

STROUDSBURG BOROUGH COUNCIL
MEETING MINUTES, JULY 6, 2021

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

Also present were: Mayor Tarah Probst, Borough Manager Larry Kopp, Stroud Area Regional Police Chief Jennifer Lyon, Borough Solicitor Joseph McDonald, Street Superintendent Brian Ace and Zoning and Codes Officer Ron Kimes.

The Pledge of Allegiance was recited.

Public Hearing and Consideration to Adopt An Ordinance of the Stroudsburg Borough Council to Amend an Ordinance Entitled Motor Vehicles and Traffic, Chapter 15, Part 3, Section §15-304 entitled, "Vehicles to be Parked within Spaces; Parking Prohibited in Certain Areas".

The hearing was opened to the public. There were no questions or comments. The public hearing was closed on a motion made by Ms. McCabe, seconded by Ms. DeVries. The motion was carried. (5-yes; 0-no; 0-abstain)

The aforementioned Ordinance was adopted on a motion made by Mr. Weiss, seconded by Ms. McCabe. The motion was carried. (5-yes; 0-no; 0-abstain)

Approval of Council Meeting Minutes for the Regular Meeting, June 15, 2021.

The minutes of the regular meeting on June 15, 2021 were approved as circulated on a motion made by Mr. Weiss, seconded by Mr. Evanisko. The motion was carried. (5-yes; 0-no; 0-abstain)

Approval of Council Meeting Minutes for the Special Meeting, June 30, 2021.

The minutes of the special meeting on June 30, 2021 were approved as circulated on a motion made by Ms. McCabe, seconded by Mr. Weiss. The motion was carried. (4-yes; 0-no; 1-abstain – Ms. DeVries)

Ratify a decision by the Borough Council to reschedule the public hearing for the following proposed ordinance due to a publication error: "AN ORDINANCE AMENDING ORDINANCE NO. 1048-2018, PRESENTLY CODIFIED IN THE STROUDSBURG BOROUGH CODE AS CHAPTER 27, ZONING, PART 8, SIGN REQUIREMENTS BY AMENDING CERTAIN SPECIFICATIONS FOR PERMITTED SIGNS, ADDING ADDITIONAL CATEGORIES OF CONSTRUCTION TYPES, PROHIBITED SIGNS, ADDING ADDITIONAL CRITERIA FOR PERMITS REQUIRED, REVISING TABLE I RESTRICTING THE LOCATION OF

PERMITTED SIGNS, AMENDING TABLE II, ADDING ADDITIONAL NOTES AND CRITERIA FOR SIGNS REGULATED BY CONSTRUCTION TYPES, TABLE III AMENDING THE CRITERIA FOR MAXIMUM HEIGHT OF INDIVIDUAL SIGNS AND ALL ZONING DISTRICTS; TABLE IV, AMENDING THE MAXIMUM PERMITTED SQUARE FOOTAGE FOR INDIVIDUAL SIGNS IN ALL ZONING DISTRICTS; AMENDING THE CRITERIA FOR AREA COMPUTATION OF SIGNS, AMENDING ILLUMINATION RESTRICTIONS FOR ALL SIGNS INCLUDING ELECTRONIC MESSAGE BOARD SIGNS AND OTHER TEXTUAL CHANGES". The public hearing and consideration to adopt the proposed ordinance will be on Tuesday, July 20, 2021 at 7:00 P.M. in the Council Chambers of the Stroudsburg Borough Municipal Building.

A motion was made by Mr. Weiss, seconded by Ms. McCabe to ratify a decision by the Borough Council to reschedule the public hearing for the aforementioned Ordinance to Tuesday, July 20, 2021 at 7:00 P.M. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration of a Proclamation Terminating the Local Disaster Emergency in Stroudsburg Borough, County of Monroe, Commonwealth of Pennsylvania.

A motion was made by Mr. Weiss, seconded by Ms. McCabe to terminate the Local Disaster Emergency in Stroudsburg Borough, County of Monroe, Commonwealth of Pennsylvania. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to accept the resignation of Anthony Lanfrank, Jr. as member of the Stroudsburg Borough Council effective July 6, 2021. Mr. Lanfrank moved out of the Borough.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to accept the resignation of Anthony Lanfrank, Jr. as a member of the Stroudsburg Borough Council effective July 6, 2021. The motion was carried. (5-yes; 0-no; 0-abstain)

New Business

Consideration to fill the unexpired term of Anthony Lanfrank, who resigned his position as a Borough Council member on June 15, 2021. The following individuals submitted letters of interest: Toby Sabatine, Michael Schroeder, Joanne Kochanski, Robert R. Smith, Jr., and Adam Courtney

A motion was made by Ms. McCabe, seconded by Mr. Abell to appoint Joanne Kochanski to fill the unexpired term of Anthony Lanfrank, Jr. which will end on December 31, 2021. The motion was carried. (5-yes; 0-no; 0-abstain) Mr. Abell asked that the staff send a letter of thanks to the other applicants for their willingness to serve the Borough.

Consideration to appoint Judy Cherepko as a full-time Temporary Street Department Worker at the rate of \$17.00 per hour.

A motion was made by Mr. Weiss, seconded by Ms. DeVries to appoint Judy Cherepko as a full-time Temporary Street Department Worker at a rate of \$17.00 per hour. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to accept the resignation of John Schnatter as the Assistant Street Superintendent and his request to return to his previous position as a Municipal Worker A and to approve advertising in house for an Assistant Street Superintendent.

A motion was made by Mr. Weiss, seconded by Ms. McCabe to accept the resignation of John Schnatter as the Assistant Street Superintendent and his request to return to his previous position as a Municipal Worker A. The motion was carried. (5-yes; 0-no; 0-abstain) The position will be posted “in-house” for a replacement.

Consideration to approve RKR Hess to perform the design, permitting and bidding engineering services associated with Stroudsburg Borough’s Ann Street Sewer Main Replacement Project not to exceed \$85,000.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to approve the aforementioned proposal. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to approve going out to bid for the 8th Street Paving Project (from Thomas Street to Phillips Street). The estimated cost of the project is \$178,170.00 which will be paid from the Street Fund and Highway Aid Fund.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to authorize going out to bid for the above 8th Street Paving Project. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to approve a request from Andrew Deihl, the owner of 403 Woodcliffe Avenue, for relief from paying for 10,000 gallons of sewer usage for the 2nd quarter of 2021 and for 38,000 gallons of sewer usage for the 3rd quarter of 2021 due to a swimming pool leak.

A motion was made by Mr. Weiss to approve the request; a second was made by Mr. Abell for discussion purposes. The motion and second were withdrawn.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to deny the above request from Mr. Deihl. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to approve a request from Tracy Tomlinson to conduct a block party on the 700 block of Scott Street on August 14, 2021 from 12:00 P.M. to 10:00 P.M.

Mrs. Tomlinson was present at the meeting; however, the Council did not have any questions for her. A motion was made by Mr. Weiss, seconded by Ms. McCabe to approve the request for the block party on the 700 block of Scott Street on August 14, 2021 from 12:00 to 10:00 P.M. No Certificate of Liability Insurance is required. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to approve a request from the American Cancer Society of the Greater Pocono Area to hang purple flags along Main Street from July 26 to August 7, 2021.

A motion was made by Mr. Weiss, seconded by Ms. McCabe to approve hanging purple flags along Main Street in recognition of the American Cancer Society for the period July 26 to August 7, 2021. The motion was carried. (5-yes; 0-no; 0-abstain)

Consideration to authorize the issuance of free pool passes to members of the Stroudsburg Borough Fire Department and their immediate family members.

A motion was made by Mr. Weiss, seconded by Mr. Evanisko to approve the issuance of free pool passes to the members of the Stroudsburg Borough Fire Department and their immediate family members. The motion was carried. (5-yes; 0-no; 0-abstain)

Consider a request from Don Cafano, 848 Thomas Street, to make the 800 block of Thomas Street a permitted parking area.

Mr. Cafano was present. A discussion ensued regarding the on-street parking on the 800 block of Thomas Street. Many of the residents do not have driveways and do not have space on Thomas Street to park their vehicles as the spaces are being taken by businesses on 9th Street. A motion was made by Ms. McCabe, seconded by Ms. DeVries to schedule a public hearing at the July 20 meeting for the purpose of expanding residential parking on Thomas Street from Stone Street to North 9th Street. The motion was carried. (5-yes; 0-no; 0-abstain) Mr. Abell asked that the notice of public hearing be posted on the Borough's website and the Facebook page.

Committee Reports

Codes Committee – Mr. Abell reported that the proposed garbage collection ordinance will be presented to Council once Solicitor McDonald finalizes a definition for “multi-family”. The Borough-wide garbage collection will be mandatory and will be implemented January 1, 2023. This will allow landlords ample time to incorporate the change in their lease agreements. The ordinance will also require residents to use the Twin Borough Recycling curbside pick-up.

Mr. Abell and Mr. Kimes are working on a proposed ordinance to allow double houses to be split along a common wall. This would hopefully provide the availability of more starter homes in the Borough.

There will also be a more work done on the special exception ordinance.

The Committee is also working on a Knox Box Ordinance which will be required for all new commercial buildings and there will be a faze-in for existing commercial buildings. The ordinance will assist the fire department to obtain access to particular areas of commercial building in the event of a fire.

A Borough-wide rental and real estate transfer inspection ordinance is being considered.

The Committee is looking in to establishing a Building Code Enforcement Appeals Board and a Code Enforcement Appeals Board which are required by Borough Ordinance.

Budget Committee – No meeting.

Parking Committee – Ms. McCabe reported that one of the Parking Enforcement Officers, Walter Phillips, suggested removing the gate at the parking garage. The gate has been vandalized in the past and there have been problems with it malfunctioning. Any vehicle that would be parked in the garage without the appropriate permit would be ticketed.

A resident on Scott Street asked if the Borough would paint parking spaces. The Parking Committee and the Street Superintendent will discuss this.

Recycling Committee – Mr. Weiss reported that there has not been a meeting.

Sewer Committee – Mr. Abell advised that the Sewer Committee will meet on July 14.

Street Committee – Mayor Probst advised that the Street Committee will meet at 3:30 P.M. on July 7.

Personnel Committee – Ms. McCabe reported that there has been no meeting; however, there is a topic for executive session.

Public Relations/Media Committee – Mayor Probst noted that the next meeting is at 6:00 P.M. on July 20. She urged the public to attend Concerts on the Square on July 15. There will be an important announcement.

Redevelopment Committee – Mr. Abell reported that the Committee is working on finalizing an Open Space Impact Fee Ordinance that will require developers to provide green space, and if that is not possible, a fee that would be earmarked specifically for green space.

The Committee is working on plans for a “Creek Walk Trail”, which may be a good project for a DCNR grant. Mr. Abell recently spoke with the regional director of the DCNR who advised that there will be a workshop this fall that will help clarify the grant application process. Grant applications are due April 22, 2022.

The Monroe County Land Bank is looking at 712-714 Scott Street again. The Codes Committee and the Redevelopment Committee also recommended that condemnation proceedings begin for 124 Rear Lee Avenue and the LaBar Village Sales Office.

The Committee meeting again on July 21 at 3:30 P.M.

I-80 Expansion Task Force – Mayor Probst advised that the task force spoke with Tom Cafferty of the Governor’s Office who arranged for the Deputy Secretary of Highway Administration to come to Stroudsburg next week to meet with them. Solicitor McDonald reminded the Mayor that as soon as a date-time is set for the meeting, that public notice must be provided.

Stroud Region Open Space and Recreation Commission – Ms. McCabe reported that there will be a “State of the Commission” meeting on July 27, 2021 at 6:30 P.M. at the SROSRC office on Day Street, East Stroudsburg.

Mayor’s Report

Mayor Probst discussed a problem with a tow truck parking in a private alley. A discussion ensued.

The use of fireworks in the Borough was discussed. Police Chief Lyons advised that SARP received 103 fireworks complaints. A majority of the complainants are unwilling to take time out to go to court; many are afraid to testify against their neighbors.

Chief Lyons to Mr. Abell – There were 73 traffic stops in May of which 18 were for stop sign violations on 3 on Scott, 8 on Sarah, Broad, Wallace, 7th, 3rd, 10th, 9th and Thomas. 12 red light violations. Inspection violations and speed limits.

Council Member Reports

Nothing to report.

Borough Solicitor

Solicitor McDonald advised that a violation notice was issued by the Zoning Officer to 801-805 Scott Street. The property owner filed an application for an appeal before the Zoning Hearing Board. The hearing would have been on July 21; however, the attorney for the appellant had another commitment. A special meeting of the Zoning Hearing Board will be scheduled on August 25 or August 26.

A liquor license transfer application will be considered at the next meeting on July 20 for 1650 West Main Eatery, LLC.

Solicitor McDonald thanked Mr. Kimes and the staff for its support and preparation for the Lasak hearing (124 Rear Lee Avenue) last Thursday before Judge Zulick. Ms. Lasak was present at the hearing and testified that she does not have the resources to comply with the prior order. She was held in contempt of the prior order, and Judge Zulick appointed Richard James, Esq. as the conservator. Attorney James will see that the structure is demolished and the property sold or that the property is sold as is to a responsible buyer who will rehabilitate the property. The conservator is also charged with determining if there is sufficient equity in the property to pay for the demolition and report back to Judge Zulick. Solicitor McDonald also thanked Mr. Courtney, the Hammonds, the Cooks and other neighbors for attending the hearing and providing testimony. Attorney James has already visited the property.

With regard to recommendations to begin condemnation proceedings on other properties, any remedy that will cure property code violations will be pursued.

Manager's Report

Mr. Kopp provided the following report to Council:

Classes/Training

PLGIT Webinar – Financial Market Update	June 17 th
Staff Training MS4	July 16 th

Meetings

Weekly Borough Staff Meeting	June 18 th , 25 th , July 2 nd
Rick Bachman/Teamsters Union/Contract Negotiations	June 17 th
County Hazard Mitigation Plan Update	June 22 nd
Lasak Hearing	June 29 th
MS4 Public Meeting	June 29 th
HSPS Task Force	June 30 th
Brian Bond (East Stroudsburg)	July 1 st
Charles Leonard – Pocono Economic Development	July 7 th
JMS Acoustics Consult	July 8 th
American Rescue Plan Funds	July 13 th
One Source Solutions (Health Insurance)	July 16 th

American Rescue Plan Act (ARPA) Local Fiscal Recovery Funds

Requested the \$581,751.48 in funds online through the DCED website; deadline was extended to the end of July. First payment of \$290,875.74 will be electronically deposited in the next month. Second payment of the remainder of funds (\$290,875.74) will be deposited in spring/early summer 2022.

Infrastructure/Streets/Capital Projects

Fetherman Street Paving Project. Intent to Award signed, bid approved. The work must be completed by September 19th.

North 8th Street Paving Project. Ready to go out to bid. Bids open in July and ending in August, with work to be done by October 2021.

Sidewalk Replacement Project/Multimodal Grant. DCED/CFA will grant an extension after January 1, 2022 if needed. Out to bid this fall, project completed next spring into summer. Concern is with price for construction (concrete particularly); the hope is prices will stabilize over the winter so we can bid over the summer. Will add ramp at corner at 6th and Monroe (SW Corner) as part of the project that Monroe County requested the Borough improve.

Ann Street Sewer Replacement. 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. Will work with BCRA who wants to replace water main as part of project.

Sewer Collection System Inflow and Infiltration

Sent letter to BCRA in regard to our plan to address I&I concerns; discussed with Dave Horton, BCRA Manager. Flow Metering ongoing along Ann Street, to determine locations and severity of I&I. Smoke testing also will be employed to determine inflow; working with Brian to schedule testing. This is probably the major source of the problem.

Work Analysis, Code Enforcement

Several draft ordinances have substantial workload implications for the Code/Zoning Enforcement Staff: the Solid Waste Ordinance and a potential Ordinance that requires rental unit and inspections of properties prior to their sale. I am doing studies on the time required for staff by these Ordinances and the potential income they would bring to the Borough to determine the impact on operations.

Small Municipal Separate Storm Sewer System (MS4)

Public input session held on July 29th to get input on Education & Outreach; Public Involvement & Participation; and Illicit Discharge Programs. Staff Training Session scheduled for Friday, July 16th.

Financial

Completed Financial Study. Working to schedule a meeting with the Finance Committee in July and later this summer will present to full Council.

Summer Newsletter

Draft Summer Newsletter complete; waiting on additional guidance from the Public Relations Committee. Will hopefully have out to residents in July.

COVID/CDBG Grant Funding (Originally for Hand Wash Stations)

Received information on PPE needed by the Fire Department; working on getting information to County to update grant so we can purchase the PPE.

2021 CDBG Funding

By July 31st, we need to provide to the County Redevelopment Authority what project we will be undertaking with those funds. Brain and I discussed, and we are recommending Church Alley and South 8th Street. Application submission date is October 28th, 2021.

McMichael Creek Flood Protection Project/Levee Repair/DEP Grant

Project is being managed by the Army Corps of Engineers and work is scheduled to be done during summer of 2021. Have not heard back from the Army Corps as to dates. 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.

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. We received the Army Corps of Engineers Inspection Guidelines and will be doing the work this summer. Waiting for more guidance from the Corps of Engineers/DEP.

Recycling Center

We have some additional revenue producing opportunities that we need to explore at the Recycling Center. Total income from the Recycling Center has been up and down every year, and is dependent on the prices being for recyclables, which is highly variable. This would be a way of increasing, and hopefully, equalizing, the income from year to year. And I have some ideas to change our procedures that would increase our productivity.

Bicycle Racks

Three racks remain to be installed: 745 Main, 401 Main & 33 North 7th Streets. North 7th 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.

Sewer Lien

The Pocono Plaza Inn has a past due sewer balance of \$56,471.40 (as of 4/23/21). We were contacted by an attorney working to refinance the property, which would include the payment of the back sewer. FYI, BCRA has developed a payment plan for water bills (over \$79,000); Joe recommended we try to get full payment, which makes sense. We sent a letter to the owner on May 13th, which was signed for on May 14th. We can submit a lien for the remainder of the balance (\$38,472.09; we already have a lien on the remainder of the balance) on June 14th.

Five Points Intersection North 5th Street

Ben Guthrie/Traffic Planning & Design working on study for the Five Points intersection. Staying in touch and coordinating as needed.

Borough Personnel

Began weekly staff meetings on Friday mornings at 9:00 am. Date will allow to set priorities for coming week, prep Agenda and information for Council Meetings and share information. Reviewed job descriptions and working on updates, standardizing format. Counselling of subordinate employees, job description review, finished last week.

2021 Grant Deadlines

LSA (July 1st to September 30th Open)
Small Water & Sewer (Still not Open)
DCED/CFA Multimodal (April 2nd to July 31st)
PennDOT Multimodal (No dates yet posted for 2021)
ESSA/Swimming Pool Liner (September; must be through SROSRC Volunteer Group)

Upcoming Focus

MS4 Training
Financial Procedures
Continue to Meet Community Leaders
Ordinances
Day to Day Activities

Presentation, Borough Finances
Paving/Infrastructure Projects 2021
Work Analysis, Potential

The 2020 Audit of the Pension Plan was discussed by Mr. Kopp. A net increase of \$700,000.00 was realized in CY 2020.

Code Enforcement Officer's Report

Mr. Kimes had nothing to report.

Street Superintendent's Report

Mr. Ace had nothing to report.

Approval of Bills on Warrants 210706

A motion was made by Ms. McCabe, seconded by Mr. Weiss to approve the payment of Bills on Warrants 210706. The motion was carried. (5-yes; 0-no; 0-abstain)

Public Input for Non-Agenda Items

An email from Stephanie Pisko, 1130 West Main Street was acknowledged and discussed. Ms. Pisko observed and provided video of fireworks creating a public nuisance at 1141 West Main Street. Mr. Kopp will get back to her with the recommendations provided by the Police Chief earlier in the meeting.

An email from Vianca Rivera, owner of Nail "Tique, 526 Main Street was acknowledged and discussed. She requested that the benches that are located in front of her business be removed as they are being misused and are subject to people leaving trash on and under them. One of the benches will be turned around so that both benches are facing the camera at the Sherman Theatre.

Mr. Cafano suggested that the Borough charge property owners' insurance companies for the expenses incurred by the Fire Department when they respond to a call. Firefighters, Mike Schroeder and Rob Smith were present and advised that an ordinance would need to be enacted by Council.

Executive Session, re: Contract Negotiation and Pending Litigation

A motion was made by Ms. McCabe, seconded by Mr. Weiss to go in to an executive session at 8:57 P.M. for the purpose of discussing contract negotiations and pending litigation. The motion was carried. (5-yes; 0-no; 0-abstain)

The executive session was concluded at 9:13 P.M. on a motion made by Ms. McCabe, seconded by Ms. DeVries. The motion was carried. (5-yes; 0-no; 0-abstain)

Action after Executive Session

A motion was made by Ms. McCabe, seconded by Ms. DeVries to approve the 2021-2023 Collective Bargaining Agreement between the Borough of Stroudsburg and Teamsters Local 773. The motion was carried. (5-yes; 0-no; 0-abstain)

A motion was made by Ms. McCabe, seconded by Ms. DeVries to approve an installment payment agreement with LZ Holding Pennsylvania, LLC., 1220 West Main Street for delinquent sewer rental fees. The terms of the agreement require an initial payment of no less than \$20,000.00 and the balance of \$36,471.40 to be paid in equal installments over an eleven (11) month period. The motion was carried. (5-yes; 0-no; 0-abstain)

The meeting was adjourned at 9:20 P.M. on a motion made by Ms. McCabe, seconded by Ms. DeVries. The motion was carried. (5-yes; 0-no; 0-abstain)

