

East Stroudsburg Borough, March 2, 2010

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday March 2, 2010. The following members were in attendance: Victor Brozusky; Roger DeLarco; Ed Henning; William Reese; Donald Repsher and Sonia Wolbert. 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; and several residents in the audience.

Call To Order/Pledge of Allegiance

Mr. DeLarco called the meeting to order at 7:36 p.m. Danielle Rubinski led the Pledge of Allegiance.

Minutes of February 16, 2010 Regular Council Meeting

Mr. Reese made a motion, seconded by Mr. Repsher to approve the minutes of the regular Council meeting held February 16, 2010 as submitted. The motion carried unanimously.

Public Hearing on Community Development Needs of the Borough

Mr. Reese made a motion seconded by Mr. Brozusky to open a public hearing on the community development needs of the Borough that may be addressed by use of Community Development Block Grant (CDBG) funds. Mr. DeLarco commented that the CDBG monies are federal funds received by the Borough allocated through the Commonwealth under an entitlement formula. This is the first of two public hearings that must be held each year regarding the community development program for the Borough. Mr. Phillips said the CDBG monies must be used primarily to benefit low to moderate income families in the Borough, based on the income guidelines published each year by the Federal Government. The CDBG funds have to be used for specific purposes, and administered by other criteria established by the Federal Government. For example, the Borough may utilize no more than 18% of the annual funds for administration of the program. In order to be income eligible, 51% or more of residents of a particular project area must be low to moderate income. Certain uses of funds, such as using CDBG monies for handicapped ramps are eligible because such activities are presumed eligible based on providing handicapped accessibility.

Mr. DeLarco said the Borough has typically concentrated on sidewalk improvements and downtown revitalization for use of the CDBG monies. Mr. Phillips said the Borough has historically used the majority of its funds for curb and sidewalk/street improvements in income eligible areas or neighborhoods of the Borough. If an entire census tract is not income eligible based on census data, the Borough must undertake income surveys of residents in order to show that a majority of the residents benefiting are low to moderate income. The Borough has also used \$40-\$50,000 per year in CDBG funds to undertake the Home Rehabilitation Program administered for the Borough by the Redevelopment Authority of Monroe County. The Borough typically does use approximately \$10,000 for administration costs, and this primarily involves paying for the consultant services of Mullin & Lonergan Associates, Inc. which has served as the community development consultant to the Borough for many years. Mr. DeLarco asked for comments from Council, and there were none.

Mr. DeLarco asked for comments from the audience on the community development needs of the Borough. Henry Pyatt, ECA Downtown Manager noted that CDBG monies can be used for handicapped ramps reconstruction such as was recently undertaken in the downtown area as part of the streetscape project. Mr. Phillips said with the large number of handicapped replacements that the Borough needs to undertake in regards to our paving program, we very well may want to utilize a large portion of the CDBG funds for that purpose.

With no further comments Mr. Brozusky made a motion, seconded by Mr. Reese to adjourn the public hearing. The motion carried unanimously.

Public Comments – Agenda Items

None

Agreement with Redevelopment Authority for Housing Rehab Program

Mr. Phillips said Council had approved the agreement with the Redevelopment Authority for administration of the Housing Rehab Program, with the exception of a provision where the Authority would charge 18% of funds returned to cover costs involving processing lien satisfactions. Mr. Phillips said the Authority has now revised their request to charge \$150 per residence in the event of CDBG funds being returned and the lien being placed by the Authority needing to be satisfied. Mr. Henning made a motion, seconded by Mr. Brozusky to approve the revised agreement with the Redevelopment Authority as discussed. The motion carried unanimously.

Bid Received for Rental of Tub Grinder Equipment

Mr. Phillips said the Borough had received only one (1) bid in response to the advertisement for bids for rental of a tub grinder to process brush into mulch at the Twin Boroughs Recycling Center. The bid from Scotta Equipment & Materials, LLC is for \$3,850 per day; however Mr. Phillips said the equipment is supposed to be larger and more powerful than the one the Borough had rented previously, and should therefore be able to process the mulch quicker. After discussion, Mr. Repsher made a motion, seconded by Mr. Brozusky to accept the bid from and award a contract to Scotta Equipment & Materials, LLC for rental of a tub grinder as recommended. The motion carried unanimously.

Bids for 2010 Year Paving Program

Mr. Phillips reviewed the list of roads included in the proposed 2010 year paving program which he had emailed to Council. Mr. Phillips noted that the estimated cost for the paving work on the roads listed is at least \$30,000 more than the amount of liquid fuels funds that the Borough has budgeted for paving from the Highway Aid fund. Mr. Phillips said we won't know actual prices until bids are received, but the options are to do fewer streets, mill certain streets only at the curb lines instead of full width, or budget general fund monies in addition to the liquid fuels funds. Mr. Henning said he thinks the Borough should pave as many roads as possible and he was confident that the Manager can come up with the needed funds in order to pave the roads listed on the program.

After further discussion, Mr. Repsher made a motion, seconded by Mr. Brozusky to authorize advertising for bid proposals for the 2010 Year Paving Program as submitted. The motion carried unanimously.

Bids for Handicapped Ramp Replacements

Mr. Phillips said he had also emailed a copy of the list of ADA handicapped ramps at street corners that are needed to be replaced (reconstructed) on the streets that are proposed for paving. Mr. Phillips said it is a sizable list and the Borough would need to utilize Community Development Block Grant (CDBG) funds in order to do the number of ramps listed.

After discussion, Mr. Repsher made a motion, seconded by Mr. Henning to authorize preparation of plans and authorize advertising for bids for handicapped ramp replacements as recommended. The motion carried unanimously.

Request for Extension of Approval of Land Development Plan – Green Valley Apartments

Mr. Phillips said the Borough received a letter from the attorney for the new owners of the Green Valley/Parktowne apartments off Green Tree Drive, requesting that the Borough extend the approval for expansion of the apartment complex that was issued in November of 2004, until December 2012. Mr. Williamson said under the Municipalities Planning Code the applicant's plan approval was good for five (5) years, but that approval would now have expired. Mr. D'Alessandro noted that the development plan would need to meet the new Act 167 Stormwater Management requirements, and also the traffic study would need to be updated if in fact there had been a traffic study required at that time.

Mrs. Wolbert asked if granting an extension would set a precedent? Mr. Williamson said he is aware that other municipalities have granted extensions, but usually it is a case where the applicant is actively working on the development plans. In this case the approval was granted to the previous owner in 2004 and it appears that they still have indefinite plans for proceeding with the expansion, but want to keep their options open. Mrs. Wolbert recalled that the original applicant, National Properties Inc. had agreed to contribute funds to the Borough for traffic improvements but there were stipulations attached to that contribution. Mr. Henning suggested that Council delay action on this request and check whether any of the other approvals that the applicant needs would still be good? Mr. DeLarco suggested that the applicant could check on the status of whether those approvals are still valid. Mrs. Wolbert said maybe Council should only consider granting an extension if the applicant is willing to propose other improvements that would benefit the area. Mr. Repsher commented that maybe it would just be easier to tell the applicant no in the first place. Mr. Henning made a motion, seconded by Mrs. Wolbert to table action on this matter. The motion carried unanimously.

Public Comments – New Business

Henry Pyatt, Downtown Manager for the Eastburg Community Alliance (ECA) was present and told Council that he has submitted his resignation to the ECA Board effective April 9, 2010. Mr. Pyatt said he has taken a new position with a non-profit development agency in Philadelphia and will reluctantly be leaving his position with ECA. Council members thanked Mr. Pyatt for his service to ECA and the Borough and wished him well in his new position.

Correspondence

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

1. Information from the Pennsylvania State Association of Boroughs (PSAB) on the annual conference to be held in Pittsburgh April 25-28, 2010.
2. A letter from Marc Wolfe, Esq. on behalf of University Properties Inc., requesting postponement of conditional use hearing for the ESU campus housing project until the April 20, 2010 regular Council meeting. Mr. Henning made a motion, seconded by Mr. Reese to grant the extension as requested from UPI. The motion carried unanimously.
3. A letter from the Church of St. Matthew requesting approval to close Brodhead Ave. between Ridgeway and Elk streets for the Annual Church Block Party to be held August 13-15, 2010. Mrs. Wolbert made a motion, seconded by Mr. Brozusky to approve the request as submitted. The motion carried unanimously.
4. A copy of a letter (email) from Gary Summers, a resident of Middle Smithfield Township, concerning the proposed 2010-2011 Year School District Budget proposed by the East Stroudsburg Area Board of School Directors
5. A letter from the Pennsylvania State Association of Boroughs (PSAB) offering to provide a plaque to the Borough in recognition of the Borough's 140th Anniversary of incorporation.

6. Information from the Stroud Region Open Space and Recreation Commission (SROSRC) concerning the Greenways Leadership Forum and Legislative Breakfast to held April 9, 2010 at the ESU Stony Acres complex.
7. A letter from Pocono Health Foundation requesting a letter of support for Pocono Medical Center's proposed Dale & France Hughes Cancer Center expansion project. Mr. Williamson said any letter submitted by the Borough in support of funding for the cancer center expansion project would not have any bearing on the approval of the conditional use request for the cancer center project. Mr. Brozusky made a motion, seconded by Mr. Reese to authorize and direct preparation of a letter of support for the project as requested. The motion carried unanimously.
8. Letters from the Commonwealth Financing Authority concerning four (4) applications which the Borough had submitted last year for grant funding under the H20 Grant Program. The CFA wants the Borough to update information on the applications if we wish to still have those applications considered in the next round of funding. Mr. Henning made a motion, seconded by Mr. Brozusky to authorize submittal of revised information for the grant applications. The motion carried unanimously.

Reports

Mr. D'Alessandro reviewed his written engineer's previously submitted to Council. Mr. D'Alessandro noted that LSR Excavating Inc., has completed work for the waterline installation on the Lenox Avenue and Analomink St. contracts; payment requests are included in the list of bills. Mr. Brozusky made a motion, seconded by Mr. Repsher to approve payments to LSR on contracts #1 & #3 as submitted. The motion carried unanimously.

Mrs. Wolbert asked what Council is doing about new parking requirements for the University? Mr. D'Alessandro noted he had submitted information and a recommendation to Council on parking requirements for the University properties. Mr. DeLarco suggested that the requirements be placed into ordinance form for Council action.

Ashley Puderbach reported she has two (2) more groups on the ESU campus who are willing to adopt-a-street within the Borough. Also Ashley indicated that the ESU Student Senate President wants to come to a future meeting to address Council.

Mr. Phillips reported that the sewer line contractor, Lombardo Trucking Inc., has started work on replacing a section of the 18" sanitary sewerline and has submitted a proposal, at the Borough's request, to replace an additional section of the sewerline and manholes, between the area that the Borough already replaced and the new section to be replaced as part of their contract. After discussion, Mr. Repsher made a motion, seconded by Mr. Reese to authorize the additional sewerline replacement work based on the proposal submitted by the contractor. The motion carried unanimously. Mr. Phillips said he was contacted by Carol Yetter, owner of property on North Courtland St. where the small stream that comes under the former Mack Printing building on N. Courtland St. goes through the property on its way to Little Sambo Creek. A hole has subsided in the yard where the culvert is. Mr. Phillips said the Borough does not appear to have an easement for the storm sewer in this area, they have never maintained this section of storm sewer; he believes that the stormwater culvert was probably installed by a previous property owner. Mr. D'Alessandro noted that the storm sewer plans for the Borough do show a 2'x2' culvert in this area but a check of records in the R.K.R Hess files also does not indicate any easement or plans for the Borough. Mr. Williamson said he would agree that if there is no easement that the repairs to the stormwater culvert would probably have to be the responsibility of the property owner.

Mr. Phillips said he attended a meeting with Stroudsburg Borough, where issues pertaining to the St. Patrick's Day Parade were discussed. Specifically, Stroudsburg Borough had a major cleanup effort last year after the parade was over. At the meeting the possibility of requiring a fee and/or deposit to offset the costs of providing security

and cleanup at the parade was discussed. Mr. Henning commented that he would hope to not have to charge a fee for the parade at this time.

Mr. Phillips noted that under the agreement for sale of bulk water to the Brodhead Creek Regional Authority, the Borough may increase its charge for bulk water; but by no more than the increase in charges to water customers of the Borough and also no more than the cumulative cost increase for operation of the Borough water filtration plant and water system over the applicable period. After discussion, Mr. Henning stated that Council should charge the same increase to the Authority that the Borough's customers will be getting, and made a motion, seconded by Mr. Reese to increase the bulk rate to Brodhead Creek Regional Authority by the same increase as will be in effect for the increase in the minimum EBU charge from \$33 to \$41. The motion carried unanimously.

Mr. Phillips reported that the engineer for East Stroudsburg Area School District has submitted the "after construction" traffic study regarding the East Stroudsburg South High School expansion/renovation project. Not surprisingly, the report states that there has not been a major increase in traffic and warrants are not met for a new traffic signal at Maple Avenue/North Courtland St intersection. However, Mr. Phillips said the Borough's traffic consultant (Traffic Planning & Design, Inc.) has indicated that there are several deficiencies in the reports submitted for the District.

Finally, Mr. Phillips reminded Council that it would need to hold several conditional use hearings in the next couple of months including conditional use hearings for the PMC cancer center expansion project, the ESU/University Properties, Inc. housing plan, and the Eagle Glen Plaza expansion project.

Mr. DeLarco commented that the Borough Parking Enforcement Officers need to check closer for parking violations on residential streets for vehicles that do not have the required residential parking permits.

Mr. Henning reported that he had a conversation with Chuck Leonard of Pocono Mountains Economic Development Corporation concerning the offer the Borough received for purchase of the IBW property; Mr. Leonard indicated that the Borough may want to counter offer the proposal.

List of Bills

Mrs. Wolbert made a motion, seconded by Mr. Reese to approve the list of bills payable and to ratify expenditures and payroll made through March 2, 2010 as submitted. The motion carried unanimously.

Executive Session

None

Adjournment

With no further business Mr. Henning made a motion, seconded by Mr. Repsher to adjourn the meeting at 9:00 p.m. The motion carried unanimously.

James S. Phillips, Secretary