

MINUTES
Stroudsburg Borough Council Meeting
Tuesday, December 06, 2016 at 7 p.m.

1. Calls Meeting to Order/Roll Call - Present were Council Members Joanne Kochanski, Council Vice President James Smith, Council Member Boyd Weiss, Mayor Tarah Probst, Solicitor Joseph McDonald, Council President Ken Lang, Interim Borough Manager Brian Bond, Council Member Matt Abel, Council Member Mark Connors, and Council Member Patrick Maurath. A Quorum was present.
2. Pledge of Allegiance was recited
3. Public Hearing:
 - A. Consideration of a proposed ordinance amending Chapter 15, Motor Vehicles and Traffic, Part 4 Metered Parking , Section 412 – Fines, Any person, firm, corporation or owner of any vehicle parked in violation of any provision of this Part 4, or aiding, abetting or assisting in the violation thereof, shall be assessed a fine in accordance with the following schedule:
 - a. Fifteen dollars for each separate parking violation if paid within 7 days of the time the notice of violation was issued, except violations of §408 will have a fine of \$15.
 - b. The owner or driver may discharge the fine by paying the sum of \$15, respectively, at the Municipal Building, 700 Sarah Street, within the time limit.
 - c. If not paid within 7 days of the date on the ticket, the fine will be increased to \$30, except violations of §408 will have a fine of \$35. [Ord. 916]
 - d. If payment is not made within 14 days of the date on the ticket, prosecution will be initiated, and the fine will be increased to \$50, except violations of §408 will have a fine of \$60, plus the cost of prosecution. [Ord. 916]

Motion to close JS, second by JK. All in favor, motion carries.

- B. Consideration to approve an amendment to Chapter 15, Motor Vehicles and Traffic, , Part 4 Metered Parking , Section 412 – Fines, Any person, firm, corporation or owner of any vehicle parked in violation of any provision of this Part 4, or aiding, abetting or assisting in the violation thereof, shall be assessed a fine in accordance with the following schedule:
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Motion to approve JK, second by BW. Discussion: MC's only consideration is for an increase from \$5 to \$10 instead of \$5 to \$15. Would we need to re-advertise? Vote for increase of \$5 to \$15, all in favor, (JK, BW, PM) all opposed (JS, KL, MA, MC) Motion fails. New motion pending Solicitors approval we pass the same ordinance change but with a price from \$5 to \$10 MC second by MA. Per Solicitor McDonald since less restrictive we do not need to re-advertise. All in favor, Motion carries unanimously. Will adopt the first of the year. Will need new parking envelopes. BB to investigate JK's comment for a 3X3 plaque on the pole of the meter.

4. Public Input on Non-Agenda Items

Motion to close BW, second to JS. All in favor, Motion carries. Motion to re-open public input JS, second to MA. All in favor, motion carries. Pam Kemis with Hanover Engineering presented Green Infrastructure Plan for the Lower Brodhead Watershed. Purpose for a better understanding on how to use storm water. Handout provided separately from packet. Will direct all input to BB, have 2 week deadline, looking to extend grant deadline. Post information in Borough hallway. Link to BWA website on our website.

Rich Berkowitz suggestion Interim Borough Manager Brian Bond would make a great choice for Borough Manager.

Motion to close JK, second to JS. All in favor, Motion carries.

5. Approval of Council Meeting Minutes:

- a. November 15, 2016 Regular Meeting. Corrected \$2,500 for solar lighting under Managers Report. Corrected #8 PM was a no, motion to accept JK, second by MA, All in favor, Motion carries.
- b. September 26, 2016; October 22, 2016; and November 10, 2016 Special Meetings. Motion to accept JK, second by MA. Discussion: MC would like to see Executive Session outcome in the minutes. All in favor with the amendment, Motion carries.
- c. November 22, 2016, Special Meeting. Motion to approve MA, second to PM. All in favor, Motion carries.

- 6. Presentation by Family Promise of Monroe County, re: "Superhero Walk". Linda Foran presenting Superhero Walk. Will start in Borough Park through Stroud Fest. Will have vendors handing out stickers. Will collect prizes on 7th Street, Prizes for Best Dressed Dogs, Best Child's Costume and Best Adult Costume. No requests for help from the

Borough. No barricades or traffic control needed. Coordinating with Rich Berkowitz. No permits needed. Contact Sherry Acevedo with SROSRC on Day Street who can answer any questions. May need insurance certificate to be in Borough Park. Mayor's office will advertise. Talk to the school's Superintendent to advertise in school.

Old Business

7. Consideration of a request from SROSRC for the installation of security cameras at the Stroudsburg Park. Handout provided separate from packet. Proposal listed on 2nd page from ARG Technology. They are the IT Company for SROSRC, SARP and East Stroudsburg Borough. No other bids this came from SROSRC. Only have maintenance if the cameras break or stop working. Agreement comes with a 3 year software license agreement. Will keep the cameras rolling, will be a monitoring system. SARP working on a camera wall. Currently have 3 cameras but looking to increase quantity of cameras. Bullet proof cameras. Still pictures can be used for prosecution. SROSRC paid \$3K with East Stroudsburg Borough paying the remainder for Danbury Park. SARP paying \$60K in their IT budget for the camera wall. Mayor proposing to bid to other companies. Motion to table for further consideration for Borough Manager to gather additional information/bids MC, second by MA. All in favor, Motion carries.
8. Consideration of a request from the Galmay Corporation to hold Winterfest/Ice Festival on Saturday February 18, 2017. Barry Lynch was at prior council meeting. Saw dust will be there. Will need barricades. Close down Court House Square. Motion to approve MA, second by JS. All in favor, Motion carries.

New Business

9. Consideration of a request to schedule a public hearing for an Inter-municipal Liquor License Transfer. Per Solicitor McDonald this was submitted in November. When a licensed restaurant is going to transfer a liquor license in the same county but a different municipality the receiving municipality must hold a public hearing and determine whether to approve. Middle Smithfield Township, proposed to Rock N' Willys Hookah Garden, 578 Main Street. Need to schedule a hearing date, in the past would be the night of a council meeting. Motion to advertise a public hearing for December 20, 2016 MA, second by JK. Discussion: Will need a stenographer for the meeting. Will work with BB and decide if a stenographer is needed. No formal fee in place. Solicitor McDonald will have a stenographer available. All in favor, Motion carries.
10. Consideration of a request from the Monroe County Conservation District for financial contribution to support the Pocono Creek Stream Gauge. BB has gone back to 2012 and doesn't see any donations in the past. We have donated in the past to AWESOM, Historical Society, Arts Council, and Jacob Stroud. Motion to table the request and invite the requestor to appear and give a proposal with regards to the amount, where it goes and the benefit to the Borough MC, second by JS. All in favor, Motion carries.

11. Consideration of a Resolution to Transfer Funds within the Fire Department Budget and the Downtown District. Motion JK, second by MA. All in favor, Motion carries.

12. Solicitor's Report

A. Scheduling for conditional use hearing, 2016 version Shanty House application. Last month we approved the 90 day continuous request to early March. Spoke to Attorney Mark Wolfe to schedule. Looking at February 14th or February 28th. Motion to schedule for February 28, 2016 MC, second by MA. All in favor, Motion carries.

B. Amendment to Brodhead Creek Regional Authority Intergovernmental Cooperation Agreement. I have not seen anything but heard Attorney Tim McManus prepared the document. Council requested Ken Brown to appear for a Q & A as to where we stand in terms of the Intergovernmental Cooperation Agreement. Attorney Provosnick who represents BCRA and recommend to have Attorney McManus since he wrote the amendment present to council. He has a meeting conflict as he attends Chestnut Hill Township meetings the same night as our council meetings. Those meetings are a little shorter. He may be able to attend either earlier or later on the agenda. Possibly schedule at 6:30pm or later in the night.

C. Last month received a request from council for Glenbrook Apartments Project, final Step for release of a bond. Land development plan put in place has reached its conclusion. The developer has requested final release. One of the conditions is to have Compliance with NPDES permit (National Pollution Discharge Elimination System). Storm Water related permit. Monitored and administered by Monroe County Conservation District. Final condition of the release is the production of a letter from the Monroe County Conservation District that compliance has been complete. I received a letter from Lori Carrigan, dated November 3, 2016. Reached out to Nate Oiler who Confirmed to BB and I that the last item required has been provided. Motion to release Escrow account for Glenbrook JK, second by BW. All in favor, Motion carries.

13. Mayor's Report – Advised by Mario Scavello that the Old Penn Hotel received a low interest commonwealth loan for \$1.69 million. Maureen Madden's office released a press release. Project expected to create 14 full time and four part time jobs within 3 years.

County Commissioners are allowing us to use a 40X40 square foot area on Quaker and 6th for a park. Have a meeting scheduled for next week. Edy Stevens has a grant for pavers for rain water. Zach Strausser helping with the plans for benches and gazebos. Looking to create a toddler area at the park.

Met with Ron Kimes, Ken Sandri and Ted Hoyt from HARB Committee. Stroudsburg is on a nationally recognized Hill District. PA recognizes certain parts of town. Have nationally recognized buildings. This would benefit us economically. If more areas are approved this equates to more State & Federal monies for the Borough. MC asking council to review HARB ordinances. Recommending exterior lighting, signage and telecommunication devices.

Easton has an I-phone app called Easton Main Street. Have over 10K users. Lists eateries, parking and events. There is a USDA agriculture grant, could be good for downtown business.

Banters and Soho in the burg at Renegade Winery is opening this weekend.

Thank Rich for downtown concerts.

Through the National Association of Realtors there is a walkable neighborhoods and downtown brochure. Lists umbrellas, barricades, green space and bike trails. Could help in promoting tourism.

14. Council Member Reports

PM – nothing to report

MC- Personnel Committee would like an Executive Session for Borough Manager position.

MA- nothing to report

KL- nothing to report

BW- Flooding by 4th Street, sewage plant at the end of 4th. Need to look at the condition of the street. Need a lite at McConnell Street and 4th as there are a lot of traffic accidents. Estimated in 2011-2012 at \$414K per Penn Dot. Motion to initiate inquiring with the state for a stop light BW, second PM. Discussion: MC need a broader look at the one way on Lower Main. Talk to Penn Dot for solutions or recommendations. Motion for friendly amendment BW, second to PM. All in favor, motion carries. Possibly look at solar speed

JS- Motion to send a congratulation letter to Maureen Madden JS, second to KL. Discussion: MC we should send a letter state wide or county office. All in favor. Recognize Cooper Nordquist who is Maureen's Chief of Staff.

Would like a report on Barry Isset for zoning permits and how everything is going. Ron Kimes currently working on per council request. Can we expand and give a survey to the applicants for feedback. MC would like each staff for all departments who works with the public to ask for feedback.

Asked for a report at last council meeting for parking ordinances for Lower Main (2 districts). Ron working on off street parking ordinances spoke to Eric Koopman the lead planner at Monroe County Planning Commission and Nate Oiler our Engineer. I reviewed nearby municipalities zoning ordinances of Mt Pocono, Doylestown, Chestnut Hill Township, Easton and East Stroudsburg. Also reviewed Institute of Transportation Engineering Publication - Parking Iteration 4th Parking Demand Studies intended as an education tool for planners and municipalities and others interested in estimating parking demands. Last time Borough ordinance/zoning was updated was 1988 for residential use.

Unable to find for commercial use and researched back to 1972. C1, C1A, MUA, MUB I1 all require off street parking. C2 does not require parking. Most municipalities have updated within the last 10 years. Found a parking survey/central plan performed by Calbot and Associates in 1991 for the deck. Off street for residential uses are consistent with other municipalities. Commercial uses are strict. 10K square foot retail business, in Chestnut Hill requires 22 spaces minimum with staff members using 4 or 5 spaces. East Stroudsburg and Doyletown require 37 spaces, Hazleton the same, 37 spaces and parking for staff. Easton 28, Mt Pocono 55. Stroudsburg with 10K square feet comes to 70 parking spaces. Much more stringent here. General retail uses we are stricter. Should we amend uses?

Motion to follow what ITE is using for other municipalities JS, second BW. Discussion: MA, agree to change formulas. How would this affect adjacent businesses and residential areas. We need to reduce our requirements. Want to provide minimum and maximum amount of spaces. MC in agreement with MA but need to go through the planning commission.

Update motion to advertise for public hearing to amend the parking ordinances from 1 to 300 square feet in accordance with ITE by JS, second BW. Discussion: Ron Kimes concerned with land development plans and sub-division plans. Possibly list in the ordinance to come to council for us to make a decision. Vote - Yes (PM, BW, JS, JK), No (MC, KL, MA), motion carries.

KL who is the traffic engineer we should hire to advise us? Ron Kimes has been working with Nate Oiler and Eric Koopman, and have identified 3 engineers who are familiar with both Stroudsburg and East Stroudsburg Borough's. Motion not to hire an engineer but to go ask the planning commission to investigate parking requirements in particular to Lower Main and consult with the county plan commission and report to us their recommendations for a well worded ordinance and whether their recommendation would include a traffic engineer or not and ask for a study from the planning commission at the public hearing by MC, second MA. Discussion: KL they are volunteers and not engineers. I would ask they review after an engineer has reviewed first. MC would like advice and input based on their roles. New motion to commence their review immediately. Vote - Yes (MC, MA), No (PM, BW, JS, JK, KL), motion fails.

Town members have alerted me to a lot of litter on Sundays from Saturday night. The pub keepers need to clean the sidewalks. Sundays is the only day the sidewalk doesn't need to be cleaned. Who would clean plastic cups from the street.

JK – No meters on lower 8th between Ann Street and the Hampton Inn. Please verify if there are meters.

15. Manager's Report – We received a check for almost \$1,300 from the State Police for Fines and Penalties for the timeframe January – November.

We received a letter on Monday from the Monroe County Historical Society for a donation to fund the historical mansion and society. In the past we have waived permits for a roof. Move we do not send any money at this time JS, second by JK. Vote - No (BW, JS, JK, KL), Yes (MC, MA, PM), motion fails. Brian will send a letter and Mayor Probst and KL will send in a personal donation.

Item # 12 for a resolution approving the application for Penn Dot multi-mode of transportation grant, 30% matching funds from Borough, total project \$4,109,368.00. Motion to ask Penn Dot for funds JS second MA. Discussion: MC in favor of approving as application due December 16, 2016. This grant is to pave all the roads that have not been paved in the last 10 years with ADA ramps. Budgeted 30% (\$1,232,000.00 budgeted for 2017-2018 budget. Grant was written in 7 phases. We have enough in the Street fund to pay for phase 1. When Phase 1 is complete we submit to Penn Dot for re-imbursement to begin the next phase. All in favor, motion carries.

Should begin working to restricting and reassessing our wireless and Wi-Fi towers in the ordinance. There is a company who wants to install towers in right of way and on telephone poles. We worked with Cohen Law Group with Cable franchise fees. BB to get additional information and contact Cohen Law group but not to spend any money at this time. Forum at ESU on broadband and better access. Also investigate franchise fees from Blue Ridge Cable.

Have 2 personnel matters for Executive Session.

16. Approval of Bills on Warrant 161206 – Motion to approve BW, second by MA, All in favor, Motion carries.

Clarification from Ron Kimes on the Update motion to advertise for public hearing to amend the parking ordinances from 1 to 300 square feet in accordance with ITE by JS, second BW: Ron to confirm that off street parking using ITE standard Borough wide even in C2 district where off street parking is not required. We will leave C2 as is. We require off street parking in all areas except C2 zoning district. Amended Motion for off street parking requirements in MUA zoning district using the ITE Parking Generation Report 4th edition standard as is applies to our uses in that zoning district JS, second BW. Vote -Yes (JK, JS, BW, PM), No (KL, MC, MA). Motion carries.

Amended motion to include MUB zoning district to do the same as MUA and utilize ITE Parking Generation Report 4th edition standard by JK, JS. Vote -Yes (JK, JS, BW, PM), No (KL, MA, MC), Motion carries.

17. Executive Session – Motion to Executive Session MA, second by MC at 8:55pm. Reconvene Executive Session by MC, second JK at 9:00pm.

Motion to approve GA FMLA by MA, second BW. All in favor, motion carries.

Motion to hire Steve as Borough Manager conditional on background check. Motion dies.

Motion to hire Brian Bond as Borough Manager, negotiate offer and background check JS, second MA. Vote – Yes (PM, KL, BW, JS, MA), No (MC, JK). Motion carries.

18. Adjournment by JS, second MA at 9:13pm