

MINUTES  
Stroudsburg Borough Council Meeting  
Tuesday, May 18, 2021 at 7:00 P.M.

**Special Note: This meeting will be held on Zoom.com; the public may submit comments on agenda items and non-agenda items to the Borough Manager via [lkopp@stroudsburgoro.com](mailto:lkopp@stroudsburgoro.com) prior to the meeting. The public is also invited to participate via livestream by following the link on the Stroudsburg Borough Facebook page.**

1. Call to Order/Roll Call - Present were: Council Member Jim Evanisko, Council Member James Smith, Council Member Boyd Weiss, Mayor Tarah Probst, Solicitor Joseph McDonald, Borough Manager Lawrence E. Kopp, Council Vice President Matt Abell, Council Member Victoria DeVries (arrived at 7:30pm) and Council Member Erica McCabe. Absent was Council President Anthony Lanfrank. A Quorum was present.
2. Pledge of Allegiance.
3. Approval of Council Meeting Minutes for the Regular Meeting, May 4, 2021.  
Motion by Ms. McCabe to Approve Council Meeting Minutes for the Regular Meeting, May 4, 2021, second by Mr. Evanisko. Correction made to the spelling of Fonsi on the I-80 report. All in favor, Motion Carries.
4. Monthly Administrative Reports
  - a. Permits Issued Report
  - b. Public Works Report
  - c. Parking Report
  - d. Fire Department Report
  - e. Right-To-Know Report
  - f. Police Department Report (provided via email)Motion by Mr. McCabe to Accept Monthly Administrative Reports, second by Mr. Evanisko. All in favor, Motion Carries.
5. Accept Unaudited April, 2021 Treasurer's Report.
  - a. Bank Account Balances
  - b. Budget to Actual ReportMotion by Ms. McCabe to Accept Unaudited April, 2021 Treasurer's Report, second by Mr. Smith. All in favor, Motion Carries.

Old Business

6. Consideration to Approve the Preliminary/Final Land Development Plan for Shanti House as prepared by Cornerstone Consulting Engineers and Architectural, Inc. Mr. Abell advises this has been extended and will remain on Old Business.

New Business

7. Consider Approval of the Subdivision plans of Mark Four Realty, LP c/o Lightstone Group for the properties located at 51-53 North Third Street (near McConnell and North Third Street). Extension granted by the applicant to May 18, 2021. Solicitor McDonald advises he spoke to Mr. Ron Kimes who received notification this has been extended until August 17, 2021  
Motion by Mr. Smith to Approve the Subdivision plans of Mark Four Realty, LP c/o Lightstone Group for the properties located at 51-53 North Third Street (near McConnell and North Third Street), second by Ms. McCabe. All in favor, Motion Carries.

8. Consideration to Schedule a public hearing for An Ordinance of the Stroudsburg Borough Council to Amend an Ordinance Entitled Motor Vehicles and Traffic, Chapter 15, Part 4, Section 15-412.1.D entitled, "Fines".

Motion by Ms. McCabe to Schedule a public hearing June 1, 2021 for An Ordinance of the Stroudsburg Borough Council to Amend an Ordinance Entitled Motor Vehicles and Traffic, Chapter 15, Part 4, Section 15-412.1.D entitled, "Fines", second by Mr. Smith. All in favor, Motion Carries.

9. Discuss potential projects that qualify for The Coronavirus State and Local Fiscal Recovery Funds. Stroudsburg Borough is expected to receive \$549,508.00. Mr. Larry Kopp has researched options from the Treasury Department. The money can be used for sewer projects, specifically improvewaste infrastructure for weather events or use the funds to make up for loss of income from 2020 and street projects are allowed. We are applying for an LSA Grant for the Ann Street Sewer, if we are not approved the funds can be used for that project.

Motion by Mr. Smith for Table, second by Mr. Weiss. Public input by Peter Solotruk about paving, Brian Ace advises Thomas and 8<sup>th</sup> and 9<sup>th</sup> will be paved 20 2022 with CDBG funds. Mr. Abell advises the Streets Committee is working on a proposal for a bond issue to pave multiple streets at one time. All in favor, Motion Carries.

10. Review the Hand Sanitizer Station Project that will be funded with the FY 2020 Monroe County Community Development Block Grant Program, Coronavirus (CDBG-CV) Funds. The allocation for the project is \$15,968.00. Mr. Larry Kopp advises it's very specific what we can use the funding for. Mr. Smith advises we originally spoke about PPE equipment for the Police and Fire Departments. There were no applications for the housing. Mr. Larry Kopp will see if that money can be reallocated. Motion by Mr. Smith to have staff reach out to SARP and the Fire Department for PPE requirements, Second by Mr. Weiss. All in favor, Motion Carries.

11. Consideration to Approve a request from Gena Campbell for a curb cut on Wallace Street (rear of 519 Brown Street). Ms. Gena Campbell was in attendance and explained the request for a 25x25 feet (2) car parking pad. There is an electric pole where the property ends and a blind spot. Mr. Ron Kimes shared pictures for Council to see. Lengthy discussion ensued.

Motion by Ms. McCabe to Approve a request from Ms. Gena Campbell for a curb cut on Wallace Street (rear of 519 Brown Street), with backing into the driveway, no 2<sup>nd</sup>. Motion Dies.

Motion by Mr. Smith to Table a request from Gena Campbell for a curb cut on Wallace Street (rear of 519 Brown Street), no 2<sup>nd</sup>. Motion Dies.

Motion by Ms. McCabe to Approve a request from Gena Campbell for a curb cut on Wallace Street (rear of 519 Brown Street). Second by Mr. Weiss. All in favor, Motion Carries.

12. Consideration to Approve an Event Permit Application from the Pocono Irish-American Club to hold the 1<sup>st</sup> Irish-American Festival on Saturday, September 11, 2021 from 12:00 P.M. to 8:00 P.M.

Motion by Ms., McCabe to Approve an Event Permit Application from the Pocono Irish-American Club to hold the 1<sup>st</sup> Irish-American Festival on Saturday, September 11, 2021 from 12:00 P.M. to 8:00 P.M., second by Mr. Weiss. All in favor, Motion Carries.

13. Consider the Subdivision and Land Development plan of The County of Monroe for the properties located at 610 Monroe Street and 43 North Sixth Street. Mr. Nate Oiler advises these are 2 separate applications. The Planning Commission has approved with conditions and waiver requests as per RKR Hess's letter dated May 6, 2021 for each the Subdivision Lot Consolidation and Land Development Plans. The Lot Consolidation application was amended to join the entire block. Solicitor Tim McManus went over the conditions and waiver requests.

Motion by Mr. Smith to Approve the Waiver Requests for the Subdivision Lot Consolidation plan of The County of Monroe for the properties located at 610 Monroe Street and 43 North Sixth Street, second by Mr. Weiss. All in favor, Motion Carries.

Motion by Ms. McCabe to Conditionally Approve the Subdivision Lot Consolidation plan of The County of Monroe for the properties located at 610 Monroe Street and 43 North Sixth Street, per RKR Hess's letter dated May 6, 2021, second by Mr. Weiss. All in favor, Motion Carries.

The Planning Commission is requiring (3) waivers for the Land Development plan.

Motion by Ms. McCabe to Approve the Waivers for the Land Development plan of The County of Monroe for the properties located at 610 Monroe Street and 43 North Sixth Street, per RKR Hess's letter dated May 6, 2021, second by Ms. DeVries. All in favor, Motion Carries.

Mr. Nate Oiler is recommending the approval of the Land Development plan be tabled until the next meeting. Solicitor Tim McManus explains the financial guarantee. The estimated improvements will cost \$400k-\$500k. Since this is a public works contract; Pennsylvania has a law for Public Works and if the County qualifies under this law, the County must require the contractor to post a performance bond for 100% of the cost of the contract price. Mr. John Dunn is handling the contractor side for the County and due to having multiple contractors the bond would be in excess of one million dollars. The County is asking the Borough to waive the requirement and have the County post bond directly to the Borough. Solicitor McDonald advises this is a unique situation where the County as a taxing authority is the developer. The Borough has flexibility as the State Planning Code is set up for a more traditional land development plan and not a taxing authority. The Commissioners can provide a direct bond or indemnity directly to the Borough. Solicitor Tim McManus has spoken to Mr. Greg Christine and further review is needed from the County as this would tie up County funds.

Motion by Ms. McCabe for staff to look into further recommendations and bring back to Council about the Bond issue, second by Mr. Weiss. All in favor, Motion Carries.

Motion by Mr. Smith to Table the Land Development Plan of The County of Monroe for the properties located at 610 Monroe Street and 43 North Sixth Street until June 1, 2021, second by Ms. McCabe. All in favor, Motion Carries.

14. Consider the Application of P. Jason Granet for the replacement of roofing at 502 Thomas Street, as recommended for approval by the HARB.

Motion by Mr. Smith to Approve the Application of P. Jason Granet for the replacement of roofing at 502 Thomas Street, as recommended for approval by the HARB, second by Mr. Weiss. All in favor, Motion Carries.

15. Consider the Application of Johnathan and Autumn Hawthorne for the installation of fencing at 814 Ann Street, as recommended for approval by the HARB.  
Motion by Mr. Smith to Approve the Application of Johnathan and Autumn Hawthorne for the installation of fencing at 814 Ann Street, as recommended for approval by the HARB, second by Mr. Weiss. All in favor, Motion Carries.
16. Consider the Application of Ludwig Roofing for the replacement of roofing at 19 Williams Street, as recommended for approval by the HARB.  
Motion by Mr. Smith to Approve the Application of Ludwig Roofing for the replacement of roofing at 19 Williams Street, as recommended for approval by the HARB, second by Mr. Weiss. All in favor, Motion Carries.
17. Consider the Application of Jim Evanisko for the installation of fencing and a rear porch/deck at 109-111 North Eighth Street, as recommended for approval by the HARB.  
Motion by Mr. Smith to Approve the Application of Jim Evanisko for the installation of fencing and a rear porch/deck at 109-111 North Eighth Street, as recommended for approval by the HARB, second by Mr. Weiss. All in favor Voting YES with Mr. Evanisko Abstaining, Motion Carries.
18. Consideration to Adopt a Resolution to Authorize the Destruction Specific Records in Accordance with the Municipal Records Act of January 18, 1968 (P.L. 961, NO. 428).  
Motion by Mr. Smith to Adopt a Resolution to Authorize the Destruction Specific Records in Accordance with the Municipal Records Act of January 18, 1968 (P.L. 961, NO. 428), second by Mr. Weiss. All in favor, Motion Carries.
19. Consideration to Open the Municipal Building for customer service and to conduct all Borough meetings in Council Chambers beginning June 1, 2021. Mr. Abell would like individual Committees to choose how they will meet, in person or remote. Codes and Redevelopment will decide on how to meet, virtually has worked well with a greater participation. We will look to have meetings in person and virtual at the same time. Solicitor McDonald advises we need to see if the Governor terminates the "Emergency Disaster Declaration". As long as that is in place the Borough can maintain virtual participation, even to have a Quorum. If the Declaration is terminated the Borough Code will allow for remote participation but not for a Quorum for Council. Mr. Ron Kimes advises Mr. Kopp is having him research having microphones, video, cameras and a screen in Council Chambers.  
Motion by Mr. Smith to Open the Municipal Building for customer service and to conduct all Council meetings and Borough business in Council Chambers beginning June 1, 2021, second by Mr. Weiss. Public Input from Michael Schroeder and Mary Evanisko. All in favor, Motion Carries.
20. Committee Reports
  - A. Codes Committee -Mr. Abell advises the Committee is still working on Garbage collection, the Sign Ordinance will be submitted to the Planning Commission, StiffOil which was approved by Council was advertised for a Public Hearing, the Sidewalk Ordinance is still being worked on. Mr. Larry Kopp will begin collecting sample rental inspections and will speak to East Stroudsburg Borough. The City of Easton was also recommended to speak to as they have a good Ordinance. Still working on the Knox Box for the Fire Department to have access to commercial buildings. Mr. Larry Kopp and Mr. Ron Kimes are working on a flow chart for problem properties. The properties we know about are 124 Lee Ave Rear, Scott & 8<sup>th</sup>, Sarah & 5<sup>th</sup>, 730 Scott, Thomas, Labar Village, 503 Sarah, another building at 8<sup>th</sup> and Scott. The next meeting will be May 26<sup>th</sup> at 3:30pm. Public input from

Peter Solotruk. Solicitor McDonald is recommending Executive Session tonight about 2 problem properties. Joanne Viola would like 44 Broad added to the list.

- B. Budget Committee– No Report
  - C. Parking Committee - No Report
  - D. Recycling Committee - No Report
  - E. Sewer Committee– The Committee will meet monthly the 2<sup>nd</sup> Wednesday of the month at 3:30pm.
  - F. Street Committee– Mayor Probst advises the Committee met May 5<sup>th</sup>. Mr. Larry Kopp and Mr. Brian Ace are working with Mr. Ben Guthrie on the 5-points intersection. Mr. Brian Ace is waiting to hear back from PP&L about the light on Thomas. Mr. Larry Kopp and Mr. Brian Ace are waiting for paving numbers. Mr. Larry Kopp will speak to Easton DPW about taking back Main Street. We are looking at Colorful crosswalks with following the regulations with color. Solicitor McDonald is working on the Sidewalk Ordinance. Still working on Sidewalk Art and signs in the tree wells. The next meeting is June 2<sup>nd</sup>.
  - G. Personnel Committee - No Report
  - H. Public Relations/Media Committee -Mayor Probst advises the Committee met yesterday for a special meeting. Mr. Toby Sabatine is working on JuneTeenth and Pride. Would the Mattioli Fund purchase flags, Mr. Ace will send an email request to Attorney Materga. The banners were approved and the Pocono Mountain Visitors Bureau will pay the balance. Mr. Anthony Lanfrank is sending information for the underground railroad. Ms. Erica McCabe and Mr. Adam Courtney worked on the design for Facebook for Concerts in the Park. Posters will be at Starbucks and Panera. We discussed the stage location. Some of the bands are being promoted on 96.7 with Gary Cee. June 10<sup>th</sup> is the kickoff and will close the square from 6:00pm-7:00pm for a drum circle. Mr. Adam Courtney explained what a drum circle is. Public input from Joanne Viola. In addition to the hotel tax, we received money from ESSA to cover the costs. We have a verbal for having an Antique Car Show at Shop Rite Plaza. Mr. Larry Kopp will work on the newsletter and put on the website. Motion by Ms. McCabe to Approve closing Courthouse Square June 10<sup>th</sup> from 5:30pm to 7:30pm, second by Mr, Smith. All in favor, Motion Carries.
  - I. Redevelopment Committee–Mr. Abell advises the Committee is working on the Open Space Impact Fee Ordinance, Mr. Abell attended the Borough’s Planning Commission meeting. This is to access a parking fee, it’s expensive and complicated. The Ordinance will access a small fee based on the number of people in the building and attaches a square footage figure. It can fund recreational opportunities. The Committee is working on Special Exceptions. Mr. Ron Kimes and I will re-calculate EDU’s. Mr. Abell had discussions about the acquisition of the Scott Street property with a member of the Re-development board. The Committee is beginning to gather data for the parking garage. The Consultant for the Creek Walk Trail is forwarding a grant opportunity. The next meeting is tomorrow at 3:30pm. Public input from Peter Solotruk.
  - J. I-80 Expansion Task Force Committee - No Report
  - K. Stroud Region Open Space and Recreation Commission– Ms. McCabe advises the State Commission meeting was held May 13<sup>th</sup>, discussion about Trail Gap and visible signs and grants. The next meeting is at Dansbury Park. This year there is a Park Passport.
21. Mayor’s Report– Mayor Probst would like to thank everyone for their hard work.

22. Council Member Reports

Mr. Abell has a question for Chief Lyons about cars driving through stop signs in the Hill District, there is a lot of opportunity on Wallace Street. Chief Lyons advises patrol cars were sent out and will remind everyone again. Mr. Abell asks if we can get periodic updates. Mayor Probst advises to send reports to Mr. Ron Kimes about problem properties. Public input from Peter Solotruk and Joanne Viola. Joanne Violaspoke to Corporal Fenner about trash at 54 Broad St and would like to commend him for taking care of it. Solicitor McDonald advises Ms. Viola that Council will hear about the property tonight and lengthy discussion ensued on properties. Public input from Vicki Cook and The Hammonds.

23. Solicitor's Report– Solicitor McDonald advises Solid Waste Ordinance is going to the Codes Committee. Solicitor McDonald is recommending Mr. Larry Kopp and Mr. Ron Kimes be invited to Executive Session to discuss 124 Lee Ave Rear, the corner property at 8<sup>th</sup> & Scott and Adams Outdoor.

24. Manager's Report- No Report

25. Code Enforcement Officer's Report– Mr. Kimes would like to thank Adam Courtney, The Hammonds and Joann Viola for their input. Solicitor McDonald went over the motion Council passed during Executive Session about 124 Lee Avenue Rear and advised he would be working on it this week and will file directly with Judge Zulick, then we wait for a hearing date.Solicitor McDonald explained the Judge would have discretion about the sanctions. Discussion with the Hammonds and Adam Courtney. The Hammonds would like to express they are against any extensions granted.

26. Street Superintendent's Report - No Report

27. Approval of Bills on Warrants 210518.

Motion by Ms. McCabe to Approve Bills on Warrants 210518, second by Ms. DeVries. All in favor, Motion Carries.

28. Public Input for Non-Agenda Items. Public input included in other discussion at tonight's meeting.

29. Executive Session. \*\*Moved to Executive Session during the Solicitors Report at 8:55pm\*\*

Motion by Mr. Smith to Adjourn to Executive Session at 8:55pm to discuss 124 Lee Avenue Rear, Corner property at 8<sup>th</sup> & Scott Street and Adams Outdoor Litigation and invite Mr. Larry Kopp and Mr. Ron Kimes, second by Mr. Evanisko. All in favor, Motion Carries.

Motion by Ms. McCabe to seeking sanctions and reimbursements for legal expenses for 124 Lee Avenue Rear and authorizing Solicitor McDonald to go back to court, second by Ms. DeVries. All in favor, Motion Carries.

Motion by Ms. McCabe to petition for reconsideration and review for the Adams Outdoor decision and for Solicitor McDonald to file on the Borough's behalf, second by Ms. DeVries. All in favor, Motion Carries.

Motion by Ms. McCabe to Schedule a Public Hearing for July 20, 2021 for An Ordinance of the Stroudsburg Borough Council to Amend an Ordinance Entitled Zoning, Chapter 27, Part 8, Sign

Requirements, second by Ms. DeVries. Solicitor McDonald advises this is the recommendation from the Codes Committee. All in favor, Motion Carries.

30. Adjournment.

Motion by Ms. McCabe to Adjourn at 10:14pm, second by Ms. DeVries. All in favor, Motion Carries.