

MINUTES  
Stroudsburg Borough Council Meeting  
Tuesday, April 5, 2016 at 7 p.m.

*Note that the minutes are presented in the order in which items were discussed at the meeting. Each agenda item, however, has retained the original number it was assigned on the original agenda.*

1. Call Meeting to Order/Roll Call: Council President Weiss called the meeting to order at 7 p.m.
2. The Pledge of Allegiance was recited

1. Call Meeting to Order/Roll Call: Borough Manager Cathryn Thomas called roll. Present were President Weiss, Vice-President James Smith, Council Members Joanne Kochanski, Ken Lang, Patrick Maurath and Matt Abell. Absent was Council Member Mark Connors. Also present were Mayor Tarah Probst and Solicitor Ralph Matergia.

3. Public Input:

Michael Montero asked if there have been any changes in verbiage to our current sign ordinance since last year. In June of 2015 he was asked to remove the sign he erected at 905 Main Street as the building is in the Historic District and the sign was covering an ornate architectural feature. He was instructed at that time by Mr. Kimes that there is a wall of the building where the sign could be placed or he could pay \$400 and apply for a variance. Mr. Montero stated the sign would not be visible from the street if placed on that wall. At the time Mr. Montero approached Council Member Eric Scelza and asked him to have the sign ordinance language revised to accommodate his sign.

Council Member Lang feels this should go to staff for review and volunteered to serve on a committee to look into the language change.

Motion by Mrs. Kochanski, second by Mr. Lang, to close public input. Motion passed unanimously.

4. Approval of Council Meeting Minutes from March 15, 2016: Motion by Mrs. Kochanski, second by Mr. Abell, to approve the Council Meeting Minutes from March 15, 2016. Motion passed unanimously.

**Old Business**

5. Consideration of approval of the following Change Orders for the Fire Hall Renovation Project with the General Contractor Nu Cor Management, Inc.:

- a) Change Order No. 17, an increase of \$2,250 for the rental of a dehumidifier for an additional nine weeks, when Borough Council approval was given on November 10, 2105, for an initial two-week rental for \$500 as part of Change Order No. 7: Council Members Lang and Abell questioned why the contractor wrote the change order then came to Council 9 weeks later for approval. Mr. Abell stated retroactive billing does not

work in the public sector. Dave McGarry, Schoonover and Vanderhoof Architects, LLC., stated it was “almost like an emergency”. Motion by Mr. Lang, second by Mr. Smith, to deny paying for a change order for any additional dehumidifier rental. Motion passed unanimously.

b) Change Order No. 18, an increase of \$22,000 for additional work to install the epoxy floor in the apparatus and cascade rooms: Mr. Lang stated that the Borough cannot spend an additional \$22,000 for the garage floor. Mr. McGarry stated the \$22,000 already spent will not work for the type of floor joints that were exposed when the existing coating was removed. An additional \$22,000 is needed to cover these individual joints to guarantee the floor does not leak down to the basement which was just redone and to minimize movement. Council Members Lang and Smith would like a breakdown of the additional funds before taking any action. After a lengthy discussion between Council, Mr. McGarry and Nu Cor President Mr. Goffredo, a motion was made by Mrs. Kochanski, second by Mr. Abell, to authorize the change order of \$22,000 for additional work to install the epoxy floor in the apparatus and cascade rooms. Motion passed; 5-1 with Mr. Lang voting no.

c) Change Order No. 19, an increase of \$600 for replacement of one set of bi-fold doors in the basement hallway, where the original doors were specified to remain, however were found to be rotted: Council questioned why \$600 for a bi-fold closet door. Mr. McGarry stated that is prevailing rate. Mr. Abell stated he can buy a solid wood bi-fold door at any home improvement store for about \$80 and have it installed in 20 minutes. Motion by Mr. Lang, second by Mr. Smith, to deny spending \$600 of taxpayer money on Change Order #19, for a set of bi-fold doors. Motion passed unanimously.

6. Request from Sherry Chambers for placement of a plaque commemorating the service of African American Soldiers who served in the Civil War: Ms. Chambers was not present at this time.

### **New Business**

7. Consideration to approve a request from the Monroe County Bar Association for the Annual Law Day Race to be held on Sunday, May 1st: Motion by Mrs. Kochanski, second by Mr. Abell, to approve the request from the Monroe County Bar Association for the Annual Law Day Race to be held on Sunday, May 1<sup>st</sup>. Motion passed unanimously.

8. Consideration to approve a request from the Monroe County Area Agency on Aging for the 20<sup>th</sup> Annual Senior Fitness Walk to be held on Wednesday, May 18th: Motion by Mrs. Kochanski, second by Mr. Smith, to approve the request from the Monroe County Area Agency on Aging for the 20<sup>th</sup> Annual Senior Fitness Walk to be held on Wednesday, May 18<sup>th</sup>. Motion passed unanimously.

9. Request from the Junior Diabetes Research Fund to hang their flags on poles on Main Street for their walk event to be held on Sunday, April 24th: Frank Scarpelli was present with a sample of a very large flag. He stated Council approved the same size flag last year and that the Borough

Street Department staff hung them. Council members and Public Works Director Brian Bond stated this size flag was not approved or hung last year. Mr. Scarpelli feels he may have brought the wrong flag. Motion by Mr. Lang, second by Mrs. Kochanski, to allow banners for the walk that meet the approval of our Street Department Manager. Motion passed unanimously.

10. Presentation by representatives of Keystone Compassionate Care concerning their medical marijuana company and its impacts of operating in the future in Stroudsburg and the surrounding area: Joe Kringer, Co-Founder of Keystone Compassionate Care, gave a brief summary of what his company does which includes educating communities of the benefits of medical marijuana and of decriminalization ordinances.

11. Consideration to Ratify and Confirm the Selection of Officers for the Stroudsburg Fire Department, as selected by Delegates to the Convention, as follows:

Department Fire Chief: Mike Seip

Department Assistant Chief: John Stevens

Department Assistant Chief: Charles Frantz

Motion by Mr. Lang, second by Mr. Abell, to approve the Selection of Officers for the Stroudsburg Fire Department, as selected by Delegates to the Convention, as listed above. Motion passed unanimously. The Officers will be sworn in at the next Council Meeting.

12. Consideration to advertise for bids for a contract for Equipment Rental Rates for equipment the Borough may need to rent in the event of an emergency, for the period of 2016 through 2020: Motion by Mrs. Kochanski, second by Mr. Smith, to advertise for bids for a contract for equipment rentals for emergency work for 2016 through 2020. Motion passed unanimously.

13. Consideration of further changes proposed to the Parking Section of the Borough Vehicle and Traffic Ordinance (public hearing already set for April 19): Ms. Thomas explained that there are three proposed changes.

The proposed change to the abandoned vehicle section of the parking ordinance still needs some work on the wording and will be ready for the public hearing at the next meeting.

The second proposed change is to put fifteen three-hour meters on N. Ninth Street on the block that is currently a one-hour limit with no meters.

The third proposed change is in regards to the boot ordinance. The Parking Enforcement Officers are booting the same vehicles over and over again. The \$50 boot fee does not seem to be enough of a deterrent. The changes would include keeping the first offense at \$50, increasing the second offense to \$150 and the third offense to \$300.

Motion by Mr. Lang, second by Mrs. Kochanski, to include further changes proposed to the Parking Section of the Borough Vehicle and Traffic Ordinance in the public hearing already set for April 19. Motion passed unanimously.

Council Member Smith asked that the total cost of a parking meter including the housing and pole be provided to Council before the next meeting.

14. Discussion of a vehicle for the Code/Parking Enforcement personnel: Ms. Thomas stated that we are currently down to one car for zoning/codes and parking which some of the time is not safe to drive. She suggested we purchase or lease at least one car for now. Mr. Smith suggested putting together a team to investigate the options and report back to Council. Both Council Members Smith and Maurath volunteered to participate. Other team members will be Mr. Bond and one member of parking enforcement. Motion by Mr. Smith, second by Mr. Lang, to put together a team to investigate vehicle lease/purchase options and report back to Council. Motion passed unanimously.

15. Consideration to make an appointment to the Zoning Hearing Board, to fulfill the unexpired term of Joseph Shay, term ending December 31, 2019: Letters of interest have been received from Joanne Viola, Alice Luongo and Larry Ospa. Motion by Mr. Lang, second by Mrs. Kochanski, to advertise for a special meeting two weeks from tonight at 6:30 to speak with each of the candidates. Motion passed unanimously.

16. Consideration of matters discussed by the Codes Committee: Ms. Thomas asked Council to review the items discussed in the packet and forward her a prioritized list of the items they are interested in.

17. Report from the Personnel Committee on the process to hire a new Borough Solicitor, including a request to set a Special Council Meeting to conduct interviews: Mr. Smith reported that six applications were received which has been narrowed down to three applicants that seem to be the best fit for the Borough. Ms. Thomas was instructed to advertise for a Special Council Meeting on April 12<sup>th</sup> at 5:30 p.m. to interview the three finalist applicants. Mr. Smith also suggested appointing an alternate solicitor to fill in for such things as vacations and conflicts of interest.

18. Discussion items from the Mayor:

a. Community Garden and Park: Mayor Probst feels that either the empty lot on the corner of Quaker Alley and 6<sup>th</sup> Street or Glen Park would be a good location for a community garden and small park. She invited Erica McCabe to speak to the issue.

Ms. McCabe explained that there are grants available to start the garden and that everyone involved would pay a membership fee, share in the volunteer work, donation of labor, materials and time. Council would decide how the food gets distributed and excess food can be donated to homeless shelters.

Mr. Lang feels this should not be a partnership between us but should have Council's full blessing.

Mr. Abell feels the Quaker Alley property would be a safer location as it has more visibility. Public Works Director Brian Bond agrees as Glen Park has a history of vandalism.

Council consensus is for the Mayor and Ms. McCabe to move forward with getting more detailed information.

b. Old Jail: The Mayor will be touring the old County jail on Thursday with Commissioner Christie. If it is feasible to clean up and isn't hazardous, she feels the County would be in agreement in moving forward with the tourism project. Mr. Lang commented that he is opposed to the idea.

c. Mural Painting on the old Penn Stroud and Chalk Painting sidewalks for St' Art Stroudsburg: Ashley Fontanes and Jodie Singer from St' Art Stroudsburg were present to explain that they would like to do a 1920's mural of Stroudsburg on the back side of the Penn Stroud building and draw chalk leafs on every other sidewalk to direct patrons to the four art galleries in town for April 16<sup>th</sup> to raise awareness of earth-conscious events regarding the arts. Motion by Mr. Lang, second by Mrs. Kochanski, to approve the request to draw chalk leafs on the sidewalks. Motion passed unanimously.

Mr. Lang feels the HARB should discuss at their next meeting how murals should be addressed in a historic district and then report back to Council.

Mr. Singer also reported that they are looking into having a large sculpture erected in town and feels the community garden may be the perfect place.

Mr. Singer stated he has been approached to possibly paint murals downstairs in the fire department and at the high school. He was directed to contact the fire chief.

d. Mayor Probst feels the Borough should offer health and life insurance to all Borough employees, committee members and volunteers, including the fire department if it is cost-effective. She requested Ms. Thomas get requests for proposals which met opposition from members of the audience and some council members. She did not understand the opposition as all she is asking for are requests for proposals.

714 Sarah Street resident Maryanne Kowalyshyn asked the Mayor to define employee to which she answered anyone who gets a W-2 from the Borough. Mrs. Kowalyshyn does not feel this is a good time for the request as revenues are down and asked Solicitor Matergia his thoughts on the matter. He stated that first the Borough has to look at the underlying enabling legislation to see what the municipality is capable of doing. He does not believe it is as broad as the mayor stated. It's the enabling legislation that permits the Borough to cover employees and now elected officials if they choose. That's a policy decision. To look into this is fine but the confines of the enabling legislation probably restricts the Borough from offering insurance to everyone and anyone who serves in some capacity. He went on further to say that volunteers and those who serve on commissions are not employees as it's not just those who receive a W-2 from the Borough.

Stroudsburg fireman Mehmet Barzev stated that he does not want insurance or any other compensation from the Borough. He volunteers because he loves what he does. He does know

that some employers require their employees to take insurance if it is offered by another employer and he does not want to be forced to take the Borough insurance and possibly lose benefits for something he didn't ask for.

Ms. Thomas also reminded Council that we are in the second year of a three year union contract and cannot change those employees benefits during the three year period.

After much discussion a motion was made by Mr. Lang, second by Mr. Smith, to ask for requests for proposals for an apples-to-apples comparison for what we are providing currently to current employees. Motion passed 5-1 with Mrs. Kochanski voting no.

19. Solicitor's Report: In regards to the Walgreen/Rite Aid project, Mr. McKeown needs an additional two to three weeks for the appraisal. Also Engineer Nate Oiler did a title examination and it is not clear if Rite Aid has all the properties needed for the project.

20. Mayor's Report: The Mayor received a thank you note from Linda Braviak at the Pocono Ambulatory Center for the replacement of the missing street sign.

Lisa Diemer wants to organize a sidewalk sale for downtown shops in conjunction with the Art on Main event scheduled for May 14<sup>th</sup>. Motion by Mrs. Kochanski, second by Mr. Smith, to add sidewalk sales to the Art on Main Event on May 14<sup>th</sup>. Motion passed unanimously.

Mayor Probst received a \$150 donation to the Borough for a wedding she performed. She also has a client who will be donating \$1000 for healthy snacks for kids for the concerts in the park and \$100 per night for each performing artist.

Mayor Probst thanked everyone who came out to celebrate John Jakobsen last Thursday evening and thanked Council for approving the event. Mr. Jakobsen is a Stroudsburg High School student who recently placed first and is now the State Wrestling Champion.

6. Request from Sherry Chambers for placement of a plaque commemorating the service of African American Soldiers who served in the Civil War: Ms. Chambers had been before Council a few years back requesting a historical marker be placed in front of the Little Bethel Church honoring area Native and Black Americans who worshiped there and served in the Civil War. After years of consideration and help from the Borough regarding the verbiage and placement, the marker was approved to be placed in the Helen Amherst Third Street Park. Ms. Chambers and Public Works Director Brian Bond met at the park and identified the exact placement.

Tonight Ms. Chambers is back to once again requesting the marker be placed in front of the Little Bethel Church. Council was not in favor of revisiting the issue which Ms. Chambers refused to accept. Motion by Mr. Abell to decline the request to reopen this issue unless it is requested by a current representative of the Little Bethel Church. The motion died for a lack of a second. Ms. Chambers got very loud and belligerent. Council President Weiss gaveled Ms. Chambers over and over again which she ignored. At 9:15 a motion was made by Mr. Lang, second by Mr. Abell, to recess. Motion passed unanimously. Council President Weiss brought the meeting back to order at 9:25 and moved to the next agenda item.

21. Council Member Reports:

Mr. Smith has been working with SROSRC. They discussed possibly painting the pool house maroon which is the high school color and having the Arts Council paint an “S” on the side of the building. They will be asking for donations of the paint. Council supported the idea.

Council President Weiss reported that he has appointed Maryanne Kowalyshyn to the Codes Committee, himself to the Sewer Committee and Street Committee and removed Mr. Abell from the Street Committee.

22. Manager’s Report: Ms. Thomas sent out information to Council regarding a Brodhead Creek Watershed Association meeting on Monday at 1:30 to discuss rain gardens in case anyone is interested in attending.

Ms. Thomas and Mr. Bond attended a PennDOT meeting regarding the Bridge Street bridge replacement. PennDOT plans on keeping one lane of traffic open at all times which will still have a huge impact on traffic in the Borough and on our first responders. The entire project should take much longer than a few months to complete.

23. Approval of Bills on Warrant 160405: Motion by Mrs. Kochanski, second by Mr. Lang, to approve the bills on Warrant 160405. Motion passed unanimously.

24. Executive Session: None.

25. Adjournment: Motion by Mrs. Kochanski, second by Mr. Maurath, to adjourn at 9:37 p.m. Motion passed unanimously.

Approved:

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Boyd Weiss, President of Council

Attest:

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Cathryn Thomas, Borough Manager/Secretary