

STROUDSBURG BOROUGH COUNCIL  
APRIL 4, 2017 MINUTES

A meeting of the Stroudsburg Borough Council convened at 7:00 P.M. in the Council Chambers of the Stroudsburg Borough Municipal Building with the following members present: Ken Lang, Council President; James Smith, Council Vice-President; Patrick Maurath, Councilman; Mark Connors, Councilman; Matt Abell, Councilman; Boyd Weiss, Councilman; and Tarah Probst, Mayor. Councilwoman Joanne Kochanski was absent. Also present were Joseph P. McDonough, Jr., Borough Solicitor; Brian Bond, Borough Manager; Ron Kimes, Code Enforcement Officer; Brian Ace, Assistant Street Superintendent; and Mary Pat Quinn, Executive Assistant.

Mr. Lang congratulated Mr. Bond on his recent appointment as the new Stroudsburg Borough Manager, which was met with applause from Council and others who attended the meeting.

Consideration/Adoption of Ordinance Amending Chapter 15, Motor Vehicles and Traffic, Part 3 General Parking Regulations, Section 316, Parking Prohibited at All Times in Certain Areas, Part 1, Parking Shall be Prohibited at all Times in the Following Locations

Mr. Bond explained that the subject Ordinance would prohibit parking at all times on the North side of Main Street between Third Street and 208 Main Street. The Ordinance was necessary to assist BTS Stroudsburg with obtaining approval for their project from the PA Department of Transportation.

There were no questions or comments from the public during the hearing. A motion was made by Mr. Smith, seconded by Mr. Abell to close the hearing. The motion was carried with all present voting affirmatively.

The Ordinance entitled, "Ordinance Amending Chapter 15, Motor Vehicles and Traffic, Part 3 General Parking Regulations, Section 316, Parking Prohibited at All Times in Certain Areas, Part 1, Parking Shall be Prohibited at all Times in the Following Locations" was adopted on a motion made by Mr. Smith, seconded by Mr. Maurath. The motion was carried with all present voting affirmatively.

Public

During the public portion of the meeting, Jack Muelhan, a resident and business owner, suggested that the Borough start a dialog with the property owners on Main Street regarding snow removal. He expressed displeasure with having received a summary violation for not removing snow from the sidewalk in front of one of his properties. His tenant was out of town. Mr. Muelhan indicated that the Borough should have contacted him instead of filing the violation with the District Magistrate.

Mr. Lang asked Mr. Kimes to explain the procedure involved with the enforcement of snow removal from sidewalks. Mr. Kimes advised that his department allowed an additional 24 hour courtesy beyond the scope of the Ordinance, and they also went door to door with notices. Mayor Probst supported Mr. Muelhan's position.

Janice Grimaldi, a resident of Barry Street, expressed displeasure with having received a parking ticket for violating alternate side of the street parking in the aftermath of the recent snow storm. She indicated that there was no room to park a vehicle on the other side of the road. A discussion ensued regarding this and other resident complaints for the same violation. A motion was made by Mr. Abell to

forgive all of the alternate side of the street parking violations that were given on the day of the snow storm, Tuesday, March 14 through Friday, March 17 and to refund the fines that may have been already paid by residents. The motion was carried with all present voting affirmatively.

Virginia Romagno, an organizer of the Monroe County Farmers' Market, expressed concern about the proposed fee that each vendor will be charged according to the Stroudsburg Health Officer. The Ordinance specifies a \$175.00 fee per vendor, which Ms. Romagno thought would negatively impact vendor participation. Mr. Kimes advised that the fee has not been imposed in the past, and the Ordinance is under advisement by his department. He noted that all eateries in the Borough are inspected and pay the established fee; however, the Health Officer spends less time inspecting the vendors of the Farmers' Market than she does inspecting the eateries.

Mr. Bond suggested that Council revise the Ordinance and establish the fee schedule via Resolution. A motion was made by Mr. Abell, seconded by Mr. Weiss to direct Mr. Bond and Mr. Kimes to review the matter and prepare a recommendation for Council to consider at the April 18 meeting. The motion was carried with all present voting affirmatively. Ms. Romagno announced that the Farmers' Market will open on Saturdays beginning May 6.

The public portion of the meeting was closed on a motion made by Mr. Smith, seconded by Mr. Weiss. The motion was carried with all present voting affirmatively.

#### Approval of Minutes – Special Meeting on March 21, 2017 and Regular Meeting on March 21, 2017

A motion was made by Mr. Weiss, seconded by Mr. Maurath to approve the minutes of the regular meeting on March 21, 2017. The motion was carried with all present voting affirmatively.

A motion was made by Mr. Abell, seconded by Mr. Maurath to approve the minutes of the special meeting on March 21, 2017. Roll Call Vote: Mr. Maurath-abstain; Mr. Connors-yes; Mr. Abell-yes; Mr. Weiss-abstain; Mr. Smith-abstain; and Mr. Lang-yes. The tie was not broken as Mayor Probst also abstained. The minutes will be reconsidered for passage at the next meeting of Council on April 18.

#### Update from I-80 Task Force

Mr. Connors provided copies of his notes from the last task force meeting. A meeting of the task force is scheduled for next week.

#### Chapter 27 Zoning changes update

This matter is still under advisement by Mr. Connors and Mr. Kimes.

#### Update on BTS Stroudsburg Land Development Plan

Mr. McDonald advised that he and the Borough Engineer, Nate Oiler, are working on the documentation that will be required for the sale of the Borough property to BTS Stroudsburg.

### Cost Analysis of Tablet Purchase

Mr. Bond provided Council with an analysis of the costs incurred for the preparation of paper agenda packets vs. the rationale and potential savings of purchasing tablets for Council members. According to the cost analysis, the yearly cost for preparing paper agenda packets is approximately \$5,228.00. He obtained pricing for four (4) different tablets, ranging from \$624 to \$1,420 each and discussed the features of each piece of equipment. A savings could be realized within 1.7 to 3.9 years depending on the tablet.

A discussion ensued, and the matter was tabled on a motion made by Mr. Smith, seconded by Mr. Weiss. Mr. Connors asked that the cost analysis be revised to include direct personnel costs and the removal of lost ticket revenue. He suggested that the Parking Enforcement Officers should not be the personnel delivering the packets due to the lost ticket revenue. Council also asked for a demonstration of the equipment. The motion was carried with all present voting affirmatively.

### Request from St'ART Stroudsburg for an "Open Sky Gallery on Main Street"

Mr. Lang called on Jody Singer of Mountainside Arts, who was present to discuss his proposal for outdoor arts exhibitions. Mr. Singer discussed his proposal dated March 19, 2017, which was previously provided to Council. The Pocono Arts Council will sponsor an "Open Sky Gallery" with up to two (2) outdoor exhibitions per month from May to September. Up to ten (10) artists will set up their artwork on easels in front of or near specified businesses in order to promote the area's artists and the value of art. All exhibits will be family friendly. The events will be held from 5:00 to 8:00 P.M.

A motion was made by Mr. Smith, seconded by Mr. Weiss to approve the proposal for "Open Sky Gallery on Main Street" and to waive the \$100.00 activity fee for the summer. The organizers will coordinate street closures and other logistics with Mr. Bond. The motion was carried with all present voting affirmatively.

Mr. Singer noted that the Pocono Arts Council will hold an Earth Day event on April 22, and respectfully requested four (4) meter bags to be placed in front of their gallery. A motion was made by Mr. Smith, seconded by Mr. Weiss to grant the request and waive the fee. The motion was carried with all present voting affirmatively.

### Consideration of Request from UGI to pay \$31,680.00 to Stroudsburg Borough for Ann Street paving

A letter dated March 23, 2017 from Edward Boden, Operations Supervisor for UGI, to Mr. Bond offering \$31,680.00 for paving restoration on Ann Street between Broad Street and South 8<sup>th</sup> Street was discussed. A motion was made by Mr. Smith, seconded by Mr. Weiss to approve the acceptance of the payment of \$31,680.00 for the purpose stated in the subject communication. The motion was carried with all present voting affirmatively.

### Consideration of Request from JDRF Pocono One Walk to Place Flags on Main Street

Tom Schoeller, Event Chair of JDRF Pocono One Walk, and Danielle Dunigan were present to follow up on their March 28, 2017 request to place flags on Main Street for "Pocono One Walk". Mr. Schoeller displayed one of the flags for Council's consideration. A motion to approve the request was

made by Mr. Weiss, seconded by Mr. Smith. The motion was carried with all present voting affirmatively.

#### Consideration of Street Committee Request to Meet w/Adjoining Prop. Owners, re: Wall Street

Mr. Muelhan, during the public portion of the meeting, referred to this agenda item and advised Council that this “unnamed alley” between North 6<sup>th</sup> Street and North 7<sup>th</sup> Street is Wall Street. The Street Committee is asking for Council’s permission to meet with the adjoining property owners to discuss a possible road vacation. Mr. Bond noted that it is very difficult and unsafe for the Street Department to continue plowing and maintaining the narrow alley. He added that there are electrical lines that are not in conduits, which present a potential hazard for personnel and the Borough’s equipment. Mr. Weiss stated that the property owners should be forced to fix their electrical lines according to code.

A motion was made to table the matter by Mr. Weiss, seconded by Mr. Smith until such time as more research is conducted by the Borough. The motion was carried with all present voting affirmatively.

#### Consideration to Approve a Request of HARB to Purchase/Install Historic District Street Name Signs

Mr. Kimes reported that a meeting of HARB was held on April 3, and Mr. Ace did a presentation on proposed Historic District Street Name signs. HARB members will be making a recommendation to Council shortly. The matter was tabled pending that input.

#### Consideration of the Appointment of Christopher S. Brown as Alt. Borough Solicitor & Planning Solicitor

Mr. Bond recommended the appointment of Christopher S. Brown, Esq. of Thomas F. Dirvonas Law Offices as the Alternate Borough Solicitor and the Planning Commission Solicitor. He and Mr. McDonald reviewed the letters of interest for the position and determined that Mr. Brown would be the best candidate. A motion was made by Mr. Smith, seconded by Mr. Weiss to appoint Christopher S. Brown as the Alternate Borough Solicitor and the Planning Commission Solicitor. The motion was carried with all present voting affirmatively.

#### Consideration of Recommendation of the Finance Committee to Invest Fire Apparatus Funds

Mr. Bond reported that the Finance Committee explored investment opportunities that are available and permitted for local government entities. The New Fire Apparatus Fund is presently earning 0.30% interest. The Finance Committee recommended that the Council approve the investment of \$500,000.00 from the New Fire Apparatus Fund in PLGIT for a term of 365 days at 1.40% interest. Information about PLGIT was previously provided to Council and was explained by Mr. Bond at the meeting. A motion was made by Mr. Weiss, seconded by Mr. Smith authorizing the investment of \$500,000.00 from the New Fire Apparatus Fund in PLGIT for a term of 365 days at 1.40%. The motion was carried with all present voting affirmatively.

### Consideration of Recommendation of the Finance Committee to Auth. RKR Hess to Design an HVAC System (roof top) and In-Kind Replacement of Windows for the Municipal Building

Mr. Bond discussed the need to replace the rooftop HVAC system as it is approximately 30 years old, beyond its useful life, and expensive to maintain due to mounting annual repair costs. The windows in the Municipal Building are also in need of replacement as many of them do not open anymore and lack energy efficiency. He asked for Council to authorize the expense to engage RKR Hess to design the replacement of the HVAC system and the windows. The project would be funded with the remaining renovation funds.

A motion was made by Mr. Smith, seconded by Mr. Weiss to authorize RKR Hess to prepare the design. A question was raised about the cost for engineering. The motion was not carried with all present voting no.

A motion was made by Mr. Smith, seconded by Mr. Abell to table the matter pending the receipt of the proposed fees that will be incurred for the engineering design. The motion was carried with all present voting affirmatively.

### Consideration of a Request to Appoint Two (2) Alternate Zoning Hearing Board Members

Mr. Kimes requested that Council consider the appointment of two (2) alternate members for the Zoning Hearing Board. He noted that one of the members has not been in attendance for the past three meetings. A discussion ensued, although there was no interest from Council in making the appointments.

### Solicitor's Report

Mr. McDonald noted that the April 19 public hearing at the Zoning Hearing Board in connection with the Zoning Officer's decision about the Shanti House, LLC. application may be a moot issue given Council's approval of a conditional use on March 21. He advised that the approval letter went out on March 29, which gives that applicant thirty (30) days to appeal the decision. A discussion followed, and a motion was made by Mr. Smith, seconded by Mr. Weiss to continue with Council's appeal until such time that the applicant, Shanti House, LLC., accepts the approval. The motion was carried with all present voting affirmatively.

He has been reviewing the Human Relations Commission Ordinance, which is scheduled for a public hearing at the next Council meeting on April 18. Mayor Probst stated that she would like Council to schedule a work session to review the Ordinance prior to the public hearing.

### Mayor's Report

Mayor Probst thanked SARP for the loan of the moveable speed signs. April 3 was Senior Citizen Recognition Day, and she thanked all the senior citizens who volunteer their time for the Borough and urged others to thank a senior.

She asked for clarification on the snow removal citations and fines. Mr. Kimes explained that the citations issued by his office are considered by the District Magistrate. In addition to the Borough's

fine, court costs, and fees are imposed by the Magistrate's office. There was a discussion, and Mr. Bond will take the matter under advisement and report back to Council.

#### Public

Joseph Johnson, a resident of 512 Thomas Street, who was not present during the prior public portion of the meeting, was acknowledged by Mr. Lang. Mr. Johnson referred to his April 2, 2017 letter requesting the installation of a no parking sign across from his driveway to accommodate the access to his driveway. Mr. Ace noted that he met with Mr. Johnson last week and is familiar with the problem. A motion was made by Mr. Smith, seconded by Mr. Connors to refer the matter to the Parking Committee for review and recommendation. The motion was carried with all present voting affirmatively.

#### Councilman Maurath

Mr. Maurath had nothing to report.

Mr. Maurath and Mayor Probst left the meeting at 8:35 P.M.

#### Councilman Connors

The next meeting of the Personnel Committee is April 20.

#### Councilman Abell

Mr. Abell had nothing to report.

#### Council President Lang

Mr. Lang, on behalf of HARB, thanked Borough Council for supporting the letters of recognition that HARB sent out to several residents to praise their restoration efforts.

#### Councilman Weiss

Mr. Weiss asked that SARP install a speed limit strip across Lower Main Street between the five points intersection and the boundary line between Stroudsburg and East Stroudsburg. He expressed displeasure with the number of speeding cars along that stretch of roadway. Mr. Bond will reach out to SARP with the request.

#### Councilman Smith

Mr. Smith reported that MCTI declined the Borough's request to build bike racks; however, he is still working on it. He asked the Street Department to take care of the pothole at the intersection of Ann Street and South 8<sup>th</sup> Street. Mr. Ace advised that UGI is required to take care of that area, as well as their other patches. Mr. Bond will send a letter to UGI directing them to maintain their patches daily. Mr. Smith asked for the moveable speed signs to be placed on Bryant Street at some point in response to resident concerns.

### Borough Manager's Report

Mr. Bond reported that there will not be any FEMA funds available for the March 14 snow storm costs as it was not considered a "sizeable storm".

He continues to research possible grants for sidewalks, paving, sewer lines, and the cobra lights.

There was a request from the Mayor for a mobile app. Mr. Connors recommended that the Economic Redevelopment Committee convene to discuss the matter first.

Mr. Bond will make a recommendation for a new Street Superintendent at the next Personnel Committee meeting on April 20.

### Approval of Bills on Warrants 170404

The bills on Warrants 170404 were approved on a motion made by Mr. Abell, seconded by Mr. Connors. The motion was carried with all present voting affirmatively.

The meeting was adjourned at 8:50 P.M. on a motion made by Mr. Smith, seconded by Mr. Connors. The motion was carried with all present voting affirmatively.

Respectfully submitted:  
Mary Pat Quinn, E.A.