violations are currently issued a citation; the new process will offer a break since there are fines issued before citations and also provides incentives for homeowners to maintain their properties. Mr. Cross asked if homeowners are still responsible for clearing sidewalks after plow trucks push snow back onto the sidewalks. Mr. Walton advised homeowners are responsible for clearing sidewalks.

A motion was made by Mr. Flory and seconded by Mr. Molin to authorize advertising and setting a Public Hearing to amend Chapter 132, Snow and Ice Removal for Tuesday, November 20, 2018 at 7:00 p.m. The motion carried unanimously.

Mr. Walton reported the recommendation of ZORC to advertise and set a Public Hearing to amend Chapter 151, Vehicles, Parking, Residential Permit Parking. Mr. Walton stated the permit stickers were previously adhered to the back of vehicles' rearview mirrors. With the new

program, the stickers are affixed to the outside of the windshield, above the inspection sticker and allows the parking enforcement officers to scan the sticker with their handheld device. The location of the sticker is in compliance with the Pennsylvania Vehicle Code.

A motion was made by Mr. Reese and seconded by Mr. Molin to authorize advertising and setting a Public Hearing to amend Chapter 151, Vehicles, Parking, Residential Permit Parking for Tuesday, November 20, 2018 at 7:00 p.m. The motion carried unanimously.

Lastly, Mr. Walton reported ZORC received a letter from Monroe County Transit Authority requesting the waiver of any building and permit fees associated with the bus shelter they are erecting on South Kistler Street. Mr. Walton said the fee would be approximately \$600.00 and ZORC's recommendation is not waive the permit fee. MCTA has applied and paid for permits previously.

A motion was made by Mr. Cross and seconded by Mr. Flory to accept the recommendation of ZORC and not approve the request received from MCTA to waive permit fees for the bus shelter. The motion carried unanimously.

Ken Konz:

Mr. Konz reported The Redevelopment Authority of the County of Monroe is hosting a discussion on combating blight within the communities of our county. This workshop will be held at the Monroe County Control Center on Tuesday, October 23 at 6:00 p.m. This invitation is open to all council members, mayor, and solicitor, as well as the Borough staff. Questions pertaining to this discussion should be directed to Redevelopment Authority Executive Director, Martha Robbins.

Mr. Konz requested approval of Resolution 27-2018 authorizing the Board of Commissioners of Monroe County to submit an application for FY 2108 Community Development Block Grant Program Funds in the amount of \$144,653.00 on behalf of the Borough of East Stroudsburg.

A motion was made by Mr. Cross and seconded by Mr. Molin to approve Resolution 27-2018 authorizing the Board of Commissioners of Monroe County to submit an application for FY 2108 Community Development Block Grant Program Funds in the amount of \$144,653.00 on behalf of the Borough of East Stroudsburg. The motion carried unanimously.

Chief Dale Fetterly:

Acme Hose Company No. 1 Chief's Report distributed via Email.

Mayor Armand Martinelli:

No Report.

Sonia Wolbert:

Ms. Wolbert made a motion and seconded by Mr. Flory to approve the same traffic patterns as last year for the Haunted Trail Event on Saturday, October 20 with a rain date of Sunday, October 21, contingent upon coordination with the police department. The motion carried unanimously.

Don Cross:

Mr. Cross reported the American Legion would like to participate with wreath laying, flowers, and a 21-gun salute at Veterans Park.

Maury Molin:

Mr. Molin reported East Stroudsburg University will be hosting its annual Veterans Day Celebration on Thursday, November 8th at 2:00 p.m. and the invitation is extended to Borough staff and officials.

Mr. Molin attended the FLECHA (Federation of Latinos for Education About Cultures of Hispanic Americans) meeting on October 11. Adria Laboy of FLECHA stated the group expressed interest in Latino businesses in the Borough and they are looking for a place that Latinos can seek out information. Agencies in other counties offer services for translation and immigration. Our area could be the hub to provide services for education similar to community services for Latino Americans. FLECHA is hosting a forum in the spring at which time established businesses or potential businesses will be able to present their ideas to council. Mr. Molin stated the panel discussion that is scheduled for April would be a time to get everyone involved. Ms. Laboy suggested the Annual Latino Festival will be held in the borough in the

future if all goes well. Mr. Molin will work with Mr. Bond regarding the upcoming presentation from FLECHA. Mr. DeLarco expanded the committee to include Mr. Cross and Mr. Bond, who will join Mr. Molin.

Bill Reese:

Mr. Reese advised during the cleanup event he noticed a vacant parking lot on North Courtland Street that was littered with trash and the grass and weeds were overgrown. He asked if any enforcement had been done. Mr. Walton reported that he already contacted the previous owners.

Ed Flory:

Mr. Flory will not be at the next council meeting, Tuesday, November 6th.

Solicitor John Prevoznik, Esq:

Mr. Prevoznik has items for executive session.

Manager's Report:

Mr. Bond requested the recommendation of the Street Committee to pave the following streets in 2019: Elizabeth Street from Lenox Street to West Vine Street, West Vine Street from Elizabeth Street to Walnut Street and Lenox Street from Elizabeth Street west 110 feet. Mr. Molin asked what the costs will be. Mr. Bond he will report the costs at the next meeting.

A motion was made by Mr. Molin and seconded by Mr. Cross to approve the recommendation of the Street Committee to pave the following streets in 2019: Elizabeth Street from Lenox Street to West Vine Street, West Vine Street from Elizabeth Street to Walnut Street and Lenox Street from Elizabeth Street west 110 feet and to approve RKR Hess to complete the engineering for the project. The motion carried unanimously.

Mr. Bond reported the PMHIC contribution for 2018 is \$512,998.00. The Borough Employees' contribution is \$20,519.92 and the total Borough contribution is \$492,478.08.

Mr. Bond requested approval of any of the following dates for the Spring 2019 ESU Town and Gown meeting: Monday, February 4th, Thursday, February 7th, Monday, February 11th, or Wednesday, February 13th.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve the Spring 2019 ESU Town and Gown meeting for Monday, February 11, 2019 at 5:30 p.m. with the following Council Members attending: Ms. Wolbert, Mr. Molin and Mr. DeLarco. The motion carried unanimously.

Mr. Bond requested Council to accept the resignation of Evelyn Miller from the Shade Tree Commission, effective October 10, 2018.

A motion was made by Mr. Cross and seconded by Mr. Flory to accept the resignation of Evelyn Miller from the Shade Tree Commission, effective October 10, 2018.

Mr. Bond reported the recommendation of the Comprehensive Plan Task Force to authorize the advertising for an Economic Development Director position with employment commencing in 2019.

A motion was made by Mr. Cross and seconded by Mr. Molin to authorize advertising for an Economic Development Director position with employment commencing in 2019. Mr. Cross asked what the salary is for this position. Mr. Bond advised with the salary and all the benefits calculated, it would be approximately \$75,000 - \$80,000 annually. The motion carried 4-2 (Yea: Ms. Wolbert, Mr. Cross, Mr. Molin, Mr. DeLarco; Nay: Mr. Flory, Mr. Reese).

Mr. Bond reported the recommendation of the Comprehensive Plan Task Force to advertise an RFP for a consultant to propose amendments to the Zoning Ordinance establishing an Overlay District in the Bricktown Area. Mr. Flory asked the estimated cost of the consultant. Mr. Bond advised we will not know the cost until we receive the RFPs. Mr. Flory stated he thinks we are going overboard.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to authorize advertising an RFP for a consultant to propose amendments to the Zoning Ordinance establishing an Overlay District in the Bricktown Area. The motion carried 4-2 (Yea: Ms. Wolbert, Mr. Molin, Mr. Reese, Mr. DeLarco; Nay: Mr. Flory, Mr. Cross).

Mr. Bond requested authorization to advertise the Solid Waste Bid Specs as presented.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to authorize advertising the Solid Waste Bid Specs as presented. The motion carried 5-1 (Yea: Ms. Wolbert, Mr. Molin, Mr. Reese, Mr. DeLarco, Mr. Cross; Nay: Mr. Flory).

The Manager requested authorization of the RFP from TPD to conduct an All-Way Stop Traffic Analysis at the intersection of Spangenburg Avenue and Smith Street at a cost not to exceed \$3,000.00. Mr. Bond stated this would be an analysis of crash history and the sight distances of this intersection. Mr. Cross disagrees with the cost.

A motion was made by Mr. Reese and seconded by Mr. Cross to authorize TPD to conduct an All-Way Stop Traffic Analysis at the intersection of Spangenburg Avenue and Smith Street at a cost not to exceed \$3,000.00. The motion carried 5-1 (Yea: Ms. Wolbert, Mr. Reese, Mr. DeLarco, Mr. Cross, Mr. Flory; Nay: Mr. Molin).

Mr. Bond requested authorization to schedule a work session to discuss the proposed 2019 budget.

A motion was made by Mr. Molin and seconded by Mr. Cross to schedule and advertise a work session to discuss the proposed 2019 budget for Thursday, November 15 at 5:00 p.m. The motion carried unanimously.

Roger DeLarco:

Mr. DeLarco distributed information from the PML conference he attended and noted the PELRAS conference is offered at no charge in 2019.

Bills Payable

A motion was made by Mr. Reese and seconded by Mr. Flory to ratify bills payable through October 16, 2018. The motion carried unanimously.

Executive Session

A motion was made by Mr. Molin and seconded by Mr. Cross to go into Executive Session at 7:51 p.m. The motion carried unanimously.

A motion was made by Mr. Cross and seconded by Mr. Reese to reconvene the meeting at 8:17 p.m. The motion carried unanimously.

Mr. Prevoznik reported that real estate acquisitions and two employment matters were discussed and no decisions were made.

Adjournment

A motion was made by Mr. Flory and seconded by Mr. Cross to adjourn the meeting at 8:18 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, November 6, 2018; 7:00 p.m.