

East Stroudsburg Borough, April 7, 2009

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday April 7, 2009. The following members were in attendance: Victor Brozusky; Roger DeLarco; Ed Henning; William Reese; Donald Repsher. Sonia Wolbert was absent. Also attending were: Mayor Armand M. Martinelli; Manager James S. Phillips; Solicitor David J. Williamson of Scanlon Lewis & Williamson; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates Inc.; Maintenance Foreman Mark Hoke; press representatives from the Pocono Record, TV 13; and several residents in the audience.

#### Call To Order/Pledge of Allegiance

Roger DeLarco called the meeting to order at 7:30 p.m. Bob Roman led the Pledge of Allegiance.

#### Minutes of March 17, 2009 Regular Council Meeting

Mr. Reese made a motion, seconded by Mr. Brozusky to approve the minutes of the regular Council meeting held March 17, 2009 as submitted. The motion carried, with Mr. Delarco abstaining.

#### Public Comments – Agenda Items

None

#### Proposed Ordinance No. 1220 Providing for a Money Purchase Pension Plan for Non-Uniformed Employees of the Stroud Area Regional Police Department

Mr. Phillips said the pension plan for non-uniformed employees of the SARPD had never been formally adopted by ordinance, and this ordinance would now do so. There are no changes to the existing pension plan. Mr. Henning made a motion, seconded by Mr. Reese to adopt proposed Ordinance No. 1220 as advertised. The motion carried unanimously.

#### Authorize Advertising for Bid Proposals for Installation of Sewerline Inserts

Mr. Phillips said televising of the sanitary sewer lines identified several sections where slight cracks in the sewer pipe justify the need for installing sleeves to make repairs. Most of these inserts will be installed on the sewer line on East Brown St., which will receive additional flow from the connection into of Smithfield Sewer Authority. Mr. Brozusky made a motion, seconded by Mr. Repsher to authorize advertising for bids for installation of sewerline sleeves as recommended. The motion carried unanimously.

#### Grandview Terrace East and West Subdivision Plans – Request by LTS Development for Release of Development Bonds and Acceptance by Borough of Water/Sewer Lines

Mr. D'Alessandro said his firm has reviewed the as-built plans submitted by LTS Development and had identified several discrepancies between what was indicated on the plans and what was located in the field. Also, an inspection of the improvements identified a number of maintenance issues that should be addressed, such as catch basins that need to be cleaned out, drainage swales where debris needs removed, water curb stops that need to be lowered, etc. Mr. Hoke said that just last week the Borough discovered that there is an apparent waterline leak near where the section of waterline on Grandview St. had been lowered in order to permit the installation of the new sanitary sewer lines from the side streets in the housing plan. A one-call has been submitted which will permit excavation of the water leak this Thursday. Mr. Phillips said the issue of release of development bond and dedication of the utility lines has been going on for some time, and Council can either approve the requests subject to completion of the items identified on the engineer's punch list, or table action again on the matter.

Chris Borger, P.E., of LTS Development was present and requested that Council at least consider release of remaining amounts of the Development Bond posted for the project. After discussion Council decided to take no action on the request for release of the Development Bond and acceptance of the utility lines at this time.

Proposed Ordinance Amending Vehicle & Traffic Code – Revising penalties for Certain Parking Violations and Provisions Regarding Booting of Vehicles

Mr. Phillips reviewed the draft of the proposed ordinance as discussed at the Council Committee meeting. The ordinance will increase the fine for violation of a parking meter from \$4 -\$5, increase the fine for violation of parking requirements from \$15 - \$25, and increase the violation for parking in a fire lane from \$15 - \$50. After discussion, Mr. Reese made a motion seconded by Mr. Brozusky to authorize advertising the proposed ordinance as revised. The motion carried unanimously.

Request for Relocation of Handicapped Parking Sign from 450 to 454 Normal Street

Mr. Phillips said the resident has relocated within the housing authority project from 450 to 454 Normal St. and has requested relocation of the handicapped parking sign. Mr. Henning made a motion, seconded by Mr. Brozusky to approve the request as submitted. The motion carried unanimously.

Authorize Advertising for Bids for Sale of Galion Road Roller and 1979 GMC Dump Truck

Mr. Phillips said Council had already discussed the sale of the used road roller, and in addition we now find that the 1979 GMC dump truck will not pass inspection. Mr. Phillips said we may be able to utilize the dump truck at the golf course as long as it will not be used as an on the road vehicle. After discussion, Mr. Brozusky made a motion, seconded by Mr. Henning to authorize advertising for bids for sale of the used road roller and 1979 GMC truck. The motion carried unanimously.

Authorize Advertising Bid Proposals – Replacement of Curbs on Burson St./Lackawanna Ave.

Mr. Repsher made a motion, seconded by Mr. Reese to authorize advertising for bids for reconstruction of curbs on a portion of Burson St./Lackawanna Ave. Mr. Phillips said he would review with Mr. D'Alessandro preparation of plans needed for this work. 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 2008 Annual Report from the Stroud Region Open Space and Recreation Commission (SROSRC).
2. A copy of the audit of Real Estate Tax Collector Alberta Tallada for 2007 Year prepared by the Monroe County Controllers Office.
3. A letter from the Pennsylvania Department of Environmental Protection (DEP) Bureau of Waterways Engineering, announcing that the Borough's flood protection grant application has been approved for the purchase of a utility vehicle and skid sprayer to enable the Borough to perform its own vegetation control spraying along the levee.
4. A letter from the National Arbor Foundation announcing that the Borough has been again awarded Tree City U.S.A. designation for the 2008 Year.
5. A copy of permit applications by the Brodhead Creek Regional Authority (BCRA) to PA DEP and Delaware River Basin Commission (DRBC) for the

proposed joint sewer project for Stroudsburg Borough, Stroud Township, Pocono Township, and Hamilton Township.

6. A letter from BPOE Elks Lodge 319 requesting approval to park a Drug Awareness Trailer in front of the Elks Lodge on Washington St. on Saturday May 2, 2009 as part of Elks National Youth Week. Mr. Brozusky made a motion, seconded by Mr. Repsher to approve the request as submitted; the motion carried unanimously.
7. A letter from the Dansbury Farmers Market requesting approval to again hold the Farmers Market in the area along the railroad at Miller Park beginning on May 20, 2009 for the summer season. Mr. Reese made a motion, seconded Mr. Brozusky to approve the request as submitted. The motion carried unanimously.
8. A note from Pilar Quizhpi concerning the need for signs on Grandview St. because of speeding traffic. Council directed Mr. Phillips to review this location for the possible addition of "Speed", "No Outlet" and/or "Watch Children" signs.
9. A copy of the 2008 Year Audit Report for the Monroe County Control Center as prepared by Ardito & Co., LLP.

### Reports

Mr. Repsher noted that the Stones Throw Property Owners Association has requested the Borough maintenance crew remove some brush that is located between the Stones Throw property and the Zacharias Pond Park property owned by the Borough.

Mr. Brozusky noted that the Stroud Area Regional Police Department had responded in his neighborhood concerning an injured deer that wandered in the area and had to be put down.

Mr. D'Alessandro reviewed his written engineer's report previously submitted.

Mr. Reese noted that there is a lot of litter again along Lincoln Avenue past Wal\*Mart and Pocono Plaza, even though one of the sororities at ESU has recently held litter pickup in this area.

Mr. Henning asked about the status of the stormwater issue involving the Summa property? Mr. Phillips said that he had spoken to the Summa neighbor Peter Irracane, today and he and Mr. D'Alessandro are meeting him at his property on Wednesday afternoon.

Mr. DeLarco noted that he had spoken with Debra Rojas concerning the condition of East Fifth Street and the ownership issues involved there. Mr. DeLarco said the Eastburg Community Alliance (ECA) has requested a "moratorium" on parking enforcement on May 16, 2009 which is the day for Books, Brushes and Blooms event sponsored by the ECA and also the Black Maria Film Festival to be held at Pocono Cinema. Mr. Henning made a motion, seconded by Mr. Repsher to approve the request regarding parking enforcement as submitted; the motion carried unanimously. Finally, Mr. DeLarco said he had discussed with Steven Washington of ECA the possibility of the Borough providing an area where local residents could have a community garden. Mr. DeLarco said the logical location would be Miller Park because of its proximity to the Downtown but there could be other issues involved there. Mr. Hoke suggested an area at Dansbury Park between the tennis and basketball courts and the baseball field where the existing fence could be utilized. Mr. Brozusky suggested another area at Dansbury Park near the skate park and Mr. Henning suggested that Mr. DeLarco choose one of those areas since he is an "expert" horticulturist.

### List of Bills

Mr. Reese made a motion, seconded by Mr. Brozusky to approve the list of bills payable subject to one change regarding an error on the invoice amount from Robert Maskery, Esq., and to ratify expenditures and payroll made through April 7, 2009 as submitted. The motion carried unanimously.

### Executive Session

Mr. Brozusky made a motion, seconded by Mr. Repsher to adjourn into executive session at 8:34 p.m. The motion carried unanimously.

At 9:05 p.m. Council members reassembled in the meeting room and Mr. Repsher made a motion, seconded by Mr. Reese to reconvene the public meeting. Mr. Williamson said the executive session had been held to discuss real estate matters involving the former IBW property and the new fire station project, a litigation matter regarding a tax assessment appeal by Northfork Southern Railroad, and a personnel matter involving the evaluation process for Manager James S. Phillips. The motion carried unanimously.

### Bid Proposals for Purchase of Utility Vehicle

Mr. Repsher made a motion, seconded by Mr. Brozusky to authorize advertising for bid proposals for purchase of a utility vehicle to enable spraying of the flood control levee. The motion carried unanimously.

### Renewal of Agreement with Suburban EMS for Designation as Primary EMS Provider in Borough

Mr. Phillips said Suburban EMS has provided a draft agreement which would extend the designation of Suburban as primary EMS responder for East Stroudsburg Borough, Stroudsburg Borough, and Stroud Township. Mr. Henning asked if there are any other EMS providers who could perform this service? Mr. Phillips said no, not at this time and Suburban has provided much needed stability in the area of EMS services for the Stroud Region since their designation as the primary provider. Mr. Henning then made a motion, seconded by Mr. Reese to authorize renewal of the agreement with Suburban EMS in the manner needed as recommended by the Solicitor. The motion carried unanimously.

### Adjournment

With no further business, Mr. Reese made a motion, seconded by Mr. Brozusky to adjourn the meeting at 9:08 p.m. The motion carried unanimously.

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James S. Phillips, Secretary