

MINUTES
Stroudsburg Borough Council Meeting
Tuesday, September 20, 2016 at 7 p.m.

Note that the minutes are presented in the order in which items were discussed at the meeting. Each agenda item, however, has retained the original number it was assigned on the original agenda.

1. Call Meeting to Order/Roll Call: Council President Ken Lang called the meeting to order at 7:00 p.m. Recording Secretary Lynn Heimbach called roll. Present were President Lang, Vice President James Smith, Mayor Tarah Probst, Solicitor Joe McDonald, Council Members Joanne Kochanski, Boyd Weiss, Matt Abell, Mark Connors and Patrick Maurath.

2. The Pledge of Allegiance was recited.

3. Public Hearing

- A. Consideration of a proposed ordinance amending Chapter 15, Motor Vehicles and Traffic, Part 3, Section 308, Parking Time Limited in Certain Locations, Certain Days and Hours. Pertaining to parking limits on certain portions of North 7th Street, South 8th Street, South 6th Street and South 7th Street: The public hearing was opened at 7:02 p.m. Solicitor McDonald stated that the hearing was properly advertised and the matter was discussed at the last council meeting. Hearing no public comment a motion was made by Mrs. Kochanski, second by Mr. Smith, to close the public hearing. Motion passed unanimously.
- B. Consideration to approve a proposed ordinance amending Chapter 15, Motor Vehicles and Traffic, Part 3, Section 308, Parking Time Limited in Certain Locations, Certain Days and Hours. Pertaining to parking limits on certain portions of North 7th Street, South 8th Street, South 6th Street and South 7th Street: Motion by Mrs. Kochanski, second by Mr. Abell, to approve a proposed ordinance amending Chapter 15, Motor Vehicles and Traffic, Part 3, Section 308, Parking Time Limited in Certain Locations, Certain Days and Hours; pertaining to parking limits on certain portions of North 7th Street, South 8th Street, South 6th Street and South 7th Street. Motion passed unanimously.
- C. Consideration of a proposed ordinance amending Chapter 15, Motor Vehicles and Traffic, Part 3, Sections 312 Penalties, 316 Handicapped Parking, 714 Penalties and 808 Penalties. Pertaining to time between violations: The public hearing was opened at 7:03 p.m. Solicitor McDonald stated that the hearing was properly advertised and the matter was discussed at the last council meeting. Hearing no public comment a motion was made by Mr. Smith, second by Mr. Weiss, to close the public hearing. Motion passed unanimously.
- D. Consideration of a proposed ordinance amending Chapter 15, Motor Vehicles and Traffic, Part 3, Sections 312 Penalties, 316 Handicapped Parking, 714 Penalties and 808 Penalties. Pertaining to time between violations: Motion by Mrs. Kochanski, second by Mr. Smith, to approve a proposed ordinance amending Chapter 15, Motor Vehicles and Traffic, Part 3, Sections 312 Penalties, 316 Handicapped Parking, 714

Penalties and 808 Penalties; pertaining to time between violations. Motion passed unanimously.

4. Public Input on Non-Agenda Items: Scott Street resident Suzanne McCool was present once again to see if the fire department can identify the source of smoke in her neighborhood. She suffers from asthma and allergies and frequently has to close her windows. Council Member Kochanski stated she herself has driven around trying to identify where the smoke is coming from but cannot locate the source. She feels it may be coming from Stroud Township. Mayor Probst also offered to locate the source next time it happens. President Lang referred the issue to the Codes Committee. Mrs. McCool left a self-help book for people who suffer from allergies and asthma along with a list of dates for Council to review.

Motion by Mr. Abell, second by Mrs. Kochanski, to close public input. Motion passed unanimously.

5. Approval of Council Meeting Minutes: September 06, 2016: Motion by Mr. Weiss, second by Mr. Maurath, to accept the September 6, 2016 Council Meeting Minutes. Motion passed unanimously.

6. Monthly Administrative Reports: Motion by Mr. Abell, second by Mr. Weiss, to approve the Monthly Administrative Reports. Motion passed unanimously.

7. Accept July Treasurer's Reports: Motion by Mrs. Kochanski, second by Mr. Smith, to accept the August Treasurer's Reports subject to audit. Motion passed unanimously.

Old Business

8. Confirm by Motion approval of the St'ART Stroudsburg Halloween festivities: Interim Borough Manager Brian Bond stated the Shade Tree Committee approved the hanging of the plastic eyeballs in trees at their last meeting. Motion by Mr. Smith, second by Mr. Abell, to accept the St'ART Stroudsburg Halloween festivities. Motion passed 6-1-0 with Mr. Connors voting no.

New Business

9. Consideration of a request from the Stroudsburg Fire Department to close Court House Square for a Fire Prevention Event on Sunday, October 2nd, 2016 from 12:00-3:00 PM: Motion by Mrs. Kochanski, second by Mr. Weiss, to approve a request from the Stroudsburg Fire Department to close Court House Square for a Fire Prevention Event on Sunday, October 2nd, 2016 from 12:00-3:00 PM. Motion passed unanimously. Mayor Probst will advertise the event on social media.

10. Consideration of a request from the First Presbyterian Church for Free Parking for persons attending their annual volunteer appreciation luncheon on Saturday, October 22nd: Motion by Mrs. Kochanski, second by Mr. Abell, to approve a request from the First Presbyterian

Church for Free Parking for persons attending their annual volunteer appreciation luncheon on Saturday, October 22nd. Motion passed unanimously.

11. Consideration of a request from Stroud Area Regional Police to close the Skate Park for 30 days due to illegal activity: Interim Borough Manager Brian Bond stated the police and school district have recently reported numerous assaults along with drug and alcohol issues at the skate park which was verified by Acting Police Chief Jen Lyon. She stated that because the skate park is concealed from the road, the violators can see the police coming and scatter and that in the past closing the skate park reduced the illegal activity. Mayor Probst felt closing it would hurt the few people who really use it for skating and the offenders will just conduct the illegal activity somewhere else in town. She suggests just closing it at dusk. Motion by Mrs. Kochanski, second by Mr. Smith, to approve a request from the Stroud Area Regional Police to close the Skate Park for 30 days due to illegal activity. Motion passed 5-2-0 with Mr. Weiss and Mr. Maurath voting no.
12. Consideration of a Resolution appointing Brian S. Bond as the Borough Treasurer and Borough Secretary: Solicitor McDonald stated that by law the Borough Treasurer must be bonded. Motion by Mrs. Kochanski, second by Mr. Abell, to approve a Resolution appointing Brian S. Bond as the Borough Treasurer and Borough Secretary pending him being bonded. Motion passed unanimously.
14. Consideration of a Resolution to adopting the Minimum Rehabilitation Standards as requested by the Pennsylvania of Community and Economic Development: Motion by Mrs. Kochanski, second by Mr. Abell, to approve a Resolution to adopt the Minimum Rehabilitation Standards as requested by the Pennsylvania Department of Community and Economic Development. Motion passed unanimously.
13. Consideration of a Resolution to authorize the signatories of Banking Instruments of the Borough of Stroudsburg: Motion by Mr. Abell, second by Mrs. Kochanski, to authorize a Resolution removing Cathryn Thomas, Mary Cramer as of September 30th and Lynn Heimbach as of October 14th and adding Brian Bond, Mary Pat Quinn and Deb Muccione as signatories of Banking Instruments of the Borough of Stroudsburg. Motion passed unanimously.
15. Consideration to approve a joint agreement among the Stroudsburg and East Stroudsburg Boroughs and Stroud Township to hire the RKR Hess engineering firm to generate a required annual report, to be submitted to the DCED, pertaining to ongoing monitoring of landfills formerly operated by the three municipalities, with the following estimated costs: Motion by Mrs. Kochanski, second by Mr. Weiss, to approve a joint agreement among the Stroudsburg and East Stroudsburg Boroughs and Stroud Township to hire the RKR Hess engineering firm to generate a required annual report, to be submitted to the DCED, pertaining to ongoing monitoring of landfills formerly operated by the three municipalities. Motion passed unanimously.
16. Consideration of a Resolution approving the Borough submitting an application for a Local Share Account (LSA/Gaming) Grant, requesting funding for the following item: Interim

Borough Manager Brian Bond explained these funds are allowed for roadway projects located within 20 miles of Mt. Airy Casino but in the past have gone mostly to non-government entities. Council Member Smith suggested that since we have never been approved for LSA/Gaming money, Council should consider contacting our State Legislators. He added that those funds are designed to help alleviate taxpayer burdens but lately the recipients are entities such as Mountain Valley Vineyards and the YMCA which don't benefit taxpayers. Motion by Mr. Connors, second by Mr. Smith, to adopt a Resolution approving the Borough submitting an application for a Local Share Account Grant along with letters to our elected officials requesting their support. Motion passed unanimously. Mr. Bond stated that letters of support have already been sent to the County Commissioners, Judges and State Representatives Mario Scavello and David Parker but no responses have been received as of yet. Mayor Probst suggested resending the letters.

17. Solicitor's Report: Solicitor McDonald reported that at the last council meeting the borough conducted the beginning of a hearing from Attorney Mark Wolfe regarding Shanti House LLC but it was decided to continue that hearing for ninety days. Since that time, Shanti House LLC did make a request to appear before our Planning Commission which will not happen until November 14th so the hearing can probably resume after that date.

Solicitor McDonald did send a thirty day demand letter last week to Attorney Alan Young on behalf of his client Ray Price Motors with respect to two separate trespasses, one on lower Main and the other on N. 9th.

Solicitor McDonald reported that there has been no decision yet from Judge Zulick regarding the original Shanti House LLC application.

18. Mayor's Report: Mayor Probst thanked the SARP Department and Commission for all they have done to alleviate vagrants in town. There are a few left but their issues seem to be with mental illness. There was a letter that went out from a community action to allocate funds from Pocono Alliance to help the mentally ill community. The mayor did attend a meeting with the Stroudsburg Neighborhood Watch where they discussed the same issue. The Police Commission voted to send a letter to the County Commissioners requesting the allocation of funds towards mental health. Commissioner Christie is the only one who responded and is receptive to working on this issue.

During a Stroudsburg Neighborhood Watch meeting Acting Police Chief Jen Lyon stated the borough could utilize their speed trailer to deter speeders when it is not in use. The mayor suggested the borough purchase their own. Mr. Bond stated the cost is approximately \$3,500. Council Member Kochanski suggested possibly partnering with other municipalities and sharing it. President Lang asked that staff investigate this issue and consider it as a New Business item for the next agenda.

Mayor Probst has received complaints from residents of Scott and Thomas Streets regarding speeding and asked Chief Lyon when the borough would be able to use the speed trailer in that area. Chief Lyon stated it is already reserved for next week but most likely the week after. Council Member Abell suggested using something less permanent like thermoplastic line stripping to deter speeding. Motion by Mrs. Kochanski, second by Mr. Weiss, to

approve the use of the SARP speed trailer in various locations throughout town at the discretion of the police chief. Motion passed unanimously.

On a positive note, the mayor reported five new businesses are opening downtown.

19. Council Member Reports:

Council Member Maurath reported that the Parking Committee met on September 23rd where they discussed the purchase of the two multi-space meters for Lots 2 and 3. Upcoming topics of discussion will be merchant processors for those meters, pay by phone services and parking in unapproved parking areas in active construction sites.

Council Member Connors reported that the Personnel Committee interviewed two local candidates for the borough manager position and will interview three out of state candidates next Monday.

Mr. Connors made Council aware that Rich Osswald resigned from the Zoning Hearing Board. Motion by Mr. Connors, second by Mr. Abell to accept the resignation of Rich Osswald from the Zoning Hearing Board with regrets along with a letter expressing the borough's gratitude for his years of service. Motion passed unanimously.

Motion by Mr. Connors, second by Mr. Abell, to appoint Maryanne Kowalyshyn to the Zoning Hearing Board to fill the unfulfilled term of Rich Osswald. Mr. Smith remembers that months ago Council was in agreement that vacant board and committee positions should be advertised to give fair opportunity to everyone interested. Mr. Connors feels Council needs to fill the position quickly as there are a number of important issues in front of the Zoning Hearing Board that shouldn't proceed without a full board. Mr. Smith feels the person appointed should have background and knowledge of the Zoning Hearing Board process. Mr. Weiss stated that because Mrs. Kowalyshyn has been on that board before she has the background and experience needed to fill the position. Motion passed 5-2-0 with Mr. Smith and Mr. Maurath voting no. President Lang asked that a letter be sent to Mrs. Kowalyshyn advising her to start immediately.

Council Member Weiss stated there are still issues with speeding and people running red lights downtown.

Mr. Weiss also reported there are three properties downtown with porches that are ready to crumble. One property was cited and fined \$265. President Lang stated that Council has asked the Historic Architectural Review Board to compile a list of the borough 10 most endangered resources in the borough but they have not met yet.

Mr. Smith asked if the bank requests for proposals Council asked for back in July have gone out. Mr. Bond stated the pre-requests went out and two responses were received. Clarification was requested and received on September 19th from one of the banks regarding the handling of meter coin. Mr. Bond hopes to get the actual requests for proposals out between October 15th and 30th.

Mr. Smith reported that the Recycling Committee met last Thursday and discussed our cost for yard waste debris. He had originally spoken to Ed Cramer at Stroud Township about a tub grinder but they are in the process of applying for a grant to purchase one. Mr. Bond stated we are already in negotiation with Middle Smithfield regarding the use of their tub grinder which would lower our cost. President Lang asked Mr. Bond to add this under New Business on the next agenda.

Mr. Smith spoke to George Strunk about the borough covering the empty gravel lot on the corner of 8th and Main Streets with grass or mulch to make it more aesthetically pleasing. As Mr. Weiss remembers, when Dein Properties applied to tear down the building, they agreed to landscape it if they were not going to build on the lot. President Lang directed Mr. Bond to look into that agreement.

Mr. Smith feels Council Members who attend Council meetings via phone should not be able to vote. Motion by Mr. Smith, second by Mr. Abell for the purpose of discussion, to allow Council to participate in Council Meetings over the phone but don't allow them to vote. Solicitor McDonald stated there are certain rights afforded to Council Members under Borough Code and if the code permits telephonic participation and voting, Council cannot change that. Council Member Abell suggested the borough invest in a better telecommunication system instead. Motion failed 0-6-0 with all of Council voting no. President Lang asked Solicitor McDonald to review the statute and directed staff to look into a better telecommunication system.

Mr. Smith stated that because the majority of office staff is brand new he doesn't feel they should get a raise on January 1, 2017 like the rest of the borough staff. He would like to see the employee manual changed to state that new non-uniform office staff needs to work twelve full months before getting a salary increase. Motion by Mr. Smith, second by Mr. Weiss, to change the personnel policy to state that new non-uniform office staff has to work 12 full months to be eligible for a raise with staff reviewing the new verbiage. Motion passed 5-2-0 with Mr. Connors and Mr. Abell voting no. Solicitor McDonald suggested staff review the personnel policy and draft new language for borough labor counsel to review regarding raises for new hires. Mr. Smith and Mr. Weiss both agreed to amend their motion to advise the borough manager to craft language for Council and our labor counsel to review regarding changing the personnel policy to state that new non-uniform office staff should not receive a raise until they work 12 full months.

20. Manager's Report: Mr. Bond had an update on possibly making N. 6th Street between Scott and Thomas Streets two way. Because it is barely wide enough for two way traffic he suggests making it Alternate Parking to allow for better cleaning and snow removal.

Mr. Bond reported that Michael Cook is resigning from the Shade Tree Committee as he is moving out of the area. Motion by Mr. Weiss, second by Mr. Abell, to accept the resignation of Michael Cook from the Shade Tree Committee. Motion passed unanimously.

Mr. Bond asked Council to consider setting the date and time for Trick or Treat. Some Council Members felt having it over the weekend would be better for the younger children. Motion by Mrs. Kochanski, second by Mr. Abell, to set Monday, October 31st for Trick or

Treat from 6:00 p.m. to 8:00 p.m. closing Scott and Thomas Street from 5th to 8th Streets. Motion passed 5-1-1 with Mr. Maurath voting no and Mr. Connors abstaining.

Mr. Bond requested permission from Council to enter into negotiations with SROSRC to take our skate park equipment and place it in their facility in Dansbury Park where it would be more visible. Mr. Bond suggests using our existing skate park for ice skating in the winter and basketball in the summer. President Lang directed Mr. Bond to draft a formal proposal for the next agenda.

Mr. Bond invited Council to attend a Benecon meeting at the Monroe County Control Center on October 12th at 9:30 a.m. to find out the amount we are getting back on our premium for 2015. Mayor Probst asked if we have received any responses back from the health care request for proposals. Mr. Bond stated the pre-request for proposals is ready to out. Mr. Lang directed Mr. Bond to put out an reminder email advising the date and time of the Benecon meeting.

Mr. Bond reported the Stroudsburg Borough Fall Newsletter is completed and on our website.

Mr. Bond asked for Council consensus on entering into negotiations with the County Commissioners to initiate a pilot for partial reimbursement of taxes on the 701 Main Street property. Council was in favor.

Mr. Bond informed Council that the Emergency Operation Plan was updated and the National Incident Management System (NIMS) compliance reporting is completed.

Mr. Bond will advertise the vacancy on the Shade Tree Committee.

21. Approval of Bills on Warrant 160906: Motion by Mr. Abell, second by Mr. Weiss, to approve the bills on Warrant 160906. Motion passed unanimously.
22. Executive Session: Mr. Bond has a personnel matter for Executive Session. Motion by Mrs. Kochanski, second by Mr. Smith, to go into Executive Session to discuss a personnel matters at 8:29 p.m. Motion passed unanimously. Motion by Mr. Connors, second by Mr. Abell, to resume Regular Session at 8:33 p.m. Motion passed unanimously.
23. Adjournment: Motion by Mr. Abell, second by Mrs. Kochanski, to adjourn at 8:36 p.m. Motion passed unanimously.

Approved:

Ken Lang, President of Council

Attest:

Brian Bond, Interim Borough Manager/Secretary