

MINUTES
Stroudsburg Borough Council Meeting
Tuesday, October 20, 2020 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 bace@stroudsburgboro.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, Council President Anthony Lanfrank, Borough Manager Brian Ace Jr., Council Vice President Matt Abell, Council Member Victoria DeVries and Council Member Erica McCabe. A Quorum was present.

2. Pledge of Allegiance.

3. Public Hearing and Consideration to Adopt An Ordinance Amending Chapter 20 Stroudsburg Borough Code, Pertaining to solid Waste, Providing for Mandatory Screening and Security of All Dumpster, Trash and Recycling Containers with Appropriate Cross-Reference to the Borough's Historic District, Zoning and Public Health Ordinances.

Motion by Mr. Smith to Close Public Hearing and Consideration to Adopt An Ordinance Amending Chapter 20 Stroudsburg Borough Code, Pertaining to solid Waste, Providing for Mandatory Screening and Security of All Dumpster, Trash and Recycling Containers with Appropriate Cross-Reference to the Borough's Historic District, Zoning and Public Health Ordinances, second by Mr. Evanisko. All in favor, Motion Carries.

Motion by Ms. McCabe to Adopt An Ordinance Amending Chapter 20 Stroudsburg Borough Code, Pertaining to solid Waste, Providing for Mandatory Screening and Security of All Dumpster, Trash and Recycling Containers with Appropriate Cross-Reference to the Borough's Historic District, Zoning and Public Health Ordinances, second by Mr. Abell. Discussion pertaining to property in the commercial or mixed-use districts, the penalty section and jail time. Solicitor McDonald advises this was advertised properly. All in favor Voting YES (Mr. Evanisko, Mr. Smith, Mr. Lanfrank, Mr. Abell, Ms. DeVries, Ms. McCabe), Voting NO (Mr. Weiss), Motion Carries.

4. Approval of Council Meeting Minutes for the Regular Meeting, October 6, 2020.

Motion by Mr. Abell to Approve Council Meeting Minutes for the Regular Meeting, October 6, 2020, second by Mr. Weiss. All in favor, Voting YES (Mr. Evanisko, Mr. Smith, Mr. Weiss, Mr. Lanfrank, Mr. Abell and Ms. DeVries) with Ms. McCabe Abstaining, Motion Carries.

5. Monthly Administrative Reports

a. Permits Issued Report

d. Fire Department Report

b. Public Works Report

e. Right-To-Know Report

c. Parking Report

f. Police Department Report (provided via email)

Motion by Mr. Smith to Accept Monthly Administrative Reports, second by Mr. Weiss. All in favor, Motion Carries.

6. Accept Unaudited September, 2020 Treasurer's Report.

a. Bank Account Balances b. Budget to Actual Report

Motion by Mr. Smith to Accept Unaudited September, 2020 Treasurer's Report, second by Mr. Abell. All in favor, Motion Carries.

Old Business

7. Consider the Application of Monroe County Commissioners, as recommended for approval and issuance by the Historic Architectural Review Board, for an addition and renovations to the Monroe County Courthouse at 610 Monroe Street. Mr. Lanfrank advises there is a Special Council Meeting Friday at 3:30pm to take action on this application. Mr. Rob Fisch and Mr. Rick Macia presented the changes to Council on the design by screen sharing.
8. Status of Bike Rack Project. Mr. Ace met with Rich and Andrew at Artisans of Anvil. The small rack is done; they are anticipating completion in 4-5 weeks. The racks will be powder coated.
9. Status of LERTA Ordinance. Mr. Lanfrank advises he has answered any questions from the School District and has provided documents and will reach out again.
10. Status of Penn DOT Special Event Permit for Outside Dining. Mr. Ace advises in Penn Dot's latest response the restaurant owners are not responsible for the barricades, the Borough is responsible. We need to provide a new plan with the barricades and where they will be placed. Mr. Ace has questions on the placement of tables. The new safety plan will cost more. Mayor Probst advises this is why we want to take the road back from Penn Dot.
Motion by Ms. McCabe to Direct the Borough Manager to change the application to March 1, 2021-December 31, 2021, second by Mr. Weiss. All in favor, Voting YES (Mr. Evanisko, Mr. Weiss, Mr. Lanfrank, Mr. Abell, Ms. DeVries and Ms. McCabe), Voting NO (Mr. Smith), Motion Carries.

New Business

11. Consideration to Authorize the Borough Manager to send a letter to the Army Corp of Engineers requesting funding for the repair of the Levee. Repairs are required as the result of Tropical Storm Isiah on August 4, 2020. A copy of the letter will also be forwarded to the PADEP.
Motion by Mr. Abell to Authorize the Borough Manager to send a letter to the Army Corp of Engineers requesting funding for the repair of the Levee, second by Mr. Weiss. Mr. Ace advises the damage is behind Napa and can be seen from the Broad Street Bridge. It is fully funded between the Army Corp of Engineers and PADEP, it is an 80/20 split. All in favor, Motion Carries.
12. Consideration to Approve the Lot Consolidation Plans for the Shanti House Lot as prepared by Cornerstone Consulting Engineers and Architectural, Inc. Mr. Nate Oiler advises this is to join several parcels which was approved by the Planning Commission. RKR Hess is recommending approval in August 24th 2020 letter.
Motion by Mr. Smith to Approve the Lot Consolidation Plans for the Shanti House Lot as prepared by Cornerstone Consulting Engineers and Architectural, Inc contingent on RKR Hess's letter dated August 24th 2020 and the payment of any taxes owed, second by Mr. Weiss. All in favor, Motion Carries.
13. Consideration to Approve the Preliminary/Final Land Development for Shanti House as prepared by Cornerstone Consulting Engineers and Architectural, Inc. Mr. Nate Oiler advises this is the Land Development Plan reviewed October 16th, there has been a lot of progress made. Mr. Kevin Fruck, Engineer for Cornerstone presented the site plan with Bank Alley improvements. Please refer to RKR Hess's letter dated August 24th 2020. Public Input from Peter Solotruk if there is an accident on Rt 80 the town is gridlocked and not helpful for emergency vehicles; the new firetruck is too large for a one-way.

****Mr. Abell took over the meeting from Mr. Lanfrank at 8:06pm****

Mr. Nate Oiler advises there are three waivers requested by the applicant and recommended by the Planning Commission.

- Number 9 in August 24th 2020 letter - Section 403.1 (scale of 1" = 20' is preferred to show the required plan details)
- Number 15 in August 24th 2020 letter – Section 26-121.2 (for roof drains to not connect to streets or storm water sewers)
- Number 21 in August 24th 2020 letter -Appendix B (rainfall, curve number and coefficient values are slightly different than the values in the Ordinance but meet standard design practices)

Motion by Mr. Smith to Approve the Three Waiver Requests, second by Mr. Lanfrank. All in favor, Motion Carries.

Mr. Nate Oiler advises Solicitor McDonald is working on the Development and Storm Water Agreements.

Motion by Mr. Smith to Table the Preliminary/Final Land Development for Shanti House as prepared by Cornerstone Consulting Engineers and Architectural, Inc until the next meeting, second by Ms. McCabe. All in favor, Motion Carries.

Solicitor McDonald advises we have an extension of time through the end of November so the Borough can take action at the November 5th meeting.

14. Consideration to Approve a request of the Shanti House project at 621-623-625 Main Street for a Sewage Planning Exemption. Mr. Nate Oiler advises BCRA has not sent the letter back about the capacity of the sewer plant. The letter was sent to BCRA October 2nd.

Motion by Mr. Smith to Approve a request of the Shanti House project at 621-623-625 Main Street for a Sewage Planning Exemption conditioned upon receipt of a letter from BCRA, second by Ms. McCabe. All in favor, Motion Carries.

15. Consideration to Approve the proposed 2021 Budget for the Stroud Area Regional Police Department. Motion by Mr. Weiss to Approve the proposed 2021 Budget for the Stroud Area Regional Police Department, second by Ms. McCabe. The Borough's contribution is \$1,703,808.00. All in favor, Motion Carries.

16. Consideration to Submit a letter in support of an application by the Stroud Area Regional Police Department for an LSA Grant in the amount of \$60,000.00 for a new patrol car. Motion by Mr. Smith to Submit a letter in support of an application by the Stroud Area Regional Police Department for an LSA Grant in the amount of \$60,000.00 for a new patrol car, second by Ms. McCabe. All in favor, Motion Carries.

17. 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. Evanisko. All in favor, Motion Carries.

****Mr. Lanfrank took over the meeting from Mr. Abell****

18. Consideration to Adopt a Resolution to Dispose of Obsolete Computer Equipment.

Motion by Mr. Weiss to Adopt a Resolution to Dispose of Obsolete Computer Equipment, second by Mr. Abell. All in favor, Motion Carries.

19. Consideration to Allow eating establishments to use heaters for outdoor dining.

Motion by Mr. Abell to Allow eating establishments to use heaters for outdoor dining, second by Mr. McCabe. All in favor, Motion Carries.

20. Consideration to Schedule Fall Clean Up/Drop Off on Saturday, November 7, 2020 from 7:30 A.M. to 12:30 P.M. at the Borough DPW Yard, 118 Borough Street.

Motion by Mr. Abell to Schedule Fall Clean Up/Drop Off on Saturday, November 7, 2020 from 7:30 A.M. to 12:30 P.M. at the Borough DPW Yard, 118 Borough Street, second by Mr. Weiss. All in favor, Motion Carries.

21. Consideration to Waive a request from Kenneth and Tara Francis, Lee Avenue, for the degradation fee and street opening deposit. Mr. Ace advises the sewer lateral failed about 6 weeks ago. Stokes was paved less than a year ago. Lou Manzi was the private contractor who completed the repair on the newly paved road. The total cost would be \$4,824.40 (\$2,624.40 degradation, \$1,950 deposit, \$250 application fee). Lengthy discussion about the degradation fee and street opening deposit being waived and having the homeowners look into applying for a Bond to cover the fees.

Motion by Mr. Abell to Waive the degradation fee but keep the deposit and application fee (either deposit or bond) from Kenneth and Tara Francis, Lee Avenue, for the degradation fee and street opening deposit, second by Ms. McCabe. All in favor, Motion Carries.

22. Consideration to Approve the Annual Christmas Tree Lighting. This event will primarily be virtual with a core crew.

Motion by Mr. Weiss to Approve the Annual Christmas Tree Lighting, second by Mr. Evanisko. All in favor, Motion Carries.

23. Consideration to Approve a request from the Stroudsburg Area School District to conduct the annual bonfire on Thursday, October 29, 2020 at the Stroudsburg High School.

Motion by Mr. Smith to Approve a request from the Stroudsburg Area School District to conduct the annual bonfire on Thursday, October 29, 2020 at the Stroudsburg High School, second by Mr. Weiss. All in favor, Motion Carries.

24. Consider the Application of DK Stroudsburg, as recommended for approval and issuance by the Historic Architectural Review Board, for the installation of fencing at 700 Main Street. Mr. Abell relayed a comment from Mr. Ted Hoyt in reference to softening the fencing and how the fencing will be maintained. Mr. Kimes advises graffiti will be monitored and cited and different fencing was discussed.

Motion by Mr. Weiss to Approve the Application of DK Stroudsburg, as recommended for approval and issuance by the Historic Architectural Review Board, for the installation of fencing at 700 Main Street, second by Ms. McCabe. All in favor, Motion Carries.

25. Consider the Application of Michael Schaadt, as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of trim at 24 North Seventh Street.

Motion by Mr. Abell to Approve the Application of Michael Schaadt, as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of trim at 24 North Seventh Street, second by Mr. Smith. All in favor, Motion Carries.

26. Consider the Application of Sharon Bradley, as recommended for approval and issuance by the Historic Architectural Review Board, for the installation of fencing at 717 Sarah Street.

Motion by Mr. Abell to Approve the Application of Sharon Bradley, as recommended for approval and issuance by the Historic Architectural Review Board, for the installation of fencing at 717 Sarah Street, second by Mr. Smith. All in favor, Motion Carries.

27. Consider the Application of John Iacono, as recommended for approval and issuance by the Historic Architectural Review Board, for the installation of windows and exterior alterations at 22 South Sixth Street.

Motion by Mr. Smith to Approve the Application of John Iacono, as recommended for approval and issuance by the Historic Architectural Review Board, for the installation of windows and exterior alterations at 22 South Sixth Street, second by Mr. Abell. All in favor, Motion Carries.

28. Consider the Application of the Monroe County Historical Association, as recommended for approval and issuance by the Historic Architectural Review Board, the removal of a chimney at 900 Main Street.

Motion by Mr. Weiss to Approve the Application of the Monroe County Historical Association, as recommended for approval and issuance by the Historic Architectural Review Board, the removal of a chimney at 900 Main Street, second by Mr. Evanisko. All in favor, Motion Carries.

29. Consideration to Direct the Borough Manager to send letters requesting consideration to allow Local Law Enforcement Officials to use radar detectors to: The Honorable Tom Wolf, Governor of the Commonwealth of Pennsylvania; Yassmin Gramian, Secretary of Transportation; Representative Maureen Madden, 115th District; Senator Mario Scavello, 40th District; the members of the Pennsylvania State Senate Transportation Committee; and the members of the Transportation Committee of the Pennsylvania House of Representatives.

Motion by Mr. Weiss to Direct the Borough Manager to send letters requesting consideration to allow Local Law Enforcement Officials to use radar detectors to: The Honorable Tom Wolf, Governor of the Commonwealth of Pennsylvania; Yassmin Gramian, Secretary of Transportation; Representative Maureen Madden, 115th District; Senator Mario Scavello, 40th District; the members of the Pennsylvania State Senate Transportation Committee; and the members of the Transportation Committee of the Pennsylvania House of Representatives, second by Mr. Smith. All in favor, Motion Carries.

30. Consideration to Direct the Borough Manager to send a letter to 115th District Representative Maureen Madden to request the assistance of her office in beginning a discussion with the Pennsylvania Department of Transportation about Stroudsburg Borough taking ownership of Main Street between 5th Street and

9th Street. The letter will specify the rationale for the request. Lengthy discussion about taking ownership back of the roads. Public Input from Peter Solotruk asking why we wouldn't take over from the Interborough Bridge to West Main Street. Mayor Probst advises due to the state truck routes the request is between 5th Street and 9th Street.

Motion by Mr. Weiss to Direct the Borough Manager to send a letter to 115th District Representative Maureen Madden to request the assistance of her office in beginning a discussion with the Pennsylvania Department of Transportation about Stroudsburg Borough taking ownership of Main Street between 5th Street and 9th Street, second by Ms. McCabe. All in favor Voting YES (Mr. Evanisko, Mr. Weiss, Mr. Lanfrank, Mr. Abell, Ms. DeVries, Ms. McCabe), Voting NO (Mr. Smith), Motion Carries.

31. Consideration to Schedule a public hearing for An Ordinance of the Stroudsburg Borough Council to Amend Chapter 27, Zoning, Part 5 Entitled "Area and Bulk Requirements" of the Stroudsburg Borough Code. The purpose of the Ordinance is to amend the Commercial Overlay District. Lengthy discussion about the overlay map and the Ordinance including the existing overlay map in addition to parking requirements.

Motion by Mr. Weiss to Schedule a public hearing November 17, 2020 for An Ordinance of the Stroudsburg Borough Council to Amend Chapter 27, Zoning, Part 5 Entitled "Area and Bulk Requirements" of the Stroudsburg Borough Code, second by Mr. Abell. All in favor, Motion Carries.

32. Committee Reports

A. Codes Committee – No Report

B. Budget Committee – No Report

C. Parking Committee The next meeting is the 4th Tuesday of the month and we will discuss Cindy Blake's request from the last meeting.

D. Recycling Committee – No Report

E. Sewer Committee – No Report

F. Street Committee – No Report

G. Personnel Committee – No Report

H. Public Relations/Media Committee – The Committee met tonight and is working on then June 1st mural. With no Concerts in the Park, Ms. McCabe will be reaching out to local artists to play on Small Business Saturday. Ms. DeVries is working with Ms. Chambers on the Veterans Flags to obtain more pictures for more flags.

I. Redevelopment Committee – the next meeting is tomorrow at 3:30pm

J. I-80 Expansion Task Force Committee–Ms. McCabe reported on behalf of Kris Battle. There was a Zoom Meeting with Penn Dot October 14th, in attendance were Chris Kufro, Tom Kushman, Iminitez Nathaniel, Scott and Marian Hull. The meeting started with discrepancies found in the FONSI. Erica's information was provided as Council Contact. Kris advised there is missing information on PennDOT's www.i80project.com website. The fly over video is no longer working and there is not a rendering of the new intersection at 209 & 209, Kris asked that those be fixed.

Q & A on Safety, Congestion, Mobility and Dreher Avenue. Penn Dot is working on addressing all the issues brought up on FONSI and implementing them in the final design. They are 9 months out of final design.

K. Stroud Region Open Space and Recreation Commission – No Report

33. Mayor's Report– Mr. Ace will follow up with PP&L on the light on Thomas Street. There will be a Crime Watch Zoom Meeting Wednesday with Officer Kenny Palmer. Mr. Ace advised leaf pickup will be this Friday on Club Court. Mayor Probst advises Mr. Ace is doing great with his 2 jobs.
34. Council Member Reports
- Mr. Smith – Mr. Smith asked if the bills can all face one-way in the packet, vertically. Ms. McCabe advises you can download Adobe, a free app to correct. With the Police budget passing tonight, could we re-visit next year the Ordinance and go back to three elected officials on the Police Commission. Ms. McCabe feels with the summer we just had and BLM, we should have more representation on the Police Commission. Mayor Probst advises Joanne is on the Commission as a former Council member and being involved for so many years. Mayor Probst stated Ms. Quinn does a great job. Chief Lyons advises Solicitor McDonald should look into the Inter-Cooperative Agreement and reach out to SARP's Solicitor.
- Mr. Weiss – Mr. Weiss advises Lower Main is a raceway.
35. Solicitor's Report- Solicitor McDonald has been working with Mr. Ace and researching Keller Alley (between N 6th and N 7th). The Alley is used by tenants and there is a question as to who owns the Alley. The property owner and his Attorney have done some research and found Ordinance #109 from 1916 (104 years old). The Ordinance was adopted for the purpose of the Borough opening that Alley. There is a reference to a sketch but that is not attached to the Ordinance. The Borough has not maintained this Alley. There is a storm water issue and the owner is looking for the Borough to take ownership of the Alley. Solicitor McDonald has forwarded the Ordinance to Council. Mr. Ace has been approached by a business on Main Street who needs to excavate into the right of way along Main Street. Penn Dot will issue an HOP but wants the Borough to take responsibility of the excavation into the right of way. There is a procedure under Title 67 of the Pennsylvania Code which supports Penn Dot's decision. Solicitor McDonald continues to work on Lee Avenue and Scott Street citations and hopes to have for the next meeting.
36. Manager's Report– Mr. Ace has a personnel issue for Executive Session. We have received a lot of complaints from residents on Halloween and not being consistent with other Municipalities. Mayor Probst advises there have been over 15k views on Facebook, any complaints we have seen are from other towns. We get 2,000 kids in 2 hours, due to Covid regulations we need to space out. At the special I-80 meeting, Mr. Ace was tasked with collecting crash data from 2015 until now from mile markers 303-307. We filled out a right to know form with the Pennsylvania State Police; we received information back today and they are not providing any information as the request was not specific enough. The Pennsylvania State Police does not track crash data statistics by mile marker. We did receive information back from Control Center. I will be meeting with department heads on the budget. The Women's Resource Center is holding a vigil tonight; we received the certificate of insurance and road closure request for Courthouse Square. Mr. Lanfrank and I spoke and gave approval.
37. Code Enforcement Officer's Report– Mr. Kimes advises the County's application for the COA will go back to HARB this Thursday and will forward over to Council for the Special meeting on Friday. Ms. Lockwood is on the call tonight about her request to replace the sidewalks. We have received documentation and Mr. Kimes shared his screen showing the pavers. Ms. Lockwood went over the request. Lengthy discussion on the paver size.

Motion by Mr. Abell to Approve brick pavers in a 4X8 only size in herringbone pattern or other pattern Ms. Lockwood suggested with driveway aprons including beneath the sidewalk portions have a full 8" sub-base to code, second by Ms. McCabe. All in favor, Motion Carries.

38. Street Superintendent's Report– No Report

39. Approval of Bills on Warrants 201020.

Motion by Mr. Weiss to Approve Bills on Warrants 201020, second by Mr. Evanisko. All in favor, Motion Carries.

40. Public Input for Non-Agenda Items. Ms. Maureen Madden asked if the Borough needs any information from her on taking back Main Street. Ms. Maureen Madden advises at the session today, HB2513 bill for bars and restaurants to open at 100% was passed, then vetoed by the Governor. It was brought back today and we sustained the Governors veto by 2 votes. Everything is status quo with the District Attorney not issuing citations or prosecuting. We also voted on Senator Killian's bill to increase penalties for DUI's and other driving offenses; in the process Representative Mike Carroll introduced an amendment to remove marijuana use lawfully and in accordance with the Medical Marijuana Act from the definition of a controlled substance in relation to a DUI. Attorneys have brought this up due people holding a Medical Marijuana card. Also passing was an amendment that inserts language in the bill to establish a one-year program to provide relief from administrative suspensions for eligible individuals whose drivers license has been suspended indefinitely for failing to respond to a citation.

41. Executive Session, re: Personnel.

Motion by Mr. Weiss to Adjourn to Executive Session at 10:00pm, second by Mr. Smith. All in favor, Motion Carries.

Motion by Mr. Weiss to Re-Convvene Regular Session at 10:15pm, second by Mr. Abell. All in favor, Motion Carries.

42. Adjournment.

Motion by Mr. Abell to Adjourn at 10:17pm, second by Mr. Weiss. All n favor, Motion Carries.