

MINUTES
Stroudsburg Borough Council Meeting
Tuesday, November 15, 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 3 days of the time the notice of violation was issued, except violations of §408 will have a fine of \$15. Motion to close JS, second JK, motion carries.
 - 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 10 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 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 close BW, second JK. Open discussion: MA changes are very aggressive compared to current ordinance and predatory, not good for downtown business. 3 days is not enough time to pay. I have an issue for an increase in fine and decrease in time to pay, would happily support one or the other. Would like to see 3 days increase to 7 or 8 days and the 10 day to increase to 14 days. I feel that is more realistic. JS agrees with MA. Concerned with students and the elderly not having enough money to pay in time frame. JK advised you can pay tickets online.

Motion to amend and extend days from 3 to 5 and 10 to 12 days BW, second JK. Open discussion: JS feels 5 days not adequate, cannot support anything less than 7 days, MA agrees. MC asking is we need to advertise for a different ordinance. Per Solicitor McDonald re-advertise for another public hearing. Motion fails unanimously.

Will re-advertise for public hearing to pay from 3 days to 7 days and from 10 days to 14 days. Motion JS and second MA. Discussion: MC is everyone in favor from the \$10 to \$15 increase. All in favor, Motion carries.

- 4. Public Input on Non-Agenda Items - Mr. Barry Lynch did Winterfest last year. This year scheduled for Saturday February 18, 2017 in Courthouse Square. Per BB they have not asked for help from the Borough or Street Department. Will need barriers set up for ice sculptures. Will bring up at the next council meeting on December 6th. Motion to close JS second MA, all in favor, Motion carries.
- 5. Approval of Council Meeting Minutes:
 - a. November 01, 2016 Regular Meeting. Motion to close BW second JK. Motion carries.
 - b. November 01, 2016 Special Meeting. Correction MC was in attendance for Quorum. Correct spelling of "Surety" was updated in minutes.
- 6. Monthly Administrative Reports. Motion to accept JK second BW, all in favor, Motion carries.

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| a. Permits Issued Report | d. Right-To-Know Report |
| b. Street Department Report | e. Police Department Report (provided via email) |
| c. Parking Report | f. Fire Department Reports (Aug, Sep, Oct) |

Old Business

7. Consideration to approve a revised version of the 2017 Proposed Budget as the 2017 Final Adopted Budget – Per BB we have solid SARP numbers. Changing one employee to opt out of health insurance, major medical (line item 487.159), will now take family. Increase line item to \$228,814K. Calculated 93% for total tax base for property taxes. Motion to approve BW second MA, discussion: PM since parking fee change was assumed into the budget, I don't think we can vote on it since it's not yet approved. Per BB we are going to re-advertise as a friendly amendment, per KL it didn't change the rates only the time frame to pay. PM was funding for Doggie bags included. BB included 465.374 are included under maintenance & repair. All in favor, Motion carries unanimously

8. Consideration to approve a revised version of the Tax Ordinance setting the millage rates for 2017 relative to what is contained in the 2017 Final Adopted Budget. Motion to approve BW second JS, discussion: MC any differences, BB were able to shift millage from other funds to lower General Fund millage so if taxes need to raise we have a little cushion. Transferred more to Park & Recreation to offset any fees. Budgeted \$1K additional which was approved by SROSRC. All in favor except PM votes no, Motion carries.

New Business

9. Consideration of a resolution to adopt the 2016 Monroe County Hazard Mitigation Plan. Same Mitigation and is available online at Monroe County Control Center. Motion to adopt JK second JS. All in favor, Motion carries.

10. Consideration of the received Banking RFP's. Wayne Bank and ESSA very close and similar.

| Wayne Bank | ESSA Bank |
|--|--|
| .1% business checking interest | .1% business checking interest |
| .3% investment/money market interest (6 business acct's & 8 investment acct's) | .4% investment/money market interest (2 acct's only) |
| Waive all fees on all accounts | Apply all fees to all accounts |
| Estimated interest \$23,760 | Estimated interest \$20K less \$2,500 fees |
| No Fee for Dunbar coin collection | No Fee for Dunbar coin collection |
| CRA rating of outstanding | CRA rating of satisfactory |
| Positive pay service offered currently | Implementing Positive pay service early 2017 |

Recommending staying with Wayne Bank. Motion to approve JK second MA. Discussion: PM please explain the CRA rating. Per BB it is the Community Re-investment Act and is the FDIC rating. Were other banks considered? Per BB 7 local banks received RFP's. Only Wayne Bank and ESSA could handle meter coin at no fee. MC what is Positive pay service? Per BB it is a

service where the bank and borough work hand in hand reporting with check numbers and balances, helps with fraud. All in favor, Motion carries.

11. Consideration to approve the 2017 Budget for the Stroud Area Regional Police Department (SARPD), as recommended for approval by the SARPD Commission, with the contribution from the Borough of Stroudsburg to be \$1,424,899, an increase of \$3,604, or .25%. Motion to approve JK second BW. All in favor, Motion carries.
12. Consideration of a request from Marc R. Wolfe, Esquire, representing Shanti House, LLC to schedule a conditional use hearing on a date to be determined, on or before December 5, 2016. Solicitor McDonald wrote letter, agreed for continuance of 90 days on September 6, 2016 which will expire December 6th. Letter asks what the client will do. Received response last week. Attorney Wolfe submitted a settlement proposal giving us additional time and a 90 days continuance. Solicitor McDonald recommends Shanty House additional 90 days conditional use application. Need to reach determination from 2015. Discussion: MC how will this continuous be different. Per Solicitor McDonald we do not have to continue to a specific date/time. Need conditional use hearing for 2016 plan unless we reach a settlement on 2015 outstanding litigation. Will go over more in Executive Session. Per BW no one showed up at the planning commission although they were on the agenda, they want residential housing on the 1st floor. Per Solicitor McDonald letter was submitted to a planning committee member, same letter to President Ken Lang. per JS if we do not grant the continuous what happens? Per Solicitor McDonald we would receive a stern letter from the judge; we would need to conduct a hearing. Advise to discuss at Executive Session. Move to table until Executive Session MC second JS. All in favor, Motion carries.
13. Consideration of a request from Monroe County Vector Control for a donation to continue and improve the combat West Nile and Zika Virus surveillance and control program. Motion to donate JK second BW, discussion: Per BB they have received grants in the past, looking for Monroe County municipalities to donate \$2,000 to help in the monitoring and combating mosquitos. Place traps, there is a population of a mosquito carrying the Zika virus in the Saylorburg area. PM is there testing in water areas within the Borough? Per BB testing is in the Borough wherever there is standing water. BW you want to be able to warn people this can be an issue. JS states this is the 1st time we are donating, funded previously through grants. If county wide all municipalities should be contributing. All in favor except JS who votes no, Motion carries.
14. Consideration of a request from SROSRC to send a letter to PA DEP regarding the scheduling of all upcoming and future events on the Levee Loop as per the current Intermunicipal Agreement. Motion to approve JK second BW. All in favor, Motion carries.
15. Consideration of issuance of a Certificate of Appropriateness, as recommended for approval by the Historic Architectural Review Board, Troy Nauman, for the replacement of roofing at 913 Main Street. Motion to approve JK second JS. Discussion: shingles are slate. All in favor, Motion carries unanimously.

16. Consideration of issuance of a Certificate of Appropriateness, as recommended for approval by the Historic Architectural Review Board, George Halas, for the installation of for the installation of the railings to the stairs at 25 North Eighth Street. Motion to approve JK second MC. Discussion: historic railing and owner is duplicating existing. All in favor, Motion carries.

17. Solicitor's Report. Follow up on the special meeting All Granite & Marble. Misunderstanding between developers, developer's counsel and bonding company. Agreeing to a confession of judgement clause in the format of the bond. Have signed developer's agreement from last May for a letter of credit from the lender. They would like to substitute the letter of credit with the bond. They did produce a form of the bond with the confession of judgement clause. Amend the original agreement with the updated bond. Plans from 2006 need to be signed. Developer is ready to begin. Spoke to Attorney Materga and he agrees. Motion to accept guarantee of North America Land Development Bond which includes the confession of judgement clause by BW second JK. Discussion MC are they a well rated bonding company? Per Solicitor McDonald they included a Commonwealth of PA Department of Insurance Certificate of Authority to do business in PA, AM Best ratings services reflecting an AM Best as A-Excellent. All in favor, Motion carries unanimously. Have two items for Executive Session (Rite Aid project with threatened litigation and Shanty house offer for a continuous).

Parking Service Agreement new app (Park Mobile), any disagreements need to be handled in Georgia. No warranty offered, offered "As Is". Per BW this is the largest company in the US, is this standard contract? Solicitor McDonald advising this is a one year contract to renew automatically unless 60 day notice is provided by either party. Solicitor McDonald will provide bullet point recommendation on contract. Per BB spoke to Loop 2 system, we can program in at any time. Merchant Processing would need 30 days to install. Defer to Solicitor McDonald to draw up contract language. MC is this software/hardware independent. Per BB it is independent. Motion to sign contract MC second MA. All in favor, Motion carries unanimously.

18. Mayor's Report. Stroudsburg ranked 12 out of 14 for coziest US winter towns. Thanks to the Street Department for ESSA's key to the city. November 25th Christmas Tree Lighting Ceremony and November 26th Small Business Saturday. TODD program has been approved by Penn Dot for signage. We have sent payment and are waiting for the signs.

19. Council Member Reports

PM – Question for Solicitor McDonald on Wayne Bank's 1st Data RFP and merchant processing services.

MC- Interviewed for Borough Manager Position will include minutes at next meeting. Personnel to discuss in Executive Session.

MA- Recycling in Hill district was missed this week (Scott, Wallace, Thomas), need to wait another 2 weeks for pickup, this is not acceptable. Motion for a letter of reprimand for both employees MA second KL. Discussion, JS feels the council should not be

making recommendation to reprimand employees. Would need to go through East Stroudsburg Borough too. One Borough employee and One East Stroudsburg Borough employee, both Union. Will look to update policy at the next Recycling meeting if date is missed due to a holiday or day off to work OT or Saturday to pick up recycling. Motion failed unanimously.

KL- have one item but can't remember

BW- Traffic in Stroudsburg blocking intersections maybe put up a sign for No standing and No parking at 4th Street by Wells Fargo. No blocking the intersection sign at 6th and 8th. Motion for signs carries.

JS- Captain Lyons, Skate Park re-opening was curtailed. New Police Chief invite to council meeting. All approve. Follow up on Ray Price issue on lower Main. Per Solicitor McDonald no formal action has been taken. Parking ordinances and zoning miscommunications. Motion to direct staff to look at parking ordinances and provide council with recommendations at the next council meeting. All in favor but MC, Motion carries,

JK- Happy Thanksgiving

20. Manager's Report – MC asked for solar lighting. Spoke to Nate Oiler, nothing in the 2016 budget. Motion to research solar power options by MA second JK, All in favor. Requesting SROSRC place cameras and a Wi-Fi bridge from Pool to Public Works Complex. Would have cameras at the Pool, Public Works Complex and Skate Park. They can donate \$3k, total project \$22k, can be completed in stages. In the process of building a Camera Wall at SARP. Will include information in council packets. Need good quality cameras to zoom in to pick up license plates. Anyone who enrolled for November 21st meeting for Regional Planning Middle Smithfield Township at 4:30pm.
21. Approval of Bills on Warrant 161115. Motion to approve BW second MA, Discussion for detailing which was for the firetrucks. All in favor, Motion carries.
22. Executive Session – motion to adjourn to Executive Session at 8:19pm JS second MA, All in favor, Motion carries
23. A motion was made by Mr. Abell, seconded by Mr. Smith to authorize a ninety (90) day continuance to Shanti House, LLC. property owner of record for 621-625 Main Street, in connection with its 2016 Conditional Use Application/Public Hearing. The ninety (90) day continuance shall begin on December 5, 2016. Borough Solicitor Joseph McDonald suggested that Council schedule a special meeting for the purpose of conducting the public hearing. He will discuss that with the applicant's attorney. Roll call vote: Mr. Maurath-yes; Mr. Connors-abstain; Mr. Abell-yes; Mr. Weiss-yes; Mr. Smith-abstain; Mrs. Kochanski-yes; Mr. Lang-yes. The motion was carried.
24. A motion was made by Mrs. Kochanski, seconded by Mr. Maurath to schedule a special meeting on Tuesday, November 22, 2016 at 4:45 P.M. for the purpose of interviewing Interim Borough Manager Brian Bond for a second time. The motion was carried with all present voting aye.

25. The meeting was adjourned at 9:15 P.M. on a motion made by Mr. Smith, seconded by Mr. Lang. The motion was carried with all present voting aye.

26. Adjournment