

East Stroudsburg Borough, January 27, 2011

A re-scheduled meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Thursday January 27, 2011. 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; Manager James S. Phillips; Solicitor David J. Williamson of Scanlon Lewis & Williamson; ESU Student Ambassador Nick Tetro; and Lieutenant Brian Kimmins of the Stroud Area Regional Police Department.

Call To Order/Pledge of Allegiance

Mr. DeLarco called the meeting to order at 7:34 p.m. Lieutenant Brian Kimmins led the Pledge of Allegiance.

Minutes of January 4, 2011 Regular Council Meeting

Mr. Repsher made a motion, seconded by Mr. Reese to approve the minutes of the regular Council meeting held Tuesday, January 4, 2011 as submitted. The motion carried unanimously.

SARPD Report

Lieutenant Brian Kimmins reviewed the December 2010 report for the Regional Police Department and noted that the number of citations issued and disruptive conduct reports received were both down in November and December, reflecting the Departments increase in enforcement activities after the higher figures during the months of September and October. Lt. Kimmins noted that he will be re-applying for a grant from the Pennsylvania Liquor Control Enforcement Agency to continue with the extra "Quality of Life" patrols. Lt. Kimmins suggested that the Borough may want to increase the time period that a property may be subject to penalties for incurring multiple "disruptive conduct reports". Mr. DeLarco said Council should discuss this at the next work session meeting. Mr. Reese asked about patrolling the former International Boiler Works (IBW) property? Lt. Kimmins said the police have been checking on it regularly, but it remains a problem area with homeless persons, the "juggalos", paint ballers etc. illegally entering the property.

State of the Borough Report –Mr. DeLarco

Mayor, Council, Staff, East Stroudsburg residents, friends, guests and the press:

I am honored to report on the State of the Borough, on this 27th day of January 2011. The following will be a brief review of accomplishments during the past year, and also touch on future plans and goals for the Borough in 2011 and beyond.

This past year was a very busy year with development for our major institutions within the Borough; East Stroudsburg University and Pocono Medical Center. Council held conditional use hearings and approved plans for ESU's on-campus housing project, and PMC's new Hughes Cancer Center. In addition Council and staff spent significant time and effort reviewing plans for the rebuilding of the former Dansbury Depot site on Crystal Street by Nauman, Inc.; and undertaking a rezoning proposal and lease agreement to permit the relocation of the historic former train station building by the Eastburg Community Alliance to our Kistler Street parking lot property. Despite the stress of holding many public meetings, both projects are moving forward and will help restore vitality to the town center.

2010 continued to be a difficult year for the national economy as well as for the Poconos. However, new construction is still occurring in the Borough as evidenced by the following projects: An expansion of 12,000 square feet at Eagle Glen Plaza to accommodate the growth of Bayada Nurses, serving our community with health care; Sawmill Highlands, Inc. began construction on a medical office building located at 400 Normal Street; East Stroudsburg University began construction on its first new residential

campus housing in the Borough in over 30 years; Pocono Medical Center broke ground in November for its major new expansion of the Dale and Frances Hughes Cancer Center, which will have a connecting pedestrian walkway to the main hospital facility. This “state of the art” Cancer Center is a major investment in the future health of our citizens. In order to provide useable parking for its employees, PMC is also investing in construction of a parking deck. Further still, PMC has made a major contribution toward needed Prospect Street/East Brown Street intersection signalization and road improvements.

After a devastating fire at the Dansbury Depot, that hurt all Crystal Street businesses, local developer Troy Nauman committed to rebuilding the site with a new structure to house ten dwelling units and commercial space. After considerable effort by Council, the old Depot building was moved and is presently being restored at a location in the Borough’s Kistler Street Parking lot. Nauman, Inc. began construction on a three story building at the former Depot site with the first floor being a restaurant and the upper floors for apartments. The project designers are trying to keep many of the architectural features from the former Dansbury Depot building.

In 2010 Smithfield Township Sewer Authority began sending flows to the East Stroudsburg Sewage Treatment Plant pursuant to a 2004 agreement. The Borough received over a half million dollars representing the payment of EDU fees for the Authority’s sewage which now will be served by the Borough. The majority of sewage flow is from commercial establishments within the Township and this agreement will allow for future commercial growth for the benefit of both municipalities.

Council approved the timbering of another section of the Borough reservoir property. This sale of timber from approximately 165 acres amounted to over \$92,000.

As Chairman of the Stroud Area Regional Police Commission I would like to note that the Regional Police Department has also been affected by the economy via the limited revenues available to the member municipalities. The Police Commission adopted a 2011 budget that had unproportional increases in pension fund cost due to the crisis in the financial markets, substantial increases in employee medical insurance costs, and continued increases in contractual costs. This resulted in a proposed reduction of two officers from the force. I am pleased to report that, in cooperation with the Stroud Area Regional Police Association, these layoffs were averted by one retirement and additional payments by the Association and the three municipalities will forestall the need for the 2nd proposed layoff.

In the area of finances, Borough Council had to take the tough step to increase the General Fund real estate tax millage rate for the second year in a row.

The Borough in 2009 was awarded a \$3.59 million grant through a competitive application process to pay for 80% of the proposed dam rehabilitation work at the East Stroudsburg Reservoir. Increasing water fund reserves to pay for capital improvements that the Borough needs to make in the water system, including the major rehabilitation work at the East Stroudsburg Dam and Middle Dam, and waterline replacements predicated Council’s decision to increase water rates in February 2010.

Council heard presentations by Johnson Controls, Inc. for proposals for energy management/facility improvement measures for the Borough. This will lead to undertaking various energy conservation measures that will save on future energy costs. We hope to contract with a company that will guarantee the savings obtained by the energy conservation measures which will more than offset the cost of borrowing monies to complete the improvements.

The 2010 street paving program included an extensive list of roads paved including portions of Analomink Street, Lenox Avenue, Center Street, and Prospect Street. Construction also included replacing/upgrading ADA handicapped ramps at street corners on the streets that were slated for paving. Due to the size of the list, the Borough needed to utilize Community Development Block Grant (CDBG) funds for this work in order to accomplish the number of ramps replaced.

On July 4th the Borough again co-sponsored with the Eastburg Community Alliance (ECA) the eighth annual "American Freedom Festival" at Dansbury Park. Plans are underway for another fantastic festival this 4th of July as it has become a "must-attend" event. ECA also held "Crystal Street Cruiser Nights" downtown on four (4) dates during the summer which included hosting musical entertainment and antique cars. This event encouraged downtown traffic for our businesses and will continue in 2011.

Council in cooperation with ECA approved the lease of property from the Borough to enable relocation of the historic Train Station structure from its former site on Crystal Street. ECA received several funding commitments to pay for the cost of relocating the structure across the railroad tracks, placing it on a foundation, replacing the roof and rebuilding the portion of the building that was mostly destroyed by the fire, and then securing the building. The estimated cost for this work is \$250,000 to \$300,000. Mr. Troy Nauman, owner of the Depot property donated the structure to ECA. ECA is the lead organization on this project, and is the logical group to do so since as the Main Street-designated organization for East Stroudsburg, it will be more likely to obtain grant funding and other private contributions to pay for the complete restoration of the Train Station including the fire damaged interior.

The long awaited \$2.8 million new fire station on Chestnut Street was completed in late in 2010. Acme Hose Volunteer Fire Company moved into the new facility in October.

A new environmental issue has surfaced in the clean-up of the former IBW industrial site that has been undergoing remediation. We are hopeful this new issue can be addressed and sale of this property can occur in the summer of 2011 to create new job opportunities within the Borough.

The official opening of the first major trailhead to the Levee Loop Trail in Dansbury Park occurred in September 2010. It includes an access road, parking, concrete stairs and paved ADA-compliant ramps to the top of the levee, bike racks, shade trees, and information kiosk, and a scenic vista of the park and the Brodhead Creek corridor. This culminated a coordinated effort by the Borough, Stroud Region Open Space and Recreation Commission and its Friends Group, and countless volunteers and local organizations, to bring this project to a reality.

We are sorry to see our East Stroudsburg University (ESU) Student Ambassador Ashley Puderbach complete her service on council. She was very active in the Adopt-A-Street Program with many student organizations participating in the program. Ashley has held this position since her Junior Year and graduated with her Master's Degree in December 2010. We welcome Nick Tetro as the new ESU Student Ambassador.

We are fortunate to have qualified and dedicated employees and professional staff who are able to administer the wide range of issues facing the municipal government for the betterment of the borough as a whole. We are also fortunate to have a Mayor and Council who are able to work together along with a large number of volunteers serving on boards and commissions to make East Stroudsburg a better community for all its residents.

And now a brief look at future plans and goals for 2011:

Organizations summarize goals and objectives into a mission and vision statement. I would like to develop with the council, mayor and stakeholders a vision and mission statement for the borough of East Stroudsburg. The purpose of which is to define the fundamental purpose of the Borough and outline the vision for the future and be source of inspiration.

East Stroudsburg's last comprehensive planning and zoning review is twenty years old and it is obvious that the Comprehensive Plan needs to be reviewed and updated. Work on the updated the plan began in 2010 with the assistance of Urban Research & Development Corporation consultants. Due to the positive quality of life

created by the services we provide and the demand created by our excess water and sewer capacities, we should carefully review current land uses. The Comprehensive Plan can find creative ways to offset infill and redevelopment in the Borough so as to create a character that will fit the needs of our residents.

Finally I will note several major challenges and opportunities facing the future of East Stroudsburg:

The recent revitalization in our town center is very truly welcomed. It is anticipated property values will increase as a result of these projects and more importantly the facility will attract tourism and bring people to our business community. Along with change and growth come challenges, we must continue to find innovative ways to stimulate economic revitalization and job creation in and for our community. We must also be open to creative methods of fostering economic development. Council will need to work in tandem with other public agencies to enhance our quality of life, provide quality job opportunities to our citizens, and coordinate and plan economic development in East Stroudsburg.

The Borough's housing stock conversion to rental properties continues at an accelerated rate. We must find ways to assist with promoting and preserving owner-occupied residential housing in East Stroudsburg. We should have a goal to review existing zoning ordinances and enforcement measures to address any impacts which rental properties have on residential neighborhoods.

In previous years, I addressed the need for a place to preserve the history of East Stroudsburg to pass on to future generations. Well tonight I happy to report that quite unexpectedly we now have a potential home for East Stroudsburg history in the relocated 1864 Train Station facility. The station restoration is more than a tribute to our unique sense of place in the past; it is an investment in the future revitalization of our community. Now our challenge is to seek broad community support for the future of the Train Station and its adaptive reuse.

Thank you and God bless East Stroudsburg!

Respectfully submitted,

Roger L. DeLarco, President
East Stroudsburg Council
January 27, 2011

Public Comments – Agenda Items

None

Request for Driveway Opening at 125 East Brown Street (Off Merten Street)

Mr. Phillips explained that Gary Kessler has acquired the residence at 125 East Brown Street and has submitted plans to convert it into a two family dwelling. Mr. Williamson said a conversion is permitted as a special exception under the Zoning Ordinance but there is not enough parking on the lot for two units so the owner is requesting a variance. Mrs. Wolbert stated that the Borough should oppose this request, because we should not be encouraging the conversion of existing residences into rental housing. Mr. Henning stated that perhaps the Borough should not permit conversions to two family dwellings within the R-2 zoning district. Mrs. Wolbert made a motion, seconded by Mr. Repsher to authorize the solicitor to attend the Borough's Zoning Board Hearing and express the opposition of Borough Council to the two family dwelling conversion at 125 East Brown Street. The motion carried unanimously.

Schedule Public Hearing on Community Development Needs of the Borough that May Be Addressed by Use of Community Development Block Grant (CDBG) Funds

Mr. Brozusky made a motion, seconded by Mr. Repsher to authorize advertising the public hearing for Tuesday February 15, 2011 at 7:30 p.m. The motion carried unanimously.

Public Hearing Rescheduled on Proposed Zoning Amendment to Allow Retail Auto Parts Sales as Permitted Use in the M-1 (General Industrial) District, and Rename the M-1 District to OM-1 (Office Manufacturing) District

Mr. Reese made a motion, seconded by Mr. Brozusky to ratify the advertising of the public hearing for the Tuesday February 1, 2011 Council meeting at 7:30 p.m. The motion carried unanimously.

Consulting Services Agreement with R.K.R. Hess Associates, Inc. for Preparation and Submittal of 2011 Year Monitoring Reports for the Two Former Joint Municipal Landfill Sites, in East Stroudsburg Borough and Stroud Township

Mr. Brozusky made a motion, seconded by Mr. Repsher to approve the proposed agreement with R.K.R. Hess for the 2011 year monitoring work at the former landfill sites. The motion carried unanimously.

Proposed Ordinance Precluding the Use of Ground Water for Domestic, Potable or Agricultural Purposes and Restricting Drilling of Wells and Extraction of Ground Water

Mr. Henning asked if this proposed ordinance pertains to the former IBW property? Mr. Phillips said yes DEP is requiring that the Borough adopt restrictions by ordinance on the use of ground water from the IBW site. After discussion, Mr. Brozusky made a motion, seconded Mr. Henning to prepare and advertise a proposed ordinance in order to satisfy the requirements of PA DEP to obtain environmental clearance. The motion carried unanimously.

Public Employee Relations Advisory Service (PELRAS) Training at State College, March 23-25, 2011

Mr. Henning made a motion, seconded by Mr. Repsher to authorize Manager James Phillips to attend the PELRAS training as requested, with reimbursement of expenses in accordance with Borough travel policy. The motion carried unanimously.

Public Comments – New Business

None

Correspondence

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

- a. Monroe County Board of Assessment Appeals – real estate tax exemption granted for two Borough owned parcels; the North Kistler St. parking lot and the Recycling Center/Sewage Treatment Plant property located off of Forge Road.
- b. A letter from the Monroe County Commissioners concerning plans for the 175th Anniversary Celebration of the incorporation of Monroe County.
- c. A copy of the 2010 Year Inspection Report for the East Stroudsburg Flood Protection project from the Pennsylvania Department of Environmental Protection (PA DEP) – acceptable rating. Mr. Phillips noted that this is actually the highest rating; the other possible ratings are “minimally acceptable” and “unacceptable”.
- d. A letter from the Monroe County Conservation District requesting funding for the operation of the Pocono Creek Stream Gauge.
- e. A copy of the Task Force Report and information on the Legislative Reception planned for March 7, 2011 in Harrisburg by the Pennsylvania League of Cities and Municipalities (PLCM) Core Communities Caucus. Mr. Brozusky made a

- motion, seconded by Mrs. Wolbert to authorize sending invitations to the Borough's Legislators to attend the Legislative Reception on March 7, 2011. The motion carried unanimously.
- f. Technical review comments from the Pennsylvania Department of Environmental Protection (PA DEP) of plans for the East Stroudsburg Dam Rehabilitation project. Mr. Phillips noted that he along with Sam D'Alessandro and Wayne Gross of R.K.R. Hess Associates, Inc. had traveled to Harrisburg last Wednesday to meet with representatives of DEP to go over the plans for the dam rehab project.
 - g. A letter from the Monroe County office of Emergency Services inviting the Borough to participate in the Monroe County Hazard Mitigation Planning process.
 - h. A letter and information from PA DEP concerning changes to the monitoring requirements for the Borough's public water supply system.
 - i. A letter from the Northeast Pennsylvania Alliance (NEPA) announcing a funding opportunity available to municipalities under the PennDOT Transportation Enhancement (TE) program. Mr. Phillips said there will be a seminar at the NEPA office next week to review requirements for submitting a TE Grant application. After discussion, Mr. Brozusky made a motion, seconded by Mr. Henning to authorize preparation and submittal of an application by the Borough for a second phase of the Borough's downtown streetscape project, for possible TE grant funding. The motion carried unanimously.
 - j. A letter from the Monroe County Board of Assessment Appeals stating that the Board has agreed to reduce the assessment of the 66/68 Analomink Street property owned by the Borough. Mr. Phillips said the new assessed valuation will be 52,380 coming down from \$83,390 figure currently in place. However, Mr. Phillips said that Thomas McKeown of McKeown Realty, who prepared the appraisal report for the Borough, had valued the property approximately at \$220,000. This new assessment would still value the building at approximately \$330,000. After discussion, Mr. Henning made a motion, seconded by Mr. Brozusky to authorize the Solicitor to file an appeal with Monroe County Common Pleas Court in regards to this assessment matter, as necessary. The motion carried unanimously.

Reports

Mayor Martinelli reported receipt of a letter/complaint from a resident of East Broad Street concerning a recent fireworks incident at night. The resident was not satisfied with the police response to this matter. Mr. Martinelli also noted that he had received a complaint from the neighbor who lives next to the former Smith's gas station, complaining again about the noise from the groundwater remediation system which has been operating at the former gas station site.

Mrs. Wolbert reported that at the last meeting of the Stroud Region Open Space & Recreation Commission (SROSRC) an issue was reported regarding regional field use fees which SROSRC is now charging for use of municipal fields and facilities under agreement with the three Municipalities. Mrs. Wolbert also reported that SROSRC Director Tim Herd had attempted to contact Thomas Counterman regarding his concerns for the proposed surfacing of the Levee Loop Trail atop the East Stroudsburg flood protection levee. Mrs. Wolbert said the proposed surfacing of the levee trail will only occur between the Veterans Bridge and the trailhead bump-out at Dansbury Park. Also it is unlikely that this project will be able to proceed this year (2011) because the Friends of SROSRC has not raised sufficient funds yet for their portion of the matching share project cost. After discussion, Mr. Repsher made a motion, seconded by Mr. Brozusky to authorize execution of the grant contract with the Pennsylvania Department of Conservation & Natural Resources (PA DCNR) for the proposed surfacing of a portion of the Levee Loop Trail within the Borough. The motion carried unanimously.

Nick Tetro, ESU Student Ambassador, reported that the University is no longer using any social security numbers for student ID or parking permits, etc. at the University.

Mr. Reese noted that the Golf Committee had met prior to this Council meeting. He asked for a copy of the resume for Mike Hogan who is proposed to work at Terra Greens Golf Course as a PGA Golf Pro.

Mr. Henning asked for an update on the ECA project to relocate and secure the former train station building at its new location at the Kistler St. parking lot. Mr. Henning also stated that the Borough should be looking at holding an auction for sale of the old firehouse property. Mrs. Wolbert said this market might not be the best time to attempt to sell this property.

Mr. DeLarco asked Mr. Phillips to look up and verify the time requirement in the Borough ordinance concerning so called "disruptive houses" so that Council can extend the time period within which a second police call constitutes a violation. Mr. DeLarco also asked Mr. Phillips to provide information concerning the Borough's requirements concerning unlicensed vehicles. Mr. Phillips said he had intended to place that on the agenda for this month's Committee meeting but of course that schedule had changed do to cancellation of the January 18, 2011 regular meeting.

Mayor Martinelli stated that the Borough perhaps should look at upgrading its noise "violation" ordinance requirements.

Mr. Phillips reported he met with the new Parking Manager at East Stroudsburg University, Sean Talerico, during his first week of employment with the University. Mr. Phillips asked Council if they wish to send letters to the university and hospital requesting contributions to the Borough Fire Truck Replacement Fund? Council agreed that we should send letters requesting donations and noting the recent cost incurred for the new Borough Fire Station. Finally Mr. Phillips noted that Councilman DeLarco, Mayor Martinelli, and Manager James Phillips all qualify for Pennsylvania State Association of Boroughs Service Awards with Mr. DeLarco having served more than 20 years and the Mayor and Manager more than 10 years each with the Borough

List of Bills

Mr. Brozusky made a motion, seconded by Mr. Reese to ratify approval of the list of bills originally dated January 18, 2011 as submitted. The motion carried unanimously. Mr. Brozusky made a motion, seconded by Mr. Reese to approve the list of bills payable and to ratify expenditure and payroll through January 27, 2011 as submitted. The motion carried unanimously.

Committee Meeting Discussion Items

Mr. Williamson reported that he was unable to get together with Sam D'Alessandro from R.K.R. Hess Associates this week to discuss further the proposed ordinance amending the requirements for off street parking in the I-U and I-M zoning districts.

Mr. Phillips noted several minor issues to discuss concerning the proposed ordinance to increase penalties for parking meter violation and parking meter rates in the Institutional District near the University. Mr. Phillips said the ordinance as drafted establishes the time period when coins are required for metered parking spaces in the Institutional District from 7am to 5pm Monday thru Saturday; as opposed to the Downtown District hours which would remain 9am to 5pm. Mr. Phillips said there is also one metered parking zone on Prospect St. south of Centre St. that currently restricts parking from 12 midnight to 8am; the proposed ordinance includes changing that zone to conform with all the other zones whereby parking is prohibited from 2am to 7am. After discussion, Council agreed to leave the provisions as drafted in the proposed ordinance.

Mr. Phillips stated that when the Borough originally installed water meters in the early 1980's the Borough had converted water measurement to kiloliters-because at the time, apparently, everyone thought this would go metric. Mr. Phillips suggested that since we are considering making a major investment in replacing many water meters with

a automatic meter reading system, that now might be the time to change back to gallons usage.

Mr. Phillips noted that Pocono Medical Center has expressed interest in having the Borough authorize hospital security personnel to enforce parking violations on hospital property.

Mr. Phillips suggested that the Borough consider adding a requirement for occupancy inspections upon sale of properties to require that separate water service line meters be required for duplexes that are under separate ownership. After discussion, Mr. Phillips said he would try to obtain some numbers on the number of structures that have this situation within the Borough.

Authorize Manager to Carryover Accrued and Unused Vacation Leave

Mr. Repsher made a motion, seconded by Mr. Reese to authorize Manager James Phillips to carryover unused accrued vacation leave in excess of the normal permitted carryover amount as of January 1, 2011. The motion carried unanimously.

Adjournment

With no further business Mr. Brozusky made a motion, seconded by Mr. Repsher to adjourn the meeting at 9:15 pm. The motion carried unanimously.

James S. Phillips, Secretary