

STROUDSBURG BOROUGH COUNCIL  
REGULAR MEETING MINUTES, DECEMBER 21, 2021

A regular meeting of the Stroudsburg Borough Council convened at 7:00 P.M. on December 21, 2021 in the Council Chambers of the Stroudsburg Borough Municipal Building with the following members present: Council President Matt Abell, Council President Pro-Tem Erica McCabe, Council member Joanne Kochanski, Council member Victoria DeVries, and Council member Jim Evanisko. James Smith was absent.

Also present were: Mayor Tarah Probst, Borough Manager Larry Kopp, Borough Solicitor Joseph McDonald, Executive Assistant Mary Pat Quinn, Superintendent of Streets Brian Ace Jr., and Zoning/Codes/Subdivision and Land Development Administrator Jennifer Walker.

The meeting was called to order, roll call was taken, and the Pledge of Allegiance was recited.

Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council, Amending Chapter 22, Subdivision and Land Development, of the Stroudsburg Borough Code to Add §22-505, Recreation, Common Open Space, and In-Lieu Fees.

Mr. Abell summarized the proposed Ordinance. There were no questions or comments from the public. A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to close the public hearing. The motion was carried. (5-yes; 0-no; 0-abstain)

A motion was made by Ms. McCabe, seconded by Ms. DeVries to adopt the aforementioned Ordinance. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to adopt the 2022 Budget as proposed.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to adopt the 2022 Budget as proposed and circulated. The motion was carried. (5-yes; 0-no; 0-abstain)

Public Hearing and Consideration to Adopt An Ordinance of the Borough of Stroudsburg, in the County of Monroe, Commonwealth of Pennsylvania, Fixing the Real Estate Tax Rate for the Year 2022.

Mr. Kopp advised that the proposed Ordinance would set the milage rate as follows:

Tax Rate for the General Fund	6.7 mils
Tax Rate for the Fire Apparatus Fund	0.135 mils
Tax Rate for the Street Lighting Fund	0.24 mils
Tax Rate for the Debt Service Fund	0.28 mils
Parks/Recreation Fund	0.53 mils
Street Fund	<u>0.34 mils</u>
TOTAL	8.225 mils

There were no questions or comments from the public. A motion was made by Mrs. Kochanski, seconded by Ms. DeVries to close the public hearing.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to adopt the aforementioned Tax Ordinance for 2022. The motion was carried. (5-yes; 0-no; 0-abstain)

Public Hearing and Consideration to Adopt An Ordinance Amending Ordinance No. 1048-2018, Presently Codified in the Stroudsburg Borough Code as Chapter 27, Zoning, Part 8, Sign Requirements by Amending Table 1 “Table of Regulations Governing Sign Types in All Zoning Districts” to Include Electronic Message Center Signs and Amending §27-805 Prohibited Signs.

Solicitor McDonald summarized the Ordinance which would identify the Industrial Zone as the location for digital message board displays. He did recommend that the Borough Council open the public hearing; however, he stated that the proposed Ordinance must be sent to the Monroe County Planning Commission and the Stroudsburg Borough Planning Commission for review and recommendation before Council takes any action.

There were no questions or comments from the public. A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to continue the public hearing until the February 1, 2021 Council meeting which starts at 7:00 P.M. This will allow sufficient time for both Planning Commissions to meet and review the proposed Ordinance. The motion was carried. (5-yes; 0-no; 0-abstain)

Approval of Council Meeting Minutes for the Regular Meeting, December 7, 2021.

The minutes of the December 7, 2021 Council meeting were approved as circulated on a motion made by Mrs. Kochanski, seconded by Ms. McCabe. The motion was carried. (5-yes; 0-no; 0-abstain)

Monthly Administrative Reports

A motion was made by Ms. McCabe, seconded by Mrs. Kochanski to approve the following reports: Permits Issued Report, Parking Report, Right-to-Know Report, and the Stroud Area Regional Police Department Report. The motion was carried. (5-yes; 0-no; 0-abstain)

Accept the Unaudited November, 2021 Treasurer’s Report

A motion was made by Mrs. Kochanski, seconded by Ms. DeVries to accept the Bank Account Balance Report and the Budget to Actual Report. The motion was carried. (5-yes; 0-no; 0-abstain)

OLD BUSINESS

Consideration to Approve a Request from Avi Rachmani dated December 4, 2021 for an extension in connection with the Shanti House, LLC. Land Development Application.

A motion was made by Mrs. Kochanski, seconded by Ms. DeVries to approve an extension on the Shanti House, LLC. Land Development application until February 28, 2022. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to Authorize the Council President to Execute the Subrecipient Agreement between the Borough of Stroudsburg and the Monroe County Redevelopment Authority for the FY 2020 Monroe County CDBG Program for the “Healthy Home Repair Program”.

A motion was made by Mrs. Kochanski, seconded by Ms. DeVries to authorize Mr. Abell to execute the aforementioned agreement on behalf of the Borough of Stroudsburg. The motion was carried. (5-yes; 0-no; 0-abstain)

NEW BUSINESS

Consideration to schedule a Public Hearing for An Ordinance to Amend An Ordinance of the Borough of Stroudsburg Chapter 18, Part 2, §18-202 Entitled, “Sewer Rental Rate Schedule and Service Charge”.

Mr. Kopp discussed the rationale for increasing the sewer rental rate and service charge. The Borough needs to address its infiltration problem, and smoke testing will begin after the first of the year to determine the areas of concern. The sewer main on Ann Street will be replaced. A study of the EDU (Effluent Discharge Units) that are on file with the Borough will be compared to existing uses of properties to determine the correct amount of EDU’s that are assigned.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to schedule a public hearing for consideration of the aforementioned proposed ordinance on January 3, 2022. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to approve a Letter of Understanding for Professional Consulting Services to Prepare and submit the 2022 Monitoring Reports for the Joint Municipal Landfill Project to the PA Department of Environmental Protection. Stroudsburg Borough’s portion will not exceed \$9,800.00.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to approve the payment of one-third, or up to \$9,800.00, in calendar year 2022 toward the monitoring and report filing for the joint municipal landfill. East Stroudsburg Borough and Stroud Township will each pay one-third of the total costs as well. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to approve and authorize the Borough Manager to sign the revised Sewage Planning Module Mailer for Monroe Plaza, 51 North Third Street. Note: The property owner paid \$71,820.00 on August 17, 2021 for 82.1 EDU’s.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to authorize the Borough Manager to execute the aforementioned Sewer Planning Module Mailer for Monroe Plaza, 51 North Third Street on behalf of the Borough of Stroudsburg. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to approve the purchase of an HP ML-110 Gen 10 Servicer for the CoStars price of \$10,286.77.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to approve the purchase of an HP ML-110 Gen 10 Server for the CoStars price of \$10,286.77. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to approve the AOT 50 Hour Contracted Professional Services for the Installation and Configuration of a New File Server and to keep the existing Active Directory Domain structure for a cost of \$5,400.00.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to approve the aforementioned professional service contract in the amount of \$5,400.00 for the installation of the new file server. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to Adopt a Budget Transfer Resolution for CY 2021.

The budget transfer resolution for CY 2021 was adopted on a motion made by Mrs. Kochanski, seconded by Ms. McCabe. The motion was carried. (5-yes; 0-no; 0-abstain)

Review of 2021 Financials by the Borough Manager.

Mr. Kopp reviewed the 2021 financial status with the Borough Council.

End of Year Update | Stroudsburg Borough Budget & Finances

General Fund

- Property Taxes (Current year, Prior Year and Delinquent) all up from last year.
- Real Estate Transfer Tax exceeded even last year's all-time high (\$292,398 vs. \$226,194).
- Earned Income Tax right where budgeted and in line with last FY; shows overall number of residents working staying constant (payroll deduction/tax on all residents working anywhere).
- LST (Local Services Tax) down 24% from last year. Cause for concern; this is collected only from workers in the Borough. Number of workers in Stroudsburg must have dropped considerably.
- Parking revenue up in virtually all budget lines from last year. Shows return of downtown businesses and renewed enforcement by the Borough.
- Overall/Total Income up by 36% over last year (\$4.8 Million vs. \$3.5 Million).
- Nothing remarkable in expenses; no budget lines that show real problems.
- Total expenses are \$123,340 below budget; still up \$553,185 from last year (15%).
- Currently net surplus/profit of \$745,047.

### Street Fund

- Nothing remarkable in income or expenses. Still \$28,299 outstanding to Northeast Site Contractors for the two street paving projects in 2021.
- Total Expenses decreased by \$166,928 in 2021.
- Currently net surplus/profit of \$86,764.

### Fire Apparatus Fund

- Nothing remarkable in income or expenses.
- Currently net surplus/profit of \$11,266; no major expenses projected for the remainder of the FY.

### Capital Fund

- Did not complete two projects in 2021 (Pool Liner and Borough Building Repairs)
- Purchased radios for the Fire Department in lieu of the Borough Building Repairs.
- Current net substantial surplus/income (\$248,744); \$245,982 below budgeted expenses. \$140,000 appropriation rolls over into 2022 for Pool Liner.

### Sewer Fund

- Several large, unbudgeted revenue lines (\$45,489 from Stroud Township for Reimbursement of 2018 Emergency Sewer Repairs; \$77,280 in Tapping Fees).
- Sewer Usage Income up from last year (Increase of \$107,027; 6.23%).
- Overall income up \$203,677 (11.6%).
- BCRA O&M Costs down due Borough receiving a \$101,557 credit (savings) on O&M costs due to Sanofi's IPP payment reimbursement.
- Total Expenses dropped by \$190,246 in 2021 (9.8%).
- Currently, \$325,715 below budgeted expenses.
- Current net surplus/profit of \$212,415. Would be first surplus in Sewer Fund in at least 5 years.

### Recreation Fund

- Nothing remarkable in income or expenses.
- Income up 55.8% from last year. (\$239,144 vs. \$153,455).
- Total expenses increased by 28% (\$143,975 vs \$112,443).
- Current net surplus/profit of \$95,168; Expenses \$70,867 below budget.

### Street Lighting Fund

- Nothing remarkable in income or expenses.
- Total income increased by 35.5% (\$148,871 vs. \$109,823).
- Expenses virtually the same as last FY.
- Current net surplus/profit of \$69,869.

### Insurance Dividend Fund

Total income increased by \$138,126 (42.55%; \$462,756 vs. \$324,630).

Current net surplus/profit of \$130,057, up \$97,661 from last year (Last year \$40,395; or 241.7%).

### Committee Reports

Codes Committee – Mr. Abell reported that the Codes Committee will meet at 3:30 P.M. on December 22, 2021 via Zoom.us.

Budget Committee – The budget is adopted for 2022.

Parking Committee – Ms. McCabe advised that the Parking Committee will resume meeting monthly in January, 2022. The Committee is reviewing the residential parking pass procedures. Mechanical meters are in short supply; the Parking Secretary suggested pulling meters on Lower Main by Third Street. The Committee will also discuss that and make a recommendation to Council.

Recycling Committee – Mr. Kopp advised that the Twin Boroughs Recycling Committee will meet at 3:30 P.M. on December 27 in the Council Chambers of the Stroudsburg Borough Municipal Building to finalize and approve the 2022 Budget.

Sewer Committee – Mr. Ace advised that he will take delivery of the smoke testing equipment on December 22. Smoke testing will start after the first of the year. Mr. Kopp added that the Street Department will post red tags on doors prior to smoke testing on specific streets.

Street Committee – Mayor Probst advised that the Committee will meet on January 5, 2022 at 3:30 P.M. via Zoom.us.

Personnel Committee – Nothing to report.

Public Relations/Media Committee – Mayor Probst advised that the Committee will meet on December 28 at 5:30 P.M.

Redevelopment Committee – Mr. Abell reported that the Committee will be starting the process of a traffic/pedestrian study for Main Street.

I-80 Expansion Task Force – Mayor Probst advised that she, Kris Battle and Mr. Kopp met with representatives of Senator Casey’s office and Congresswoman Wild’s office.

Stroud Region Open Space and Recreation Commission – Ms. McCabe did not have anything to report.

### Mayor’s Report

Mayor Probst thanked the Street Department for decorating downtown for the holiday season. She also thanked the Mattioli Foundation for paying for the new white lights, the Christmas Tree in Courthouse Square and for continuing its support of the downtown area. She noted that the downtown was featured in Philadelphia Live and New York Live.

Other groups/agencies were thanked for all they do for the Borough: Crime Watch group, Pocono Mountains Visitors’ Bureau (for the fencing and lights for the portable ice rink), the staff and the Council members.

### Council Member Reports

Mrs. Kochanski thanked the Council for asking her to fill the unexpired term of Anthony Lanfrank, Jr.

### Solicitor’s Report

Solicitor McDonald reported that he met with Ron Kimes, Larry Kopp, and Nate Oiler to review the pending land development projects. Alpha Recycling needs to follow up with the conditions of its approval. AKS Realty needs to provide a letter of credit or separate dedicated escrow agreement. The property will require 6-7 additional EDU’s. Monroe Plaza is continuing to move forward with its land development plan.

Solicitor Gerald Geiger has entered a plea opposing the VFG LaBar (Simpson Glen) appeal to the Superior Court. Simpson Glen, a Pennsylvania company, is a partner of the development together with VFG LaBar. The judge should remand the appeal back to the Court of Common Pleas. There is no specific timeframe.

### Manager’s Report

Mr. Kopp reported that he will instruct RKR Hess to start preparing the specifications for the street paving projects and the Ann Street sewer/paving project right after the first of the year.

He will work on a Capital Improvement Program.

## Meetings

Mike Gensemer   BIU of PA	December 7 <sup>th</sup>
BCRA – Borough Billing	December 9 <sup>th</sup>
I-80 Update/Sen. Casey Staff	December 9 <sup>th</sup>
Creative Works/Borough Logo	December 10 <sup>th</sup>
Downtown Stroudsburg Business Association	December 14 <sup>th</sup>
Rotary Club/SROSRC	December 14 <sup>th</sup>
Twin Boroughs Recycling	December 15 <sup>th</sup>
Barry Isett/Building Inspections	December 16 <sup>th</sup>

## Infrastructure/Streets/Capital Projects

*Sidewalk Replacement Project/Multimodal Grant.* DCED/CFA will grant an extension after January 1, 2022 if needed. Out to bid this winter, project completed next spring into summer. Will add ramp at corner at 6<sup>th</sup> and Monroe (SW Corner) as part of the project.

*Ann Street Sewer Replacement & Paving.* Will use ARPA funding. This is an approved use of funds (I&I mitigation of sanitary sewer system) and requires no approval from the state or federal governments. Waiting for approval from DEP of temporary sewer service. Then will go out to bid.

*Thomas Street Paving Project.* Environmental review complete and was approved for use of CDBG Funds. Beginning survey work. Will begin bid process this winter.

## New Borough Logo

Received final new Borough Logo and Style Guide. Webmaster is working on updating website; new letterhead is already in use. Will use new logo on upcoming Newsletter (and for all newsletters from now on).

## Capital Improvements Plan

Working during winter 2022 to put together a 10-year Capital Improvements Plan for the Borough listing all major capital projects and purchases through 2031.

## Software for Codes/Zoning and Parking

Working on inputting work flow and data to use in new system. Hope to have everything updated by the end of the year, with training to follow in Winter 2022.



### Sewer Collection System/I&I Initiative

Met with BCRA (along with Stroud & Pocono Townships) on December 1<sup>st</sup> in regard to I&I issues after the two hurricanes in August/ September. Comprehensive identification/mitigation plan is underway. Ready to begin smoke testing as soon as we are in receipt of smoke testing equipment; notification letters and notices ready to send to residents. Camera work on potential lines with I&I ongoing when conditions are favorable.

### Recycling Center

Committee Meeting was held on December 15<sup>th</sup> at 11:00 am. Approved budget at meeting. Sending out letters to haulers in regard to picking up recycling in violation of Borough Code. Will begin enforcement in Winter 2022.

### Sewer Rates/EDU Assessment/Billing

Developed new rates to allow the Borough to balance the 2022 Sewer Budget. Rates include across the board increases in quarterly charges (based on EDUs) and rate per 1,000 gallons used.

Developing a plan to implement an EDU Assessment for the Borough, assessing/updating our EDUs for all properties in the Borough. Using this information, looking at ways to reallocate expenses to be fairer to all customers.

BCRA voiced concerns with rate increases and billing; BCRA is increasing rates in 2022 as well. We will begin issuing separate bills for sewer customers in 2022 and change the information that is included on bills.

### Garbage Concerns on Main Street

We have had an ongoing problem with tenants with apartments on Main Street depositing their household trash curbside. We have been closely monitoring and checking trash for any possible evidence of the location of the offenders. There is provision in our Code that allows the Borough to require property owners to supply the Borough information within 72 hours on their trash haulers. Instead of going after tenants who may not even realize what they are doing is wrong, this way we can force some of the property owners, who do not have trash haulers, to comply with our Ordinance. Letter going out by the end of the year.

### Five Points Intersection North 5<sup>th</sup> Street

Survey work underway. Once survey is complete Ben can go forward with other elements of the study.

### McMichael Creek Flood Protection Project/Levee Repair/DEP Grant

Project is being managed by the Army Corps of Engineers. Award date for the contract has been pushed back, and we are now looking at Spring 2022 for the project to begin. Will keep Council

updated. Grant Agreement is complete for DEP to provide 100% of the share of the Borough's cost of the project. We will be responsible for the upfront match costs and then will be reimbursed, up to \$80,000, by DEP, and is included in the 2022 Budget.

#### Sewer Fund Delinquent Accounts/Liens

BCRA wants to meet in regard to delinquent accounts; this has been put onto the back burner until plans to address I&I are underway. I have talked to three different collection agencies and given the experiences so far with the shutoff notices, there may be a place for collection agencies when a rental property has water due to be shut off because of nonpayment by the property owner/landlord. BCRA found a 20-year-old agreement on how billing was to be done for sewer accounts.

Pocono Plaza Inn is being sold, and attorney contacted us about fulfilling the liens as part of the sale. Past due sewer balance is \$56,471.40.

#### Levee Conduit Inspection

In 2021, all conduits on our Levees must be inspected by camera. Since we have our own camera truck, we are able to do this work "in house" and save costs. Working on getting more guidance from the Corps of Engineers/DEP.

#### Borough Pool

Water level settled at normal level from in past years. That means that any leaks are probably not from the discharge pipes buried underground, which is a good thing. The bad news is that it leaves us back at square one again.

#### Parking Garage

Working on getting bids from contractors to do work to repair our parking garage. Will be used for a potential grant request for repairs. Also, contacting concrete contractors to determine costs for a new garage.

#### Bicycle Racks

Three racks remain to be installed: 745 Main, 401 Main & 33 North 7<sup>th</sup> Streets. North 7<sup>th</sup> Street was approved with a slightly changed location. Waiting to hear back from the remaining two property owners. One property owner (1172 Main Street) declined to have the rack on their property. Installation in Spring 2022.

## Upcoming Focus

Smoke Testing/I&I Mitigation  
Capital Improvement Plan  
Sewer Liens and A/R

MyGov Implementation  
Sewer EDU Assessment  
Day to Day Activities

## Street Superintendent's Report

Mr. Ace did not have anything new to report.

## Code Enforcement Officer's Report

Ms. Walker did not have anything new to report.

## Approval of Bills on Warrants 211221

A motion was made by Ms. McCabe, seconded by Mrs. Kochanski to authorize the payment of bills on Warrants 211221. The motion was carried. (5-yes; 0-no; 0-abstain)

## Public Input for Non-Agenda Items

Ms. McCabe received a text during the meeting from someone on Zoom.us about people gathering in the area of Main Street between the Charcuterie, Warrior Grill and Sweet Creams every Saturday between 12:00 and 3:00 A.M. SARPD will be notified about this.

## Executive Session, re: Personnel

A motion was made at 8:06 P.M. by Mrs. Kochanski, seconded by Ms. McCabe to go in to an executive session to discuss a personnel matter. The motion was carried. (5-yes; 0-no; 0-abstain)

The executive session concluded at 8:27 P.M. on a motion made by Mrs. Kochanski, seconded by Ms. McCabe. The motion was carried. (5-yes; 0-no; 0-abstain)

A motion was made by Ms. McCabe, seconded by Mrs. Kochanski to approve a \$10,000.00 annual increase for Mr. Kopp(the new annual salary is \$88,000.00) effective immediately (December 21, 2021).The motion was carried. (5-yes; 0-no; 0-abstain)

The meeting was adjourned at 8:27 P.M. on a motion made by Mrs. Kochanski, seconded by Ms. McCabe. The motion was carried. (5-yes; 0-no; 0-abstain)