

East Stroudsburg Borough, January 6, 2009

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday January 6, 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, Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates Inc.; and several residents in the audience.

Call To Order/Pledge of Allegiance

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

Minutes of December 17, 2008 Regular Council Meeting

Mr. Repsher made a motion, seconded by Mr. Brozusky to approve the minutes of the rescheduled regular Council meeting held December 17, 2008, a submitted. The motion carried unanimously.

Public Comments – Agenda Items

Eugenia Eden of 233 East Broad Street thanked Council for sprucing up the downtown with the new lights. Mrs. Eden said she was here tonight because of concerns she has for enforcement of zoning codes in her R-1 neighborhood. Mrs. Eden noted that there is a rental house across the street from her housing multiple college students in violation of zoning. Mrs. Eden said her main concern is for lost property values in her neighborhood if this situation spreads.

Beverly Treible of 231 East Broad Street said she was here tonight because she is also concerned for her neighborhood.

Mr. Reese said the Borough does prosecute for violations of its zoning and he was at a hearing just the past Friday where a landlord was found in violation and must pay a hefty fine and student tenants were evicted. Mr. DeLarco noted that the Borough recently passed requirements for obtaining a certificate of occupancy upon sale of a property. Mr. Henning asked Mrs. Eden if she had filed a formal complaint with the Codes Officer? Mrs. Eden said she had reported this matter to Mr. Blick in the fall.

Mr. DeLarco noted that he had provided to Mr. Blick sometime ago copies of ordinances used by Haverford Township to regulate the location of rental housing units within the community. Mr. Henning said one issue he sees is that the Borough does not allow more than two unrelated individuals to live anywhere within the Borough; maybe the Borough needs to permit this in zoning districts other than the R-1 District. Mrs. Eden thanked Council for addressing this situation in the future.

Kevin Conroy of 333 Greentree Drive noted that with tonight's inclement weather the slight hill going up Greentree Drive from the end of Prospect St. is often very slick and hopefully the Borough road crew will get there early.

Appointment of CPA to Conduct 2008 Year Audit

Mr. Henning made a motion, seconded by Mr. Brozusky to appoint Ardito & Co., LLP to conduct the required audit for the 2008 Year and preparation of the Comprehensive Financial Report for the Borough. The motion carried unanimously.

Resolution No. 1-2009 Appointment to SROSRC

Mr. Henning made a motion, seconded by Mr. Reese to approve proposed Resolution No. 1 -2009 reappointing James Phillips to a new three (3) year term expiring

12/31/2011 on the Board of the Stroud Region Open Space and Recreation Commission. The motion carried unanimously.

Resolution No. 2-2009 Appointment to Zoning Hearing Board

Mr. Reese made a motion, seconded by Mr. Henning to approve proposed Resolution No. 2-2009 Reappointing Frank Summa to a new five (5) year term expiring 12/31/2013 on the Borough Zoning Hearing Board. The motion carried unanimously.

Resolution No. 3-2009 Appointments to Recreation Board

Mr. Brozusky made a motion, seconded by Mr. Repsher to approve proposed Resolution No. 3-2009 reappointing Horace Cole and Mike Wolbert to new three (3) terms expiring 12/31/2011 on the Borough Recreation Board. The motion carried unanimously.

Resolution No. 4-2009 Proclaiming Martin Luther King Jr. Equality Week

Mr. Repsher made a motion, seconded by Mr. Brozusky to approve proposed Resolution No. 4-2009 Proclaiming January 18-24, 2009 as Martin Luther King Jr. Equality Week in the Borough of East Stroudsburg. Mr. DeLarco read the resolution. The motion carried unanimously.

Bid Proposals for Construction/Renovation of New Fire Station Facility

Mr. Phillips reported that Architect John Schoonover is near completion of the plans for the new fire station facility in a portion of the former Cooper Industries building off of Chestnut Street. Mr. Henning made a motion, seconded by Mr. Brozusky to authorize advertising for bid proposals for construction/renovation of the new fire station facility; with a potential bid opening date for mid February. The motion carried unanimously.

Bid Proposals for Purchase of Chemicals

Mr. Phillips said the current contracts are expiring for purchase of various chemicals and supplies for the Borough's Water Filtration Plant, Sewerage Treatment Plant and swimming pool and we need to solicit proposals for new three (3) year contracts. Mr. Reese made a motion, seconded by Mr. Repsher to authorize advertising for bid proposals for purchase of chemicals as recommended. The motion carried unanimously.

Bid Proposals for Contracted Disposal of Sludge from Water Plant & Sewer Plant

Mr. Phillips said the existing contracts are also expiring for sludge removal at the water filtration plant and sewage treatment plant. Mr. Repsher made a motion, seconded by Mr. Brozusky to authorize advertising for bid proposals for new three (3) year contracts for disposal of sludge from the plants as recommended. The motion carried unanimously.

Proposed Ordinance Adopting SARPD Non-Uniform Employees Pension Plan

Mr. Phillips said the three municipalities that make up the Stroud Area Regional Police Department (SARPD) must adopt the non-uniform pension plan document for the Police Department by ordinance, in the same manner as was done for the Police Pension Plan recently. Mr. Brozusky made a motion, seconded by Mr. Reese to authorize advertising a proposed ordinance as recommended; upon receipt of the proposed ordinance from SARPD Solicitor. The motion carried unanimously.

Public Comments – New Business

Mr. & Mrs. DeNora of 72 N. Green St. were present concerning the issue of no night parking on North Green St. and Sopher St. Mary DeNora said they live at the

corner of Sopher St. and N. Green St. and have no driveway. They park their cars in the yard which is not very attractive but they have no other alternative. Mr. Henning said the residents have spoken to him about this issue. Mr. Reese asked if they could install a driveway in the rear yard to park their vehicles? Mr. DeNora indicated yes that is possible but they would have no yard left at all then. Mr. DeLarco noted that the Borough cannot give one person/resident special approval to park on the street since that would be discriminatory regarding other residents. Mr. DeNora suggested that alternative side parking as is in place on other streets within the Borough would be suitable for them even if they had to park further down the street from their house. After further discussion, Mr. Reese suggested the Street Committee of Council take this matter up further at the Committee meeting at the end of January, Mr. Brozusky seconded the motion. The motion carried unanimously.

Correspondence

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

1. A letter from Tunkhannock Township requesting support for proposed legislation which would provide for insurance companies to make direct payments to Ambulance Corps.
2. A report submitted to H.A. Berkheimer, Inc. by Parente Randolph CPA's on controls and tests of operating effectiveness for tax collection services provided by H.A. Berkheimer, Inc.
3. A letter from Northeast Pennsylvania Alliance (NEPA) concerning possible applications to be submitted under a new Federal Economic Stimulus Package.
4. A letter from Stroudsburg Borough Council stating that they have approved "freezing" of the SARPD Funding Formula.
5. A letter from Real Estate Tax Collector Alberta Tallada requesting 3% annual increases in the compensation for the elected Tax Collector for the new term of office for the position to be filled 2010-2013.
6. A letter from the Pennsylvania Department of Environmental Protection (DEP) acknowledging receipt of the inspection report for the Middle Dam for 2008 and noting that the spillway for this dam is not sized to be able to pass the "probable maximum flood" event.

Reports

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

Mr. Henning noted several issues on upcoming agendas for the Borough Planning Commission and Zoning Hearing Board. He suggested that a copy of these agendas be sent to all Council members. Mr. Henning also commented that the new street lights downtown look very nice.

Mayor Martinelli noted that his neighbor has still been complaining to him about the Recycling Center being closed and asked why the Borough couldn't hire temporary employees to reopen the drop off center? Mr. Reese noted that the Recycling Committee had discussed the possibility of using part-time employees to man the recycling yard and decided not to. Mr. Henning said the closing of the recycling center has caused a problem for many of his tenants who use the drop off location.

Mr. DeLarco also commented that the new street lights downtown look great. Mr. DeLarco also reminded everyone that business owners downtown should take use of façade grants through the Eastburg Community Alliance which are still available. Mr. DeLarco said he had discussed with Manager James Phillips the scheduling of his next annual evaluation and Mr. Phillips suggested that a new format be used and it be scheduled at his next anniversary date of employment in May. Mr. DeLarco said he thinks that the Borough should have its own mission statement and visioning process and suggested that Council discuss this further at the next Committee meeting.

Mr. Phillips reviewed his written report emailed to Council concerning updates on current Borough projects.

List of Bills

Mr. Reese made a motion, seconded by Mr. Brozusky to approve the list of bills payable and to ratify expenditures and payroll made through January 6, 2009 as submitted. The motion carried unanimously.

Executive Session

At 8:45 p.m. Mr. Reese made a motion, seconded by Mrs. Wolbert to adjourn into executive session. The motion carried unanimously.

At 9:30 p.m. Council members reassembled in the meeting room and Mr. Reese made a motion, seconded by Mr. Henning to reconvene the public meeting. The motion carried unanimously. Mr. Williamson said the executive session had been held to discuss one litigation matter and one real estate matter involving the proposed lease agreement for the ESU Business Accelerator building owned by the Borough.

Adjournment

With no further business Mr. Reese made a motion, seconded by Mr. Henning to adjourn the meeting at 9:30 p.m. The motion carried unanimously.

James S. Phillips, Manager