

East Stroudsburg Borough, February 3, 2009

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday February 3, 2009. The following members were in attendance: Victor Brozusky, Roger DeLarco, Ed Henning, Donald Repsher and Sonia Wolbert. William Reese was absent. Also attending were: Manager James S. Phillips; Solicitor David J. Williamson of Scanlon, Lewis & Williamson; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; ESU Student Ambassador Ashley Puderbach; a press representative from the Pocono Record; and several residents in the audience.

Call To Order/Pledge of Allegiance

Mr. DeLarco called the meeting to order at 7:30 p.m. Kevin Conroy led the Pledge of Allegiance.

Minutes of January 20, 2009 Regular Council Meeting

Mr. Brozusky made a motion, seconded by Mr. Henning to approve the minutes of the regular Council meeting held January 20, 2009, as submitted. The motion carried unanimously. Mr. Phillips noted that a special joint meeting had been advertised and held on January 27, 2009 between Borough Council, Stroud Area Regional Police Commission, Stroudsburg Borough Council, Stroud Township Supervisors, and Middle Smithfield Township Supervisors. However, there was no action taken at that meeting as the entire meeting was a presentation by SARPD Police Chief John Baujan concerning the possible expansion of the Regional Police Department to include Middle Smithfield Township.

Proclamation for "Peace Corps Week" February 23 – March 2, 2009

Mr. Phillips read a proclamation received from Mayor Martinelli and put in form of a resolution proclaiming the week of February 23-March 2, 2009 as "Peace Corps Week" in East Stroudsburg Borough. Mr. Henning made a motion, seconded by Mr. Brozusky to approve proposed Resolution No. 6-2009 as submitted. The motion carried unanimously.

Public Comments – Agenda Items

None

Report on Bids Received 02/03/09 for Purchase of Chemicals

Mr. Phillips received the calculation of bids opened and received today for various chemicals used at the Boroughs water filtration plant, sewage treatment plant and swimming pool. Mr. Phillips said that he has noted the apparent low bidders but he wants to review the bids further to determine whether to recommend award of contracts for one (1), two (2) or three (3) years for various chemicals based on the prices received. Mrs. Wolbert made a motion seconded, by Mr. Repsher to table action on the bids received. The motion carried unanimously.

Bidders	Bid Bond	Chlor. Liq.	Chlor. Gas	Zinc	Carbon 40 Lb	Sodium Bulk	Sodium 15 Gal	Caustic Soda	Aquamag 30 gal drum	Polyalum. Chloride
Univar USA	10%	\$58.88 58.88* 62.80*	\$ 38.40 38.40 42.40	\$198.50* 208.50* 224.00*	\$ 89.40 93.75* 101.40*		\$ 30.90 C 39.00 C 42.50 C		\$ 110.35 C* 116.37 C* 125.73 C*	
Kuehne Chem.	None		\$ 150.00 150.00 150.00							
Coyne	10%			\$207.19 A 227.91 A 250.70 A	\$ 104.55 B 115.00 B 126.50 B				\$ 127.72 140.50 154.55	\$39.25 * 40.50 * 41.80*
Main Pool	10%	\$58.88	\$42.50			\$14.90*	\$29.00*	\$32.90*		

Bidders	Bid Bond	Chlor. Liq.	Chlor. Gas	Zinc	Carbon 40 Lb	Sodium Bulk	Sodium 15 Gal	Caustic Soda	Aquamag 30 gal drum	Polyalum. Chloride
JCI Jones	10%	\$66.667	\$37.50*							
		66.667	37.50*							
		66.667	37.50*							

*Apparent Low Bidder
A Quoting on CP 767D
B Quoting on Hydradarco B
C Quoted Per Gallon

Resolution No. 7-2009 Accepting Dedication of Water/Sanitary Sewer lines in Grandview Terrace East/West Subdivision Plans

Mr. Phillips said LTS Development, LLC has requested that the Borough accept dedication of the water/sewer lines in the new housing plans located off of Grandview St. and Council had agreed to release the remaining amount of the development bonds posted for the subdivisions subject to review and approval of the as-built plans. Mr. D'Alessandro said his office has reviewed the as-built plans submitted and found about twenty (20) items that need addressed; such as stormwater plan changes, changes to the Med Ed easement affecting several lots in the recorded plan, questions concerning locations were the sanitary sewer lines apparently cross the water line, a missing fire hydrant, and no certification provided by the developer's engineer. After discussion, Mr. Henning made a motion, seconded by Mrs. Wolbert to table action on the request for dedication of water and sanitary sewer line facilities and release of development bonds. The motion carried unanimously.

Report on Request for Proposals (RFP) Received for Community Development Consulting Services for CDBG Program

Mr. Phillips said in response to the Borough's RFP three (3) proposals were received for CDBG Consulting Services. Upon his review of the proposals the recommendation is to award a contract to Mullin & Lonergan Associates, Inc. for CDBG Consulting Services for the next three year period. Mr. Brozusky made a motion, seconded by Mr. Repsher to accept the proposal from and award a contract to Mullin & Lonergan Associates, Inc., as recommended. The motion carried unanimously.

Proposed Ordinance Amending Chapter 73 of the East Stroudsburg Code Establishing Building Fees and Authorizing Amendments Thereto by Resolution of Council

Mr. DeLarco noted that Council had discussed these building permit fee increases at the Committee meeting. Mr. Henning made a motion, seconded by Mr. Brozusky to authorize advertising a proposed ordinance to amend Chapter 73 Establishing Building Fees as indicated. The motion carried unanimously.

2009 Year Monitoring Work at Two Joint Municipal Landfill Sites

Mr. Phillips said R.K.R. Hess Associates, Inc. has submitted a proposal to continue performing monitoring and reporting work for the two joint municipal landfill sites owned by East Stroudsburg Borough, Stroudsburg Borough and Stroud Township. Mr. Phillips said he had sent a note to the other two municipalities and Stroud Township Supervisors have already responding indicating their assent to having R.K.R. Hess continue to do the work this year. After discussion, Mr. Henning made a motion, seconded by Mr. Brozusky to authorize R.K.R. Hess Associates, Inc. to continue the monitoring work at the landfill sites for the 2009 year. The motion carried unanimously.

Participation in Municipal Utility Alliance Electricity Procurement Proposals

Mr. Phillips said the Municipal Utility Alliance (MUA) formed through the Pennsylvania League of Cities and Municipalities (PLCM) is undertaking to receive proposals for the joint

purchase of electricity, in response to the anticipated major increase in electric rates that will come about within the PPL power service area due to the end of regulated rates in 2010. After discussion, Mr. Brozusky made a motion, seconded by Mr. Henning to authorize participation in the MUA procurement process as recommended by Mr. Phillips. The motion carried unanimously.

Request by Manager James S. Phillips to Attend Annual PELRAS Conference at State College March 25-27, 2009

Mr. Henning made a motion, seconded by Mr. Repsher to authorize Manager James S. Phillips to attend the Public Employment Labor Relations Advisory Service conference at State College, PA March 25-27, 2009, with reimbursement of travel expenses in accordance with Borough policy. The motion carried unanimously.

Authorize Filing of Application for Grant Funds under PA H2O Program

Mr. Phillips reviewed with Council a spreadsheet showing the possible proposed projects that the Borough is considering submitting applications for under the new H2O Program to be administered by the Commonwealth Financing Authority. Each application requires a separate resolution by Council along with a \$100 application fee. Mr. D'Alessandro reviewed the project applications as follows:

East Stroudsburg Dam & Reservoir Improvements. Mr. Henning made a motion, seconded by Mrs. Wolbert to approve proposed Resolution No. 8-2009 authorizing this application. The motion carried unanimously.

Middle Dam Spillway Improvements. Mr. Brozusky made a motion, seconded by Mr. Repsher to approve proposed Resolution No. 9-2009 authorizing this application. The motion carried unanimously.

Sanitary Sewerline System Improvements. Mr. Brozusky made a motion, seconded by Mr. Repsher to approve proposed Resolution No. 10-2009 authorizing this application. The motion carried unanimously.

Water Distribution System Improvements. Mr. Henning made a motion, seconded by Mr. Brozusky to approve proposed Resolution No. 11-2009 authorizing this application. The motion carried unanimously.

New Fire Station Construction Project. Mr. Brozusky made a motion, seconded by Mr. Repsher to approve proposed Resolution No. 12-2009 authorizing this application. The motion carried unanimously.

Little Sambo Creek Stormwater Improvements. Mr. Repsher made a motion, seconded by Mr. Brozusky to approve proposed Resolution No. 13-2009 authorizing this application. The motion carried unanimously.

Mr. Henning asked what are the prospects of getting any of these projects funded? Mr. Phillips said DEP Dam & Water Management Staff has indicated that the Borough should receive priority for funding for the work required at the East Stroudsburg Dam and Middle Dam because the dams are considered "unsafe" due to their spillways not being able to pass the "probable maximum flood" event.

Public Comments – New Business

None

Correspondence

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

1. A letter from the Pennsylvania Public Utility Commission (PUC) announcing a final inspection of alterations to the Forge Road Grade Crossing will be held Friday February 6, 2009 at 10:30 a.m.
2. A letter from the Stroud Region Open Space & Recreation Commission (SROSRC) announcing the proposed Levee Loop Annual Fitness Festival (LAFF) event at Dansbury Park to held on June 6, 2009 and requesting approval for use of Dansbury Park for that event. Mr. Henning made a motion, seconded by Mrs. Wolbert to approve the request. The motion carried unanimously.
3. A copy of the inspection report for the Gregory Pond Dam from the Pennsylvania Department of Environmental Protection (DEP).
4. Registration materials from the Pennsylvania State Association of Boroughs (PSAB) for the annual conference to be held March 22-25, 2009 at Hershey Lodge.
5. A letter from the Monroe County Conservation District (MCCD) requesting funding for maintenance and operation of the Pocono Creek Stream Gauge.
6. A copy of the Act 537 Sewage Plan prepared by Reilly Associates for the proposed expansion of the Stroudsburg Borough Sewage Treatment Plant to service the Stroudsburg Borough, Stroud Township, Pocono Township and Hamilton Township area.

Reports

Mr. D'Alessandro reviewed his written engineer's report previously submitted to Council. Mr. D'Alessandro noted that URS Engineers have prepared a proposed work plan for additional investigative work at the East Stroudsburg Dam. Mr. Brozusky made a motion, seconded by Mr. Repsher to authorize URS to submit the work plan to PA DEP for its approval. The motion carried unanimously.

Mrs. Wolbert reminded Council members to come up with possible volunteer projects for the betterment of the Borough.

Mr. Phillips reported that he and Codes Officer John Blick had met with representatives of the engineering firm working on plans for the new residence halls to be constructed on the East Stroudsburg University campus. Mr. Phillips also reported that Hometown Press will be contacting local business concerning advertising in the next issue of the Borough's newsletter which we hope to issue in April.

Mrs. Wolbert asked about parking standards in regards to the new dormitories proposed by ESU and whether the Zoning Ordinance Review Committee will be looking at the issue of the proximity of parking to new facilities on campus?

Mr. Williamson reported that Agnes Diehl who is in attendance at the meeting tonight owns three (3) lots on East Broad Street; she wants to combine two of these lots into one new Tax ID number in order to make it a buildable lot. Mr. Williamson noted that at 75 ft wide she would still have to obtain approval from the Zoning Hearing Board to utilize this lot since it would still be non-conforming as to width. After discussion, Council members agreed that they had no problem in assisting Ms. Diehl to obtain a separate Tax ID number for the two lots but she would still have to pursue the issue of non-conforming width through the Borough Zoning Hearing Board.

List of Bills

Mr. Brozusky made a motion, seconded by Mr. Repsher to approve the list of bills payable and to ratify expenditures and payroll made through February 3, 2009 as submitted. The motion carried unanimous.

Executive Session

Mr. Henning made a motion, seconded by Mrs. Wolbert to adjourn into executive session at 8:36 p.m. The motion carried unanimously.

At 8:55 p.m. Council members reassembled in the meeting room and Mrs. Wolbert made a motion, seconded by Mr. Repsher to reconvene the public hearing. The motion carried unanimously. Mr. Williamson reported that the executive session had been held to discuss a

litigation matter and a real estate matter concerning the proposed easement across the Borough's Terra Greens Golf Course property for a gas line installation.

Proposed Easement Agreement for Natural Gas Line Installation Across Terra Greens Property

Mr. Repsher made a motion, seconded by Mr. Brozusky to table action on this matter. The motion carried unanimously.

Resolution No. 14-2009 Establishing Compensation & Duties of elected Real Estate Tax Collector Position for 2010-2013 Term of Office

Mr. Henning made a motion, seconded by Mr. Brozusky to approve proposed Resolution No. 14-2009 as submitted. The motion carried unanimously.

Adjournment

With no further business, Mrs. Wolbert made a motion, seconded by Mr. Repsher to adjourn the meeting at 9:02 p.m. The motion carried unanimously.

James S. Phillips, Secretary