

MINUTES
Stroudsburg Borough Council Meeting
Tuesday, February 16, 2016 at 7 p.m.

1. Call Meeting to Order/Roll Call: Council President Weiss called the meeting to order at 7 p.m. Borough Manager Cathryn Thomas called roll. Present were President Weiss, Vice-President James Smith, Council Members Joanne Kochanski, Ken Lang, Patrick Maurath, Matt Abell and Mark Connors. Also present were Mayor Tarah Probst and Solicitor Ralph Matergia.

2. The Pledge of Allegiance was recited.

3. Public Input:

Cecelia Yost introduced herself to the new Council. She has been a Stroudsburg Borough resident since 1983, was a Health and Physical Education teacher and Athletic Trainer in the Stroudsburg School District for 35 years, has been the borough's SROSRC representative for the last 10 years and is also currently the Chair of the Borough's Park and Recreation Commission.

Mrs. Yost gave a brief SROSRC update stating recently a \$15,000 DCNR matching grant was received to perform a trail gap analysis which will help project and plan for future trails along the Stroud Greenway and also that they are mailing out their publication of *Connections* to residents of the three municipalities to view available programs and employment opportunities.

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

4. Approval of Council Meeting Minutes from February 2, 2016: Mr. Maurath had one correction. Under Council Member Reports, it was he who reported the mattress and chairs, not Mr. Connors. Motion by Mrs. Kochanski, second by Mr. Smith, to approve the Council Meeting Minutes from February 2, 2016 with the correction mentioned. Motion passed; 6-0-1 with Mr. Lang abstaining.

Mr. Maurath also mentioned that right before the Executive Session at the last meeting he and Mr. Abell switched a committee assignment as earlier reported by President Weiss. Mr. Maurath is now on the Social Media Committee and Mr. Abell is now on the Street Committee.

5. Monthly Administrative Reports: Mr. Maurath questioned the number of man hours for vehicle repairs. Public Works Director Brian Bond said it could be anything, for example the spreader could have gone down, could be cutting edges on the plow or changing oils and filters after a storm. Motion by Mrs. Kochanski, second by Mr. Smith, to accept the Monthly Administrative Reports. Motion passed unanimously.

6. Accept January Treasurer's Reports: Motion by Mrs. Kochanski, second by Mr. Abell, to file the January Treasurer's Reports for audit. Motion passed unanimously.

Old Business

7. Consideration of a proposal from the Mayor to organize musical performances in Court House Square on Thursday nights: Mayor Probst reported that the County Commissioners should be approving this tomorrow. The concerts will be Thursday nights from June 2nd through August 4th in the grassy area by the PNC Bank closing Monroe from 6th to the circle. Ms. Thomas had checked and there is no additional insurance cost to cover these events. Mayor Probst stated there is no need for a stage, the groups will bring their own sound systems and a group of ESU students volunteered to perform the clean-up as community service to put on their

resumes. Ms. Probst asked about electricity to which Mr. Bond replied that she would need County approval for that.

Mrs. Kochanski reminded Ms. Probst that there are residents in that circle area so the music level should be kept low.

Ms. Probst asked the procedure for businesses to set up tables to sell food and drink. Zoning and Codes Officer Jeff Wilkins stated that all food and drink has to be prepared and governed through a licensed establishment and would have to obtain a temporary event permit.

Mr. Connors just wanted to clarify with the Mayor that she will be handing all the details for this event to which she replied yes.

Motion by Mr. Abell, second by Mr. Smith, to approve the specials events from June 2nd through August 4th. Motion passed unanimously.

8. Discussion of the request for tax exemption for property at 701 Main Street and possible consultants to be engaged by the Borough: Ms. Thomas and Council President Weiss did attend the hearing and were successful in getting the County to grant an extension of time to allow the Borough to have an appraisal performed by Tom McKeown to confirm the County's percentages at a cost of \$2,500. Mrs. Kochanski suggested we ask the School District if they are having their own appraisal and if not, they might want to share in the cost with us.

Solicitor Matergia suggested borough get counsel from somebody who understands the basis of the attack on the exemption to make sure the borough is paying for what they need to fashion an argument which will inform the borough what type of opinion testimony is needed to support that.

Motion by Mr. Lang, second by Mr. Abell, to authorize Ms. Thomas to retain counsel and an expert witness at a cap not to exceed \$2,500. Motion passed unanimously.

9. Discussion of grant writing: Ms. Thomas provided an RFP to many prospective grant writers and has received a few responses and is awaiting more. She will come back to Council when she has more feedback.

10. Consideration to accept the resignation of Borough Solicitor Ralph Matergia, who shall continue to serve through a transition period until a new solicitor is selected, which process is targeted to be completed by April 5: Motion by Mr. Connors, second by Mr. Abell, to regretfully accept the resignation of our long term Borough Solicitor with great thanks for his efforts to date contingent on us finding a new solicitor with his assistance who is able to fill his large shoes. Motion passed unanimously.

11. Discussion of the process to be employed in hiring a new Borough Solicitor, including developing a list of desirable qualifications for candidates to be considered to fill the position: Mr. Connors feels this is a good role for the new Personnel Committee to spearhead. He encouraged the entire Council to advance their input and criteria to the Personnel Committee to help direct the process. Mayor Probst stated there is a website out there for solicitors who are looking to be hired. Mrs. Kochanski is adamantly against that and feels we should choose someone local.

Motion by Mr. Lang, second by Mr. Smith, for the Personnel Committee to review the recommendations from Solicitor Matergia and whatever other research the Committee feels is necessary to move forward with the process to select a new Borough Solicitor. Motion passed unanimously.

New Business

12. Consideration of issuance of a Certificate of Appropriateness, as recommended for approval by the Historic Architectural Review Board, for 823 Donuts LLC, for the installation of an addition at 823 Main Street: Motion by Mr. Abell, second by Mr. Connors, to grant a Certificate of Appropriateness, as recommended for approval by the Historic Architectural Review Board, for 823 Donuts LLC, for the installation of an addition at 823 Main Street. Motion passed unanimously.

13. Request from the Panda Kitchen restaurant to lease a portion of Borough property for placement of a dumpster adjacent to their restaurant: The majority of Council feels this request should come from the building owner, not the tenant. Mr. Weiss stated we never got any cooperation from them when the dumpster was there previously and it took two years to get it removed. Ping Wang, the daughter of the tenant, was present and explained that they cannot operate their business without the dumpster.

Motion by Mr. Lang, second by Mr. Smith, to deny the request and to instruct the property owner to come back on behalf of the tenant. Motion passed unanimously.

14. Consideration of approval of the following change orders for the Fire Hall renovations project:

- a. Change Order No. 16 with General Contractor Nu Cor Management, Inc., an increase of \$3,208.45 for costs related to the overhead door center column repairs.
- b. Change Order No. 17 with General Contractor Nu Cor Management, Inc., an increase of \$3,676.31 for costs related to the modification of the overhead garage door detail.

Engineer Dave McGarry gave a brief explanation of both change orders. Motion by Mrs. Kochanski, second by Mr. Abell, to approve the change orders as listed above. Motion passed unanimously.

15. Discussion of a proposal to situate a new sign along Interstate 80 on Borough property to promote the Borough: Mayor Probst feels that the businesses downtown pay enough in rent and taxes and deserve more foot traffic downtown or we will see these businesses coming and going. She feels tasteful signage on Borough property will bring more tourism. Council had concerns of cost and visual clutter.

Mr. Abell stated the Jacob Stroud Corporation funded a study on this a few years back and suggested she speak with Rich Berkowitz who said he will check for that report but seems to remember they ran into a number of issues against placing signs at each targeted location. He suggested Mayor Probst contact John Schnaitman who headed up this project. He will get Ms. Probst a contact number for Mr. Schnaitman.

16. Consideration of a request from Public Works Director Brian Bond to attend various classes throughout 2016, over the course of 31 days, at Rutgers University to obtain the Certified Public Works Manager designation, specifying that the Borough is not being requested to fund nor reimburse the tuition of \$5,848: Mr. Maurath asked if these courses are offered somewhere in Pennsylvania. Mr. Bond stated these courses are only being offered in New Jersey. Mr. Abell feels the Borough should offer an incentive to help pay for a portion of the cost in exchange for some sort of commitment in writing. Other Council Members agreed. Mr. Bond stated he is just trying to save the Borough money. When asked by Mrs. Kochanski if he would give the Borough a two year commitment in writing without any tuition reimbursement Mr. Bond did not give any response. When the courses are completed, Mr. Connors requested a brief summary from Mr. Bond of what he learned.

Motion by Mrs. Kochanski, second by Mr. Lang, to approve the request from Public Works Director Brian Bond to attend various classes throughout 2016, over the course of 31 days, at Rutgers University to obtain the Certified Public Works Manager designation, specifying that the Borough is not being requested to fund nor reimburse the tuition of \$5,848. Motion passed unanimously.

17. Solicitor's Report: Mr. Matergia has a litigation matter regarding the Shanti House for Executive Session.

18. Mayor's Report: The Mayor thanked everyone who attended Winterfest. The sculptures were great.

Ms. Probst received a request from Linda at Mountain View Vineyard to hang banners and/or flags on lampposts in town to promote the Farmers Market and needed to know the size limitations and if the Borough has the brackets. Ms. Thomas explained that the Borough has no policy on these types of requests. They are handled by a case by case basis and that the lampposts will already have American flags and flower baskets hanging. Council felt they needed more specifics before considering the request.

19. Council Member Reports:

Mrs. Kochanski asked when the meters will be put in on 4th Street by the sewer plant and questioned the status of the air conditioning units by Aarons. Brian Bond replied when the weather breaks they can start the curbing, landscaping, then the meters.

Mr. Matergia stated the air conditioner issue is currently at a standstill. It was determined that the units could not have been there 21 years due to the dates stamped on them. The question is how the Borough will approach the property owner about raising them. Mr. Matergia will work on this before his targeted departure date of April 5th.

Mr. Smith doesn't feel he clearly understands the SROSRC budget and asked for Council consensus to possibly sit with Mrs. Yost and the SROSRC to get a better idea of how tax dollars are getting spent and to see if another business can offer the same level of service for a better price. Some Council Members weren't clear on the scope of work he was interested in. Mr. Connors nominated Mr. Smith to gather that information and bring it back to Council. Mrs. Yost defended SROSRC stating she has done her due diligence and if she felt funds were being mismanaged, she would not vote to pass the budget. Also as she understands it, Mr. Smith has already approached another business about managing our pool and doesn't know if Council is aware of that. Mrs. Kochanski stated she recently found out that Mr. Smith is on the YMCA Board which she stated is polling and illegal. Council consensus was they were in favor of Mr. Smith gathering information on how the pool is being managed but not to compare it with another business or negotiate a contract.

Mr. Lang stated he understands the Recycling Committee is active in meeting now and would like to forward them his comments about this being a terrible partnership which makes no money. Ms. Thomas stated the Committee has never been inactive however meetings are only held quarterly. The next scheduled meeting is March 9th.

Mr. Lang was also concerned about what type of challenges the upcoming Hyperglow Tour at the Sherman Theater will bring to Stroudsburg. Neither the Chief of Police nor Mr. Berkowitz of the Sherman Theater felt it would bring more challenges than any other Friday night event.

Mr. Abell thanked Mrs. Christman for the new Right-to-Know report and thought it would be helpful for it to include a short 4 or 5 word summary.

Mr. Abell asked Council asked if they were in favor of sending a letter to the County Commissioners and the Sewer Board regarding conducting their meetings during a more publically accessible time. Council was in favor and Ms. Thomas will draft a letter.

Mr. Connors forwarded a letter to Council from Ken Sandri regarding his interest in serving on our HARB which currently has no vacancy. Mr. Connors feels Mr. Sandri would be a great asset to the board as he is an architectural historian for Gray Towers and consults with the Monroe County Historical Society therefore he is willing to give up his seat on HARB which will allow him to concentrate more on Council.

Motion by Mrs. Kochanski, second by Mr. Smith, to accept the resignation of Mr. Connors from the HARB with regrets and thanks. Motion passed unanimously.

Motion by Mr. Connors, second by Mrs. Kochanski, to appoint Mr. Ken Sandri to the HARB. Motion passed unanimously.

Mr. Maurath asked for an update on the request for a curb cut at 510 Wallace Street. Mr. Wilkins stated the borough requested the applicant submit a detailed design of the curb cut which has not yet been received and therefore consideration is on hold.

20. Manager's Report: Ms. Thomas took a roll call vote on which Council Members would like borough emails. Ms. Probst, Mr. Weiss, Mr. Connors, Mr. Smith and Mr. Maurath are a yes. Mrs. Kochanski, Mr. Lang and Mr. Abell are a no.

Ms. Thomas reported that today the borough received confirmation from ESSA for the approval of the funding of the 2016 Pierce Pumper truck for up to \$490,379.03 for a 10 year term loan which will have to be reviewed by our bond counsel and approved by ordinance, prior to which Borough must hold a public hearing on the proposed ordinance.

21. Approval of Bills on Warrant 160216: Motion by Mrs. Kochanski, second by Mr. Abell, to approve the bills on Warrant 160216. Motion passed unanimously.

22. Executive Session: Motion by Mrs. Kochanski, second by Mr. Abell, to move to Executive Session at 8:57 p.m. to discuss a litigation matter regarding the Shanti House. Motion passed unanimously.

Motion by Mrs. Kochanski, second by Mr. Connors, to resume the regular session at 9:15 p.m. Motion passed unanimously.

During the Executive Session a matter of litigation was discussed and no action was taken.

Motion by Mrs. Kochanski, second by Mr. Connors, to reject the counter-proposal dated February 11, 2016 from development company Shanti House LLC, relative to the development proposal for 625, 629 and 633 Main Street, which had been in response to the Borough's settlement letter dated February 9, 2016.

23. Adjournment: Motion by Mr. Lang, second by Mr. Connors, to adjourn at 9:16 p.m. Motion passed unanimously.

Approved:

Boyd Weiss, President of Council

Attest:

Cathryn Thomas, Borough Manager/Secretary