

STROUDSBURG BOROUGH COUNCIL
MEETING MINUTES, JULY 7, 2020

A regular meeting of the Stroudsburg Borough Council convened via Zoom and was livestreamed through the Stroudsburg Borough Facebook page at 7:00 P.M. on July 7, 2020 with the following members present: Anthony Lanfrank, Council President; Matt Abell, Vice-President of Council; Erica McCabe, Council President Pro-Tem; James Smith, Council Member; Jim Evanisko, Council Member; Victoria DeVries, Council Member; and Boyd Weiss, Council Member. Also present were: Brian Ace, Jr., Borough Manager; Tarah Probst, Mayor; Joseph McDonald, Jr., Borough Solicitor; Jennifer Lyon, Stroud Area Regional Police Department Chief; Mary Pat Quinn, Executive Assistant; and John Schnatter, Street Superintendent.

Public Hearing re: 2020 CDBG-CV Application of Stroudsburg Borough to PA DCED

Martha Robbins, Executive Director of the Monroe County Redevelopment Authority, was present to assist with the public hearing for the 2020 CDBG-CV Application and the 2020 CDBG, Housing and Community Development Needs Application of the Borough of Stroudsburg. The FY 2020 CDBG allocation for the Borough is \$108,657.00, up \$2,615.00 from last year. The 2020 CDBG-CV allocation is \$64,913.00 for Stroudsburg Borough, 18% of which is for administration.

Ms. Robbins provided background information about the Community Development Block Grant Program. The program is a U.S. Department of Housing and Urban Development program that allocates funding on an annual basis to the Commonwealth of Pennsylvania to assist local municipalities with implementing community development initiatives that address the following three core goals to develop viable communities by providing decent housing, a suitable living environment, and expanding economic opportunities. There are three national objectives which would qualify for CDBG funding: providing benefit to low- and moderate-income persons, aiding in the prevention or elimination of slums and blight, or addressing an urgent need resulting from earthquakes, floods, severe hurricanes.

The Borough received the following CDBG funding in the past: \$77,656.00 was received for FY 2016 for the 1st Street Paving and ADA Ramp Project; \$76,783.00 was received for FY 2017 for the King Street Paving and ADA Ramp Project; \$84,011.00 was received for FY 2018 for the Oak Street Paving and Curb Replacement Project which is underway; and \$84,011.00 was received for FY 2019 for the Fetherman Paving Project which will be done next year.

The FY 2020 application will be submitted for Thomas Street between 8th Street and 9th Street. If the grant is awarded, the project will be scheduled in CY 2022.

The Monroe County Commissioners will hold a second public hearing on October 7, 2020. Applications are due to the DCED no later than October 28, 2020.

The CDBG-CV (Coronavirus) funding is a special allocation of the Community Development Block Grant funding to prevent, prepare for, and respond to the coronavirus (COVID-19). The

allocation is in accordance with Act 179 formula basis. A project must meet one of the three National Objectives: benefit low- to moderate-income persons or households, aid in the prevention or elimination of slum and blight, or meet an urgent need and be CDBG eligible.

Examples of eligible activities are: emergency rent/mortgage/utility assistance; food distribution; provide testing, diagnosis or other services at a fixed or mobile location; provide short-term working capital assistance to small businesses to enable retention of jobs held by low- and moderate-income persons; construct a facility for testing, diagnosis or treatment; rehabilitate a community facility to establish an infectious disease treatment clinic.

The Monroe County Commissioners will hold a second public hearing on the CDBG-CV Program on August 5, 2020. Applications are due to the DCED no later than August 31, 2020. If the grant is awarded, those funds must be spent by September 2021. Initially, Mr. Ace suggested deep cleaning the parking meters, pay stations, and equipment in all of the Borough parks; however, that work is considered maintenance and is not eligible for CDBG funding.

There was a discussion about not overlapping Federal and State funding from other sources in connection with assisting businesses. Mr. Smith suggested the improvement of technology to provide better resources for the public; Ms. Robbins will reach out to the DCED to see if that would be an eligible project.

A motion was made by Mr. Smith, seconded by Mr. Weiss to close the hearing to the public. Ms. McCabe reported that there was one public comment after that motion from Melissa Rodriguez, who suggested funding to daycare facilities so that there could be individual containers of toys for each child to prevent the spread of diseases. Ms. Robbins thought that would be an acceptable use; however, the funds must be used in Stroudsburg Borough. The prior motion was carried. (7-yes; 0-no; 0-absent)

Mr. Smith suggested that Council consider using the funds for personal protective equipment and technology. Mayor Probst suggested using the funds to assist businesses. Mr. Abell suggested that funding has been available from Federal and State sources for businesses including daycares and would like to see the funds used to benefit all socio-economic people rather than specific industries.

Ms. Robbins offered to draw up an application process and narrative to be used if the Council decides to use the funds to assist businesses. Mr. Lanfrank asked all Council members to provide their suggestions to Mr. Ace in the next week so that there can be a discussion at the next meeting on July 21, 2020. Ms. Robbins advised that she would follow up with resolutions and agency agreements for both grant applications for Council's consideration.

Public Hearing and Consideration to Adopt An Ordinance of the Stroudsburg Borough Council to Amend Chapter 25, Part 1, Section §25-115 of the Stroudsburg Borough Code Entitled, “Private Tree Care”

The hearing was opened to the public for the aforementioned Ordinance. There were no questions or comments from the public. The public hearing was closed on a motion made by Mr. Smith, seconded by Mr. Weiss. The motion was carried. (7-yes; 0-no; 0-absent)

The aforementioned Ordinance was adopted on a motion made by Mr. Weiss, seconded by Mr. Abell. The motion was carried. (7-yes; 0-no; 0-absent)

Public Hearing and Consideration to Adopt Consideration to schedule a public hearing for An Ordinance of the Stroudsburg Borough Council to Amend an Ordinance Entitled Motor Vehicles and Traffic, “Fire Lanes”, Chapter 15, Part 8, Section §15-807 “Notice of Violation”

The hearing was opened to the public for the aforementioned Ordinance. There were no questions or comments from the public. The public hearing was closed on a motion made by Mr. Smith, seconded by Mr. Abell. The motion was carried. (7-yes; 0-no; 0-absent)

The aforementioned Ordinance was adopted on a motion made by Mr. Weiss, seconded by Mr. Abell. The motion was carried. (7-yes; 0-no; 0-absent)

Approval of Council Meeting Minutes for the Regular Meeting, June 16, 2020

The minutes of the regular meeting on June 16, 2020 were approved as circulated on a motion made by Mr. Weiss, seconded by Mr. Abell. The motion was carried. (6-yes; 0-no; 1-abstention-Mr. Smith)

OLD BUSINESS

Status of LERTA Ordinance

The LERTA Committee will be meeting on July 8, 2020 at 3:30 P.M. and hopes to meet with the Stroudsburg Area School District Board of Directors in August.

Status of Bike Rack Project

Mr. Ace reported that he spoke with Rich Schlamuss of the Monroe County Transportation Authority, and the bike racks should be complete in three to four weeks. The Borough budgeted \$8,000.00 for the project; MCTA received a grant in the amount of \$10,000.00 for the project. He learned that the Borough is only responsible for 20% of the \$17,080.00 cost for the bike racks, which is \$3,416.00. The Borough received notice that it was awarded a grant in the amount of \$1,200.00 from The Chamber Foundation, Main Street Lehigh Valley Grant Program toward the bike racks. This results in a budget savings of \$5,784.00.

Status of Outdoor Dining

Mr. Ace reported that Penn DOT is still working on their policy in connection with using parking spaces on State routes for outdoor dining. He is working on a TE-300 Special Event Application and will be working with RKR Hess on a safety plan which must be submitted with the application. Solicitor McDonald referred Council to page 3, which provides a significant waiver and indemnification by the Borough to Penn DOT. The Borough would take the responsibility if anything bad happens and must provide a Certificate of Liability Insurance naming Penn DOT as additional insured. He recommended that the Council take official action to authorize Mr. Ace to submit the application to Penn DOT. A motion was made by Mr. Abell, seconded by Mr. Weiss to authorize Mr. Ace to submit a TE-300 Special Event Application to Penn DOT to request the use of parking spaces on Main Street, a State Route, through November 1, 2020.

Mayor Probst asked if the application could be reviewed and turned around so that the eating establishments could proceed starting the weekend of July 10. Mr. Ace responded that the review would take longer.

Mr. Smith expressed concern about the loss of 50 parking spaces to this use as they are for residents and other businesses to use. The Borough also has a parking shortage as it is.

Police Chief Lyon asked Mr. Lanfrank if the Borough has a safety plan in place for the people sitting in the parking spaces to protect them from the vehicular traffic on Main Street. Mr. Lanfrank responded that Mr. Ace is working on the plan, and the restaurants will be expected to put up barricades if they want to participate in this. Chief Lyon responded that unless concrete barriers are used, the type that must be put in place by a crane, she has a problem from a safety standpoint. She stated that she understood the importance of helping local businesses and wants to see them succeed. She also stated that she is disgusted that anyone from the Borough would consider putting money and business before the safety of the residents by putting tables and chairs on a well-traveled, congested thoroughfare after the Borough has consistently complained to SARPD about the perception of speeding and reckless drivers on Main Street potentially without Penn DOT approval. She felt bad for the businesses and the horrific situation that they are in, but as the Chief of the community, she values human life above everything else. This decision must not be made with a “knee-jerk” reaction filled with emotion. If this is not done correctly with the proper safety measures, the statistics and the probability exist that there could be a tragic accident that affects one or more people.

Mr. Smith thanked the Chief for bringing up the safety aspect. He works on roads and sees accidents all the time.

Ms. McCabe reported the following public comments. Mike McKean asked if there would be a fee for businesses to do this. Mr. Abell responded that the only restaurants that would be eligible for this plan would be those who already hold an Outdoor Dining Permit issued by the Borough. Robert Smith asked, “Concrete barricades? A no brainer.” Brandon Overbeck agreed with Chief Lyon. Britni Brodhead thanked Chief Lyon for caring about residents’ safety. Laura Gonzalez

stated that “millions were spent on the bump outs on Main Street because pedestrians were at risk for being hit by vehicles, and now the Council wants to put customers in parking spaces?”

The prior motion was carried. (6-yes; 1-no Mr. Smith; 0-abstain)

NEW BUSINESS

Consideration to amend A Proclamation by the Stroudsburg Borough Council Declaring A Local Disaster Emergency in Stroudsburg Borough County of Monroe, Commonwealth of Pennsylvania

A motion was made by Mr. Smith, seconded by Mr. Weiss to extend the Local Disaster Emergency Declaration to July 21, 2020. The motion was carried. (7-yes; 0-no; 0-absent)

Consideration to schedule a public hearing for Ordinance of the Stroudsburg Borough Council to Revise Chapter 15 Motor Vehicles and Traffic, Parts 3 and 7 General Parking Regulations, Section §15-304 4. Entitled “Vehicles to be Parked Within Spaces, Parking Prohibited in Certain Areas”; Section §15-306 1. Entitled “ Parking Prohibited at All Times in Certain Locations”; Section §15-316 1.A. AND 1.B. Entitled “Handicapped Parking Zones Established”; and Section §15-713 1.B. Entitled “Residential Parking Districts Designated”

A motion was made by Mr. Abell, seconded by Mr. Weiss to schedule a public hearing for the aforementioned proposed Ordinance for the July 21, 2020 Borough Council meeting. The motion was carried. (7-yes; 0-no; 0-absent)

Approve and adopt a Resolution to Authorize a New Bank Account at ESSA Bank and Trust in the Name of “Borough of Stroudsburg Fire Escrow Account for 501 Sarah Street” Owned by Androulla M. Tofalli Pursuant to the Stroudsburg Borough Code, Chapter 1, Part 6

A motion was made by Mr. Smith, seconded by Mr. Weiss to adopt the aforementioned Resolution. The motion was carried. (7-yes; 0-no; 0-absent)

Consideration to approve a request from CGI Communications, Inc. to produce a video about Stroudsburg Borough to be placed on the Monroe County website

A motion was made by Mr. Smith, seconded by Mr. Abell to approved the aforementioned request. The motion was carried. (7-yes; 0-no; 0-absent)

Council President Appointment – Negotiation Committee members

Mr. Lanfrank appointed the Finance Committee, himself, Mr. Smith and Ms. McCabe to be members of the Negotiation Committee. The collective bargaining agreement with Teamsters Local 773 expires December 31, 2020. Mr. Ace advised that the negotiation meetings are

typically held from 2:00 P.M. to 4:30/5:00 P.M. The Borough has historically paid the negotiation members of the union until 3:30 P.M.; the Teamsters Local 773 pays them for the remaining meeting time. Mr. Smith advised that he would be happy to serve on the Committee, but it would be a challenge for him to attend prior to 3:30 due to his employment. He questioned why the Borough pays the union members to negotiate.

Committee Reports

Codes Committee – Mr. Abell reported that the Codes Committee met on June 17 and discussed the feasibility of Borough-wide garbage collection, regulating the number of kitchens in multi-family units, ongoing sidewalk maintenance ordinance, Covid sidewalk sales, fire pit and chiminea ordinance (due to the number of complaints, the Committee felt it wasn't necessary at this time) and a fireworks ordinance (there is no where in the Borough that will comply with the State law requiring at least 150 feet from an occupied structure).

Chief Lyon advised that SARPD has been addressing fireworks complaints by advising violators that they must stop. SARPD is working with the Attorney General's Office. The fireworks law was enacted at the end of 2018. The violation was taken out of Title 35, Health and Safety, and put in to Title 72, which is the Tax Reform Code of 1971. There are questions about the authority that police departments have regarding enforcement in Title 72. She hopes to have information from the District Attorney's Association in the next week or so. If there is a resolution, they will be able to enforce the law together with some recent changes in the law. East Stroudsburg Borough does have a fireworks ordinance; Stroud Township and Stroudsburg Borough do not have ordinances. She recommended that the Borough enact an ordinance until the question about the Tax Reform Code is resolved. Mr. Abell will bring the matter up to the Codes Committee at their monthly meeting in two weeks.

Street Committee – Mr. Smith mentioned a request from Mr. Evanisko about signs for businesses on Main Street. That matter was discussed a couple of years ago. Also mentioned was painting stop bars at intersections. Mr. Lanfrank answered that there is a budget for that. Mr. Smith apologized for not having Committee meetings, but due to the Covid 19 pandemic, his work hours have been 3:00 P.M. to 11:00 P.M. His work schedule is back to 7:00 A.M. to 3:00 P.M.

Public Relations/Media Committee – Mayor Probst reported that Mr. Evanisko suggested having an Interboro block party when appropriate to do so. The Committee also discussed a newsletter.

Redevelopment Committee – Mr. Abell reported that the Committee met on June 24 with Carson Helfrich, P.P. and discussed the commercial height overlay ordinance. The fee for not providing parking is being removed and replacing it with verbiage that parking be provided on site or within 1,000 feet of the building based on density. A fee cannot be assessed in lieu of parking unless there is a parking study and a particular project design. Also being considered is an Open Space Impact Fee to be applied to new industrial or commercial construction. This would be a smaller fee that could be applied to the Stroud Region Open Space and Recreation Commission Trail Gap Plan. There have also been meetings with Stroud Township and East Stroudsburg Borough to identify missing pedestrian linkages between municipalities. The Committee is

looking for recommendations for parking study consultants to determine the feasibility of a public-private parking facility. The next meeting is July 15 at 3:30 P.M.

I-80 Expansion Task Force – Mayor Probst reported that the task force met with the Brodhead Watershed Association. Penn DOT has not provided the Finding of No Significant Impact Report, and they are approaching the final design stage.

There were no reports from the Budget Committee, Parking Committee, Recycling Committee, Sewer Committee, Personnel Committee or Stroud Region Open Space and Recreation Commission.

Mayor's Report

Mayor Probst asked about the status of the dog barking ordinance. Mr. Abell confirmed that it is on the agenda for the Codes Committee. She questioned the status of the dumpster screening ordinance. Solicitor McDonald will look in to it. She asked Council to approve another town-wide yard sale; that will be an agenda item at the July 21 meeting.

Committee Member Reports

Mr. Abell mentioned the power line that was down across Sarah Street for eight days. He asked that Mr. Ace pursue an explanation from PP&L for the delay in repairing that. He suggested that there be a policy in place for this type of situation.

Mr. Smith asked that Council consider a QP track around Glen Park for walking or jogging. He would like the Borough to look for grants for a gazebo and an exercise area.

Ms. McCabe reported the following public comments. Jane Armstrong asked if anything can be done about cars parking overnight in Courthouse Square from Friday to Saturday. People want to move their vehicles during the Farmers' Market, which is dangerous.

Laura Gonzalez asked for more information about the dumpster screening ordinance. She likes the idea about another town-wide yard sale.

Kristin Battle, Chairperson of the I-80 Expansion Task Force was present and reported that the Environmental Assessment and the Finding of No Sign of Impact Study were completed by Penn DOT. Penn DOT is entering the final design stage of the expansion project with obtaining permits and property acquisitions. She asked that the Borough Council request an in-person meeting with the Board of the Brodhead Watershed Association (BWA) to discuss further actions that need to be taken to protect the waterways and the Borough's infrastructure. A motion was made by Mr. Weiss, seconded by Ms. McCabe to direct the staff to send such a letter to the BWA. The motion was carried. (7-yes; 0-no; 0-absent)

Solicitor's Report

Solicitor McDonald reported that he had two topics to discuss with Council in executive session, one of which involves the I-80 expansion. He cautioned the Council not to use the chat feature during Zoom meetings because the public is not privy to that information.

Manager's Report

Mr. Ace had nothing further to report.

Code Enforcement Officer

There was nothing to report from the Code's Office.

Street Superintendent's Report

Mr. Schnatter had nothing to report.

Approval of Bills on Warrants 200707

A motion was made by Mr. Weiss, seconded by Ms. McCabe to approve the payment of the bills on Warrants 200707. The motion was carried. (7-yes; 0-no; 0-absent)

Public Input for Non-Agenda Items

There were no comments or questions from the public for non-agenda items.

Executive Session

A motion was made by Mr. Smith, seconded by Mr. Weiss to go in to executive session at 8:48 P.M. The motion was carried. (7-yes; 0-no; 0-absent)

The executive session concluded at 9:25 P.M. on a motion made by Mr. Abell, seconded by Mr. Weiss. The motion was carried. (7-yes; 0-no; 0-absent) There was nothing to report from the executive session.

A motion was made by Mr. Weiss, seconded by Mr. Smith to adjourn the meeting at 9:27 P.M. The motion was carried. (7-yes; 0-no; 0-absent)