

East Stroudsburg Borough, December 21, 2010

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday December 21, 2010. The following members were in attendance: Victor Brozusky; Roger DeLarco; Ed Henning; Donald Repsher and Sonia Wolbert. William Reese was absent. Also attending were: Manager James S. Phillips; Solicitor David J. Williamson of Scanlon Lewis & Williamson; Lieutenant Brian Kimmins of the Stroud Area Regional Police Department; ESU Student Ambassador Nick Tetro; a press representative from 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. Robert Heller led the Pledge of Allegiance.

Minutes of December 7, 2010 Regular Council Meeting

Mr. DeLarco noted that the section of the minutes pertaining to the vote on authorizing advertising of the proposed budget and setting the real estate tax millage should be clarified to indicate that the Mayor voted on the motion in order to break the tie vote. Mr. Henning made a motion, seconded by Mr. Brozusky to approve the minutes of the December 7, 2010 regular meeting as revised by Mr. DeLarco. The motion carried unanimously.

Stroud Area Regional Police Department Report

Lieutenant Brian Kimmins was present to review the November monthly report for the Regional Police Department which had been previously submitted to Council. Lieutenant Kimmins noted that the Department issued zero citations and zero disruptive conduct reports in November; which was a big reduction from the numbers issued in September and October this fall. Mr. Brozusky asked if he was aware of any recent reports of complaints concerning 86 Walnut Street? Lieutenant Kimmins indicated no although he would have to check the reports for detail.

Public Comments – Agenda Items

Mark Hoke, Maintenance Foreman, questioned the proposal to construct a permeable hard surface trail on the East Stroudsburg Flood Control Levee. Mr. Hoke said people like to use the levee for walking and jogging because it isn't a hard surface. He asked if there was a local match required for the grant funding? Mr. Phillips said the grant does require a local match; \$18,000 in cash from the Borough, \$10,000 from the Stroud Region Open Space & Recreation Commission (SROSRC) and an additional non cash match to be provided.

Thomas Counterman of 146 Borough Street stated why should \$18,000 of Borough funds be spent on something that isn't needed?

Mrs. Wolbert stated that plans have been in place for a while to develop the levee loop trail system, including installing a hard surface for the trail. Studies elsewhere have shown that developed trails systems bring in many people from the outside to use the trails.

Celisa Counterman of 146 Borough Street said paving the top of the levee will not bring in additional people to use the trail.

Mike Hilliard of 192 Lenox Avenue said he is not in favor of paving the levee especially if it is proposed to increase taxes for the Borough.

Mr. Phillips said he would ask Tim Herd, Executive Director for SROSRC, to come to a future Council meeting to discuss plans for the paving of the portion of the levee trail within East Stroudsburg.

Conditional Use Application by DEIN Properties, LLC for Construction of Loading Docks at the Former Cooper Industries Building, I-M District, Burson Street

Mr. Williamson noted that Council had completed the public hearing on this conditional use request at the December 7, 2010 meeting. Mr. Williamson recapped the proposed project as follows:

1. Traffic impact study submitted indicated there would be no major increase in traffic generated by the development.
2. Sidewalks are to be installed along Lackawanna Avenue; the applicant had requested Borough participation in construction of the curbs.
3. A couple of minor engineering comments from the Borough Engineer were still to be addressed.

Mr. Brozusky suggested that Council defer action on this plan due to the absence of the engineer from this meeting. Mrs. Wolbert stated that the applicant should be required to pay for the construction of sidewalks and curbs along the Lackawanna Ave. frontage. After further discussion, Mr. Brozusky made a motion, seconded by Mrs. Wolbert to table action on the land development plan until the January 4, 2011 regular meeting. The motion carried unanimously.

Resolution No. 34-2010 Approving Five Year Capital Improvement Plan (2011-2015 Years)

Mr. DeLarco suggested using funds from the Forge Road project account for other projects, to avoid having to increase real estate taxes. Mr. Phillips reminded Council that the proposed budget does include some funds to be utilized from this account for capital improvements in 2011. Mr. Henning questioned whether action on adopting the capital improvement plan had to be advertised in the same manner as the proposed Borough budget? Mr. Phillips replied no; the Borough is not required by law to adopt a capital improvement plan but this is an additional step that the Borough has taken each year to outline its up-coming major capital expenditures. After discussion, Mr. Henning made a motion, seconded by Mrs. Wolbert to table action on the proposed resolution. The motion carried by a vote of 4 to 1 with Mr. Brozusky voting no.

Resolution No. 35-2010 Establishing Employees Contribution Rate to PMRS Pension Plan for the 2011 Year

Mr. Brozusky made a motion, seconded by Mr. Henning to adopt proposed Resolution No. 35-2010 establishing employee contribution rate to the pension plan at 3.5% for the 2011 year. Mr. Phillips noted this is the maximum employee contribution permitted under the pension plan document. The motion carried unanimously.

Ordinance No. 1237 Amending Chapter 150 of East Stroudsburg Code Designating an Additional Municipal Lot for Long Term Lease (Reserved) Parking

Mr. Brozusky made a motion, seconded by Mr. Henning to adopt proposed ordinance No. 1237, designating the Dansbury Terrace parking lot next to the old fire hall as a additional parking lot to be utilized for lease parking. The motion carried unanimously.

Authorize Downtown Manager Position for Eastburg Community Alliance (ECA) to Participate in the Borough Group Health Insurance Plan Effective January 1, 2011

Mr. Phillips said the Borough can enable the provision of health insurance for the ECA Downtown Manager position by amending the eligibility requirements for participation in the Borough group health insurance plan. Reimbursement of the full cost to the Borough will be made by the Eastburg Community Alliance. Mr. Henning made a motion, seconded by Mr. Brozusky to authorize revisions to the eligibility criteria to enable the ECA Downtown Manager position to participate in the Borough group health insurance plan, effective January 1, 2011, as recommended. The motion carried unanimously.

Ordinance Amending Vehicle & Traffic Code – Establishing “STOP” Sign on W. Vine Street at Elizabeth St.

Mr. Brozusky made a motion, seconded by Mrs. Wolbert to authorize advertising a proposed ordinance to establish a “STOP” sign on West Vine St. eastbound at Elizabeth St. near the East Stroudsburg High School South football stadium. The motion carried unanimously.

Schedule Public Hearing on Proposed Zoning Ordinance Amendment Adding Retail Auto Supply Stores as Permitted Use in the OM-I Office/Manufacturing Zoning District

Mr. Phillips said the proposed zoning ordinance amendment will change the designation of the I-M Industrial District to “OM-1 Office/Manufacturing” Zoning District; and add the definition for retail auto supply stores as permitted use in the OM-1 zoning district. Mr. Henning made a motion, seconded by Mr. Repsher to schedule the required public hearing on the proposed zoning ordinance amendment for the second meeting in January 2011; assuming that comments are received from the Monroe County Planning Commission by that date. The motion carried unanimously.

Proposed 2011 Year Budget for Stroud Area Regional Police Department

Mr. Brozusky made a motion, seconded by Mr. Repsher to approve the proposed revised 2011 year budget for SARPD as submitted. The motion carried unanimously.

Proposed 2011 Year Budget for Stroud Regional Open Space & Recreation Commission

Mr. Repsher made a motion seconded by Mrs. Wolbert to approve the proposed 2011 year budget for SROSRC as submitted. The motion carried with a vote of 4 to 0 with Mr. Brozusky abstaining.

Council Meeting Schedule for 2011 Year

Mr. Brozusky suggested that during the summer months when only one regular meeting is held, that the Committee meeting be advertised as a regular meeting so that Council can take action as needed at that meeting. After further discussion, Mr. Brozusky made a motion, seconded Mr. Repsher to set the Council meeting schedule for 2011 year as follows: regular meetings to be held on the 1st and 3rd Tuesday of each month, except for the months of June, July and August when regular meetings will be held on the 1st Tuesday; Work Session/Committee meetings of Council will be held the last Thursday of each month with the Committee meetings for June, July & August also to be advertised as regular meetings for possible actions. The motion carried unanimously.

Public Comments – New Business

Pat Wideman of 434 North Courtland Street stated that at the Zoning Hearing Board meeting when plans were presented for the Pocono Cab Company office, residents were told that no cabs would park in-front of the dispatch office on North Courtland St. But cabs have been parking there and on Spruce St. every night. Dee Curran of North Courtland St. said the cabs park across from her residence, making noise/slamming doors, revving engines, and shining their headlights toward her residence.

Robert Heller, owner of Pocono Cab Company denied that his cabs are parking in-front of the dispatch office. Mr. Heller said he has instructed his dispatchers not to permit the cab drivers to park their vehicles there. Mr. Phillips said the problem is occurring at night when Mr. Heller is not there. The issue is that these actions are causing the cab company to not be a very good neighbor to its adjoining residences. Mr. Heller stated he does want his company to be a good neighbor and will do all he can to address the situation.

Correspondence

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

1. A letter from the Pennsylvania Department of Environmental Protection (PA DEP) regarding groundwater monitoring at the former joint municipal landfill site in Stroud Township.
2. A letter from the Monroe County Control Center, a status report on the readdressing project.

Reports

Mr. Henning reported on the recent Twin Boroughs Recycling Committee meeting held last week. Mr. Henning said the volume of recyclable materials still is down even though cardboard prices are currently at near all time highs. Mr. Henning noted that the Committee discussed a proposal with Charles Cahn of Developmental Education Services for DES to bring cardboard to the recycling center for baling by Twin Borough employees.

Nick Tetro, ESU Student Ambassador reported that East Stroudsburg University will be undertaking renovations at the Zimbar enrollment center to make the enrollment process more private for students. Mr. Tetro said students will return to the campus for the beginning of the second semester on January 18, 2011 after the Martin Luther King Jr. holiday.

Mr. Phillips reported that the hearing on the Borough's appeal of the assessment for the 66/68 Analomink Street property owned by the Borough will be held January 18, 2011 at 9:30 a.m. Mr. Phillips said he was advised via email from ESU Vice President Richard Staneski that ESU has hired a new Parking Manager who will start work January 3, 2011. Mr. Phillips also reported receipt of a letter from Vice President Staneski in response to a letter from Mr. Williamson, stating that the University recognizes that the proposed ordinance being considered by Borough Council to change parking requirements in the Institutional Zoning District does come under the "pending ordinance" doctrine; and the University will be submitting additional comments via its parking consultant for revisions to the ordinance. Finally, Mr. Phillips noted that he had gone to the Monroe County Archives room to look at the old tax books for the Borough which are going to be disposed of by the County. Mr. Phillips said there are approximately seven shelf sections of books for the Borough going back to 1859. Mr. Henning suggested that Mr. Phillips decide if any of the books are worth keeping for the Borough if we have an adequate place to keep them.

List of Bills Payable

Mrs. Wolbert made a motion, seconded by Mr. Brozusky to approve the list of bills payable and to ratify expenditure and payroll made through December 21, 2010 as submitted. The motion carried unanimously.

Executive Session

Mr. Phillips said a executive session was not necessary, but noted that the Borough has received notice of another assessment appeal for a major commercial property – the Fred & Lou Holding Corporation property (former Mack Printing business).

Adjournment

With no further business, Mrs. Wolbert made a motion, seconded by Mr. Repsher to adjourn the meeting at 8:49 p.m. The motion carried unanimously.

James S. Phillips, Secretary