

MINUTES  
Stroudsburg Borough Council Meeting  
Tuesday, January 3, 2017 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, 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 Input. Motion to close JS, second JK. All in favor, Motion carries.
3. Approval of Council Meeting Minutes from December 20, 2016. Motion to approve JK, second by MA. All in favor with KL abstaining. Motion carries.

**Old Business**

4. Discussion of proposed I-80 area of disturbance property list. BB went over the maps from the Engineering Consultant that Penn Dot sent over with proposed areas of disturbance. Lists addresses, property owners, residential or commercial, partial and full lots (more than half the property listed as full). Forward to the tax office for losses. Listing a cemetery in the area. Online maps not complete still in the preliminary stages. Environmental people at Penn Dot are having problems with finding drainage areas and storm water. The Conservation District would handle. Next steps: We need to see where they go from here. How taxes will be affected. We will lose the snow belt at Schiffers. They would need to do an environmental cleanup. BB to keep council informed. The Mayor, MC and JK are on the committee to work with BB. Suggest we recruit citizens to the task force committee.

**New Business**

6. Consideration of Annual Position Appointments
  - a. Council President Pro Tem: Joanne Kochanski
  - b. Vacancy Board Chair: Kathleen Lockwood
  - c. Borough Solicitor: Joseph McDonald
  - d. Borough Engineer: Nate Oiler, P.E., RKR Hess, A Division of UTRS
  - e. Borough Manager/Secretary/Treasurer: Brian S. Bond
  - f. Zoning Hearing/Codes Hearing Board Solicitor: Todd Weitzmann, Esq.
  - g. Planning Commission Solicitor: Joseph McDonald, Esq. (**spoke previously to look for an alternate Solicitor. Will advertise with the Bar Association.**)
  - h. Alternate Borough Secretary and Right-To-Know/Open Records Officer: Mary Pat QuinnMove to accept annual position appointments JS, second by MA. All in favor, Motion carries.
7. Consideration of Annual Board Appointments
  - a. Council of Governments representative and alternate (Tarah Probst; Brian Bond as alternate) **Remove Mayor Probst. Motion to name BB with the alternate position open JS, second by MA. All in favor, Motion carries.**
  - b. MECAB representative and alternate (Boyd Weiss; Joanne Kochanski as alternate)
  - c. Tax Collection Committee (Brian Bond; two needed as alternates). **Motion to list JK and Mayor Probst as alternate JS, second by MA. All in favor, Motion Carries.**

*Note: Names in parentheses are members/alternates with terms that had ended 12/31/16.*

8. Consideration of Board and Commission Appointments
  - a. Planning Commission (George Nunn, Anthony Lanfrank, Joseph McDonald, Esq. (Solicitor))
  - b. Zoning Hearing Board (Christopher Schnaitman, Todd Weitzman, Esq. (Solicitor))
  - c. Park and Recreation Board (Mark McDonald) (**Wanda Lasher is interested**)
  - d. Shade Tree Commission as recommended by the Shade Tree Committee Kristina Anzini (**vacancy on this committee.**)
  - e. Monroe County Control Center (Joanne Kochanski, Robert Phillips)
  - f. Historic Architectural Review Board (Yarrow Wilkens, Margot Vagliardo)
  - g. Stroud Regional Open Space Recreation Commission (Cecilia Yost)
  - h. Stroud Regional Area Police Commission (Joanne Kochanski, Tarah Probst)

Motion to approve Board and Commission Appointments JS, second by JK. All in favor, Motion Carries.
  
9. Consideration of Approval of Depositories
  - a. Wayne Bank      b. PNC Bank      c. PA Treasury Invest Program
  - d. ESSA Bank

Motion to Approve Depositories JK, second by MA. All in favor, Motion Carries.
  
10. Consideration of Council Committee Assignments
  - a. Finance Committee (Ken Lang, James Smith, Mary Pat Quinn, Brian Bond)
  - b. Street Committee (Boyd Weiss, James Smith, Tarah Probst,) **Add JK**
  - c. Sewer Committee (James Smith, Matt Abell, Eric Scelza, Boyd Weiss, Brian Ace, Brian Bond) **Remove JS**
  - d. Codes Committee (Joanne Kochanski, Mark Connors, Maryann Kowalyshyn, Patrick Maurath, Tarah Probst)
  - e. Recycling Committee (James Smith, Boyd Weiss, Brian Bond)
  - f. Parking Committee (Boyd Weiss, Jack Muehlhan, Martha Loomis, Kathleen Lockwood, Erica McCabe, Don Johnson) **Add PM. Remove Martha Loomis.**
  - g. Personnel Committee (Mark Connors, James Smith, Tarah Probst, Patrick Maurath). **Remove MC, Mayor Probst, Add JK.**
  - h. Capital Expenditure Committee (Mark Connors, James Smith, Brian Bond, Brian Ace, Tarah Probst, Joanne Kochanski). **Remove MC, JS. Motion to merge Capital Expenditure Committee with the Finance Committee MC, second by JS. All in favor, Motion Carries.**
  - i. PR/Media Committee (Tarah Probst, Erica McCabe, Angelica White, Patrick Maurath, Debbie Weatherford)
  - j. Redevelopment Committee (Matt Abell, Mark Connors, James Smith, Ron Kimes)
  - k. Interstate 80 Task Force Committee (Joanne Kochanski, Mark Connors). **Add Mayor Probst, BW.** Per KL Committee Appointments are Official.
  
11. Consider approval of the Borough Mileage Reimbursement Rate, to be set the same as the Government/Internal Revenue Service Rate of 53.5 cents per mile for 2017 (down \$.05 from 2016). Motion to set the mileage rate at 53.5 cents per mile for 2017 JK, second by MA. Rates comes from the IRS. All in favor, Motion Carries.
  
12. Consider authorizing early payment of invoices for discounts and/or to avoid late charges (i.e., first-of-month items payable). Motion to authorize early payment of invoices for discounts and/or to avoid late charges MA, second JK. All in favor, Motion Carries.
  
13. Consider Approval of the 2017 Wage and Salary Plan. Per the Union Contract and Finance Committee Approved a .20 cent raise is approved across the board for everyone except the Mayor and Council Members. Per Mayor Probst the Mayor in the 1960's was paid \$100. May want to increase the amount in the future for the Mayor and Council. BB can meet with Solicitor McDonald to review the code.

Salaries are broken down over several funds. Non union raises are an average percentage of the union contract. Ron Kimes has taken over a variety of roles, how does this affect him. Motion to set 2017 Wage and Salary Plan minus the Borough Manager JK, second by MA. All in favor, Motion Carries.

14. Solicitor's Report – Since December 20th, RK and I have been working to draft the ordinance put in play by council in December affecting the change in off street parking ratio for certain uses in certain districts. Brought draft copies for review. About to be circulated. Drafted some background recitals. Need to send to the planning commissions and the County this week. Have a meeting for February 7, 2017. Distinguish between MUA/MUB districts only. BB pointed out some typos/errors in off street parking ordinance which is included. This is the version summarized for public notice. We don't have to publish the entire document. We just need to summarize what is intended. The entire ordinance would be published in the Pocono Record, is available at the Law Library and at the Borough Hall. Council and the Mayor's office will send any issues to Solicitor McDonald within the next 2 days.

Update on Shanty House litigation for Executive Session.

15. Mayor's Report – Met with the Mayor of Easton, they have had a successful turnaround going green. Alleyways updated to pavers. Penn Dot owns some of the roads. Easton got paid to take back some streets called a "turnback". Could we take back Main Street. Go back to diagonal parking instead of behind each other. Main Street is a designated as a large vehicle route and is scheduled to be paved in the next 5 years. We would need to maintain if we took the road back. Need to research the cost to maintain Main Street from Penn Dot. The Street Committee to discuss first then pass over to BB. We should file for every grant available.

#### 16. Council Member Reports

PM – the budget accounted for the \$15 ticket increase. Do we need to update since the tickets went up to \$10. Per BB the budget is always under estimated, we are OK.

MC – NTR

MA – NTR

KL – NTR

BW – want to thank everyone for their sympathy on the death of my son.

JS - Motion to advertise for a planning Solicitor who can act as our alternate Solicitor JS, BW, all in favor. Motion Carries.

There is a recycling committee meeting 1/11. We have made a lot of progress and have lowered the cost of brush grinding. Update on bike racks. Spoke to MCI and they are unable to do multiple designs. Needs to fit into the education program. We would have to powder coat the racks. Still working with Ralph Materga on the funding. Have a personnel matter for Executive Session.

JK - NTR

17. Manager's Report – Received an email from Eric Selza. He went in front of the Zoning Hearing Board for a variance. There was a Quorum but was a 2-2 tie. He wants to go in front of the Board again but wants the fee waived for a re-submission. Per Ron, Mr. Selza submitted an application for a variance for a vacant property on Phillips Street. He wants to install a 6 foot high fence around the property. The ordinance reads as follows: any fence that fronts a public right of way should be at a maximum height of 4 feet 2 inches. Mr. Selza applied for the application. The vote was a tie. He would like to come back but

wants the fee waived. The fee cost is \$350. Motion to waive the zoning board fee MA, second by JK. Discussion: Per Solicitor McDonald a tie vote is equivalent to a denial. We have never waived the fee but no one has ever had to come back. Vote – yes (KL, MA, JK), Vote – No (JS, BW, MC, PM). Motion fails and is denied.

Budgeted for the financing of the sewer van. Have received 2 RFP's, expecting from Wayne Bank and ESSA. 3.28%, 5 years, annual payment of \$43,257.74, total payment \$216,289 or 3.34%, 6 years, annual payment \$36,071.98, total payments \$216,432. Difference of \$142.88. Annually budgeted for \$42,150. CCTV to video sanitary sewer line on the van. The Finance Committee will meet and advise.

Have 1 litigation item for Executive Session.

18. Approval of Bills on Warrants 170103. Motion to approve MA, second by JK. All in favor, Motion Carries. Advise who is HDH Group and what is it for.

19. Executive Session. Move to adjourn to Executive Session at 8:10pm JK, second by BW. All in favor.

Motion by JS, second by JK to convene executive session @ 8:11p.m.

In the matter of Borough of Stroudsburg v. Shanti House, LLC and the Zoning Hearing Board of the Borough of Stroudsburg, Councilman Connors made a motion, second by James Smith to authorize the Solicitor to withdraw the Borough's Commonwealth Court Appeal of Judge Zulick's September 16<sup>th</sup> order denying the Stroudsburg Zoning Hearing Board's Petition to Strike the deemed approval, subject to a Stipulation between the Borough and Shanti House, LLC preserving to the Borough all rights as set forth in the Borough's Land Use Appeal docketed to Monroe County No. 9390 CV 2015. Motion passes unanimously.

Motion by JS, second by MC to adjourn Executive session @ 8:35p.m.

Motion by JK, second by JS to reconvene regular Session @ 8:35p.m.

20. Adjournment. Motion to Adjourn JK, second by JS, unanimous @ 9:38p.m.