

East Stroudsburg Borough, June 1, 2010

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday June 1, 2010. The following members were in attendance: Victor Brozusky; Roger DeLarco; Ed Henning; William Reese; and Sonia Wolbert. Donald Repsher 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; Codes Officer John E. Blick; press representatives from the Pocono Record and TV 13, and several residents in the audience.

Call To Order/Pledge of Allegiance

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

Minutes of May 17, 2010 Rescheduled Regular Council Meeting

Mr. Henning made a motion, seconded by Mr. Brozusky to approve the minutes of the Monday May 17, 2010 rescheduled regular Council meeting as submitted. The motion carried unanimously.

Presentation of Perfect Attendance Award to ESHS South Student Dominic Lapudula

East Stroudsburg High School South student Dominic Lapudula was present, along with his father, to receive the Perfect Attendance Award from the Borough for four (4) years perfect attendance during his high school career. Dominic was one of two students within the entire high school to be recognized for perfect attendance. Mr. DeLarco presented a \$100 stipend check to Mr. Lapudula and congratulated him on his perfect attendance record during his high school career. Mayor Martinelli noted that Dominic is also the valedictorian of this year’s senior high school class.

Public Comments – Agenda Items

None

Public Hearing on Proposed (CDBG) Program for 2010 Year

Mr. Henning made a motion, seconded by Mr. Brozusky to open the public hearing on the proposed Community Development Block Grant (CDBG) program. Mr. Phillips said the proposed program for use of CDBG funds for the 2010 year is similar in nature to previous year programs for the Borough. Council is proposing to allocate funds for the following activities:

1. Housing Rehabilitation	\$60,000
2. Street/Curb and Sidewalk Improvements	\$40,000
3. Handicapped Access Ramps (curb-cuts)	\$40,000
4. Waterline Improvements	\$30,000
5. Administration	<u>\$12,716</u>
Total	\$182,716

Mr. Phillips said the construction of handicapped access curb-cuts is required to be undertaken by the Borough wherever we are paving roads or otherwise making other improvements. ADA ramps are considered to be a presumed benefit and do not have to meet neighborhood income requirements. The construction of street curb and sidewalk improvements or waterline improvements can only be undertaken in income eligible areas on the basis of census data or local income surveys. Administration costs are primarily costs for the Borough’s Community Development Consultant, Mullin &

Lonergan Associates to assist the Borough with the application for and administration of CDBG funds.

Mr. DeLarco noted that the Home Rehabilitation Program is proposed to again be administered for the Borough by the Redevelopment Authority of Monroe County. Mr. Phillips said the Redevelopment Authority handles virtually the entire program for the Borough from initial income eligibility determinations, to home inspections, to bidding and award of contracts for rehab work and payment to the contractor. The Borough pays the contractor based on payment requests submitted and approved by the Redevelopment Authority.

Mr. DeLarco asked for any comments from the audience concerning the proposed CDBG program and there were none. Mr. DeLarco asked for additional comments from Council members? There were none. With no further business Mr. Henning made a motion, seconded by Mr. Brozusky to adjourn the public hearing. The motion carried unanimously.

Resolution No. 18-2010 Approving Proposed 2010 CDBG Program

Mr. Brozusky made a motion, seconded by Mr. Henning to adopt proposed Resolution No. 18-2010 approving the proposed Community Development Block Grant (CDBG) program for the Borough as advertised and discussed at the public hearing. The motion carried unanimously. Mr. Phillips noted that the application must be submitted to the Pennsylvania Department of Community & Economic Development (DCED) by this Friday, June 4, 2010.

Report & Possible Action on Bids Received for Curb & Ramp Replacements

Mr. Phillips said the Borough had advertised for bids for replacing some sections of curbing on Analomink St. for the portion of road that is going to be repaved. The Borough also requested prices for replacing/reconstructing handicapped access ramps on Analomink St. which are required to be upgraded to meet the current ADA handicapped accessible standards. Mr. Phillips reviewed the tabulation of bids and noted that two (2) bids were received as follows:

<u>Bidders</u>	<u>Item 1 288 ft. curbs</u>	<u>Item 2 Ramp No. 9</u>	<u>Item 3 Ramp Nos. 12,14</u>	<u>Item 4 Ramp No. 17</u>
Kobalt Construction, Inc	\$12,096.00 \$42 per ft.	\$ 4,420.00	\$4,800.00	\$3,545.00
Total Bid	\$24,861.00			
A.J. Trunzo, Inc.	\$12,960.00 \$45 per ft.	\$2,300.00	\$3,300.00	\$5,300.00
Total Bid	\$23,860.00*	*apparent low bid		

After discussion, Mr. Henning made a motion, seconded by Mrs. Wolbert to accept the bid from and award a contract to A.J. Trunzo, Inc. for curb & ramp replacements on Analomink St. based on their low bid proposal. The motion carried unanimously.

Request by Residents of Taylor Street to Close the Road for a Block Party

Mr. Phillips said the residents of Taylor St. want to hold a block party on Saturday June 19, 2010 and have requested approval from the Borough to block off Taylor St. at its intersection with Normal St. in the Monroe County Housing Authority Project area. Mr. Brozusky questioned whether the residents have submitted their request to the Monroe County Housing Authority? Mr. Henning noted he is glad the residents bothered to approach the Borough about closing off the street. After discussion, Mr. Henning made a motion, seconded by Mrs. Wolbert to approve their request for closing of Taylor St. pending approval of the request by the Monroe County Housing Authority and subject to notification of the street closing to the Police and Fire Departments. The motion carried by a vote of 3 to 1 with Mr. Brozusky voting no.

Termination of Agreement with H.A. Berkheimer, Inc. for Collection of Earned Income Taxes

Mr. Phillips said the new Monroe County Tax Collection Committee has been discussing and intends to implement collection of EIT taxes on a countywide basis effective January 1, 2011; which is one (1) year earlier than all municipalities are required under the new Act 32. Mr. Phillips said it then makes sense for the Borough to notify the current collector, H.A. Berkheimer Inc. of the Borough's intent to terminate the existing agreement at the end of the 2010 year, because the contract will "rollover" automatically unless the Borough gives notification to the collector at least 90 days ahead of time. After discussion, Mrs. Wolbert made a motion, seconded by Mr. Brozusky to notify H.A. Berkheimer of its intent to terminate the current agreement as discussed. The motion carried unanimously.

Resolution No. 19-2010 Approving Pay Rates for Summer and Seasonal Staff

Mrs. Wolbert made a motion, seconded by Mr. Brozusky to adopt proposed Resolution No. 19-2010 approving pay rates for 2010 year summer and seasonal staff as recommended. The motion carried unanimously.

Public Hearing on Request by Pocono Medical Center for Conditional Use and Land Development Applications for the Proposed Hughes Cancer Center on Hospital Property Located in the I-M District, East Brown St.

Mrs. Wolbert made a motion, seconded by Mr. Brozusky to open the public hearing at 7:55 p.m. on the conditional use request by Pocono Medical Center. The motion carried unanimously. The stenographer from Panko Associates swore in all those individuals who plan to testify at the public hearing. Mr. Phillips noted that the proof of publication in the Pocono Record of the proposed hearing was available for public inspection. John Blick, Codes Officer for the Borough, testified that he had posted the Medical Center property concerning the proposed hearing approximately ten (10) days ago. Mr. Blick asked that the proof of publication be introduced into the record as the Borough Exhibit #3 and also review letters done by R.K.R. Hess Associates, Inc. as Exhibit B-1 & B-2. Mr. Reese arrived at the meeting at this time.

Marc Wolfe, Esquire introduced himself as attorney for the applicant, Pocono Medical Center. Mr. Wolfe introduced the first person testifying for PMC, Kathleen Kuck, Chief Executive Officer. Mr. Wolfe asked if the existing Hughes Cancer Center is able to handle the needs for area persons who need treatment at the Cancer Center? Mrs. Kuck stated that the existing Cancer Center has inadequate space to house its entire staff in one building. Also there is no room available for patients needing privacy. Many of the physicians and the care team who work at the Cancer Center have offices in different locations. Also many in-house patients who come to the Cancer Center must be transferred by ambulance to the main hospital for certain services. In addition there is no room at the current Cancer Center for a qualified pharmacy. Finally Ms. Kuck said a linear accelerator is needed in order to offer the best treatments for cancer patients and there is no room for such equipment at the current facility. Mr. Wolfe asked how did the Medical Center conduct the process for design of the proposed new Cancer Center? Ms. Kuck said the hospital conducted various focus meetings with patients and staff then put out a Request for Proposals (RFP) to consulting firms, then subsequently selected Ewing Cole Associates because they have designed many cancer centers across the country (such as the Memorial Sloan Kettering Cancer Center, in NYC & the Yorba Linda Cancer Center in California). Ms. Kuck the main goal is to be able to provide all services required of cancer patients under one roof in one building, with patient-centered care. Ms. Kuck reviewed a rendering of the proposed new facility prepared with a view from East Brown St. Ms. Kuck said the location of the center will be directly across from the main hospital connected by an enclosed bridge. Mr. Wolfe asked her to describe the proposed facility. Ms. Kuck said the lobby will have a three (3) story tall atrium to enable natural elements such as light to be able to promote a healing atmosphere. Mr. Wolfe submitted Exhibit A-23 the proposed general floor plan layout for the proposed facility. Ms. Kuck reviewed the floor plan including the proposed healing garden which

will be located outside and also the fact that the first floor includes some “shell space” for future expansion. Mr. Wolfe asked if the Medical Center was receiving any grant funds for this project? Ms. Kuck said PMC has received a commitment for a \$2.04 million grant from the Pennsylvania Department of Community & Economic Development and this grant needs to be spent within the next fiscal year or by June 30, 2011. Ms. Kuck said the Medical Center is currently highly leveraged and will need to conduct a capital campaign to complete the financing for this project. Ms. Kuck said the hospital does not want to dip into its reserves because PMC already has a high level of unbilled services and the hospital does not want to sacrifice its ability to reinvest its revenues back into the facility. Mr. Wolfe asked Kathleen Kuck to review the hospital’s May 18, 2010 letter to the Borough concerning the issue of the traffic study. Ms. Kuck explained that the Medical Center hopes that the Borough will accept the existing traffic study already performed for the project and not require a new traffic study be submitted to PennDOT because that will delay the project significantly. Mr. Wolfe asked that the applicant’s exhibits be admitted into the record.

Mr. DeLarco asked when PMC was notified by DCED about the grant? Ms. Kuck indicated approximately three (3) weeks ago. Mr. DeLarco asked how long has the Medical Center been planning this project? Ms. Kuck replied for over one (1) year. Mr. Brozusky asked the total project cost? Ms. Kuck replied the estimated cost is \$33 to \$35 million. Mr. Brozusky asked if the hospital intends to use local contractors and suppliers? Ms. Kuck said they certainly intend to do so if possible. Mrs. Wolbert asked how many jobs will be created by the new Cancer Center? Ms. Kuck indicated that 17 additional professional staff will be added. Mrs. Wolbert asked what is the size of the new proposed facility? Ms. Kuck indicated over 58,000 sq. ft. Mr. Henning asked how many employees does the Cancer Center have now? Ms. Kuck said 22. Mr. Henning asked will the patient census increase with the new facility? Ms. Kuck said the new center will definitely have more capacity but patient treatment time should also decrease as they are better able to handle patients. Stacy Getz, Executive Director of Oncology at the Hughes Cancer Center said currently the Center can treat 16 patients per day for chemotherapy and up to 45 patients for radiology. Mrs. Wolbert asked if many people from Monroe County currently must go outside the area for treatment? Ms. Kuck replied that less than 50% of cancer patients are treated locally. Mayor Martinelli asked how the new Cancer Center will affect that figure and Ms. Kuck indicated that the Hughes Cancer Center will move past the nearest facility in Allentown, PA in terms of number of patients.

Next Mr. Wolfe introduced Steven Cunningham, Vice President of Public Relations & Marketing for Pocono Medical Center. Mr. Wolfe asked when the name of Pocono Hospital was changed to Pocono Medical Center? Mr. Cunningham replied that the hospital became PMC in 1989. Mr. Wolfe submitted a copy of applicant Exhibit #2, a copy of the articles of Incorporation changing the name to Pocono Medical Center in 1989. Mr. Wolfe what was is the height of the proposed new building? Mr. Cunningham replied 48 ft. at the proposed bridge. What is the size of the facility? Mr. Cunningham replied 58,950 sq. ft. Mr. Wolfe asked if the new facility will have any impact on noise? Mr. Cunningham said the connection of the building to the main hospital facility via the bridge will provide the opportunity to bring chilled water instead into the new facility which will eliminate the need for its own units and therefore reduce the amount of noise. Also new generators at the facility will have sound attenuation features. Mr. Wolfe asked about parking for the new facility? Mr. Cunningham reviewed Exhibit A-24 which is a chart showing the employee dayshift starting times at Pocono Medical Center. Mr. Cunningham noted that the Borough zoning ordinance requires the provision of one (1) parking space for each bed in the facility plus one parking space for the maximum number of employees per shift. Pocono Medical Center currently has 1,053 parking spaces and after construction of the new facility it will have 1,031 spaces which is still in excess of the Borough requirement. Mr. Cunningham said the project will be done in two (2) phases with the first phase being the construction of the new cancer facility and the second phase involving construction of the new parking lot where the existing Cancer Center currently sits. Mr. Wolfe asked what if the existing traffic study prepared for the Cancer Center is not accepted by the Borough? Mr. Cunningham said that will involve the potential for extending the approval process and the hospital needs to bid out the project within the next quarter to take advantage of advantageous construction costs. Mr.

Wolfe asked what will happen if the proposed PennDOT project for improvements to Exit 308 interchange are not started within the time frame estimated by PennDOT? Mr. Cunningham stated that PMC will undertake a new traffic study based on the actual operation of the new facility. Mr. Cunningham also noted that the hospital had contracted with Chance Management to develop a long range parking plan for Pocono Medical Center. Mr. Phillips asked what is the timetable for that parking management study? Mr. Cunningham stated they should have the results within the next month. Mr. DeLarco noted that Borough Council has previously expressed that they are willing to assist the hospital in addressing long term parking needs such if the Borough needed to form a Parking Authority to manage a parking garage facility.

Mr. Henning asked Mr. Cunningham if he was “comfortable” with the actual number of parking spaces being reduced after construction of the new cancer facility? Mr. Cunningham noted that changes in healthcare practices have resulted in more out-patient services being performed which may reduce the number of parking spaces needed. Mr. Cunningham said the hospital is already seeing a reduction in in-patient admissions and more out-patient services are being moved away from the main campus; for example, to the ambulatory out-patient facility in Stroudsburg. Mr. D'Alessandro asked why the Hospital feels the need to enter into an agreement for off-site parking as noted in Exhibit A-8, a copy of a lease agreement with WGL-LP for off-site parking in Delaware Water Gap. Mr. Cunningham said the off-site parking is proposed to be utilized during the construction of the Cancer Center. Mr. DeLarco asked if the Hospital is planning for construction of a future parking deck? Mr. Cunningham stated that there are no other projects planned by the Hospital at this point but PMC will certainly look at options for the future. Mr. Blick asked whether or not the Hospital plans to eventually replace the old wing of the hospital? Mr. Cunningham said that is not currently in the strategic plan for the hospital. A temporary recess in the public hearing was held at this time.

Upon reconvening of the hearing Mr. Wolfe introduced Chad Lello, P.E. of Pennoni Associates, Inc. Mr. Wolfe submitted Exhibit A-5 the land development plan for the proposed Hospital project, Exhibit A-7 the landscape plans for the project, Exhibit A-9 the post construction stormwater management plan as prepared by Pennoni Associates, Inc. and Exhibit A-10 the project narrative as prepared by Pennoni Associates. Mr. Wolfe asked what zoning district is the project located in? Mr. Lello stated that the I-M or Institutional Medical Zoning District. Mr. Lello reviewed the land development plan and discussed the internal movement of vehicle and the loading area proposed in the rear of the building. Mr. Wolfe asked about lighting for the proposed facility and Mr. Lello indicated that the hospital plans to utilize existing lighting in the portion of the parking lot that will remain and add more lighting. Mr. Wolfe asked if the new lights will conform to the Borough zoning ordinance requirements and Mr. Lello indicated yes. Mr. Lello also reviewed the landscaping plan for the facility which includes installation of new shade trees and flowering trees. Mr. Wolfe asked if the project will create any adverse impact on any surrounding land uses and Mr. Lello replied no. Mr. Wolfe asked if the project will create any potential hazards? Mr. Lello stated no. Will the project restrict any natural path of light? Mr. Lello stated no. Mr. Wolfe asked if the project complies with Borough's stormwater management requirements? Mr. Lello stated yes. Mr. Wolfe asked if the project area is subject to flooding? Mr. Lello stated no. Mr. Wolfe asked if the applicant is requesting any modification from landscaping requirements? Mr. Lello said the applicant is requesting several waivers under the subdivision ordinance but otherwise the plans comply with the SALDO code. Mr. Wolfe asked if the hospital has applied for a NPDES permit for construction at the site? Mr. Lello reviewed Exhibit A-11 which is a letter from the Monroe County Conservation District acknowledging submittal of a complete application for a NPDES permit by the Hospital. Mr. Wolfe noted the plans for the project show the continuation of Orchard St. right-of-way through the property? Mr. Lello stated there are no new improvements proposed for this paper street right-of-way. Mr. Wolfe moved for admission of all exhibits into the record for the applicant.

Mrs. Wolbert asked where the proposed bridge across East Brown St. will connect to the existing hospital? Mr. Lello indicated it will connect over the canopy over the front entrance at the third floor level of the existing hospital. Mr. D'Alessandro noted

that previous testimony indicated the size of the facility to be 58,900 sq. ft. Mr. DeLarco asked if the only part of the proposed new building that will encroach upon a buffer area is the second floor area and Mr. Lello agreed that would be the case.

Next Mr. Wolfe introduced Ann Wingert, P.E. of Nicklaus Engineering Corp. to review the proposed plans for the parking lot to be located where the current cancer center building is situated. Mr. Wolfe asked how many parking spaces are proposed on this site? Ms. Wingert indicated 274 spaces at total build out. Mr. Wolfe submitted Exhibit A-13, the landscape plan for the new parking lot prepared by Nicklaus Engineering Corp; Exhibit A-14, truck turning plan for the parking lot prepared by Nicklaus Engineering Corp; and Exhibit A-15, the parking lot lighting plan prepared by U.S. Architectural Lighting. Ms. Wingert stated that they are proposing to install shorter trees along East Brown St. under the Med Ed power lines so as not to conflict with the power lines. There will be a row of evergreen trees planted along the border with the Lovecchio property on the eastside. Ms. Wingert reviewed Exhibit A-17 the response letter by Nicklaus Engineering to the April 13, 2010 review letter by the Borough engineering firm R.K.R. Hess Associates, Inc. Mr. Wolfe asked if sidewalks are being proposed along the entire frontage of the parking lot property? Ms. Wingert stated yes. Mr. Wolfe asked if the proposed lighting will conform to Borough ordinance? Ms. Wingert said yes. Mr. Wolfe asked if all of the lighting will be new? Ms. Wingert replied that all lighting in the new parking lot will be new including additional lighting in the area where handicapped spaces will be provided. Mr. Wolfe asked if the applicant is requesting any waivers for the parking lot? Ms. Wingert said yes, the Hospital is requesting several waivers as summarized in applicants Exhibit A-18. Mr. Wolfe asked if the proposed parking lot is consistent with the Borough comprehensive plan? Ms. Wingert stated yes. Mr. Wolfe asked if the parking lot will create any hazards? Ms. Wingert said the new parking lot will actually eliminate several driveways and will therefore be safer. Mr. Wolfe moved for admission of the additional exhibits into the record. Mr. Phillips asked if underground retention is proposed for the new parking lot facility? Ms. Wingert replied yes as indicated on the plans. Mr. Henning noted that the conditional use request by the Hospital is one application but it actually consists of two land development plans; one for the Cancer Center itself and one for the parking lot. Mr. Henning asked that status of the NPDES permit? Mr. Lello said the application to the Conservation District is complete and they only need the letter from the Borough engineer stating that the stormwater management plan is consistent with the Borough requirements. Mayor Martinelli asked if anyone from the hospital has talked to Mrs. Lovecchio about the proposed Cancer Center plans? Mr. Cunningham said he would do that himself. Mr. Henning asked if fencing is proposed along the top of the proposed retaining wall for the parking lot? Ms. Wingert replied yes there is a fence proposed.

Next Mr. Wolfe introduced David Molinaro, P.E. of Pennoni Associates as the traffic engineer for the proposed project. Mr. Wolfe submitted Exhibit A-19(a) the resume for Mr. Molinaro and Exhibit A-19(b) the traffic impact study for the proposed cancer center prepared by Pennoni Associates. Mr. Molinaro also reviewed the executive summary of the proposed traffic study which was submitted as Exhibit A-20. Mr. Wolfe asked if a scoping meeting had been held with PennDOT and asked Mr. Molinaro to summarize the findings from that meeting. Mr. Molinaro stated that none of the intersections which were looked at in the traffic study will have a decrease in level of service. The proposed traffic impact study is based on the proposed PennDOT project for I-80 Exit 308 which is scheduled for bid letting in January 2012. Mr. D'Alessandro asked what is the a.m. peak hour traffic volume estimate that he used in the traffic impact study because the previous submittal for employees starting times indicated a higher figure than Mr. Molinaro is using. Mr. Henning asked what happens if the proposed PennDOT project does not come about within the time frame proposed? Mr. Wolfe reiterated that the applicant proposes to perform an after-construction traffic study and address traffic signal timing issues on the basis of that updated study.

John Wichener, P.E., of Traffic Planning & Design Inc. (Borough traffic engineers) asked if the Borough zoning ordinance requires mitigation of any level of service degradations at intersections impacted by the project? Mr. Molinaro stated yes, but noted that PennDOT allows up to a 10 second increase in delay times at signalized intersections without requiring mitigation through improvements. Mr. Reese asked why

was the East Brown St./Smith St. intersection not studied as part of the traffic impact study? Mr. Molinaro stated that intersection was not identified by PennDOT in the initial scoping meeting. Mr. Reese stated he feels the Hospital should contribute to traffic improvements at that intersection. Mr. DeLarco commented that once the new Cancer Center is built if traffic backs out onto I-80, the “public” will look to the Borough to fix the problem. Mr. Henning stated that he has no confidence in PennDOT actually proceeding to build the proposed improvements at the Exit 308 interchange as planned. Mr. Brozusky commented that he has a problem with relying upon an email message from PennDOT as indicating PennDOT’s intent to proceed with the project.

Mr. Wichener noted that at a meeting held with the applicant it was discussed that an analysis should be done to determine the need for traffic improvements if the PennDOT project is not done on time. Mr. Blick asked what is the Hospitals commitment to do the after-construction traffic study? Mr. Wolfe again reiterated that the Hospital is willing to do so. Mr. Henning asked if there is room for a turning lane within the existing right-of-way for Prospect St. prior to East Brown St? Mr. Molinaro indicated there is probably enough room but is not sure that there would be room for needed improvements at the intersection. Mrs. Wolbert stated that she has not heard any offer by Pocono Medical Center to do anything concerning traffic improvements other than what PennDOT is proposing to undertake? Mr. Wolfe noted again that all roads impacted by the Cancer Center are state roads and PMC has to deal with PennDOT concerning this matter. Mr. Wolfe asked that Exhibit A-16, a written response by Nicholas Engineering Corp. concerning the conditional use criteria for the parking lot be introduced into the record.

Next, John Wichener presented testimony on behalf of the Borough. Mr. Wichener noted that there has been some debate over the trip generation criteria to be utilized for the Cancer Center, because the existing cancer facility generates almost twice the trips that would otherwise be expected for the approximate 8,000 sq. ft. facility. Mr. Wichener said the applicant may be able to address levels of service degradation by adjusting signal timing at the Prospect and East Brown St. intersection signal and other nearby traffic signals. However, Mr. Wichener said the Borough should not limit any condition of approval to just signal retiming. Council should consider requiring Pocono Medical Center to contribute to possible improvements for the East Brown St./Smith St. intersection. Mr. Wolfe asked if PennDOT would determine the issuance of any highway occupancy permit for improvements to East Brown St./Smith St. intersection? Mr. Wichener replied yes. Mr. Wolfe asked whether the Borough ordinance regarding traffic studies requires the applicant to provide the “best possible” level of service? Mr. Wichener said that provision refers to improvements made within public right-of-ways.

With no further testimony for the public hearing Mr. Henning made a motion, seconded Mrs. Wolbert to adjourn the hearing at 10:50 p.m. The motion carried unanimously.

Public Comments – New Business

None

Correspondence

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

1. A letter from Patterson Kelly Co., concerning renewal of its air discharge permit from the Pennsylvania Department of Environmental Protection (PA DEP).
2. A letter from the Monroe County Commissioners stating they are forming a committee for celebrating the 175th Anniversary of the County in 2011.
3. A letter from the Brodhead Watershed Association (BWA) thanking the Borough for again being a Stream Sponsor in 2010.
4. A letter from the Penn Prime Insurance Trust announcing that the Borough has been awarded a \$2,000 grant for CPR/First Aid Training for employees.
5. A copy of the 2009 Year Audit for District Courts # 43-2-02 (Magistrate Muth) and #43-2-01 (Magistrate Anzini) as prepared by the County Controller.

Reports

Mr. Phillips noted that the E-Code 360, the on-line Borough Code of Ordinances, is now available as a link on the Borough website as prepared by General Code Company.

List of Bills

Mr. Brozusky made a motion, seconded by Mr. Reese to approve the list of bills payable and to ratify expenditures and payroll made through June 1, 2010 as submitted. The motion carried unanimously.

Executive Session

Mr. Phillips reported to Council that Peter Andrews, owner of the burned out Dansbury Depot, has stated he is planning on selling the property. There are at least one and maybe two parties who are interested in redeveloping the Dansbury Depot but they want to build residential units on the upper floors of a new building. Mr. Phillips said they would need to obtain parking spaces for any residential units, such as through a long term lease of spaces at the Borough's Kistler St. parking lot.

Adjournment

With no further business Mr. Reese made a motion, seconded by Mrs. Wolbert to adjourn the meeting at 11:00 p.m. The motion carried unanimously.

James S. Phillips, Secretary