

MINUTES
Stroudsburg Borough Council Meeting
Tuesday, May 7, 2019 at 7:00 P.M.

1. Call to Order/Roll Call – Present were: Council Member Joanne Kochanski, Council Member Anthony Lanfrank, Council Vice President Boyd Weiss, Mayor Tarah Probst, Solicitor Joseph McDonald, Council President James Smith, Borough Manager Maier, Council Member Mark Connors and Council Member Erica McCabe. Absent was Council Member Matt Abell. A Quorum was present.
2. Pledge of Allegiance was recited.
3. Public Hearing and Consideration to Adopt An Ordinance of the Stroudsburg Borough Council to Amend Chapter 4, Part 2, of the Stroudsburg Borough Code, Historic Preservation District §4-213, Entitled “Application and Approval Procedures”.
Motion by Ms. Kochanski to close Public Hearing and Consideration to Adopt An Ordinance of the Stroudsburg Borough Council to Amend Chapter 4, Part 2, of the Stroudsburg Borough Code, Historic Preservation District §4-213, Entitled “Application and Approval Procedures”, second by Mr. Weiss. Mr. Kimes summarizes this is to clarify the language in the HARB district in connection with regulating colors. This part shall not regulate paint colors as long as avoiding colors which are garish or day glow, however painting previously unpainted masonry surfaces will still need approval. Solicitor McDonald advises this was properly advertised. All in favor, Motion Carries.

Motion by Mr. Weiss to Adopt An Ordinance of the Stroudsburg Borough Council to Amend Chapter 4, Part 2, of the Stroudsburg Borough Code, Historic Preservation District §4-213, Entitled “Application and Approval Procedures”, second by Ms. Kochanski. All in favor, Motion Carries.
4. Public Hearing and Consideration to Adopt An Ordinance to Authorize the Amendment and Execution of Amendment No. 7 to the Intergovernmental Cooperation Agreement and the Addenda Thereto Establishing the Stroud Area Regional Police Department”.
Motion by Ms. Kochanski to close Public Hearing and Consideration to Adopt An Ordinance to Authorize the Amendment and Execution of Amendment No. 7 to the Intergovernmental Cooperation Agreement and the Addenda Thereto Establishing the Stroud Area Regional Police Department”, second by Ms. McCabe. All in favor, Motion Carries.

Motion by Mr. Weiss to Adopt An Ordinance to Authorize the Amendment and Execution of Amendment No. 7 to the Intergovernmental Cooperation Agreement and the Addenda Thereto Establishing the Stroud Area Regional Police Department”, second by Ms. Kochanski. Chief Lyons advises this is to codify cost sharing, operational costs and post-retirement benefit trust in addition to include the requirement that a municipality must appoint at least (1) elected official or Borough Manager to sit on the Commission. Mr. Smith is concerned with future Councils. Voting YES (Ms. McCabe, Mr. Connors, Mr. Lanfrank, Ms. Kochanski), Voting NO (Mr. Smith, Mr. Weiss). Motion Carries.
5. Public Input for Agenda Items. Ms. Maria Cruz is here for item 10 and requesting police presence for the walk. Chief Lyons advises the walk is on the sidewalk. Mr. Jacob Morris is in support of items 9 and 19.

6. Approval of Council Meeting Minutes for Regular Meeting, April 16, 2019.
Motion by Mr. Weiss to approve Council Meeting Minutes for Regular Meeting, April 16, 2019, second by Ms. Kochanski. All in favor, Motion Carries.

Old Business

7. Status of remaining Municipal Building Renovation Project Loan balance, re: Fire Alarm System, Upgrade Reception Area and replacement of the HVAC system. Ms. Maier advises she is working with Solicitor McDonald on the Fire Alarm System; additional items have been added to the original bid and we are now over the threshold with bids needing to go out. Ms. Maier also advises the Reception Area bid for painting and carpet is expected May 15th and the HVAC System will include the replacement of the pool heater which is on tonight's agenda. Ms. Maier will look into a possible sound system upgrade for Council Chambers.
8. Status of Bike Rack Project. Ms. Maier advises MCTI will cover \$10k; they are waiting to hear back from FTA on the grant approval. Ms. Maier will work with Mr. Lanfrank to determine the quantity of racks which can be purchased.
9. Consideration to approve the request from The African-American Network to close Monroe Street from 6th Street to Courthouse Square on June 15, 2019 to accommodate the Thirteenth Annual JuneTeenth Freedom Festival. Ms. Cleo Jarvis was in attendance.
Motion by Mr. Weiss to approve the request from The African-American Network to close Monroe Street from 6th Street to Courthouse Square on June 15, 2019 to accommodate the Thirteenth Annual JuneTeenth Freedom Festival, second by Ms. McCabe. All in favor, Motion Carries.
10. Consideration to approve the Senior Fitness Walk Route, which will occur on Borough streets.
No motion needed as the walk is on the sidewalk.

New Business

11. Consideration to schedule a public hearing for An Ordinance of the Stroudsburg Borough Council to Revise §15-608 Entitled "Penalties" of the Stroudsburg Borough Code. The proposed Ordinance will remove erroneous references to conviction and sentencing in this section of the Ordinance. Lengthy discussion ensued; Ms. Maier advises we will look at verbiage between snow conditions VS snow emergency.
Motion by Mr. Lanfrank to reschedule the next Council Meeting from May 21, 2019 to May 22, 2019 at 7:00pm due to the Primary Election, second by Ms. McCabe. Voting YES (Ms. McCabe, Mr. Lanfrank), Voting NO (Mr. Connors, Mr. Smith, Mr. Weiss, Ms. Kochanski). Motion Fails.

Motion by Mr. Lanfrank to schedule a public hearing May 21, 2019 for An Ordinance of the Stroudsburg Borough Council to Revise §15-608 Entitled "Penalties" of the Stroudsburg Borough Code. The proposed Ordinance will remove erroneous references to conviction and sentencing in this section of the Ordinance, second by Ms. Kochanski. All in favor, Motion Carries.

12. Consideration to schedule a public hearing for An Ordinance of the Stroudsburg Borough Council to Revise §15-808 1. Entitled “Penalties” of the Stroudsburg Borough Code. The proposed Ordinance will remove “upon conviction thereof before a District magistrate” from this section of the Ordinance.
Motion by Mr. Lanfrank to schedule a public hearing May 21, 2019 for An Ordinance of the Stroudsburg Borough Council to Revise §15-808 1. Entitled “Penalties” of the Stroudsburg Borough Code. The proposed Ordinance will remove “upon conviction thereof before a District magistrate” from this section of the Ordinance, second by Mr. Weiss. All in favor, Motion Carries.
13. Consideration to adopt a Resolution of the Stroudsburg Borough Council to Authorize and Direct the Council President and the Borough Manager/Secretary/Treasurer to execute the Local Share Account Program agreements for the “Solar Parking Garage Lights Project” and the “Big Belly Trash and Recycling Cans Project”.
Motion by Ms. Kochanski to adopt a Resolution of the Stroudsburg Borough Council to Authorize and Direct the Council President and the Borough Manager/Secretary/Treasurer to execute the Local Share Account Program agreements for the “Solar Parking Garage Lights Project” and the “Big Belly Trash and Recycling Cans Project”, second by Mr. Weiss. Voting YES (Ms. McCabe, Mr. Smith, Mr. Weiss, Mr. Lanfrank, Ms. Kochanski), Mr. Connors Abstained. Motion Carries.
14. Consideration to adopt a Resolution to Authorize the Destruction of Records pursuant to P.L. 961, No. 428.
Motion by Ms. Kochanski to adopt a Resolution to Authorize the Destruction of Records pursuant to P.L. 961, No. 428, second by Mr. Weiss. All in favor, Motion Carries.
15. Consideration to Authorize Barry Isett and Associates to provide design drawings for the in-kind replacement of a gas-fired pool heater at a cost of \$1,600.00.
Motion by Ms. Kochanski to Authorize Barry Isett and Associates to provide design drawings for the in-kind replacement of a gas-fired pool heater at a cost of \$1,600.00, second by Mr. Weiss. All in favor, Motion Carries.
16. Consideration to promote Michael Hennings to a Municipal Worker B in the Streets Department at an hourly rate of \$21.27 per hour pursuant to a recommendation dated April 17, 2019 by Brian Ace, Superintendent of Streets.
Motion by Mr. Weiss to promote Michael Hennings to a Municipal Worker B in the Streets Department at an hourly rate of \$21.27 per hour pursuant to a recommendation dated April 17, 2019 by Brian Ace, Superintendent of Streets, second by Ms. Kochanski. Mr. Smith would like detailed documentation for promotions moving forward. All in favor, Motion Carries.
17. Consideration to waive a banner permit fee for the Monroe County Transit Authority.
Motion by Ms. Kochanski to waive a banner permit fee for the Monroe County Transit Authority, second by Mr. Weiss. All in favor, Motion Carries.
18. Consideration to employ Parliamentary Procedure.
Motion by Ms. Kochanski to table Parliamentary Procedure, second by Mr. Connors. Lengthy discussion ensued. All in favor, Motion Carries.

19. Consideration to approve the issuance of free pool passes to the Stroudsburg Fire Department and members of the Borough Boards and Commissions.
Motion by Mr. Weiss to approve the issuance of free pool passes to Volunteer members of the Stroudsburg Fire Department and Volunteer members of the Borough Boards and Commissions, second by Ms. Kochanski. Lengthy discussion ensued. All in favor, Motion Carries.
20. Discuss the proposed, revised letter to AECOM regarding the bridge replacement over McMichael's Creek. Ms. Maier advises she had a conference call with AECOM and discussed sketches AECOM sent. The sketches were provided in the packet. Lengthy discussion ensued going over the letter from AECOM.
Motion by Ms. Kochanski for Ms. Maier to forward a letter to AECOM RE: Determination of Section 4(f) De Minimus Use, Section 2002 No Adverse Use, Public Parks, Recreation Areas, Wildlife and or Waterfowl Refuges, State Forest Land and State Game Land, second by Mr. Lanfrank. Voting YES (Ms. McCabe, Mr. Connors, Mr. Smith, Mr. Lanfrank, Ms. Kochanski), Voting NO (Mr. Weiss). Motion Carries.
21. Consider the application of Lori Cerato, as recommended for approval and issuance by the Historic Architectural Review Board for the installation of fencing at 729 Sarah Street.
Motion by Ms. Kochanski to approve the application of Lori Cerato, as recommended for approval and issuance by the Historic Architectural Review Board for the installation of fencing at 729 Sarah Street, second by Mr. Lanfrank. All in favor, Motion Carries.
22. Committee Reports
 - A. Codes Committee – Ms. Kochanski advises the meeting is next Monday.
 - B. Budget Committee – No Report
 - C. Parking Committee - No Report
 - D. Recycling Committee - No Report
 - E. Sewer Committee - No Report
 - F. Street Committee - No Report
 - G. Personnel Committee – Mr. Connors advises the next meeting is May 13th at 4:00pm and will address 2 specific topics.
 - H. Public Relations/Media Committee – Mayor Probst needs pictures for the newsletter, please forward to Ms. Maier; Concerts in the Park will begin May 23rd; Saturday Art Walks started last Saturday and will continue the 1st Saturday of each month on Main Street. Ms. McCabe will send the list of bands scheduled.
 - I. Redevelopment Committee - No Report
 - J. I-80 Expansion Task Force Committee – Mr. Connors advised we attended the most recent Advisory Committee meeting. Our feedback from the public mailers were addressed; AECOM presented our findings to include our issues with not wanting 6 lanes of traffic, not closing Dreher Avenue, reconfiguring the West Main Street exit. Representative Maureen Madden arranged a meeting with

Representative Mike Carroll, the Minority Chair of the Transportation Committee. We were unsuccessful meeting with Representative Rosemary Brown and Senator Scavello. The crash/traffic data is old data in addition Penn Dot is basing those statistics from mostly PM hours. Lengthy discussion ensued.

K. Stroud Region Open Space and Recreation Commission – Mr. Weiss advises there is an upcoming meeting.

23. Mayor's Report. Mayor Probst advises there is a new pot hole on N 2nd by Stiff Oil. Ms. Maier advises the wall at 1225 Wade Court is on the owner's property and cannot be fenced off adequately; since the family didn't create the issue, we are going to leave it alone; the family doesn't need to do anything and Mr. Kimes will contact the family. Mayor Probst is questioning how owners should handle sidewalk stumps. Ms. Maier advises they should contact Public Works directly.

24. Council Member Reports.

Ms. Kochanski – Ms. Kochanski commended Mr. Ace on the LED lights.

Mr. Lanfrank - No Report

Mr. Weiss – Mr. Weiss advises Lower Main is a speedway.

Mr. Smith – Mr. Smith would like Council's consensus on painting the EV charging station spaces green, the paint cost is \$112.

Motion by Ms. Kochanski to paint the EV charging station spaces green, second by Ms. McCabe. Mr. Jacob Morris feels this is a good idea. Mr. Andrew Blatzheim requests proper signage. All in favor, Motion Carries.

Mr. Smith is receiving complaints on the South side about roads and inquired if Stokes/Bryant could be milled. Mr. Ace advises we can overlay but not mill. Ms. Maier advises she and Mr. Ace have spoken to Stroud Township about sharing equipment. Mr. Smith inquired if LSA Grants could be used to purchase paving equipment. Mr. Connors is not in favor of using LSA Grant funding to purchase paving equipment when sidewalks are needed. Lengthy discussion ensued. Mr. Smith advises there are parties all hours, day and night on Broad Street. Chief Lyons advises to continue to call SARP. Mr. Kimes will contact Chief Lyons for a report for possible Code violations.

Mr. Connors - No Report

Ms. McCabe – Ms. McCabe emailed Solicitor McDonald about decriminalizing Medical Marijuana.

25. Solicitor's Report. Solicitor McDonald met with Mr. Kimes on 3 code items, 2 issues are related and pertain to screened dumpsters, trash and recycle receptacles. Solicitor McDonald reviewed Chapter 20 for solid waste and forwarded suggestions in the form of a draft Ordinance to the office earlier today including clauses for the Historic district. Solicitor McDonald advises Council had scheduled a Public Hearing for an Ordinance to regulate Short Term Rentals, up until April 26th, you could not distinguish by zoning district because they weren't treated as recognizable uses of land. On April 26th, the Pennsylvania Supreme Court made a decision in Hamilton Township called Slice of Life, Inc and wrote the first 30-page opinion on Short Term Rentals. The purely transient use of a house is not a permitted use in a residential zoning district, limiting use to single family homes by "a single housekeeping unit". This term (single housekeeping unit) is not in our Ordinances or definitions. If this decision is not

reconsidered in 30 days it becomes final, the decision was a 7 vs 0 vote. This will give municipalities the right and obligation to address this concept of a Short-Term Rental. It elevates the concept of occupancy to a use of land based on rent or term of rent. It doesn't tell us the time frame of what transient is. This gives the Borough a clear authority to regulate through a Zoning Ordinance the transient use of a dwelling and to permit by Zoning district. Solicitor McDonald has an item about Witmer Holdings for Executive Session.

26. Borough Manager's Report – Ms. Maier advises the next agenda will address permission to submit to DCED CFA Greenways, Trails and Recreation Program for the pool and pool house renovation. Ms. Maier would like to ask the Codes Committee to look into a \$1,000 fine for illegal discharge into a storm sewer. A report was sent to Council with roads going out to bid including King and Queen. McDonalds was approved by HARB. Ms. Maier is researching the amount to bill for the EV charging stations and is looking at electrical usage and loss of meter revenue. Ms. Maier met with the Architect/Engineer working with the YMCA. The school board is finalizing our lease extension for the pool May 15th and is looking at the LERTA Ordinance. Solicitor McDonald is also reviewing.

Additional discussion relating to working with the redevelopment group and local developers; liquid fuel monies; free county traffic counts is different than the equipment used by traffic engineers; Borough Managers currently participate but possibly looking for members of the Planning Board and Council.

27. Superintendent of Streets Report – Mr. Ace is requesting we revisit the truck purchase; he has been searching websites and would like to possibly take \$137k for Hino 2 already budgeted and replace with 2 utility pick-up trucks at a price of \$90k. Hino 2 can be budgeted for 2020.

28. Codes Officer Report - No Report

29. Approval of Bills on Warrants 190507.

Motion by Ms. Kochanski to Approve Bills on Warrants 190507, second by Mr. Weiss. All in favor, Motion Carries.

30. Public Input for Non-Agenda Items.

Mr. Andrew Blatzheim, residing at 701 Sarah is requesting a residential parking permit to cut down on parking tickets, he is a student at ESU and holds a full-time job.

Motion by Ms. McCabe to issue a residential permit with proof of residency, second by Mr. Lanfrank. All in favor, Motion Carries.

Mr. Jacob Morris's would like to offer his non profit to the Borough. Mr. Smith advises he send his information to Ms. Maier to be placed on the next agenda.

31. Executive Session.

Motion by Ms. Kochanski to adjourn to Executive Session at 8:49pm, second by Ms. McCabe. All in favor, Motion Carries.

Executive Session ended at 9:05pm.

32. Adjournment.

Motion by Mr. Weiss to adjourn at 9:05pm, second by Ms. Kochanski. All in favor, Motion Carries.