

STROUDSBURG BOROUGH COUNCIL
NOVEMBER 21, 2017
REGULAR MEETING 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: James Smith, Vice-President of Council; Joanne Kochanski, Council President Pro Tem; Boyd Weiss, Councilman; Matt Abell, Councilman; Mark Connors, Councilman; and Patrick Maurath, Councilman. Also present were: Tarah Probst, Mayor; Joseph McDonald, Jr., Borough Solicitor; Ron Kimes, Code Enforcement Officer; Brian Ace, Jr., Superintendent of Streets; and Mary Pat Quinn, Interim Borough Manager. Council President Ken Lang advised of his absence prior to the meeting.

1/2. The meeting was called to order by Mr. Smith, who led all present in the flag salute.

3. A motion was made by Mr. Abell, seconded by Mrs. Kochanski to open the public hearing for the following Ordinance. The motion was carried.

AN ORDINANCE TO AMEND CHAPTER 15 ENTITLED, "MOTOR
VEHICLES AND TRAFFIC", PART 3 OF THE STROUDSBURG BOROUGH
CODE OF ORDINANCES

Section 15-308 Parking Time Limited in Certain Locations, Certain Days and Hours

BE IT ORDAINED by the Borough Council of the Borough of Stroudsburg in the County of Monroe, Pennsylvania that the following street shall be posted: "Parking This Side Except Tuesday 2:00 A.M. to 6:00 A.M.

- Fourth Street, West from Main Street to end

There were no questions or comments from the public. The public hearing was closed on a motion made by Mrs. Kochanski, seconded by Mr. Weiss. The motion was carried.

4. A motion was made by Mr. Abell, seconded by Mrs. Kochanski to adopt the aforementioned Ordinance to Amend Chapter 15 Entitled, “Motor Vehicles and Traffic”, Part 3 of the Stroudsburg Borough Code of Ordinances. The motion was carried with all present voting affirmatively.

5. The meeting was opened to the public for non-agenda items.

Jim Hutchinson and Brian Custred of the Church of Saint Luke were present to express appreciation to the Borough for its support of the activities of the Church. On behalf of the 2017 Church of Saint Luke Festival Committee, the Stroudsburg Shade Tree Commission was presented with a check in the amount of \$1,000.00, and the Stroudsburg Fire Department was also presented with a check in the amount of \$1,000.00. Mr. Smith and Mayor Probst accepted the checks on behalf of both groups. Mr. Hutchinson advised all present that the Church will be celebrating its 50th Anniversary on Main Street on September 10, 2018. They are planning a series of events to commemorate the anniversary.

Mary Evanisko, co-owner of Gamut Gallery and a member of the Main Street Business Association, asked about the status of the business directory signs.

Barry Karasiewski identified himself as an elected Constable. He asked the Council about its position on the role of a Constable and recited an excerpt from Act 2009-49, 44 PA C.S.A., specifically Section 7158. Mr. Karasiewski indicated that he brought this matter to the Council during the past year but has not received any response. Mr. Smith advised him that the Council and its Solicitor were unaware that this matter was being brought up at this time, and asked Mr. Karasiewski to submit a formal, written request for Council’s consideration. Mr. Karasiewski indicated that he would submit same by December 1 so that it could be addressed at the next Council meeting on December 5.

There were no other questions or comments from the public. A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to close the public input for non-agenda items. The motion was carried.

6. The minutes of the October 17, 2017 Council meeting were approved as circulated on a motion made by Mr. Maurath, seconded by Mr. Weiss. The motion was carried. The minutes of the November 14, 2017 Council meeting were approved as circulated on a motion made by Mr. Maurath, seconded by Mr. Weiss. The motion was carried with Mr. Maurath abstaining.

7. The monthly administrative reports from the Code Enforcement Officer, the Public Works Department, the Parking Department, the Fire Department, the Right to Know Officer, and the Stroud Area Regional Police Department were approved on a motion made by Mr. Maurath, seconded by Mrs. Kochanski. The motion was carried.

8. The unaudited October, 2017 Treasurer's Report – Actual to Budget and Cash Balances was approved on a motion made by Mr. Weiss, seconded by Mrs. Kochanski. The motion was carried.

Old Business

There was no old business.

New Business

9. A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to adopt a Resolution to Approve the FY 2017 Community Development Block Grant Application and Authorize its Submission to the P.A. Department of Community and Economic Development. The motion was carried with all present voting affirmatively.

Mr. Connors requested a copy of the three-year plan.

10. A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to authorize the Council President to execute the Language Access Plan Certification in connection with the FY 2017 Community Development Block Grant Application. The motion was carried with all present voting affirmatively.

11. A motion was made by Mr. Abell, seconded by Mrs. Kochanski to approve the following budget transfer requested by the Fire Department. The motion was carried with all present voting affirmatively.

A RESOLUTION OF THE BOROUGH OF STROUDSBURG, MONROE COUNTY,
PENNSYLVANIA, AUTHORIZING TRANSFER OF FUNDS FOR BUDGET PURPOSES

WHEREAS, the Borough Council of the Borough of Stroudsburg (the “Municipality”), Monroe County, Pennsylvania, has considered the need to approve the following budgetary transfers:

- \$2,000.00 from Uniforms (01-411-191) to Small Tools and Equipment (01-411-260) for the purchase of tools and equipment.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Stroudsburg, Monroe County, Pennsylvania, does hereby approve the transfer detailed above.

12. A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to approve a proposal dated October 26, 2017 from Kirk, Summa and Co. LLP with offices in East Stroudsburg, PA in the amount of \$16,750.00 for the preparation of the 2017 Audit of the Borough. The motion was carried with all present voting affirmatively.

13. A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to approve a proposal dated November 1, 2017 from Kirk, Summa and Co. LLP with offices in East Stroudsburg, PA in the amount of \$1,550.00 for the preparation of the 2017 Audit of Twin Boroughs Recycling. The motion was carried with all present voting affirmatively.

14. Sherry Acevedo, Executive Director of Stroud Region Open Space and Recreation Commission (SROSRC) was present to review the 2018 Budget for SROSRC. She introduced one of the Commission members, Dr. Cynthia Miller. Ms. Acevedo reported that SROSRC approved the 2018 budget on October 25, 2017; East Stroudsburg Borough and Stroud Township have already approved their contributions toward the budget. Some of the highlights of her presentation included the following:

- The Commission decided that Amusement Park tickets will no longer be sold due to the minimal profit and the staff time expended.
- The Commission reduced the number of programs; StroudKids Summer Camp will have a weekly rate option in addition to the full 8-week option to allow for earlier camp registration regardless of the last day of school.
- Pool rates will increase by \$1 for daily admissions, \$10 for season passes, and \$25 for dual season passes – resident and non-resident.
- Decrease in concession products sold, increase in some products.
- The Commission has committed \$43,628 from the fund balance, which is primarily from the additional camp revenue since 2014.
- The Commission will engage one pool manager and an assistant for each pool (Stroudsburg Borough and East Stroudsburg Borough) with lifeguards.

Ms. Probst asked for an explanation of the difference between the expenses for maintaining each of the pools. East Stroudsburg is \$11,500.00 while Stroudsburg is \$22,000.00. Ms. Acevedo explained that each municipality plays a different role in the maintenance of their

respective pools. The majority of the increase is due to the Strand Contract, which East Stroudsburg did not use last year.

A motion was made by Mrs. Kochanski, seconded by Mr. Abell to approve the 2018 budget for SROSRC in the amount of \$29,916.00 for appropriations; \$1,367.00 for the Greenway project; and \$36,814.22 for Park Stewardship. The motion was carried with all present voting affirmatively.

15. A motion was made by Mrs. Kochanski, seconded by Mr. Weiss to approve the 2018 Budget of the Stroud Area Regional Police Department in the amount of \$1,483,232.00, which constitutes 20.45% of the overall budget. The motion was carried with all present voting affirmatively.

A motion was made by Mrs. Kochanski, seconded by Mr. Weiss to request the Stroud Area Regional Police Commissioners to undertake a new actuarial study of the unfunded liabilities to enable accuracy of the 2019 SARPD budgetary process. The motion was carried with all present voting affirmatively.

16. A discussion ensued regarding the communication dated November 6, 2017 from Alfred S. Pierce, Esq., attorney for Ann Street, L.P. The Borough authorized and signed a Declaration of Covenant for the benefit of Ann Street, L.P., which was recorded in the office of the Monroe County Recorder of Deeds on August 5, 2004. The Covenant granted Ann Street, L.P. seven (7) designated parking spaces on the lower level of the parking garage.

Mr. Weiss explained that the Covenant was necessary to correct a problem with the footprint of the parking garage due to an engineering error when the garage was constructed.

A motion was made by Mrs. Kochanski, seconded by Mr. Weiss to authorize the Council President and the Interim Borough Manager to execute a revised Declaration of Covenant for seven (7) designated parking spaces on the lower level of the parking garage in favor of First Keystone Community Bank. Ann Street, L.P. has sold property to First Keystone Community Bank. Mr. Smith voted no. The motion was carried with all others voting in the affirmative.

17. A letter dated October 18, 2017 from Robert G. Werts, Race Director of the American Red Cross-Pocono Mountains Chapter, Run for the Red Marathon was acknowledged and discussed. A motion was made by Mr. Weiss, seconded by Mr. Abell to grant permission for the use of Wallace Street, Scott Street, 6th Street and Main Street during the May 20, 2018 Run for the Red Marathon. Mrs. Kochanski added that the approval is contingent upon the Borough's receipt of a Certificate of Liability Insurance naming the Borough as additional insured. The motion was carried with all present voting in the affirmative.

18. A letter dated November 15, 2017 from Mr. John Duda, a resident of 524 Scott Street, was acknowledged and discussed. Mr. Duda requested that the Borough designate a handicap parking spot near his home. A motion was made by Mr. Weiss, seconded by Mr. Abell to direct Ms. Quinn to advertise for a public hearing on December 5, 2017 to amend the parking ordinance accordingly. Mrs. Kochanski asked that a letter be sent to Mr. Duda to explain that the

spot would be available to anyone who possesses a handicap placard as the Borough is not permitted by law to designate spots for certain residences. The motion was carried with all present voting affirmatively.

19. A motion was made by Mr. Weiss, seconded by Mr. Abell to approve the promotion of John Schnatter to a Municipal Worker A on the Street Department at an hourly rate of \$21.29. Mr. Schnatter will be on a trial period of ninety (90) days. The motion was carried with all present voting affirmatively.

20. A motion was made by Mr. Weiss, seconded by Mr. Maurath to approve the employment of Stephen Frailey as a Municipal Worker C on the Street Department at an hourly rate of \$17.19. Mr. Frailey will be on probation for a period of one-hundred and eighty (180) days. The motion was carried with all present voting affirmatively.

21. A motion was made by Mr. Weiss, seconded by Mr. Abell to approve the issuance of a Certificate of Appropriateness to Mark Edgar for the installation of a sign at 542 Main Street. The motion was carried with all present voting affirmatively.

22. A motion was made by Mr. Weiss, seconded by Mr. Maurath to approve the issuance of a Certificate of Appropriateness to Janet Catina for the replacement of stairs at 310 Wallace Street. The motion was carried with all present voting affirmatively.

23. A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to approve the issuance of Certificate of Appropriateness to Barth Rubin for the replacement of a roof at 539-541 Scott Street. Mr. Connors spoke in opposition to replacement shingles. Mr. Abell added that replacement shingles should more closely resemble slate. He suggested that the Historical Architectural Review Board consider updating its vendor lists with more authentic roofing materials. Mr. Kimes advised that the HARB welcomes any input from Council. Mr. Connors voted no. The motion was carried with all others voting affirmatively.

24. A motion was made by Mrs. Kochanski, seconded by Mr. Maurath to approve the issuance of a Certificate of Appropriateness to GAK Construction for the replacement of a roof at 546-548 Scott Street. Mr. Connors voted no. The motion was carried with all others voting affirmatively.

25. Mr. McDonald reported that he received notice from Todd Weitzmann, Esq., attorney for the Zoning Hearing Board, that an application by Eric and Jennifer Scelza for a height variance was denied by the Board. Mr. McDonald advised Council that there was a need for an Executive Session to discuss a real estate matter and new litigation.

26. Ms. Probst asked that SARP also do a speed survey on Broad Street with the Black Cat monitor. Chief Jennifer Lyons was present at the meeting advised Council that the Department has the apparatus on Scott Street presently. When the data is available, she will forward same to our office. Broad Street will also be monitored in the same manner.

Ms. Probst asked Mr. Kimes about the status of the Quaker Alley pocket park sign permit. Mr. Kimes advised that he is awaiting the design and dimensions of the sign as well as the proposed location on the site. Ms. Probst will follow up on that.

27. Mrs. Kochanski referred to a student in the audience, who identified herself as Linda Bentzoni, who is a student at Bloomsburg University. Ms. Bentzoni attended the meeting as part of an assignment for a U.S. Government course.

Mr. Weiss discussed the continuing issues with speeding on Lower Main Street and the inappropriate use of the road by 18 wheelers.

Mr. Abell made a motion, which was seconded by Mr. Connors to direct HARB to consider alternate materials when reviewing applications to replace a slate roof. The motion was carried with all present voting affirmatively.

Mr. Connors advised that the next meeting of the I-80 Expansion Task Force will be at 6:00 P.M. on November 28, 2017. He provided Council with a status report of the current and past activities of the Task Force. PennDOT cancelled the December 5 public information meeting to a to be determined date in CY 2018.

Mr. Connors also reported that at the special meeting at 6:00 P.M., Council approved \$12,375.00 to engage N.J. Hess Associates for assistance with the search and recruitment of a permanent Borough Manager. The process will likely begin after the first of the coming year.

Mr. Maurath publicly thanked the Monroe County Arts Council for the Halloween on Main event which was a success and enjoyed by many people. He noted that he has seen an improvement in the condition of Glen Park. The Pocono Bike Club was there over the past weekend.

Mr. Smith advised that information on the bike racks will be coming in the next couple of weeks.

A motion was made by Mr. Weiss, seconded by Mr. Maurath to request that a letter of thanks be sent to the Mattioli Foundation for its continued support in the beautification of downtown Stroudsburg. The motion carried with all present voting affirmatively.

28. Ms. Quinn advised Council that the Annual YMCA Scott Ewing Memorial 5K was held on Sunday, November 19. No Borough streets were used; however, a Certificate of Liability Insurance naming the Borough as additional insured was filed with the office as the sidewalks were used.

Robert Phillips resigned from the Planning Commission as he is moving out of the Borough. His term will expire on 12/31/2018. There is also a vacancy on the Zoning Hearing Board due to the resignation of William Miller; that term also expires 12/31/2018. Notices regarding vacancies are currently posted on the Borough website on the volunteer page. Ms. Kimberly Filipkowski submitted a letter of interest and her qualifications for the Zoning Hearing

Board position. A discussion took place about the method that should be used to recruit more citizens to serve on the boards and commissions. Ms. Quinn was directed to send letters to the individuals whose terms are expiring at the end of this year to ascertain if they are still interested in serving in their respective positions.

The reorganization meeting of the Council will be held on Tuesday, January 2, 2018 at 7:00 P.M.

Ms. Quinn noted that she previously spoke with Mr. McDonald about the use of the Borough's property by others, specifically the Pocono Heritage Land Trust and Christ Episcopal Church. The activities of the Church, i.e. food pantry and daycare program for adults are posing a potential liability for the Borough and the Church. She and Mr. Kimes met with the pastor in August to discuss the issues and at the same time requested that the Church provide a Certificate of Liability Insurance naming the Borough as additional insured. The certification, which was lacking the required protection for the Borough, was not received until November 8. The Church was notified via certified mail to advise the Church that any use of the Borough's parking lot/property is prohibited; however, the use persists. Mr. McDonald suggested that the matter be brought to Council's attention.

The Pocono Heritage Land Trust has been using a small office in the Municipal Building for quite a few years; however, Ms. Quinn recently learned that there is no formal rental agreement between the Trust and the Borough. The Trust did provide a Certificate of Liability Insurance naming the Borough as additional insured.

A discussion followed, and Council requested that Mr. McDonald pursue both matters moving forward.

29. A motion was made by Mr. Weiss, seconded by Mr. Maurath to approve the Warrant List 171121 as circulated. The motion was carried with all present voting affirmatively.

30. Executive Session. A motion was made by Mr. Connors, seconded by Mr. Abell to enter in to an executive session at 8:50 P.M. for the purpose of discussing real estate matters and anticipated litigation. The motion was carried with all present voting affirmatively.

The executive session was concluded at 9:07 P.M. on a motion made by Mrs. Kochanski, seconded by Mr. Connors. The motion was carried with all present voting affirmatively.

There were no results available for the public after the executive session.

31. The meeting was adjourned at 9:10 P.M. on a motion made by Mrs. Kochanski, seconded by Mr. Maurath. The motion was carried.

Respectfully submitted:

Mary Pat Quinn
Interim Borough Manager

