

STROUDSBURG BOROUGH COUNCIL
MEETING MINUTES-DECEMBER 6, 2022

A regular meeting of the Stroudsburg Borough Council convened at 7:00 P.M. on Tuesday, December 6, 2022 in the Council Chambers of the Stroudsburg Borough Municipal Building with the following members present: Council President Matt Abell, Vice-President of Council Erica McCabe, Council President Pro-Tem Jim Evanisko, Council member Victoria DeVries, Council member Tobias Sabatine, and Council member Joanne Kochanski. Council member James Smith was absent.

Also present were: Borough Manager Larry Kopp; Executive Assistant Mary Pat Quinn; Borough Solicitor Joseph P. McDonald, Jr., Esq.; Borough Solicitor Christopher Brown, Esq.; Zoning/Codes Officer and Land Development Administrator Jennifer Walker; and Street Superintendent Brian Ace, Jr.

The Pledge of Allegiance was recited.

Public Hearing and Consideration to Adopt An Ordinance of the Borough Council of the Borough of Stroudsburg in the County of Monroe, Commonwealth of Pennsylvania to Amend Chapter 15 “Motor Vehicles and Traffic”, Section §15-307 1. A., B., and C. “Alternate Parking Established on Certain Streets” and Section §15-401 1, “Parking Meter Zones Established”, of the Stroudsburg Borough Code.

Ms. McCabe advised that the ordinance will amend the alternate side of the street parking sections of the Motor Vehicles and Traffic Ordinance. Beginning January 1, 2023, vehicles must be moved to the alternate sides of the street by 5:00 P.M. instead of 6:00 P.M. The Street Department will be fabricating the 220 signs that need to be changed. There were no questions or comments from the public.

The public hearing was closed on a motion made by Mr. Sabatine, seconded by Ms. McCabe. The motion was carried. (6-yes; 0-no; 0-abstain)

The aforementioned Ordinance was adopted on a motion made by Mr. Sabatine, seconded by Ms. McCabe. The motion was carried. (6-yes; 0-no; 0-abstain)

Approval of Council Meeting Minutes for the regular meeting on November 15, 2022

The minutes of the regular Council meeting on November 15, 2022 were approved as circulated on a motion made by Mr. Sabatine, seconded by Mrs. Kochanski. The motion was carried. (6-yes; 0-no; 0-abstain)

OLD BUSINESS

Consideration to Appoint Joanne Kochanski as a member of the Stroud Area Regional Police Commission for a three-year term (2023 to 2025).

Erica McCabe was appointed as a member of the SARP Commission for the period January 1, 2023 to December 31, 2025 on a motion made by Ms. McCabe, seconded by Mrs. Kochanski. The motion was carried. (6-yes; 0-no; 0-abstain)

NEW BUSINESS

Consideration to review the Proposed 2023 Borough of Stroudsburg Budget.

Mr. Kopp reviewed the proposed 2023 Budget with Council. The proposed budget will be available for public inspection on the Stroudsburg Borough website www.stroudsburgboro.com, the Stroudsburg Borough Facebook page, and in the Borough Manager's office.

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to consider adoption of the budget at the next Council meeting on December 20, 2022 at 7:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to schedule a public hearing for An Ordinance of the Borough of Stroudsburg, in the County of Monroe, Commonwealth of Pennsylvania, Fixing the Real Estate Tax Rate for the Year 2023. The proposed Property Tax Rate for 2023 is 8.99 Mills or \$899 per \$100,000 of property value.

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to schedule a public hearing for consideration to adopt the 2023 Property Tax Rate Ordinance. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to schedule a public hearing for an Ordinance of the Borough of Stroudsburg, in the County of Monroe, Commonwealth of Pennsylvania, to amend Chapter 15 "Motor Vehicles and Traffic," Sections §15-312 1, 2, 3, 4 (Penalties); §15-318 1, 2, 3 (Penalties); §15-319 2 A, B, C (Penalties); and §15-412 1 A, B, C, D, E (Fines), of the Stroudsburg Borough Code.

A motion was made by Ms. McCabe, seconded by Ms. DeVries to schedule a public hearing for consideration of the aforementioned ordinance on December 20, 2022 at 7:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to schedule a public hearing for an Ordinance of the Borough of Stroudsburg, in the County of Monroe, Commonwealth of Pennsylvania, to amend Chapter 15 "Motor Vehicles and Traffic," Section §15-316 2 (Penalties Established), of the Stroudsburg Borough Code.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to schedule a public hearing for consideration of the aforementioned ordinance on December 20, 2022 at 7:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to schedule a public hearing for an Ordinance of the Borough of Stroudsburg, in the County of Monroe, Commonwealth of Pennsylvania, to amend Chapter 15 “Motor Vehicles and Traffic,” §15-501.8 (Booting Fees Established), of the Stroudsburg Borough Code.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to schedule a public hearing for consideration of the aforementioned ordinance on December 20, 2022 at 7:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve payment request #5 from the Vanic Company (Payment to be made to SureTec Information Systems) in the amount of \$51,470.05.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to approve Payment Request #5 for The Vanic Company, LLC. in the amount of \$51,470.05. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to discuss the Solid Waste Collection Service Fee Assistance Program for Seniors.

Mr. Kopp discussed a Senior Waste Collection Fee Assistance Program that he prepared. The 2023 General Fund Budget has \$15,000.00 appropriated to be transferred to the Municipal Solid Waste Fund to pay for the assistance program which will be open to residents 62 years of age and older. Applications will be available online through a portal on the Pocono Mountains United Way website, a link on the Stroudsburg Borough website, and at the Stroudsburg Borough Municipal Building.

The appropriation allows full assistance or partial assistance (50% or 75%) based on income, evidence of need and the number of applications received.

Consideration to discuss recycling collection at Stroud Township residences in LaBar Village.

Mr. Kopp advised that he was contacted by the manager of Stroud Township who asked if Twin Boroughs Recycling would provide curbside recycling pick up to the Stroud Township residents in Labar Village. The Borough Council had no objection to the request.

Consideration to discuss sewer billing fees with Dave Horton, Manager of BCRA.

David Horton, Executive Director of the Brodhead Creek Regional Authority, was present and reviewed the contractual responsibilities of BCRA and the Borough insofar as billing, penalties and liens are concerned. BCRA provides the time and materials for sewer billing, which will increase to \$21,000.00 (now \$19,500.00) effective January 1, 2023. Mr. Kopp recommended that Council continue to use the services of BCRA for sewer billing.

Consideration to approve dump body upfit for 2023 International HV507 by E.M. Kutz for \$81,854 (COSTARS Contract #025-E22-399).

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to approve the upfit for the 2023 International HV507 as described above. Mr. Kopp advised that the vehicle was ordered over a year ago and will be delivered to E.M. Kutz on December 14. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to schedule a Public Hearing for An Ordinance of the Borough Council of the Borough of Stroudsburg in the County of Monroe, Commonwealth of Pennsylvania to Amend Chapter 24 Entitled, "Taxation, Special", Part 1, "Per Capita Tax", §24-106 Entitled, "Notice to Taxpayers" to Require, Pursuant to Act 57 of 2022, the Stroudsburg Borough Tax Collector, Beginning January 1, 2023, to Waive all Additional Charges for Real Estate Taxes if the Taxpayer Complies with all of the Requirements as set forth herein; Defining the Terms; Providing for Severability, Repealer and Effective Date.

Solicitor Brown approved the foregoing proposed Ordinance.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to schedule a public hearing for consideration of the Ordinance at the December 20, 2022 Council meeting. The motion was carried. (6-yes; 0-no; 0-abstain)

Monroe County Historical Society-Jacob Stroud Mansion Expansion Project.

Consideration of the land development plan of the Monroe County Historical Association (Jacob Stroud Mansion Expansion Project) was tabled to the December 20, 2022 meeting on a recommendation of the Borough Engineer.

Consideration to accept the resignation of Tarah Probst as the Mayor of Stroudsburg Borough.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to accept, with regret, the resignation of Tarah Probst as Mayor of the Borough of Stroudsburg effective November 30, 2022.

Consideration to appoint a replacement to fill the unexpired term of the mayor until the next Municipal Election.

A motion was made by Ms. McCabe, seconded by Mr. Abell to appoint Michael Moreno, a resident of 620 Scott Street, to fill the unexpired term of mayor until the next Municipal Election. The motion was carried. (6-yes; 0-no; 0-abstain)

Ms. McCabe advised that Mr. Moreno is involved in downtown activities and with various organizations. She continued by saying that he has the capacity to do the job. Peter Andrews spoke in favor of Mr. Moreno's appointment.

Ms. McCabe, a Notary Public of the Commonwealth of Pennsylvania, administered the oath of office to Mr. Moreno.

Consideration to approve the 2023 Stroud Area Regional Police Department Budget.

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to approve the 2023 Stroud Area Regional Police Department Budget. The Borough's contribution will be \$1,853,496.00 for 2023. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration of an Addendum to the Allocation of Assets for the Non-Uniformed Pension Plan.

A motion was made Ms. McCabe, seconded by Mr. Sabatine to approve the revised allocation of assets for the Non-Uniformed Pension Plan.

Revised Asset Allocation:

<u>Asset Class</u>	<u>Asset Weighting</u>	
	<u>Range</u>	<u>Target</u>
Domestic Equity	45%-65%	55%
International Equity	5%-20%	8%
Fixed Income	25%-45%	35%
Cash	1%-20%	2%

The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to provide for Cost-of-Living increases to pension benefit recipients of the Stroudsburg Borough Non-Uniformed Pension Plan for calendar year 2023.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to provide a 7.7% increase to pension benefit recipients of the Stroudsburg Borough Non-Uniformed Pension Plan for CY 2023. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve Change Order #3 for the Sidewalk Replacement Project.

A motion was made by Mrs. Kochanski, seconded by Mr. Sabatine to approve Change Order #3 for the Stroudsburg Borough Sidewalk Replacement Project. The Change Order adjusts the project completion date to May 30, 2023 due to concrete availability and weather conditions. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve a proposal from Kirk, Summa and Co., LLP. Certified Public Accountants for auditing services in the amount of \$17,800.00 for the preparation of the 2022 Annual Financial Statements.

A motion was made by Mrs. Kochanski, seconded by Mr. Sabatine to approve the proposal from Kirk, Summa and Co., LLP. for auditing services in the amount of \$17,800.00 for the preparation of the 2022 Annual Financial Statements. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve a proposal from Kirk, Summa and Co., LLP. Certified Public Accountants for auditing services in the amount of \$2,000.00 for the preparation of the 2022 Annual Financial Statements of Twin Boroughs Recycling.

A motion was made by Mr. Sabatine, seconded by Mrs. Kochanski to approve the proposal from Kirk, Summa and Co., LLP. for auditing services in the amount of \$2,000.00 for the preparation of the 2022 Twin Boroughs Recycling Annual Financial Statements. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve an Application for Event/Assembly Permit from the African-American Network to conduct the 2023 JuneTeenth Freedom Festival on Saturday, June 17, 2023.

Cleo MeriAbut Jarvis, the Chairperson of the African-American Network, was present via Zoom.us. A motion was by Ms. McCabe, seconded by Mr. Sabatine to approve the request from the African-American Network to conduct the 2023 JuneTeenth Freedom Festival on Saturday June 17, 2023 from 1:00 to 7:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain)

Peter Andrews expressed concern for the Penn Stroud Hotel and the inability of their customers to access the parking lot behind the hotel during events in Courthouse Square. Mary Evanisko, via Zoom.us, also expressed her concern for the hotel.

A discussion ensued about the ad hoc committee who will work on balancing pedestrian safety and ingress/egress to/from the Penn Stroud Hotel parking lot. Mr. Kopp will schedule a meeting after the first of the year. Mr. Abell, Mr. Sabatine, Ms. Kochanski, and Mr. Moreno will serve on the committee.

Consideration to approve an Application for Event/Assembly Permit from Project 33 to conduct the Project 33 Mental Health Resource Fair on Saturday, May 6, 2023.

A motion was made by Mr. Sabatine, seconded by Ms. DeVries to approve the request from Romanay Lashley on behalf of Project 33 to conduct the Project 33 Mental Health Resource Fair on Saturday, May 6, 2023 from 12:00 Noon to 6:00 P.M. The request to expand the festival to Main Street was not approved. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to approve an Application for Event/Assembly Permit from the Pocono Irish-American Club to conduct the 44th Annual St. Patrick's Day Parade on Sunday, March 19, 2023.

A motion was made by Mrs. Kochanski, seconded by Mr. Sabatine to approve the application of the Pocono-Irish American Club to conduct the 44th Annual St. Patrick's Day Parade on Sunday, March 19, 2023 from 1:00 to 4:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain)

Consideration to review the Application for Event/Assembly Permit from the Sherman Theater to conduct the Pocono Pride Festival, Featuring the Sherman Theater on Sunday, June 4, 2023.

Note: The event was approved at the July 19, 2022 meeting; however, the procedure for closing North 7th Street needs to be reviewed with the organizer.

The Pocono Pride Festival was previously approved.

Discuss condition of 558 North 5th Street.

Solicitor McDonald recommended that Council discuss this matter in Executive Session as it may involve potential litigation.

Committee Reports

Codes Committee - Mr. Abell reported that the Codes Committee discussed the request of Stacy Bardonnet to not participate in the townwide trash collection since she is composting her trash. The following statement from the Codes Committee was read in to the record by Mr. Abell: "It's commendable for residents to compost and reduce their environmental impact. The Codes Committee discussed the request to exempt zero-waste residents from the solid waste ordinance requirement at great length. While we don't want to provide a disincentive for reducing waste within the Borough, the prevalence of single-use plastics and other non-recyclable, non-compostable waste makes it realistically unfeasible for a household to truly attain zero-waste. Furthermore, the committee feels that setting higher standards for public sanitation in an urban area is best dealt with collectively. Just as empty-nesters are required to pay school taxes, the cost is borne by everyone because in the end it benefits the community overall, even if the services are not utilized the same by each household. The availability of weekly bulk item disposal offers additional value too, as every household will eventually produce extra waste when remodeling or refurbishing. The Codes Committee recommends that Council not allow exemptions to the Solid Waste Ordinance, as this would create administrative headaches, curb effective enforcement, and increase the cost for other participants."

The Committee also discussed proposed standards for sidewalks. Solicitor Brown will be working on an ordinance for Council's consideration after the first of the year. A mandatory inspection of rentals and properties listed for sale in the Borough is being considered.

Budget Committee – The proposed 2023 Budget was presented earlier by Mr. Kopp.

Parking Committee – There was nothing new to report.

Recycling Committee – Mr. Kopp advised that the Twin Boroughs Recycling Committee will meet on December 15 at 3:30 P.M. in the Council Chambers.

Sewer Committee – Mr. Kopp reported that the EDU assessment study is complete and will be reviewed after the first of the year.

Streets Committee – Mr. Moreno will chair this Committee. It meets on December 7, the first Wednesday of the month, at 3:30 P.M. on Zoom.us.

Personnel Committee – Mr. Abell advised that the Committee will meet on December 14 at 3:30 P.M. and will discuss the proposed Code of Conduct. Solicitor Brown will be present for the meeting.

Public Relations/Media Committee – Mr. Sabatine advised that the Committee will not meet this month due to the unavailability of the Committee members during the holiday season.

Redevelopment Committee – The Committee meets on the third Wednesday of each month. LERTA will be discussed at the next meeting.

I-80 Expansion Task Force Committee – There is a meeting at 12:00 Noon on Monday, December 12 with PennDOT representatives which will include Mr. Abell, Ms. Probst, Ms. McCabe, Mr. Kopp and Kris Battle.

Stroud Region Open Space and Recreation Commission – Autumn Hawthorne, the Director of SROSRC, was present and reported that there will be advisory group meetings for the skate parks, proposed dog park, Community Center improvements, and Pickle Ball (indoor rentals are being held at the Community Center). She welcomed public participation.

Mayor

There was no report from the Mayor.

Council Member Reports

There were no Council Member reports.

Solicitors' Reports

Solicitor McDonald had a litigation matter and a personnel matter for discussion in executive session.

Solicitor Brown did not have anything to report.

Manager's Report

Meetings

Sarah/ESSA Bank	November 16 th
Steve Cappelli/Insurance	November 17 th
Dave Horton/BCRA/Sewer Billing	November 18 th
Recycling Committee Meeting	November 21 st
Pocono United Way/Trash Ordinance	November 22 nd
Pocono Public Policy Mtg	December 2 nd
Recycling Committee	December 15 th
Teamsters Grievance	December 16 th

Infrastructure/Streets/Capital Projects

Sidewalk Replacement Project/Multimodal Grant. Underway. Working on portions in the downtown. Finishing up for the season. Remainder of project will be completed in the Spring (March 2023). Rebid portion of grant funds not yet expended.

Ann Street Sewer Replacement & Paving. Received draft of Abbreviated Act 537 Plan Update. Sent to DEP for review prior to submission, as requested. Will have public advertisement of the plan and request for comments at the December 20th Meeting.

Grants Strategy 2022

LSA Grant. LSA Grant submitted on March 15th. Discussed with Chuck Leonard, Pocono Mountains Economic Development Corporation. May be able to fund with grant funds on hand if DCED doesn't fund.

DCED Greenway, Trails and Recreation Program Grant. Submitted May 31st.

DCED Multimodal. Grant complete and submitted. Contains "Quick Build" elements of Main Street Project.

Monroe County LSA Grant. Submitted on September 28th. For "Quick Build" elements of the plan.

H2O & Small Water and Sewer Grants. Funding opened up for sewer projects through CFA-DCED. Programs have not been funded for several years. Will apply for both. Grants due December 21st.

Verkada Security Cameras

Installation underway. Approximately 60% complete. Installers coming Thursday and Friday to complete installation in the parking garage.

Mobility Study/Alta Planning

Met with Alta Planning this afternoon in regard to RAISE Grant. New RAISE Grant Round in 2023 has been announced by DOT.

Solid Waste Ordinance

Letter to all residents and property owners who did not register prior to the November 11th Deadline. Sent list of can sizes to GFL and billing information to PAMS. Letter to residents in the several weeks with updated information on garbage collection & recycling. Carts/cans will be distributed last week in December.

Dumpster Ordinance Implementation

Sent final notice to the owners of all properties in the Borough identified to have dumpsters on their property. Review of properties that appealed beginning later this week.

Sewer Billing

BCRA has been doing billing for the Borough's Sewer Service under an agreement from 2003. Received a cost estimate from BCRA; \$21,168 estimated annual billing costs.

Sewer Rates/EDU Reassessment

Inspection of properties complete. Final review in 2023 and appeal for those whose EDUs are changing. Look at potential EBU system in 2023.

Sewer Collection System/I&I Initiative

BCRA has updated I&I Plan and we are waiting for a meeting with other member municipalities to review. Acquired GIS capabilities to accurately, and quickly, map sewer collection system. Smoke testing ongoing.

LERTA

Met with Cos Curry from the School District to discuss LERTA. School Board is tentatively "on-board," need to draft a new "draft" Ordinance in conjunction with the District and County Commissioners to ensure everyone agrees.

Code Enforcement

Rental Properties: Follow-up letter in early 2023 to rental properties that have not yet registered their properties.

Short-Term Rentals: Compiling list of properties for notification.

Staff Training

Working on a training presentation on Customer Service.

MyGov Software for Codes/Zoning

Going fully "live" with MyGov in 2023 on select permits and licenses. Customers will be required, unless they have a compelling reason, to submit all permit and license online through the Customer Service Portal.

Five Points Intersection North 5th Street

Cost estimate for project around \$1.2 Million. Ben is going forward to PennDOT to begin the approval process. Looking at PennDOT Multimodal Grant to potentially fund the work in 2023 or 2024.

Emergency Operations Plan

I'm working with Mehmet to update our contacts and to look specifically at EMP and Cyber Attacks. Current world situation has me concerned and I want us to be ready. Plan was due to be updated in 2021.

Capital Improvements Plan

Working, as part of the budget, to put together a 10-year Capital Improvements Plan for the Borough listing all major capital projects and purchases through 2031.

Sewer Fund Delinquent Accounts/Liens

Mary Pat is looking at our list of liens and see what liens need to be renewed and if any need to be taken of the lit. BCRA wants to review billing procedures, as do I. I have talked to three collection agencies with the idea of letting them go after delinquent accounts, which is allowed in our Sewer Ordinance.

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. Installation in Spring 2023.

Upcoming Focus

Solid Waste Ordinance Implementation
Sewer EDU Assessment Plan

2023 Budget & Capital Improvements Plan
Code Enforcement
Dumpster/Recycling/Rental Prop)
Day to Day Activities

Main Street Grants

Code Enforcement Officer's Report

Ms. Walker reported that she received nine building permits so far this month. She issued two stop work orders to the owner of 528 Thomas Street. The owner has submitted a HARB application for a door.

Street Superintendent's Report

Mr. Ace did not have anything new to report.

Approval of Bills on Warrants 221206

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to authorize the payment of bills on Warrants 221206. The motion was carried. (6-yes; 0-no; 0-abstain)

Public Input for Non-Agenda Items

Brian Fairfield spoke to Council about the need for a sidewalk on the west side of North 5th Street between 501 and 541. He advised that there are a number of people who use the shelter at the Wesleyan Church in Stroud Township who walk toward town, and it is unsafe for them to walk on North 5th Street. Mr. Abell advised Mr. Fairfield that the Codes Committee will be discussing standards for sidewalks at their next meeting.

Executive Session, re: Personnel and Pending Litigation

A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to go in to executive session at 8:53 P.M. for the purpose of discussing a personnel matter and pending litigation. The motion was carried. (6-yes; 0-no; 0-abstain)

The executive session concluded at 9:24 P.M. on a motion made by Mrs. Kochanski, seconded by Ms. McCabe. The motion was carried. (6-yes; 0-no; 0-abstain)

The meeting was adjourned at 9:25 P.M. on a motion made by Mrs. Kochanski, seconded by Mr. Sabatine. The motion was carried. (6-yes; 0-no; 0-abstain)