

Borough of East Stroudsburg, April 21, 2009

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday April 21, 2009. The following members were in attendance: Victor Brozusky; Roger DeLarco; Ed Henning; William Reese; Donald Repsher and Sonia Wolbert. Also attending were: Mayor Armand M. Martinelli; Manager James S. Phillips; Solicitor David J. Williamson of Scanlon Lewis & Williamson (arrived at 8:05 p.m.); Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates Inc.; Chief John Baujan of the Stroud Area Regional Police Department; Maintenance Foreman Mark Hoke; ESU Student Ambassador Ashley Puderbach; and several residents in the audience.

Call To Order/Pledge of Allegiance

Mr. DeLarco called the meeting to order at 7:32 p.m. Chief Baujan led the Pledge of Allegiance.

Minutes of April 7, 2009 Regular Council Meeting

Mr. Repsher made a motion, seconded by Mr. Henning to approve the minutes of the regular Council meeting held April 7, 2009 as submitted. The motion carried unanimously.

Stroud Area Regional Police Department Report

Chief Baujan reviewed highlights of the monthly report and indicated that arrests, citations, and traffic contacts are all up recently. Chief Baujan said the traffic unit has been running the "stealth stat" machine on different streets in response to speeding complaints. Mr. Reese asked if there had been any problems reported with vagrants? Chief Baujan said they have not received many complaints.

Public Comments – Agenda Items

Henry Pyatt, Executive Director for the Eastburg Community Alliance (ECA) reported that he is working on plans for the ECA "Books, Brushes & Blooms" event to be held May 16, 2009 in Miller Park in conjunction with the Steam Town train excursion. ECA has received donations from ESSA Bank and Trust (\$500) and the Dansbury Depot (\$100) to cover the cost of renting a tent for the railroad memorabilia and exhibits.

Resolution No. 22-2009 Proclaiming Arbor Day - April 24, 2009

Mr. Henning made a motion, seconded by Mr. Reese to adopt proposed Resolution No. 22-2009 Proclaiming Arbor Day in the Borough on Friday April 24, 2009. The motion carried unanimously.

Resolution No. 23-2009 Providing for Inclusion of Escalator Clause for Bituminous Materials in Proposals for 2009 Paving Program

Mr. Phillips said the standard PennDOT specifications for paving provide for inclusion of an escalator clause for bituminous materials, to allow for price changes in the cost of asphalt based on the price changes of oil, but normally only apply to larger quantities of asphalt materials; which is often not the case with smaller municipal paving projects. However, the Borough may opt to provide for an escalator clause in its bid proposals regardless of the quantity of asphalt materials used for the project. Mr. Reese made a motion, seconded by Mr. Repsher to adopt proposed Resolution 23-2009 ratifying Inclusion of an Escalator Clause for Bituminous Materials in the bid proposals for the 2009 Paving Program. The motion carried unanimously.

Request by McTish Kunkel & Associates for Extension of Agreement until July 30, 2009 for Providing Inspection Services on the Downtown Streetscape Project

Mr. Phillips said the current agreement with McTish Kunkel expires April 30, 2009 and there is still work to be completed on the handicapped ramps and crosswalks as part of the streetscape project. The extension of agreement also provides for additional funding for inspection services; but only if those services are needed. After discussion, Mr. Henning made a motion, seconded by Mr. Repsher to approve the extension agreement for inspection services with McTish Kunkel & Associates as submitted. The motion carried unanimously.

Report and Possible Action on Bids Received for Sale of Used Galion Road Roller

Mr. Phillips said the Borough had advertised for bids for sale of the used Galion Road Roller and also listed the equipment for sale online via Muncibid. One bid was received through Muncibid for the \$500 minimum bid amount. Mr. Brozusky made a motion, seconded by Mr. Repsher to accept the bid from and award sale of the Galion Road Roller to Eugene Mariani in the amount of \$500 as per the proposal submitted. The motion carried unanimously.

Schedule Public Hearing on Proposed 2009 Year CDBG Program

Mr. Phillips said Pennsylvania Department of Community & Economic Development (DCED) has postponed the deadline for submittal of Community Development Block Grant (CDBG) entitlement applications beyond the previous announced deadline date of May 22, 2009. Mr. Reese made a motion, seconded by Mrs. Wolbert to authorize scheduling the required public hearing on the Borough's proposed 2009 Year CDBG Program for the June 2, 2009 regular meeting date. The motion carried unanimously.

Proposed Agreement with Suburban EMS for Provision of Emergency Medical Services

Mr. Phillips said both Stroudsburg Borough and Stroud Township have approved the proposed agreement with Suburban EMS for extending their designation as primary EMS responder for the three municipalities for the years 2010-2012. Mr. Brozusky made a motion, seconded by Mrs. Wolbert to approve the proposed agreement to continue designation of Suburban EMS as primary EMS responder, as submitted. The motion carried unanimously.

Proposals for Construction of ADA Ramps and Curbs on Prospect Street

Mr. Phillips said there are approximately ten (10) additional handicapped ramps in addition to the sidewalk ramps being constructed as part of the new traffic signal project, to be installed on the section of Prospect St. which the Borough has taken back from PennDOT. PennDOT has provided \$42,000 in turn-back funds for replacement of the ramps that front on the former state highway. In addition the Borough may want to replace a portion of the curb on Prospect St., between Elk and Ridgeway Streets where there is too little curb reveal to enable resurfacing. Mr. Repsher made a motion, seconded by Mr. Brozusky to authorize advertising for bid proposals for construction of handicapped ramps and curbs on Prospect St., as needed. The motion carried unanimously.

Request for Driveway Opening for 280 Smith Street onto Emerson Road

Mr. Phillips said the owner of 280 Smith St. has requested approval to install a new driveway entrance from the back of the house onto Emerson Road. Mr. Henning asked if this house had an existing driveway on Smith St.; Mr. Phillips said "yes". After discussion, Mr. Repsher made a motion, seconded by Mrs. Wolbert to approve the request for driveway opening as submitted. The motion carried unanimously.

Public Comments – New Business

None

Correspondence

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

1. A copy of the permit application submitted to the Pennsylvania Department of Environmental Protection (PA DEP) by the Brodhead Creek Regional Authority (BCRA) for the proposed joint sewer project for updating the Stroudsburg Wastewater Treatment Plant.
2. A letter from the Brodhead Watershed Association (BWA) requesting financial support from the Borough as an Adopt-A-Stream sponsor for its water quality monitoring efforts. After discussion, Mr. Brozusky made a motion, seconded by Mr. Repsher to donate \$250 to BWA as an Adopt-A-Stream sponsor. The motion carried unanimously.

Reports

Mr. D'Alessandro reviewed his written engineer's report previously submitted to Council. Mr. D'Alessandro noted that yesterday the PennVest Board issued its list of projects that have been approved for PennVest loan financing. The Borough's application for water system improvements was approved for just over \$1.2 million. Mr. D'Alessandro said the Borough is still waiting to hear regarding the application for the same project that the Borough had submitted for funding under the new H2O grant program administered by PA DEP.

Mr. Reese said Foreman Mark Hoke had discussed with him the possibility of restricting truck traffic on the portion of Prospect St. that the Borough has taken back from PennDOT. Mr. Reese said he feels that the Borough should designate Prospect St. between Analomink and Ridgeway Streets as "No Trucks". Truck traffic could be required to use Ridgeway St. since he does not believe that there is any posted weight limit for the iron bridge over the railroad tracks. Mr. DeLarco suggested that Council discuss this item further at the Committee meeting.

Mayor Martinelli noted that the East Stroudsburg Neighborhood Crime Watch will be holding a "final patrol" for Mike Goucher on Tuesday April 29, 2009 and encouraged Council members to attend if possible.

Mr. Henning stated that with the price of oil being lowered, the Borough perhaps should designate additional funds to do road paving this year.

Ashley Puderbach said her sorority sisters at ESU had been cleaning Lincoln Ave., and Forge Road of litter on a regular basis. However, she noted that they had picked up trash this past Saturday and by Monday the road again was looking as if no one had made any effort. Ms. Puderbach also announced that she has been accepted to Graduate School at ESU and she will be able to continue as ESU Student Ambassador to the Borough.

Mrs. Wolbert reported that a Committee including Mr. DeLarco, Mr. Henning, Mr. Phillips and her had met with David Payne of PNC Financial Markets concerning the financing needs for the Borough, particularly in regards to the current new Fire Station project. PNC can provide a proposal to the Borough for bank loan financing or bond financing if needed. Mrs. Wolbert also noted that the Zoning Ordinance Review Committee is having discussions concerning possible changes to required parking provisions for the university within the Borough's zoning requirements.

Mr. Brozusky noted that at least two (2) Council members have indicated that they will not be able to attend next Thursday's scheduled Committee meeting and after discussion, Mr. Brozusky made a motion, seconded by Mr. Repsher to reschedule the

Committee meeting to be held on Tuesday April 28, 2009 at 7:30 p.m. The motion carried unanimously.

Mr. DeLarco asked Mr. Williamson about the status of covenants for the IBW property that the Borough wants to sell. Mr. Williamson said he would have to look up in his files for the draft covenants previously provided by the Pocono Mountains Economic Development Corporation. Mr. DeLarco noted that this past weekend he had seen a woman crossing the orange fence that was down at the handicapped ramp replacement site at Crystal & Washington Streets. Mr. DeLarco asked if the Borough was responsible for reinstalling the protective fence that the contractor has installed? Mr. Phillips said the contractor is responsible; however, if there is a problem the Borough will need to take care of the situation since the contractor's employees are mostly from Schuylkill County. Mr. DeLarco inquired about the pedestrian crossing signs that previously have been in place for the crosswalks on Crystal St. in front of the Dansbury Depot and on Analomink St. near the Loder building senior citizens center? After discussion, Mr. Reese made a motion, seconded by Mrs. Wolbert to direct that a "Yield to Pedestrian" sign be placed on Analomink St. for the crosswalk across Analomink St. between Shirley Futch Plaza and the Loder building as previously has been the practice. The motion carried unanimously. Finally, Mr. DeLarco stated that the Borough should be working on ideas for applications for the gaming funds which can be submitted by the Borough in the late summer of this year.

Mr. Phillips reported that Mark Hoke has checked out the availability of a utility vehicle to be purchased with the PA DEP Flood Protection Grant and Kubota does have a maintenance and utility vehicle available for purchase under the state contract. Mr. Reese made a motion, seconded by Mr. Henning to authorize purchase of the utility vehicle under state contract as recommended. The motion carried unanimously. Mr. Phillips said the Borough has received a request to treat stormwater from the stormwater detention basin at the former truck stop in Bartonsville which is currently being redeveloped. The Developer has submitted an analysis of the stormwater which has been reviewed by Glace Associates, Consulting Engineer for the Borough. The analysis indicates that the Borough should be able to treat the stormwater at its sewage treatment plant without problem. Mr. Henning made a motion, seconded by Mr. Brozusky to authorizing contracting to treat approximately 150,000 to 200,000 gallons of stormwater from the former Bartonsville truck stop facility for a charge of \$0.04 per gallon, as recommended. The motion carried unanimously.

Mr. Phillips said flushing of the Borough water system is scheduled to occur May 5-7, 2009, from approximately 10 p.m. to 2 a.m. Mr. Phillips also noted that he has had an individual who must perform community service work, working at Miller Park cleaning out the flower bed and trimming shrubbery and picking up branches.

Mr. DeLarco reported on the Pennsylvania League of Cities & Municipalities (PLCM) Northeast District meeting which he and Mr. Phillips attended in Carbondale, PA on April 15, 2009.

List of Bills

Mr. Brozusky made a motion, seconded by Mr. Repsher to approve the list of bills payable and to ratify payroll and expenditures made through April 21, 2009 as submitted. The motion carried unanimously.

Executive Session

Mr. Repsher made a motion, seconded by Mrs. Wolbert to adjourn into executive session at 8:55 p.m. The motion carried unanimously.

At 9:12 p.m. Council members reassembled in the meeting room and Mr. Brozusky made a motion to reconvene the public meeting. The motion carried unanimously. Mr. Williamson said the executive session had been held to discuss one (1) litigation matter and one (1) personnel matter.

Real Estate Tax Collector Concerns

Mr. Brozusky made a motion, seconded by Mr. Repsher to direct the Manager to send a letter to Tax Collector Alberta Tallada expressing concerns of Council concerning various issues which have been brought to the attention of the Borough concerning her hours of availability and response times as Tax Collector. Mr. Williamson noted that he had sent Mrs. Tallada a letter concerning the audit for the 2007 Year which he has not heard any response to from Mrs. Tallada. The motion carried unanimously.

Adjournment

With no further business Mr. Reese made a motion, seconded by Mr. Brozusky to adjourn the meeting at 9:17 p.m. The motion carried unanimously.

James S. Phillips, Secretary