

East Stroudsburg Borough, October 18, 2011

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Thursday, December 23, 2010. 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, Solicitor David J. Williamson of Scanlon Lewis & Williamson; engineering representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; Lieutenant Brian Kimmins of the Stroud Area Regional Police Department; and several residents in the audience.

Call To Order/Pledge of Allegiance

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

Minutes of October 4, 2011 Council Meeting

Mr. Brozusky made a motion, seconded by Mr. Reese, to approve the minutes of the regular council meeting held October 4, 2011 as submitted; the motion carried.

Stroud Area Regional Police Department Report

Lt. Brian Kimmins reported that the grant from the PA Liquor Control Board to cover costs of the extra "quality of life" patrols has now been approved. Officers issued seventeen (17) citations this past weekend. Lt. Kimmins noted that the Department will be assisting with the ESU Homecoming Parade next Saturday Oct. 22, 2011. Mr. Reese thanked the Department for policing the areas near the campus that are disrupted by student behaviors.

Mr. DeLarco thanked Lt. Kimmins for arranging to place the speed monitor on Brown Street at the Courtland St./Bridge St. intersection, and said it does help to slow down the traffic.

Public Comments – Agenda Items

None

Meeting with Architect and Contractor and Fire Company – Issues with New Fire Station

John Schoonover of Schoonover and Vanderhoof Architects was present, and introduced the following representatives of the contractors and consultants who worked on the new Fire Station:

Rob Scarcella of Northeast Energy, Inc. - Mechanical Contractor
Leon Clapper of Leon Clapper Plumbing - Plumbing Contractor
Wayne Beers of Schoonover and Vanderhoof
John Stevens of Strunk-Albert Engineering, Inc. – Electrical Engineers
John Wisegarver of East Stroudsburg Borough, was also present.

Mr. DeLarco said Council is aware of problems with leaks at the building, but is not informed as to the extent of the problem. Mr. Beers said there are multiple leaks, and this problem has existed since construction of the new building. The problem has been identifying where the problems are and what is causing them. The contractors have been working on the issues, but they are not addressed yet. Now there are two more issues that have to be taken care of – we now know where the leaks are. Mr. Schoonover said the contractors want to take care of these problems – they do not want to get a call every month saying there are still water leaks. They want to take care of the problems.

Mr. Brozusky said the roof is leaking – and this is an embarrassment to the Borough that needs to be fixed. Why is the roofing contractor not here tonight? Mr.

Schoonover said the roofing contractor was there today working on the problem. Mr. Clapper said he needed to defend his company – there was maybe one roof penetration they did that leaked, but he has been there and they are doing everything they can to fix the problem. He believes that this one area has been corrected. There is another issue with leaks inside the building, at the plumbing unions – they have now been replaced. There is another issue with a faucet in the men’s room not working – and he has ordered new parts for that one. He has been in business for thirty years and is not “walking away” from any problems.

Mr. DeLarco asked about the other roof leaks. Mr. Schoonover said other leaks in the roof are related to details in the mechanical system, and we believe that we have a fix now for leaks at the HVAC units. Mr. Wisegarver said the roofing subcontractor, Devlin Mackey, was there today working on other leaks involved with the roof. Mr. Henning said he and Mr. Reese were on the roof at the Fire Station last week, and the leaks appear to be occurring at roof penetrations. Mr. Beers said it has been difficult to determine if the leaks have been occurring at the curbs, or from the HVAC units themselves. Mr. DeLarco said Council is frustrated because this is a brand new building and cannot comprehend why we are having these problems. What guarantee does the Borough have that this will not be an ongoing problem?

John Stevens said his firm designed the mechanical systems, and there is always a concern when doing roof penetrations. It does appear that some leaks are occurring at the HVAC units, around the curbs. It is not always obvious where a leak is, but we believe that the problem is the seal between the curb and the unit itself; and the contractor is going to reset and reseal the units. Mr. Reese said he appreciates the integrity of the contractors and knows they are not going to walk away from these problems. Mr. Reese said it appeared to him that water was “ponding” on the roof at several of the HVAC units. Mr. Beers said water may collect temporarily after rains, but it should not be deep, and we believe that issue has been resolved.

Mrs. Wolbert asked if there was other damage to the building because of the roof leaks? Mr. Henning said some ceiling tiles have been damaged from the water and will have to be replaced. Mr. Reese asked about the exhaust system for the vehicles – there is no “cap” on the roof stack? Mr. Stevens said the outer stack slides down over the inner stack, and there is provision at the housing for the fan for any water that gets in to drain. Mr. Scarcella said Northeast Energy has taken the additional step to install a “jacket” over the ductwork the penetrates the building.

Keith Flory of Acme Hose Company asked where the two areas are that have been identified as leaks? Mr. Beers said two leaks showing in the meeting room are apparently from the same problem. The leak in the engine room is at the vehicle exhaust system vent. There is also a leak in the roof at the uniform storage area that apparently is at the roof itself. Mr. Flory again asked about guarantees – since new leaks appear to be showing up. Mr. Clapper suggested that instead of waiting for rain, that the Fire Co. could do a hose test with their aerial truck – winter is coming and this needs to be taken care of soon. He is willing to come in to warranty his work. Mr. DeLarco asked if this could be set up with the Fire Department? Mr. Schoonover said he could attempt to coordinate this.

Brian Foley submitted a list of items that the Fire Co. prepared of things that need to be addressed for the New Fire Station, in addition to the leak issues already discussed.

Part-time Parking Enforcement Officer Position

Mr. Henning asked why we are seeking to fill this position? Mr. Reese said the current part-time officer is relocating to the Allentown area. Mrs. Wolbert made a motion, seconded by Mr. Reese, to ratify advertising for applicants for a part-time parking enforcement officer position; the motion carried unanimously.

J and J Log & Lumber Request for Contract Extension for Timbering Work

Mr. DeLarco read an email from Manager James Phillips explaining the request for contract extension. Mr. Henning made a motion, seconded by Mr. Reese, to approve a six month contract extension as requested and recommended; the motion carried.

Public Comments – New Business

Linda Miller of 472 Oak Street said residents of Oak Street are having a water drainage problem caused by a pump not working at Bustin Industries. Mr. DeLarco said Mark Lichty had been here earlier, but apparently has left. Mr. Williamson he did confer with Mr. Phillips on this issue, and said Mr. Lichty still owns the property but sold the business. There appears to be a question whether the pump has been operating. Mr. Lichty told Mr. Phillips that the pump has been working, but has not been able to handle all the rainfall this year. Ms. Miller said she had water in her apartment with the rains in September, and this was the first time that has happened. She said she now has a legal issue because her tenant is refusing to pay rent because of the water damage. Mr. Williamson said the Borough position is that the pump was installed at the Bustin property as a condition of approval for construction of the building, and the property owner should be responsible for operating it. Mr. Reese said we need to obtain a resolution to this issue.

PennDOT Permit for School Signals on Ridgeway Street

Mr. DeLarco noted that these school signals are no longer needed since Notre Dame Elementary School has relocated to the high school campus off of Highland Road. After discussion, Mr. Henning made a motion, seconded by Mrs. Wolbert, to request PennDOT to void the permit for the old school signals as recommended; the motion carried.

Correspondence:

Mr. DeLarco reviewed the following items of correspondence received:

- i. A letter from Ann Robertson of Smith St. commending the Borough for the condition of Dansbury Park Swim Pool.
- ii. A letter from the PA Auditor General advising that the increase in state pension aid for the 2011 year should be considered a one-time increase only.
- iii. A letter from the Federal Emergency Management Agency (FEMA) concerning certification requirements for the East Stroudsburg Flood Protection Levee. Mr. Henning asked why we have to certify to FEMA that the dikes built by the U.S. Army Corps of Engineers are “up to code”?
- iv. A letter from Shirley Young commending the Borough office staff for their assistance when she had locked herself out of her car nearby.
- v. Proposed 2011 Budget for the Stroud Area Regional Police Department (SARPD). Mr. Henning said he would like to review the budget before taking action on it. Mr. Brozusky said Council could take action on the budget at the work session meeting, if it has been advertised for action.

Reports

Mr. D’Alessandro reviewed his written engineer’s report submitted.

Regarding the East Stroudsburg Dam Rehabilitation work, Mr. Brozusky made a motion, seconded by Mr. Repsher, to approve the Payment Request no. 1 by KC Construction Co. in the amount of \$88,183.80 as recommended; the motion carried. Mr. D’Alessandro reported that his office has issued a Notice of Substantial Completion for Contract No. 2 by Rutledge Excavating, Inc.

Mr. D’Alessandro reported that he had looked at the stormwater retention area in back of Mr. Shah’s residence at the end of Lions Street, and reviewed pictures he took recently. There is an 18” pipe leading from the retention area down to Kiwanis Street.

Mr. Shah had asked about increasing the size of that pipe, but we cannot do so unless we increase the downstream pipe capacity.

Mr. Reese reported on the re-dedication of the old train station this past Saturday and presented the gift given to Borough Council recognizing its efforts.

Mr. Williamson said he has the Joinder Deed prepared for the auction sale of the old Fire Hall and adjoining parking lot parcels, and the Stormwater Agreement with East Stroudsburg University for the Monroe Hall Renovations/Gwendolyn St. Parking Lot project for execution.

Mr. Martinelli questioned the need for “floodproofing” of residences near Flory Pond, given that the Borough has already spent probably \$500,000 for the pump and piping at Flory Pond? The Mayor said it is “like feeding stray dogs, the more you do for them, the more they come back”.

Mr. Repsher said a resident of Green Street told him they were concerned about recent incidents in that neighborhood; the pistol-whipping, a rape, etc., and asked whether the university was helping out our local police with these issues?

Mr. DeLarco thanked Mark Hoke for fixing the 1970’s era gavel.

List of Bills Payable

Mr. Reese made a motion, seconded by Mr. Repsher, to approve the List of Bills Payable and to ratify payroll and expenditures made through Oct. 18, 2011 as submitted; the motion carried.

Executive Session

Mr. Reese made a motion, seconded by Mr. Henning, to adjourn into executive session at 8:50 p.m.; the motion carried. At 9:00 p.m., Council members reassembled in the meeting room and Mr. Henning made a motion, seconded by Mrs. Wolbert, to reconvene the public meeting; the motion carried. Mr. Williamson said the executive session had been held to discuss a few real estate matters.

Review of Borough Budget Issues

Due to Mr. Phillips’s absence, there was no discussion on this matter.

Adjournment

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

James S. Phillips, Secretary