

East Stroudsburg Borough, September 15, 2009

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday, September 15, 2009 at 7:30 pm. 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; Codes Officer John E. Blick; Solicitor David J. Williamson of Scanlon Lewis & Williamson; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; Lt. Brian Kimmins of the Stroud Area Regional Police Department; Ashley Puderbach, East Stroudsburg University Student Ambassador; a press representative from TV13; and several residents in the audience.

#### Call To Order/Pledge of Allegiance

Mr. DeLarco called the meeting to order at 7:30 pm. Donald Repsher led the Pledge of Allegiance.

#### Minutes of September 1, 2009 Regular Council Meeting

Mr. Repsher made a motion, seconded by Mr. Brozusky to approve the minutes of the September 1, 2009 regular Council meeting as submitted. The motion carried unanimously.

#### SARPD Report

Lt. Brian Kimmins of the Stroud Area Regional Police Department stated the Department has issued 85 citations so far this Fall, of which 50% to 60% were to students. Lt. Kimmins then reviewed the University policy regarding citations. Mr. Brozusky requested a speed sign be placed on Elizabeth Street, due to school starting and students speeding again on that street.

#### ECA request to close Crystal Street for Block Party Sunday, October 11, 2009

Henry Pratt, ECA Downtown Manager was present to request closure of Crystal Street on October 11, 2009 for a Block Party. Mr. DeLarco asked Lt. Kimmins what the Police cost would be for handling this event and he suggested about \$900.00. After discussion, Mr. Henning made a motion to authorize Crystal Street to be closed from 9:00 am to 8:00 pm on October 11, 2009, with the condition no alcohol would be allowed on the street, and all pertinent permits would be obtained. The motion was seconded by Mr. Repsher and carried unanimously.

#### Proposed Land Development Plan for 276/278 Van Gordon Street - Duplex

Mr. Dennis Deshler was present on behalf of the applicant along with Engineer Alexander Makitka. The applicant requested a waiver from every section of the Sub-division and Land Development Code under Sect.140-12, except for all sidewalk requirements in 140-12 M. After discussion, Mr. Henning made a motion to approve this waiver request, seconded by Mr. Repsher. The motion carried unanimously.

Mr. Makitka addressed the stormwater issues. Mr. Matkitka was advised that if the applicant couldn't meet the requirements, they would need a variance. After discussion, Mr. Henning made a motion to approve the applicant's request, subject to all the Borough Engineer's comments being satisfactorily resolved. The motion was seconded by Don Repsher, and carried unanimously.

Mayor Martinelli stated that the Police Department was called to the new residence on Van Gordon Street about a wild party. The Mayor asked Mr. Deshler to please inform his tenants that this type of activity is not in the best interests of the community. Mr. Deshler responded upon receipt of a police report he would inform his tenants.

Resolution No. 41-2009 Appointing Voting Delegate and Alternates to Countywide Act 32 Tax Collection Committee

Ms. Wolbert made a motion to appoint James Phillips as the Voting Delegate, seconded by Mr. Reese; the motion carried unanimously. Mr. Henning was nominated as First Alternate by Ms. Wolbert, seconded by Mr. Reese, and the motion carried unanimously. For Second Alternate Mr. Repsher was nominated by Ms. Wolbert, seconded by Mr. Brozusky and the motion carried unanimously. Ms. Wolbert made a motion to approve Proposed Resolution No. 41-2009 affirming the above appointments, seconded by Mr. Reese, and the motion carried unanimously.

Proposed Improvements to Centre Street Intersection with Prospect Street – East Stroudsburg University

Mr. D'Alessandro went over the proposed improvements and stated that since there are drainage concerns involved, PennDOT wants the Borough to accept the proposed changes to the storm sewer system.

Report on Bids Received/Award of Contract for Construction/Replacement of ADA Handicapped Ramps on Prospect Street

Mr. Blick reported that the following bids were received and opened today for construction of handicapped ramps on Prospect Street. The price indicated is the total amount for seven (7) ramps, and the form of bid security provided:

C & D Contractor & Sons, Inc.	\$31,500.00	\$1,000 cashiers ck.
Heim Construction, Inc.	\$48,676.00	\$1,000 bid bond
Kobalt Construction Co., Inc.	\$39,200.00	\$1,000 cashiers ck.

Mr. Williamson said he had reviewed the bid documents and found them to be in order. Mr. Henning made a motion to award the contract to the lowest responsible bidder, C & D Contractors and Sons, Inc., based on their proposal. The motion was seconded by Mr. Reese, and carried unanimously.

Public Comments

Henry Pyatt talked about the September 29, 2009 target date for handing out the ESU Community Brochure. Mr. Blick passed out a copy (not in color) of the brochure to Borough Council for informative purposes.

Correspondence

Mr. Blick said the only item of correspondence was a letter/petition received from residents of the East Broad Street area concerning zoning enforcement. Some discussion was held concerning this matter, Mr. DeLarco suggested it be referred to the Council Committee meeting.

Reports

Mr. Henning requested that a representative of MEA, Inc. come to the Council Committee meeting regarding status of the remediation work final report for the former IBW property.

List of Bills Payable

Mr. Reese made a motion, seconded by Mr. Repsher to approve the list of bills payable and to ratify expenditures and payroll made through September 15, 2009 as submitted. The motion carried unanimously.

### Executive Session

At 8:39 pm Mr. Henning made a motion, seconded by Mr. Reese to adjourn into executive session. The motion carried unanimously.

At 8:50 p.m. Council members reassembled in the meeting room and Mr. Brozusky made a motion, seconded by Mr. Repsher to reconvene the public meeting. The motion carried unanimously. Mr. Williamson reported that the executive session was held to discuss two potential litigation matters and one pending real estate transaction.

### Adjournment

With no further business Mr. Reese made a motion, seconded by Ms. Wolbert to adjourn the meeting at 8:52 pm. The motion carried unanimously.

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James S. Phillips, Secretary