

East Stroudsburg Borough, May 3, 2011

A regular meeting of the East Stroudsburg Borough Council was held at the Municipal Building on Tuesday May 3, 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; Engineering Representative Samuel D'Alessandro of R.K.R. Hess Associates, Inc.; ESU Student Ambassador Nick Tetro; and several residents in the audience.

Call To Order/Pledge of Allegiance

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

Minutes of April 19, 2011 Regular Council Meeting

Mr. Brozusky made a motion, seconded by Mr. Reese to approve the minutes of the regular Council meeting held April 19, 2011 as submitted. The motion carried unanimously.

Public Comments

Cheryl Hayne, Executive Director of the Eastburg Community Alliance, asked Council to consider sponsoring the fireworks for the American Freedom Festival on July 4th. The fireworks will cost a total of \$7,000. Mr. Phillips said the Borough does support the Freedom Festival already and hopes that the ECA can get other sponsorship for the fireworks. After discussion, Mr. Reese made a motion, seconded by Mr. Repsher to authorize the Borough to pay for ½ the cost of the fireworks for the July 4th festival. The motion carried with Mr. DeLarco abstaining.

Dr. Hayne reported that the "Books, Brushes and Blooms" event will be held this Saturday May 7th from noon to 4:00 p.m. at Miller Park. Dr. Hayne also introduced Sonya Cole as the newest ECA Board member, and noted that site work is proceeding on the Old Train Station restoration and ECA is applying for funds for the inside renovations. Mayor Martinelli thanked Dr. Hayne for all her hard work on preserving the former Dansbury Depot building.

Ordinance No. 1242 Amending Chapter 157 of the East Stroudsburg Code, Revising Requirements for Off-Street Parking for a Parking Structure

Mr. Phillips said the proposed ordinance has been advertised in the Pocono Record for possible enactment. Mr. Brozusky made a motion, seconded by Mr. Reese to adopt proposed Ordinance No. 1242 amending the zoning code, revising requirements for off-street parking as advertised. The motion carried unanimously.

Land Development Plan/Conditional Use Application by Pocono Medical Center for Proposed Employee Parking Structure on East Brown Street, I-M District

Steven Cunningham and Keith Snidtker were present on behalf of the applicant, Pocono Medical Center. Mr. Phillips noted that the Borough had received a letter from the design firm for Pocono Medical Center for the parking structure addressing the comments of Mr. D'Alessandro from the last meeting. Mr. D'Alessandro said he has not received new plans for the application, but he would not have a problem if Council approves the plans subject to their verification of the required changes on the final plans. Mr. Brozusky made a motion, seconded by Mr. Reese to grant conditional use approval for the proposed PMC employee parking structure. The motion carried unanimously. Mr. Reese then made a motion, seconded by Mr. Henning to approve the land development plan for the proposed employee parking structure as submitted; subject to

submittal of the revised plans and execution of a development agreement as required. The motion carried unanimously.

Contract for Road Line Painting Awarded by Council of Governments

Mr. Phillips reported that the Pocono Mountain Council of Governments (COG) open bids on April 25, 2011 for road line painting, and awarded the low bid proposal as received from Midlantic Markings, Inc. Mr. Brozusky made a motion, seconded by Mr. Repsher to accept the contract awarded by PM COG for road line painting as recommended. The motion carried unanimously.

Proposed Ordinance Amending East Stroudsburg Code, by Adding New Chapter 110 - Parades and Assemblies

Mr. Reese asked if the thirty (30) days advance notice required by the ordinance is enough time? Mayor Martinelli said thirty days should normally be sufficient. Mr. Brozusky said he is in favor of the ordinance but Stroudsburg Borough needs to adopt one too, since the major parade route goes through both towns. Mayor Martinelli said the issue is Council must decide whether to charge these groups for these type of events for the cost incurred by the Boroughs and the Police Department. Mr. Henning expressed concern for charging a fee to these non-profit organizations. Sonya Cole said she thinks it's a shame that Council even has to discuss charging a fee for parades. Mayor Martinelli said the Borough needs to have an ordinance on the books to be able to enforce regulation of the parade routes and penalties. Mr. Phillips pointed out that the ordinance as written does permit Council to waive the fees for parade or assemblies, at its discretion, and Council can set the fees charged by resolution-which can be changed at anytime. After further discussion, Mr. Brozusky made a motion, seconded by Mr. Reese to table action on the proposed ordinance. The motion carried unanimously.

Ordinance Amending East Stroudsburg Code Chapter 154 (Water) Precluding the Use of Groundwater and Restricting the Drilling of Wells – former IBW Property

Mr. Henning noted that Pennsylvania Department of Environmental Protection (DEP) is requiring that the Borough adopt such an ordinance in order to obtain environmental clearance for the property. Mr. Henning made a motion, seconded by Mr. Brozusky to authorize advertising the proposed ordinance for this purpose. The motion carried unanimously.

Renewal of Agreement with Smithfield Township Supervisors for Township Residents Use of Dansbury Park Swimming Pool

Mr. Reese made a motion, seconded by Mrs. Wolbert to authorize renewal of the agreement for the 2011 season with Smithfield Township whereby Township residents can utilize Dansbury Park Swimming Pool at the Borough resident rates, with reimbursement by the Township for the cost difference. The motion carried unanimously.

Public Comments – New Business

None

Correspondence

Mr. Phillips passed around a plaque, the certificate of achievement received from PA DEP for the Boroughs maintenance of its flood protection project for the 2010 year. Mr. Phillips also noted that the Borough has received “Tree City USA” designation again for the 2010 year from the Arbor Day Fountain, due to the efforts of our Shade Tree Commission.

Reports

Mr. D'Alessandro reviewed his written engineer's report previously submitted to Council. Mr. D'Alessandro noted that the Borough has finally received approval from PennDOT for the ADA ramps reconstructed last year by the Borough along Prospect Street. Mr. Henning asked about painting the raised curbs at several of the ADA ramps in the downtown area? Mr. Phillips said he did check with PennDOT and they do not object to the Borough painting the raised curbs yellow if needed. Mr. D'Alessandro asked what Council intends to do with the proposed ordinance revising parking requirements in the institutional districts? After discussion by Council, Mr. Williamson said he would attend the next Council Committee meeting to discuss this further with Council.

Mr. Reese stated that Council needs to require more of our landlords of rental properties in the Borough, in order to stop the decline in our housing stock. Mrs. Wolbert said the Borough needs to prevent conversion of single family homes to two family structures. Mr. Henning said the Borough should enforce its existing ordinances that we do have on the books before adopting new ones.

Mr. Henning reported that the Zoning Ordinance Review Committee (ZORC) meeting will be held Tuesday May 17, 2011 at 6 p.m., to accommodate attendance by Council members. Mr. Henning also noted that there was a shooting on his street last week and inquired whether the police have any leads?

Mr. Williamson said he had reviewed the lease agreement received from the insurance company for the driver who caused the damages at the sewer treatment plant. Also Mr. Williamson gave a brief report on the efforts to acquire title to the Veterans Memorial property through condemnation, if necessary.

Mrs. Wolbert asked about the status of the leftover parcel of ground at the southern end of Prospect St. at the I-80 exit interchange? Also Mrs. Wolbert said the Borough needs to do more to encourage new businesses coming into the Borough.

Mr. Repsher asked about the water leak at the Washington and Courtland Streets intersection? Mr. Phillips said the waterline valve in the intersection has been leaking since the line was turned off temporary last week for repairs, and we believe it will stop leaking around the packing when the valve is opened up entirely once again.

Mr. Brozusky suggested that the Borough contact PennDOT or the state representatives concerning the construction work on Interstate 80 near the Main Street exit in Stroudsburg. Mr. Brozusky said more signage is needed prior to the lane split that is now in place for both directions. Mr. Brozusky also noted his concern for people scavenging the rubbish that people put out for the weekly garbage pick-ups

Mr. DeLarco reported that he had recently spoken to Paul Shemansky of Marguerite Street concerning the stormwater issue there. Mr. Shemansky had also inquired whether Borough Council intends to try to prohibit the sale of "bath salts" within the Borough? Mr. DeLarco also noted that there appears to be several garages off of the alley between Braeside and Brodhead Avenues that are falling down. Mr. DeLarco also commented that we need more enforcement of matters such as garage and debris accumulating within the Borough.

Mr. Phillips reported that water system flushing will occur next week, Wednesday & Thursday May 11 & 12, 2011 in the evening. Mr. Phillips said he attended the Safe 80 Committee meeting last Friday at Pocono Township, and the main discussion at that meeting was the traffic issues on Interstate 80 due to construction. Finally, Mr. Phillips reported that he received a call from East Stroudsburg High School South that no students residing in the Borough have qualified for the perfect attendance award this year.

List of Bills

Mr. Reese made a motion, seconded by Mr. Brozusky to approve the list of bills payable and to ratify expenditures and payroll made through May 3, 2011 as submitted. The motion carried unanimously.

Executive Session

Mr. Reese made a motion, seconded by Mrs. Wolbert to adjourn into executive session at 8:50 p.m. The motion carried unanimously.

At 9.00 p.m. Council members reassembled in the meeting room and Mr. Henning made a motion, seconded by Mr. Reese to reconvene the public meeting. The motion carried unanimously. Mr. Williamson reported that the executive session had been held to discuss one real estate matter, one litigation matter and one personnel matter.

Resolution No. 11-2011 Appointment to Shade Tree Commission

Mr. Henning made a motion, seconded Mr. Reese to adopt proposed Resolution No. 11-2011 appointing Patricia Cameron to a five (5) year term on the Borough Shade Tree Commission expiring April 30, 2016. The motion carried by a vote 4 to 2 with Mr. Brozusky and Mrs. Wolbert voting no.

Adjournment

With no further business Mr. Henning made a motion, seconded by Mrs. Wolbert to adjourn the meeting at 9:03 p.m. The motion carried unanimously.

James S. Phillips, Secretary