

MINUTES FOR REGULAR MEETING
EAST STROUDSBURG BOROUGH COUNCIL
TUESDAY, MAY 7, 2019 – 7:00 p.m.

PRESENT: Bill Reese, Manager Brian Bond, Don Cross, Roger DeLarco, Sonia Wolbert, Ed Flory, Solicitor John C. Prevoznik, Maury Molin, Borough Engineer Nate Oiler, Finance Officer Ken Konz, Codes Officer Marv Walton and Mayor Martinelli

The Pledge of Allegiance was recited.

April 16, 2019 Minutes

A motion was made by Mr. Molin and seconded by Ms. Wolbert, to approve the April 16, 2019 Council Meeting minutes. The motion carried unanimously.

Public Hearing – Ordinance 1344 - amending for the seventh time the Intergovernmental Cooperation Agreement establishing the Stroud Regional Police Department between Stroud Township and the Boroughs of East Stroudsburg and Stroudsburg.

A motion was made by Ms. Wolbert and seconded by Mr. Flory to recess the regular meeting and convene a public hearing on Ordinance 1344. The motion carried unanimously.

A public hearing for Ordinance 1344 was led by Mr. Prevoznik. This Ordinance authorizes the amendment and execution of Amendment Number 7 to the Intergovernmental Cooperation Agreement, dated May 24, 1999 and the addenda thereto establishing the Stroud Area Regional Police Department to: (i) restate Article III, Section B “representatives” to require one representative to be an elected official or a duly appointed manager of the municipality, and (ii) amending Article VII, Section 4(D) to include the power to establish a post-retirement benefit trust, and; (iii) to delete and restate Article XVI, Section A to extend the life of the agreement until December 31, 2025 and year-to-year thereafter, and, (iv) the ordinance shall ratify the action of the Stroud Area Regional Police Commission from October 17, 2012 from the enactment date of this ordinance, and (v) allowing for survival of all non-conflicting terms of the initial Intergovernmental Cooperation Agreement and all addenda thereto, and (vi) allowing for future amendments providing; the Ordinance further provides for: (2) the incorporation of precatory language; (3) Severability; (4) A Repealer; (5) and an effective date.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to close the public hearing and reconvene the regular meeting. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Flory to enter exhibit 1 (proof of publication) and exhibit 2 (sign in sheet) into evidence. The motion carried unanimously.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve Ordinance 1344, amending for the seventh time the Intergovernmental Cooperation Agreement establishing the Stroud Regional Police Department between Stroud Township and the Boroughs of East Stroudsburg and Stroudsburg, as advertised. Yea: Mr. DeLarco, Mr. Cross, Mr. Molin, Mr. Reese, Mr. Flory, Ms. Wolbert. The motion carried 6-0.

Discussion of the Proposed Municipal Parking Lot Changes

Mr. Bond reported that the Borough has been performing a parking study on the municipal lots and have collected data from the past three weeks. The data shows that employees are utilizing the free spots closest to their establishments. The following changes are being proposed: Lot #1 (Day Street Lot): remove four free spaces and add four long-term lease spaces; Lot #2 (Harlacher Lot): remove ten free spaces, remove nine metered spaces and add 19 permit only spaces (Monday through Friday 6:30 am – 5:00 pm); Lot #3 (Courtland Street Lot): remove four metered spaces and add four long-term lease spaces; Lot #4 (South Kistler Street Lot): remove 68 free spaces and add 38 metered spaces, 10 long-term lease spaces, 21 permit only spaces (Monday through Friday 6:30 am – 5:00 pm), and one handicapped space; Lot #5 (North Kistler Street Lot): remove 15 free spaces and add seven permit only spaces (Monday through Friday 6:30 am – 5:00 pm) and eight long-term lease spaces.

Jesse Scavone, who owns the business at 145 S. Courtland Street, stated the main complaint from his clients is the lack of parking. He asked if the parking study took into consideration of future growth in the borough, and parking on Saturdays. Mr. Bond advised there will be free spots available in the evenings and on weekends. Todd Kandl of 79 S. Courtland Street, expressed his concerns with parking for his patients and employees. There are seven healthcare providers working in the building along with the patients. He asked what type of enforcement will be in effect during the day for these parking spaces, and asked if towing is an option since that would be the only effective way. Troy Nauman of 455 Chestnut Street agrees there should not be any free parking spaces, and they should all be metered. He is not in favor of giving out so many permit parking passes and suggests the borough reduce the amount of daily passes. Leslie Perryman of 37 Dansbury Terrace said her employees park in the South Kistler parking lot. There is no money in their budget for leased parking spaces (long term or weekly) for their personal cars. They already lease spaces from the borough for their company cars. She asked if they would be able to swap their personal cars with the business cars into those spaces that are already leased. Doing this would free up seven spaces for other people. Brian LaVacca spoke on behalf of the Loder Building on Analomink Street. He said neither the seniors nor the agency would be able to afford the price of a leased parking spaces. There are certain events the agency holds throughout the year that attract a large crowd and parking will become an issue. Susan Rose, property manager of Shirley Futch at 4 South Kistler Street, asked if the borough plans to take away their two reserved spots within the South Kistler parking lot. Mr. Bond advised those two spots are proposed to become paid spaces, but there is still the option of \$1 per night for visitors within that lot. She asked what their residents should do if they need permanent parking spaces since their private lot only has two spots available. Mr. Bond suggested they get put on the current waiting list for long term leased spaces. Cara Seese of Maximum Solutions at 66 South Courtland Street is concerned about the proposed long term leased spaces in front of their establishment, since they have a lot of clients who are elderly and disabled. Ms. Seese asked if the weekly permits are approved, would one be assigned to a specific vehicle, or could there be an option for a business pass that could be used for multiple vehicles. Also, would the pass be for a specific lot, and how would that be enforced. Mr. Bond stated there are many options that all need to be discussed regarding the weekly passes, and ticketing cars would be the initial enforcement with a tow if necessary, which could take between 20 minutes and two hours. Ms. Seese asked how the borough would fairly divvy up the spots. Mr. Bond said there could be an option of a lottery, or just first come, first serve; however, everything is still being discussed and nothing has been set in stone yet. He advised the borough is looking into grants and funding for parking decks and other properties for parking options. Chahrazed Chadli of the Beer House

Café on Crystal Street stated the meters are outdated and suggests the borough finds a more advanced solution, such as being able to use credit/debit cards to pay the meters. That way people could add as much time as they want to the meters and would not have to run out to feed the meter mid-meal. She also suggested permit parking for the entire Crystal Street be an option. Mr. Bond stated the meters along Crystal Street have a three-hour limit, and the borough is looking into three different apps for meters. Gretchen Peters from the Monroe County Office of Aging expressed her concerns for the seniors who use the services provided at the Loder Building on Analomink Street. She stated the clients who attend the events cannot walk and if they have to pay for parking, they will not come. Patrice Summa works with the elderly and pointed out that most of the comments and concerns about parking are regarding the elderly. She reported that in the 1970's there was an agreement between the Borough and the Redevelopment Authority regarding free parking grandfathered into the downtown area. Mr. Prevoznik stated he researched this topic and this is not the case; he searched all the files and there is nothing regarding any such agreement. Mr. Prevoznik verified with the Redevelopment Authority and there is nothing in the application and no conveyance deed. Heather Smith of 79 South Courtland Street said she is concerned that these parking changes will take away the ability for people to participate in services provided by the church and the psychologist's office. Mr. Bond stated the borough is working with the church to allow the participants to park in the church parking lot instead of the municipal lot. Jane Gagliardo of West Broad Street asked why the signs within the borough are not uniform, as far as the times restricting parking. Additionally, she states that it is a safety issue for people to walk in town to and from the parking lots, and asked if the borough plans to hire security. Cara Seese asked the borough to keep in mind that not everyone is mobile friendly so that should not be the only option for paying meters. Mr. Bond responded that if we choose an option that allows credit cards, the rates would raise considerably because they charge a convenience fee. Leslie Perryman asked what the cost of the weekly permits would be. Mr. Bond stated the proposed rate would be about \$175.00 per year. Jesse Scavone asked where the current meter revenue is applied. Mr. Bond said we currently break even. Troy Nauman added having a parking problem in the area is not a bad problem because it means there is business and patrons. He suggested the borough takes baby steps in changing the parking situation and strive hard for parking deck(s), so businesses are not pushed away. Mike Tepedino of Trackside asked if the borough found any cons from performing the parking study. Mr. Bond responded that some of the parking lots are underutilized, and it seems that employees are using the closest spots to their respective establishments, forcing patrons walk further to the business. Mr. Bond stated that vehicles parked longer than three hours in a meter with a three-hour time limit should be ticketed, since vehicles are supposed to move once their time limit is expired. Mr. Tepedino asked if the borough has contemplated installing security cameras within the parking lots. Mr. Bond advised each security camera would cost about seven or eight thousand dollars and the borough does not have the funding for that, but possibly in the future. Mr. Cross suggested business owners speak with their employees to encourage them to park in further spots to free up closer spaces for patrons. Chahrazed Chadli noticed the parking lot at CVS between South Courtland and Crystal Streets is not utilized to its fullest capacity and suggested the borough lease spaces from them. Mr. Bond advised that is one option the borough is currently exploring. Mr. DeLarco stated a solution to the parking problem has been neglected for years. The borough is trying to implement a good parking plan, and asked for the public to give us a change to make things better. The borough is not trying make more problems.

Public Comments – Agenda Items

None.

SROSRC Report

Ms. Wolbert announced there was a rededication of the Roy Lloyd Softball Field at Zacharias Pond Park this afternoon.

Veteran's Park

Mr. Reese reported that GAK Construction is donating the burial posts for the fence to be installed within Veteran's Park. Mr. Bond and Mr. Flory met with Monroe Career and Technical Institute regarding students from J.M. Hill planting at Veteran's Park; they are tentatively scheduled to have six to eight students to plant next Tuesday. Mr. Strunk will be marking the holes ahead of time. Mr. Bond reported that everything will be installed before Memorial Day. Mr. Cross asked why there are not any flags on the Inter-Borough Bridge. Mr. Bond stated the flags go out before Memorial Day, and are taken down after Veteran's Day.

Police Report

The SARPD report will be given at the May 21, 2019 meeting.

Engineer's Report

The Engineer's Report was distributed.

MS4 Storm Water Requirements

Mr. Oiler requested authorization for RKR Hess to proceed with the resubmission of the PRP Plan to PA DEP in accordance with the last review and correspondence from PA DEP.

A motion was made by Mr. Flory and seconded by Ms. Wolbert to authorize RKR Hess to proceed with the resubmission of the PRP Plan to PA DEP in accordance with the last review and correspondence from PA DEP. The motion carried unanimously.

Willow Street Utility, Drainage and Road Improvements

Mr. Oiler recommended the approval of Payment Request #7 in the amount of \$19,174.93 to Northeast Site Contractors in accordance with the recommendation from RKR Hess. The motion carried unanimously.

Mr. Cross asked how many total payments there will be for this project. Mr. Oiler advised the payments are made based on when the work is submitted, and so far roughly \$400,000.00 has been paid out and the total project is estimated to cost \$1,350,000.00. Mr. Molin reported he has received comments from residents from the Willow Street area that it seems there is no end in sight. The company digs different places each day they are on site. He suggested a letter be sent out to residents to keep them informed of the progress. Mr. Oiler advised the project is on schedule; there are many undocumented utility lines and they are replacing the entire sewer line. Mr. Oiler will obtain a schedule from the contractor for council to provide residents.

Kimco Pocono Plaza Redevelopment Project

Mr. Oiler reported the engineer is to review and distribute the final plan for signatures upon review and approval.

Mr. Oiler recommended ratification of the Kimco Maintenance Agreement of the Kimco Pocono Plaza Driveway.

A motion was made by Mr. Cross and seconded by Mr. Flory to ratify the Kimco Maintenance Agreement of the Kimco Pocono Plaza Driveway. The motion carried unanimously.

Mr. Oiler recommended ratification of the Kimco Pocono Plaza Developers Agreement.

A motion was made by Mr. Molin and seconded by Ms. Wolbert to ratify the Kimco Pocono Plaza Developers Agreement, subject to replacing exhibit 7 – Stormwater Agreement. The motion carried unanimously.

Elizabeth Street Waterline Replacement Project

Mr. Oiler recommended the approval of reimbursement to the property owner of 131 Elizabeth Street for repair of the damaged sanitary sewer lateral at a cost of \$6,678.00. Mayor Martinelli asked why this issue was not presented to the borough when it was initially damaged, and why is the contractor not responsible for payment. Mr. Prevoznik advised the borough provided the information to the contractor based on the inverts and the location of the utility lines is an estimate. Mr. DeLarco asked if there is a safeguard for future projects. Mr. Prevoznik stated unless all of the laterals are dug up, there is no safeguard.

A motion was made by Mr. Cross and seconded by Mr. Flory to approve the reimbursement to the property owner of 131 Elizabeth Street for repair of the damaged sanitary sewer lateral at a cost of \$6,678.00. The motion carried unanimously.

Public Comments – New Business

Kris Kross, owner of a rental home on Walnut Street, stated his tenant received a ticket for leaving their garbage cans out too late. He asked why this is just now being enforced if has always been an ordinance. Mr. Bond advised this had previously been enforced in certain areas of the borough and used to be a citation with court costs. Now the ordinance is being enforced borough-wide and a ticket is issued instead of an immediate citation. Ms. Gagliardo asked if the borough would consider extending the time limit regarding the trash cans before and after collection, as East Stroudsburg is a commuter community and the current enforced times are not always feasible. To clear up any confusion, Mr. Walton reminded everyone that the current ordinance states garbage cannot be put out to curbside any earlier than 5:00 pm the night before collection (usually Mondays) and cans need to be brought in from curbside no later than 9:00 pm the night of collection (usually Tuesdays). Mayor Martinelli asked what a more reasonable time for residents would be to retrieve their empty cans off the curbside. Mr. Kross suggested 9:00 am Wednesdays. Mr. Molin advised the Zoning Ordinance Review Committee would review this.

Reports

Marv Walton:

No Report.

Ken Konz:

The financial statements for March of 2019 were distributed.

Mr. Konz provided an update on Applied Micro Systems (AMS) to council. He advised this would be the last month of bills from AMS. It was necessary to keep AMS to use as a tool to perform water and sewer usage history and usage fees. Mr. Konz advised reports will be run from the system and we will no longer pay to keep AMS.

Mayor Armand Martinelli:

Mr. Martinelli thanked all of the individuals who took part in the Pickup Pennsylvania event on Saturday, April 27. The following volunteers made this event a success: Bill and Michelle Reese, Janice Mahoney, Jill Puzio, Maury Molin, Joseph and Luke Fulmer, Alex Kossakowska, Palmer and Powell Posten, Laura Mason-Caiazzo, Danielle Tyson and Barry Krammes with the East Stroudsburg South Track and Field Team members.

Sonia Wolbert:

No Report.

Don Cross:

No Report.

Maury Molin:

No Report.

Roger DeLarco:

No Report.

Ed Flory:

No Report.

Solicitor John Prevoznik, Esq:

Mr. Prevoznik has items for executive session.

Manager's Report:

Mr. Bond received a request from the First Baptist Church of East Stroudsburg to close Harris Street from East Broad Street to Dearr Street for Vacation Bible School from 8:00 a.m. to 12:30 p.m. Monday through Friday, July 22 through July 26, 2019, as they have done in the past.

A motion was made by Mr. Flory and seconded by Ms. Wolbert to approve the request from the First Baptist Church of East Stroudsburg to close Harris Street from East Broad Street to Dearr Street for Vacation Bible School from 8:00 a.m. to 12:30 p.m. Monday through Friday, July 22 through July 26, 2019, as they have done in the past. The motion carried unanimously.

The Borough Manager received a request from the Shawnee Presbyterian Church for a donation of a round of golf for four with a cart at Terra Greens Golf Course for a fundraising event. Mr. Cross asked if we could collect a small fee from the requesting organizations to offset our costs of the gift certificate. Mr. Bond stated that has never happened before.

A motion was made by Ms. Wolbert and seconded by Mr. Molin to approve the request from the Shawnee Presbyterian Church for a donation of a round of golf for four with a cart at Terra Greens Golf Course for a fundraising event. The motion carried 4 -2 (Yea: Ms. Wolbert, Mr. Molin, Mr. DeLarco, Mr. Reese; Nay: Mr. Flory and Mr. Cross).

Mr. Bond requested authorization to set a public hearing for Ordinance 1347, amending Chapter 151, Vehicles and Traffic, Article III, establishing Weekly Permit Parking within the Municipal Parking Lots for 7:15 pm on Tuesday, May 21, 2109 at the East Stroudsburg Borough Municipal Building.

A motion was made by Mr. Molin and seconded by Mr. Cross to authorize the Borough Manager to set a public hearing for Ordinance 1347, amending Chapter 151, Vehicles and Traffic, Article III, establishing Weekly Permit Parking within the Municipal Parking Lots for 7:15 pm on Tuesday, May 21, 2109 at the East Stroudsburg Borough Municipal Building. The motion carried unanimously.

Mr. Bond reported a request received from the Stroud Area Regional Police Department to waive the permit fees for the SARPD roof replacement project.

A motion was made by Mr. Flory and seconded by Mr. Molin to approve the request from the Stroud Area Regional Police Department to waive the permit fees for the SARPD roof replacement project. The motion carried unanimously.

Lastly, Mr. Bond announced the Borough will begin fire hydrant flushing on Monday, May 13. The weekly schedule and all the details are on our website. A large announcement was published in the Pocono Record, and a Code Red alert was sent out ahead of time to notify the public.

Bill Reese:

No Report.

Bills Payable

A motion was made by Mr. Cross and seconded by Ms. Wolbert to ratify bills payable through May 7, 2019. The motion carried unanimously.

Executive Session

A motion was made by Mr. Molin and seconded by Mr. Cross to go into Executive Session at 9:10 p.m. The motion carried unanimously.

A motion was made by Mr. Cross and seconded by Mr. Molin to reconvene the meeting at 9:32 p.m. The motion carried unanimously.

Mr. Prevoznik reported that labor negotiations and contract litigation matters were discussed.

Adjournment

A motion was made by Mr. Flory and seconded by Ms. Wolbert to adjourn the meeting at 9:33 p.m. The motion carried unanimously.

NEXT REGULAR MEETING: Tuesday, May 21, 2019; 7:00 p.m.