

East Stroudsburg Borough, September 20, 2011

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday September 20, 2011. 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.; Lieutenant Brian Kimmins of the Stroud Area Regional Police Department; and one resident in the audience.

Call To Order/Pledge of Allegiance

Mr. DeLarco called the meeting to order at 7:34 p.m. Sam D'Alessandro led the Pledge of Allegiance.

Minutes of September 6, 2011 Regular Council Meeting

Mr. Brozusky made a motion, seconded by Mr. Repsher to approve the minutes of the regular Council meeting held September 6, 2011 as submitted. The motion carried unanimously.

Stroud Area Regional Police Department Report

Lieutenant Brian Kimmins reported that the Department has not received approval yet for the grant from the Liquor Control Board that covers our "quality of life" patrols. Mr. Reese noted that the foot traffic on S. Green Street is "at unprecedented levels" this year; on drinking nights-Thursday, Friday & Saturday of each week. Mr. Reese asked if there has been any action on surveillance cameras for Crystal Street? Mayor Martinelli said he has contacted the ESSA Bank & Trust Foundation for possible funding. Mr. DeLarco asked Lt. Kimmins about placing the speed timing machine on Brown Street opposite his house? Mr. Reese asked about patrols in the downtown area? Lt. Kimmins said the Department has made many arrests downtown for various violations.

Public Comments – Agenda Items

None

Request by East Stroudsburg University for a Fireworks Show Permit – ESU Homecoming Celebration- October 21 & 22, 2011

Mr. Phillips said he has contacted Pocono Medical Center and they are not objecting to the fireworks display despite the close proximity to the hospital. Mr. Phillips said he has also discussed this matter with Acme Hose Fire Company Chief Larry Bunting and the Chief has "no issues" with this request. Mr. Repsher made a motion, seconded by Mr. Reese to approve the request by ESU as submitted. The motion carried by a vote of 4 to 1 with Mr. Brozusky voting no.

Proposed Ordinance Amending Zoning Code – Changing the Requirements for Off-Street Parking in the I-U and I-M Zoning Districts and Establishing Additional Criteria for Off-Street Parking in All Zoning Districts

Mr. Reese made a motion, seconded by Mrs. Wolbert to authorize advertising the proposed ordinance. The motion carried unanimously.

Proposed Ordinance Amending Zoning Code – Revising Requirements for Adult Uses

Mrs. Wolbert made a motion, seconded by Mr. Repsher to authorize advertising the proposed ordinance. The motion carried unanimously.

Extending of Residential Permit Parking District to Include Normal Street within HAMC Project; and Establishing Parking Restrictions on Mary Street

Mr. Phillips said he has asked the Borough Parking Enforcement Officers to check on students parking either on Normal Street at the Housing Authority or on Mary St. Apparently the incidents of this occurring has lessened since the first week of classes at ESU. However, he spoke to a resident of the Housing Authority who had brought this problem to the attention of the Borough in the first place; and she indicated that there are still some students parking on Normal Street.

After discussion, Council directed Mr. Phillips to send a letter to the Housing Authority of Monroe County concerning the possibility of establishing permit parking for the streets within the housing project; and also to send letters to the residents on Mary Street regarding possible prohibition of on street parking in that area.

Contracts Awarded by Pocono Mountains Council of Governments (COG) for Gasoline, Diesel Fuel, and Heating Oil; Guiderail; and Storm Inlet Grates/Frames

After discussion, Mr. Reese made a motion, seconded by Mr. Brozusky to accept the contracts awarded by COG for the commodities that the Borough had participated in the joint bidding for. The motion carried unanimously.

Public Comments – New Business

Mr. Shah of 34 Lions Street, said the stormwater detention area overflows onto his property and his driveway gets washed out. He feels the detention area is getting filled in and therefore has less capacity. Mr. Brozusky asked if this problem occurs with “a normal rainfall” event? Mr. Shah said this has happened now four (4) times in the last year. Mayor Martinelli noted that during the last storm event, “Tropical Storm Lee”, several homes near Flory Pond almost got flooded, and the Borough has to weigh that potential versus the potential damage to driveways. Mr. Phillips noted that the retention area drains into a sinkhole-if the Borough re-grades or disturbs the area it could change the existing drainage patterns. Mr. D'Alessandro said he would take a look at the detention area with the Borough's staff and determine if cleaning out of the detention area might be necessary in order to utilize its full capacity.

Correspondence

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

1. A letter from Berkheimer, Tax Administrator, concerning completion of its SAS 70 Type 2 Audit.
2. A copy of the proposed 2012 Year Operating Budget for the Monroe County Control Center.
3. A letter from the Mideastern Counties Association of Boroughs (MECAB) concerning interest in the future of MECAB and possible meeting dates.

Reports

Mr. D'Alessandro reviewed his written engineer's report previously submitted to Council. Highlights of the report include:

1. Engineer has reviewed the final closeout documents from the contractor for the Analomink Street waterline project and will recommend final payment to the contractor subject to final review by the solicitor.
2. KC Construction, contractor for the East Stroudsburg Dam rehabilitation project, has commenced tree removal and minor repairs to the spillway wall at the dam and reservoir. Rutledge Excavating, Inc., contractor for the wetlands replacement portion of the project, has commenced work and is approximately 50% complete with the wetlands replacement area.
3. Mr. D'Alessandro reviewed a sketch plan for the portion of the Terra Greens Golf Course property owned by the Borough located along Poole Road and Route 447

adjacent to the School District property. Finally, Mr. D'Alessandro noted that the survey is almost complete for the acquisition of the Veterans Memorial property located at the East Stroudsburg end of the Veteran's Bridge.

Mr. Reese asked what time Thursday is the Town/Gown meeting with East Stroudsburg University? He was advised 5:00 pm. Mr. Williamson noted that Mr. Phillips had asked whether Stroud Region Open Space & Recreation Commission (SROSRC) should be required to obtain a "parade permit" for the Annual Levee Loop Trail Run. Mr. Williamson said SROSRC is really an "arm" of the Borough and therefore would be exempt for having to obtain a parade permit.

Mayor Martinelli noted that the Borough zoning ordinance allows people to have chickens – but perhaps we should restrict the ability of people to have roosters on their property. The Mayor noted that the Borough has been receiving complaints concerning a property on Spangenburg Avenue that has two roosters.

Mrs. Wolbert noted several items that should be placed on the agenda for a future Committee meeting for discussion:

1. Allowing off premises signs for advertising (example: SROSRC).
2. Housing rental inspection program.
3. Restricting the conversion of single family residences into duplexes.

Mrs. Wolbert also questioned whether a permit was issued for the renovations to the property next to the veterans memorial now owned by Gary Kessel-was the applicant required to provide additional parking?

Mr. Repsher again questioned the back-up of stormwater on Chestnut St.? Mr. Phillips said there is a pair of inlets on Chestnut Street that drain via storm sewer pipe to the creek just above or north of the new fire station on the former Cooper Industries property. The pipe entering the creek is very low and covers over when the creek rises, causing water to backup and pond on Chestnut Street. During the recent heavy rains from Hurricane Irene and Tropical Storm Lee the area did pond water and backup as far as a portion of the new fire station parking lot.

Mr. Brozusky asked when is the startup date for the annual fall leaf collection program-and was advised Tuesday October 11, 2011.

Mr. Phillips said the Borough had Allen Strand come in with a small camera which has identified several breaks in the return lines at the Dansbury Park swimming pool, located in the shallow "zero depth entry" portion of the swimming pool. This line will need to be excavated and replaced and the cost estimate from Strand is for approximately \$6,100. Mr. Phillips also reported the contractor working on sewerline repairs on East Brown Street has run into various issues complicating the repair work. On the lower portion of East Brown Street they discovered that a storm sewerline crosses over the sanitary line and that is where the sag in both the sanitary sewerline and the storm sewerline has occurred. Mr. Phillips noted that FEMA has requested additional information from the Borough including pictures of damage to the cofferdam on Brodhead Creek near Buttonwood Court. Also, representatives from the Army Corp of Engineers will be here on Thursday September 22, 2011 to assess additional damage that has occurred to the East Stroudsburg flood control levee as a result of the recent flood storm events.

Mr. DeLarco reported that the Stroud Area Police Commission (SARPC) at its last meeting swore in a new Lieutenant, Paul Duffy and a new Sergeant, Robert Eberle. Also the Police Commission soon will be forwarding a proposed budget to the three Municipalities for their consideration. Mr. DeLarco also reported that Monroe County in conjunction with the US Postal service has delayed release of the re-addressing numbers for East Stroudsburg Borough and the new release date is not projected until April 2012. Mr. DeLarco commented on the schedule for the upcoming 2012 year budget for the Borough and asked whether the Borough will be reviewing sewer rates for a possible increase.

List of Bills

Mr. Brozusky made a motion, seconded by Mrs. Wolbert to approve the list of bills payable and to ratify payroll and expenditure made through September 20, 2011 as submitted. The motion carried unanimously.

Executive Session

Mrs. Wolbert made a motion, seconded by Mr. Brozusky to adjourn into executive session at 9:15 p.m. The motion carried unanimously.

At 9:40 p.m. Council members reassembled in the meeting room and Mr. Reese made a motion, seconded by Mrs. Wolbert to reconvene the public meeting. The motion carried unanimously. Mr. Williamson stated that the executive session had been held to discuss a real estate matter.

Appeal of Assessments for old Fire Hall/former Municipal Building Property and Adjoining Municipal Parking Lot Parcels

Mrs. Wolbert made a motion, seconded by Mr. Repsher to authorize that the assessment appeals be presented on the basis of the parcel containing the old fire hall by itself and then the four parcels that makeup the current parking lot next to the old fire hall being considered together. The motion carried unanimously.

Request for Joinder Deed for old Fire Hall/former Municipal Building Property and Adjoining Municipal Parking Lot Parcels

Mrs. Wolbert made a motion, seconded by Mr. Brozusky to approve proposed Resolution No. 24-2011 approving a joinder deed for the four parcels that makeup the current municipal parking lot. The motion carried unanimously.

Adjournment

With no further business Mrs. Wolbert made a motion, seconded by Mr. Repsher to adjourn the meeting at 9:41 p.m. The motion carried unanimously.

James S. Phillips, Secretary