

East Stroudsburg Borough, January 19, 2010

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday January 19, 2010. The following members were in attendance: Victor Brozusky; Roger DeLarco; William Reese; Donald Repsher and Sonia Wolbert. Ed Henning 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.; ESU Student Ambassador Ashley Puderbach; Lt. Brian Kimmins of the Stroud Area Regional Police Department; and two residents in the audience.

Call To Order/Pledge of Allegiance

Mr. DeLarco called the meeting to order at 7:35 p.m. Mark Hoke led the Pledge of Allegiance.

Minutes of January 4, 2010 Reorganization and Regular Council Meeting

Mr. Brozusky made a motion, seconded by Mr. Repsher to approve the minutes of the January 4, 2010 meetings as submitted. The motion carried unanimously.

Annual State of the Borough Address – President DeLarco

Mayor, Council, Staff, East Stroudsburg residents, friends, guests and the press:

I am honored to report on the State of the Borough, on this 19<sup>th</sup> day of January 2010. The following will be a brief review of Borough accomplishments during the past year, and also touch on future plans and goals for the Borough in 2010 and beyond.

2009 was a difficult year for the national economy as well as for the Poconos. New construction is still occurring in the Borough, but mostly at our major non-profit institutions. East Stroudsburg University has submitted plans for constructing its first new residential campus housing in the Borough in over 30 years. East Stroudsburg Area School District is finishing work on the \$90 million major expansion and renovations to the East Stroudsburg South High School complex. And, Pocono Medical Center is planning a major expansion of the Dale and Frances Hughes Cancer Center on East Brown St. across from the medical center. ESU and PMC officials are working with the Borough to address infrastructure issues related to these major projects such as parking and traffic.

As Chairman of the Stroud Area Regional Police Commission I would like to note that the Regional Police Department has also been affected by the economy via the limited revenues available to the member municipalities. The Police Commission adopted a 2010 budget that had unproportional increases in pension fund costs due to the crisis in the financial markets, substantial increases in employee medical insurance costs and contractual costs. This resulted in a reduction in the compliment of officers. The possibility of expanding the service area of the regional police department to include Middle Smithfield Township was eliminated from consideration in 2009 due to a lack of commitment from the Township Supervisors.

In the area of finances, Borough Council had to take the tough step to increase the General Fund real estate tax millage rate for the first time since 1996. The last tax action by council was in 2003 and that was to decrease property taxes. The purpose of this increase is in part to offset the police municipal contribution increase and the cost of the new fire station. The solid waste garbage fee will remain at the same rate for 2010 despite a slight contract increase with the new contract in effect with Waste Management of PA. Council has also agreed to implement a water rate increase in 2010 to fund future infrastructure improvements, including the current \$1 million waterline replacement project and an estimated cost of \$4.7 million for rehabilitation of the East Stroudsburg

Dam. The Borough was awarded a \$3.59 million grant through a competitive application process to pay for 80% of the proposed dam rehabilitation.

In 2009 the Borough completed the long awaited street lighting and pedestrian safety improvements planned for the downtown area. Installation of new decorative street lighting and upgrading of several downtown crosswalks was completed in late Spring; in addition, new handicapped ramps were reconstructed according to new PennDOT requirements without any additional funding from PennDOT.

The Borough also finished paving of the portion of Prospect Street under the Turnback Agreement with PennDOT to "take back" this section of road between Analomink and Ridgeway Sts.; this time with some additional funding provided by PennDOT for that purpose. The new traffic signal at Normal and Prospect Sts. also was placed into service this past Fall.

In 2009 the Borough again co-sponsored with the Eastburg Community Alliance the seventh annual "American Freedom Festival" at Dansbury Park on July 4<sup>th</sup>. Plans are underway for another fantastic festival this 4<sup>th</sup> of July as it has become a "must-attend" event.

In 2009 Council awarded the construction contracts for the \$2.8 million new fire station on Chestnut Street. Work is proceeding and was about 50% complete by the end of the year. The Fire Company and Borough are planning on moving into the new facility by early summer.

A new environmental issue has surfaced in the clean-up of the former IBW industrial site that has been undergoing remediation. We are hopeful this new issue can be addressed and sale of this property can occur in 2010 to create new job opportunities within the Borough.

This past year the borough completed the first full year of required inspections to obtain a certificate of occupancy upon sale of a property. The goal of this program is the long-term upgrade of the Borough's housing stock which will ultimately increase market values for the entire borough.

The official opening of the renovated Day St. Community Center was held in April 2009, at the site of our former Borough police station. This culminated a coordinated effort by the Borough, Stroud Region Open Space and Recreation Commission and its Friends Group, and countless volunteers and local organizations, to bring this project to a reality. Special mention should go to ESSA Bank & Trust Foundation which provided \$50,000 in funding for the project.

East Stroudsburg is fortunate to have competent and dedicated employees and professional staff who are able to administer the wide range of services provided by the Borough.

We are also fortunate to have a Mayor and Council who are able to work together, along with a large number of volunteers serving on boards and commissions, to make East Stroudsburg a better community for all its residents.

And now a brief look at future plans and goals for 2010:

Organizations summarize goals and objectives into a mission and vision statement. I would like to develop with the council, mayor and stakeholders a vision and mission statement for the Borough of East Stroudsburg. The purpose of which is to define the fundamental purpose of the borough and outline the vision for the future and be a source of inspiration.

The Borough's Housing Advisory Committee was recently formed and will continue to meet this year; the purpose of which is to assist with promoting and preserving residential housing in East Stroudsburg. The ad-hoc committee consists of representatives from the council and residents. The goal of the committee is to review

existing zoning ordinances, address any impact of rental properties on owner-occupied residential neighborhoods and conclude by issuing a report for Council's consideration.

Smithfield Township will be connecting its new sewerline in 2010 which will convey a portion of the township's sewer flow to the Borough waste water treatment plant under the 2004 Agreement with the Borough. Sewage fees received by the Borough will fund replacement of a portion of the Borough's main interceptor sewer that runs parallel between the railroad and Braeside Avenue. Smithfield Township is also looking at running a larger force main directly to the East Stroudsburg Sewage Treatment plant to handle additional sewage flow, from the proposed "Wall Street West" business complexes and other commercial development planned in Smithfield, if agreement can be reached for additional capacity at our Treatment Plant.

And finally I will note several major challenges and opportunities facing the future of East Stroudsburg:

The current state of the economy will renew interest in work, life, shop and play without long drives. The availability of rail service, as well as the mix of commercial and residential zoning, will make East Stroudsburg more attractive. The passenger rail service plan includes a stop in East Stroudsburg and with this will come additional traffic and parking issues to the Borough's infrastructure. We should continue to lobby our state and federal officials for their assistance in the construction of a parking deck and infrastructure upgrades necessary to meet the needs and demands dictated by this future.

East Stroudsburg's last comprehensive planning and zoning review is twenty years old and it is obvious that the Comprehensive Plan needs to be reviewed and updated. Due to the positive quality of life created by the services we provide and the demand created by our excess water and sewer capacities, we should carefully review current land uses. We need to find creative ways to offset infill and redevelopment in the borough so as to create a character that will fit the needs of our residents.

East Stroudsburg will need to find innovative ways to stimulate economic revitalization and job creation in and for our community. We must also open to creative methods of fostering economic development. Council will need to work in tandem with other public agencies to enhance our quality of life, provide quality job opportunities to our citizens, and coordinate and plan economic development in East Stroudsburg.

Thank you, and God bless East Stroudsburg!

Respectfully submitted,

Roger L. DeLarco, President  
East Stroudsburg Council  
January 19, 2010

#### Stroud Area Regional Police Department Report

Lt. Brian Kimmins reported that information provided by the Departments Detectives led to the arrest of the individual in Florida who was allegedly responsible for several bank robberies in this area, as well as an additional bank robbery in Florida.

#### Public Comments – Agenda Items

None

#### Authorize Advertising for Bid Proposals for Chemicals

Mr. Phillips noted that the Borough had received proposals for multi-year contracts for chemicals this time last year; however contracts were awarded to vendors for sodium hypochlorite and caustic soda for only a one year period, therefore we need to receive proposals for these chemicals for the next contract period. Mr. Repsher made a

motion, seconded by Mr. Brozusky to authorize advertising for bid proposals for the chemicals as recommended. The motion carried unanimously.

#### Schedule Public Hearing on Community Development Needs of the Borough – Possible Use of CDBG Funds

Mr. DeLarco noted that this is an annual hearing that is held by Council for the possible uses of Community Development Block Grant (CDBG) funds. Mr. Phillips suggested holding a hearing at the second meeting in February. Mr. Brozusky made a motion, seconded by Mr. Repsher to authorize to schedule the public hearing to be held on February 16, 2010 as recommended. The motion carried unanimously.

#### Resolution No. 5-2010 Reappointing Roger DeLarco to the Stroud Area Regional Police Commission

Mr. Brozusky made a motion, seconded by Mrs. Wolbert to adopt proposed Resolution No. 5-2010 reappointing Roger DeLarco to a new three (3) year term on the Stroud Area Regional Police Commission expiring December 31, 2014. The motion carried unanimously.

#### Resolution No. 6-2010 Agreement with ICMA Retirement Corporation

Mr. Phillips said for Borough employees to participate in the Section 457 Deferred Compensation Plan administered by the International City Management Association (ICMA) Retirement Corporation, Council must approve a resolution for such agreement. Mr. Williamson said he had reviewed the agreement which is standard. Mr. Brozusky made a motion, seconded by Mr. Repsher to adopt proposed Resolution No.6-2010 approving the agreement with ICMA-RC 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 audit of the Twin Boroughs Recycling Program fund for the 2008 Year as prepared by Kirk Summa and Co., LLP.
2. A letter from Hayward Laboratories, Inc. concerning their acceptance of the Boroughs proposal concerning surcharge and penalties due by the firm for the first six month period of the 2009 year.
3. A letter from Northeast Pennsylvania Alliance (NEPA) approving a \$4,113 Grant to the Borough for conversion of two traffic signals in the Borough to LED's.
4. A letter from Edward Henderson of Penn Estates concerning the issue of potholes in the private road located between Eagle Glen Plaza and Eagle Valley Mall.
5. A letter from Pennsylvania Department of Economic & Community Development (DCED) concerning the Boroughs ineligibility for further DCED funds until an acceptable audit is submitted by the Borough for main street funds received by the Borough for the 2004-2009 years time period.
6. Mayor Martinelli submitted a letter from Monroe County Conservation District requesting funding for the Pocono Creek Stream Gauge.

#### Reports

Mayor Martinelli questioned the waterline construction work on Analomink St. and whether the contractor or the Borough is responsible for maintaining the trench areas on Analomink St? Mr. Phillips said the contractor is responsible for maintaining the road in a safe manner. However, the Borough crews did have to come out last Sunday night in order to repair the road due to a washout that occurred due to the rainstorm.

Mrs. Wolbert reported on the meeting held between the Borough and representatives of MEA Inc., and Pocono Mountains Economic Development Corporation (PMEDC) concerning the status of the remediation work at the former IBW property. Mrs. Wolbert said MEA has estimated that the additional soil vapor remediation work could cost up to \$180,000. In addition Chuck Leonard of PMEDC has estimated that demolition of the existing buildings could cost anywhere from \$600,000 to \$1.5 million. Mr. DeLarco commented that the Borough needs to get creative concerning options for finding buyers for the IBW property.

Mrs. Wolbert also reported on the Friends of SROSRC event which was held at "Liquid" last Tuesday January 12, 2010.

Mr. Repsher reported that the depression on North Courtland St. still has not been touched by PennDOT.

Mr. Brozusky noted that he has noticed student housing all over the Borough not just in areas close to the university camps.

Mr. Phillips reported that Stroudsburg Borough is looking at the possible refinancing of its 2005 bond which in turn had refinanced the 2001 bond issued which financed the construct of the Regional Police Department Headquarters, as well as other projects from Stroudsburg Borough. Mr. Phillips said the Borough intends to take proposals and will refinance if a loan rate is obtained to make the refinancing worthwhile. Mr. Phillips also reported on a recent situation involving a duplex on Centre St. where pipes froze in one half of the building but the water could not be shut off to just the one side of the house because the owner could not be located; water had to be also shut off to the other side of the house that was occupied. Mr. Phillips commented that this might be a situation that the Borough might want to include in inspections that are required when a property changes hands in order to eliminate this kind of situation by requiring that each residence have its own service lateral.

Mr. DeLarco commented that a constituent had recently discussed with him the changing nature of the Starbird, Hallet neighborhood and suggested that perhaps a zoning overlay district could be created to permit some commercial uses in the area.

Mr. Williamson reported that he had attending the last meeting of the Adhoc Housing Committee and the Committee members may be requesting the Council consider adopting ordinance such as one that would prohibit parking in the front yards of residences.

Mr. Reese asked if there was anything new concerning the rebuilding of Dansbury Deport Restaurant? Mr. Phillips stated that Peter Andrews, owner of the restaurant has indicated that he is still trying to reach settlement with his own insurance company. Mr. Reese noted that there is still an issue on Lincoln Avenue at the driveway into Wal\*Mart near the garden center where cars make improper left turns because there is no sign there prohibiting such turns. Mr. Reese asked about the status of the ordinance to adopt the water rates and Mr. Phillips advised that he is trying to finalize the rewrite of the entire Chapter 154 Water Code which incorporates the new water structure and rate increases. Finally, Mr. Reese reported that the Twin Boroughs Recycling Committee is trying to address the staffing issue at the Center while the Stroudsburg employee off on disability is not available for work.

Ashley Puderbach reported that she will be again advertising the Adopt-A-Street program on campus in hopes of getting additional groups to take on the cleanup of streets within the Borough.

Mr. D'Alessandro reported on his written engineer's report previously submitted to Council. Mr. D'Alessandro noted that his office will be drafting a letter for Mr. Phillips signature to be sent to the Monroe County Conversation District requesting a quick review of the erosion and sedimentation control plan submitted for the rehabilitation work at the East Stroudsburg Dam site.

### List of Bills

Mr. Brozusky made a motion, seconded by Mr. Reese to approve the list of bills payable and to ratify expenditures and payroll made through January 19, 2010. The motion carried unanimously.

### Executive Session

Mr. Brozusky made a motion, seconded by Mrs. Wolbert to adjourn into executive session at 8:42 p.m. The motion carried unanimously.

At 9:01 p.m. Council members reassembled in the meeting room and Mr. Brozusky made a motion, seconded by Mrs. Wolbert to reconvene the public meeting. The motion carried unanimously. Mr. Williamson reported that the executive session had been held to discuss two personnel matters.

### Resolution No. 7-2010 appointment to Shade Tree Commission

Mr. Brozusky made a motion, seconded by Mr. Reese to adopt proposed Resolution No. 7-2010 appointing Maria Cohen to the balance of a five (5) year term on the Borough Shade Tree Commission, to fill an existing vacancy on the Commission. The motion carried unanimously.

### Schedule Earlier Meeting Time for Council Committee Meeting on January 28, 2010

Mrs. Wolbert made a motion, seconded by Mr. Brozusky to authorize scheduling and advertising the Council Committee/Work Session meeting of on January 28, 2010 to begin at 7:00 p.m. The motion carried unanimously.

### Adjournment

With no further business Mr. Brozusky made a motion, seconded by Mrs. Wolbert to adjourn the meeting at 9:05 p.m. The motion carried unanimously.

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James S. Phillips, Secretary