

STROUDSBURG BOROUGH COUNCIL
MINUTES, MARCH 20, 2018

A regular meeting of the Stroudsburg Borough Council convened at 7:00 P.M. in the Council Chambers of the Stroudsburg Borough Municipal Building on March 20, 2018 with the following members present: James Smith, Council President; Boyd Weiss, Vice-President of Council; Joanne Kochanski, Council President Pro-Tem; Councilman Anthony Lanfrank; Councilman Matt Abell; Councilman Mark Connors; and Councilman Patrick Maurath. Mayor Tarah Probst; Borough Solicitor Joseph P. McDonald, Jr.; Ronald Kimes, Code Enforcement Officer; Brian Ace, Superintendent of Streets; Andrew Lindauer, Assistant to the Code Enforcement Officer; and Interim Borough Manager Mary Pat Quinn were also present.

Public Input for Non-Agenda Items

The meeting was opened to the public for non-agenda items. Ms. Saundra Wilder, a resident of 409 Collins Street, was present to request the removal of a handicap sign from the front of her residence. The matter will be referred to the Parking Committee for follow up.

Tim Gasiewski, Special Events Coordinator of the Sherman Theater, was present to follow up on the discussion regarding Stroudfest 2018. Mr. Gasiewski provided the Borough Manager's Office with the required Certificate of Liability Insurance naming the Borough of Stroudsburg as additional insured. He received approval from the Stroudsburg Fire Chief. He rescinded his former request to allow two-way traffic on North 6th Street as his group will no longer require access to the County parking deck. A motion to approve Stroudfest 2018 was made by Mr. Abell, seconded by Mr. Lanfrank. The motion was carried with all present voting affirmatively.

There were no other questions or comments from the public.

Approval of Minutes

A motion was made by Mr. Abell, seconded by Mr. Maurath to approve the minutes of the March 6, 2018 meeting as circulated. Solicitor McDonald noted that there was an error under #13 Solicitor's Report. The fourth sentence starts with "Council needs to either withdraw the application....." "Council" needs to be replaced with "Counsel". The motion was carried with this amendment with all present voting affirmatively, except Mr. Smith, who abstained.

Monthly Reports

A motion was made by Mr. Maurath, seconded by Mr. Abell to approve the monthly administrative reports from the Codes Office, Public Works, Parking, Fire Department, and Right-to Know Officer. The motion was carried with all present voting affirmatively.

A motion was made by Mrs. Kochanski, seconded by Mr. Abell to accept the unaudited Treasurer's Report for February 2018. The motion was carried with all present voting affirmatively.

OLD BUSINESS

Consideration of Mobile Payment Processing Systems, Inc. Agreement

Solicitor McDonald reported that he sent a letter on March 6, 2018 to Park Mobile to confirm that the Borough does not have a valid contract for mobile app services. A response to that letter has not been received as of the date of the meeting. Solicitor McDonald will follow up with a final letter. A motion was made by Mrs. Kochanski, seconded by Mr. Lanfrank to table this matter pending direction from Solicitor McDonald. The motion was carried with all present voting affirmatively.

Consideration of Remaining Municipal Building Renovation Project Loan Balance

Ms. Quinn reported that the Borough has \$289,601.43 remaining in the Municipal Building Renovation Project Loan that can/must be drawn down by January 1, 2019. The Finance Committee had previously discussed some needs, such as a new roof on the Municipal Building, a fire alarm system (strongly suggested by the Fire Department), and the reconfiguration of the reception area together with a bullet proof window.

A discussion ensued with various members of the Council contributing ideas. A motion was made by Mrs. Kochanski, seconded by Mr. Weiss to direct the staff to consult with an architect or roofing design specialist to determine the scope of work necessary to either repair or replace the roof. The motion was carried with all present voting affirmatively.

A motion was made by Mr. Connors, seconded by Mr. Lanfrank to direct the staff to consult with an architect to design a fire alarm system and the reconfiguration of the reception area for future consideration. The motion was carried with all present voting affirmatively, except Mr. Maurath, who voted no.

NEW BUSINESS

Consideration of a Request from UGI Penn Natural Gas, Inc. for a Right-of-Way Agreement

Representatives of UGI Penn Natural Gas, Inc. were present to follow up on their company's request for a right-of-way agreement for Parcel ID #18-2/1/12/1, which is located at the corner of Brown Street and Wallace Street and commonly referred to the "shale" pit. Present were Jeremy Toner, P.E.; Edward Boden, Operations Supervisor; and Timothy Stewart. The right of way is required for UGI's installation of regulator station.

Mr. Boden noted that there are seven existing distribution stations in the Borough. The installation of a new regulator station would provide UGI with the ability to better serve the customers of the Borough. Mrs. Kochanski asked about the decibel level of the regulator. Mr. Stewart answered that the noise would be constant and likened it to a car driving by. There was a discussion about providing a buffer to dissipate the noise. A concern was raised about protecting the regulator from damage; UGI is willing to install concrete bollards.

Council asked that Mr. Ace and Mr. Kimes schedule a site meeting with the representatives of UGI to obtain more information about the project and what can be done to minimize the noise.

A motion was made by Mr. Connors, seconded by Mr. Lanfrank to table pending further discussion with UGI to pin down issues. The motion was carried with all present voting affirmatively.

Consideration of Awarding the Bid for the Levee Culvert Rehabilitation Project

Six bids were received on March 6, 2018 for the Levee Culvert Rehabilitation Project: Mar-Allen Concrete, \$98,692.00; Workforce Construction, Inc., \$53,640.00; ISG, \$137,472.00; CMR Construction, Inc., \$74,900.00; Maiocco Excavating, Inc., \$69,617.00; and Aaron Enterprises, Inc., \$133,600.00. The bid documents for the three lowest bidders were sent to the Borough Engineer and the Borough Solicitor for review and recommendation.

A letter dated March 14, 2018 from Ann Wingert, P.E., Project Engineer, with the office of RKR Hess recommended that Council award the bid to Workforce Construction, Inc. in the amount of \$53,640.00. Solicitor McDonald also recommended the award. Mr. Abell asked what the budget appropriation is for the project at which time, Ms. Quinn responded that the budget, based on the Engineer's estimate, is \$56,175.00. The funds are appropriated from the Capital Improvement Fund.

A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to award the bid for the Levee Culvert Rehabilitation Project to Workforce Construction, Inc. for the bid amount of \$53,640.00. The motion was carried with all present voting affirmatively.

Consideration of a Request from the Monroe County Bar Assoc. – Annual Law Day Race

Denise Burdge, Executive Director of the Monroe County Bar Association, was present to discuss the Association's request to hold the Annual Law Day Race on April 29, 2018. Her letter dated March 9, 2018 was acknowledged and discussed. A motion was made by Mr. Abell, seconded by Mrs. Kochanski to authorize the Annual Law Day Race on April 29, 2018. The motion was carried with all present voting affirmatively.

Consideration of an Addendum to the Allocation of Assets for the Non-Uniformed Pension Plan

A motion was made by Mrs. Kochanski, seconded by Mr. Weiss to approve the Addendum to the Stroudsburg Borough Non-Uniformed Pension Plan Allocation of Assets in accordance with the recommendation of the Stroudsburg Pension Board. The Pension Board held a meeting on February 26, 2018 and recommended the following:

ADDENDUM TO THE PENSION INVESTMENT POLICY STATEMENT

This Addendum is part of the Investment Policy Statement of the Stroudsburg Borough Non-Uniformed Pension Plan (the "Fund"). The Pension Board believes that to achieve the greatest

likelihood of meeting Fund objectives and the best balance between risk and return for optimal diversification, the Fund should allocate assets in accordance with the targets for each asset class as follows:

<u>Asset Class</u>	<u>Asset Weighting</u>	
	<u>Range</u>	<u>Target</u>
Domestic Equity	46%-56%	51%
International Equity	10%-20%	15%
Fixed Income	27%-37%	32%
Cash	0%-10%	2%

The motion was carried with all present voting affirmatively.

Acknowledge the Resignation of James Gregor from the Stroudsburg Borough Planning Comm.

A motion was made by Mrs. Kochanski, seconded by Mr. Weiss to accept the resignation of James Gregor as a member of the Planning Commission. Ms. Quinn was directed to send a letter of thanks to Mr. Gregor for his service. The motion was carried with all present voting affirmatively.

Acknowledge Appointment of Siobhan L. Dunleavy as Deputy Tax Collector

A motion was made by Mrs. Kochanski, seconded by Mr. Abell to acknowledge and approve the appointment by Lynn Harrison, the Tax Collector of the Borough of Stroudsburg, of Siobhan L. Dunleavy as Deputy Tax Collector. Ms. Dunleavy's term will run concurrent with Ms. Harrison's term of office. Ms. Harrison was present at the meeting and advised Council that Ms. Dunleavy is her daughter, and served as her Deputy during her last term. The motion was carried with all present voting affirmatively. Ms. Quinn will execute the Act 48-2015 Appointment of Deputy Tax Collector Form on behalf of the Borough.

Consider Proposed Language for Convenience Store Use

In response to the March 1, 2018 Zoning Amendment Application of John Parker to include the use of a Convenience Store in the Zoning Ordinance, Ron Kimes, the Zoning Officer, was directed by Council at a previous meeting to submit proposed language to define a that use. A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to direct Solicitor McDonald to prepare a draft Ordinance which will be forwarded to the Borough's Planning Commission as well as the Monroe County Planning Commission for review and recommendation. The motion was carried with all present voting affirmatively.

Consideration of a Resolution to Transfer Budget Appropriations to close out CY 2017

The following Resolution was adopted on a motion made by Mr. Weiss, seconded by Mrs. Kochanski. The motion was carried with all present voting affirmatively.

A RESOLUTION OF THE BOROUGH OF STROUDSBURG, MONROE COUNTY,
PENNSYLVANIA, AUTHORIZING TRANSFER OF FUNDS FOR BUDGET PURPOSES

WHEREAS, the Borough Council of the Borough of Stroudsburg (the "Municipality"), Monroe County, Pennsylvania, has considered the need to approve the following budgetary transfers for CY 2017:
Sewer Fund

From

\$ 94.81	Salary of Borough Manager (08-401-121)
<u>\$48,441.00</u>	BCRA Reimburse O & M (08-426-408)
\$48,535.81	Total

To

\$ 25.00	Mayor Salary (08-400-112)
\$ 20.64	Medicare Tax (08-400-163)
\$ 58.19	Travel-Council (08-400-331)
\$ 5.13	Vehicle Expense (08-401-230)
\$ 50.77	Telephone (08-401-321)
\$ 1,703.01	Printing (08-401-340)
\$ 183.62	Dues/Subscriptions/Memberships (08-401-420)
\$ 2,322.71	Entitlement-Retiree (08-401-511)
\$ 3,616.20	Legal Services (08-404-314)
\$21,841.94	Engineering (08-408-313)
\$ 59.26	Supplies (08-409-236)
\$ 14.20	Water (08-409-366)
\$ 312.24	Maintenance and Repairs (08-409-373)
\$ 12.33	FICA Health Inspection Ofc (08-421-161)
\$ 2.44	Medicare Health Inspection Ofc (08-421-163)
\$ 35.08	Street Superintendent Salary (08-430-122)
\$ 617.42	Staff Salary (08-430-130)
\$ 7,623.35	Overtime (08-430-182)
\$ 142.70	Telephone (08-430-321)
\$ 1,275.00	Equipment Maintenance/Repair (08-430-374)
\$ 3,288.80	Package Insurance (08-486-351)
\$ 1,848.45	Workers' Compensation Insurance (08-486-353)
\$ 25.20	Wellness Program (08-487-157)
<u>\$ 3,452.13</u>	Major Medical - BC/BS (08-487-159)
\$48,535.81	Total

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Stroudsburg, Monroe County, Pennsylvania, does hereby approve the transfer detailed above.

Consideration of a Request from St. Luke's Church to hang four flags on Main Street

A letter dated March 15, 2018 from Reverend Carmen J. Perry, Pastor of the Church of St. Luke, to Ron Kimes, the Zoning Officer, was acknowledged and discussed. Father Perry

advised that the Church is celebrating its 50th Anniversary this year, and would like to purchase four (4) flags and have them displayed on the four poles in front of the Church and the Barrett Center. The dimensions suggested were 3' X 2', and a mockup of the flag was provided with the request. Jim Hutchins, the Business Manager of the Church, was present for the discussion.

The Church asked for the flags to be displayed for the duration of 2018; however, a discussion ensued regarding the need for other flags to also be displayed, i.e.: East Stroudsburg University, Juvenile Diabetes and the American Flags. A motion was made by Mrs. Kochanski, seconded by Mr. Abell to authorize Mr. Ace and the Borough staff to coordinate a timeframe that would be fair to everyone. Mr. Ace did note that the typical size of the flags on the poles is 3 X 5. Mr. Hutchins was approved by Council to order the flags accordingly. The motion was carried with all present voting affirmatively.

Consideration of the Issuance of a Certificate of Appropriateness for 210-212 N. 7th Street

A motion was made by Mr. Weiss, seconded by Mrs. Kochanski to authorize the issuance of a Certificate of Appropriateness to John Geldert for L. J. Homes LLC., as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of roofing at 210-212 North Seventh Street. The motion was carried with all present voting affirmatively.

Consideration of the Issuance of a Certificate of Appropriateness for 564 Main Street

A motion was made by Mr. Weiss, seconded by Mr. Maurath to authorize the issuance of a Certificate of Appropriateness to John Iacono for TSS Holdings, as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of doors with a garage style door, exterior alterations to accommodate a new roof, and for an entry door and associated trim at 564 Main Street. The motion was carried with all present voting affirmatively.

Consideration of the Issuance of a Certificate of Appropriateness for 603 Thomas Street

A motion was made by Mr. Weiss, seconded by Mr. Maurath to authorize the issuance of a Certificate of Appropriateness to Anthony Jakubowski as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of front porch railings, decking, and roofing, replacement of building roof, and for replacement of a second floor window and associated siding and trim work at 603 Thomas Street. The motion was carried with all present voting affirmatively.

Committee Reports

There was no report from the Codes Committee, the Finance Committee, the Parking Committee, the Recycling Committee, or the Street Committee.

Mr. Weiss reported that the Sewer Committee met and discussed with the Borough Engineer the Ann Street sewer project and the problem in the Borough with I and I.

Mr. Connors reported that 20 resumes were received for the Borough Manager position, and the hiring consultant, Scott Fiore, went through all of them and selected 12 for the Personnel Committee to consider. The Personnel Committee met with Mr. Fiore and selected four (4) candidates to be interviewed. Mr. Fiore is reaching out to each candidate to ascertain their availability. Interviews will be scheduled shortly.

Mr. Connors also reported that the Personnel Committee is recommending to Borough Council the need to be proactive on harassment in the work place. The Committee suggests that the Borough provide training to all elected and appointed officials as well as all employees. A discussion ensued with various Council members contributing to the conversation. Mr. Weiss asked what would happen if people did not take the training. Solicitor McDonald replied that although there is no consequence for not doing so in the Borough Code, it would be recommended that the Borough provide such training. Mr. Lanfrank offered that the training could be strongly suggested for Council members and mandatory for employees.

A motion was made by Mr. Connors, seconded by Mrs. Kochanski to direct the staff to research sources for anti-harassment, anti-discrimination, etc. training as well as the cost to provide same. PSAB and the Borough's workers' compensation provider will also be consulted. Staff will then make recommendations to Council. The motion was carried with all present voting affirmatively.

A motion was made by Mr. Lanfrank, seconded by Mr. Abell to have the Personnel Committee review the staff's research before bringing same to Council. The motion was carried with all present voting affirmatively.

Mayor Probst advised that the Public Relations/Media Committee will be meeting soon to discuss Concerts in the Park.

Mr. Abell reported that the Redevelopment Committee met and discussed goals, such as creating the criteria to prepare a property survey which will include a log of what businesses are in the commercial district as well as vacant lots. The Committee will also discuss how to market the types of businesses that the Borough would like to attract. Short term goals are to review the zoning definitions, schedule of uses, medical dispensaries, and air bed and breakfasts. The Planning Commission will be brought in to the discussions. A long term goal will be developing a preamble for a comprehensive plan with the help of a consultant. Mr. Abell advised that the Monroe County Planning Commission may have some funding sources available to assist with this task.

Mr. Smith asked if the I-80 Expansion Task Force has explored impact grants that would benefit the Borough to offset the negative affect on the tax base from the proposed I-80 Expansion Project. Mr. Connors will look in to that.

Solicitor's Report

Solicitor McDonald noted that the public hearing for the Sign Ordinance as a result of the Municipal Curative Amendment will be at the next Council meeting on April 3, 2018.

The Planning Commission suggested to Council that the number of members on the Commission be reduced from nine (9) to seven (7) members as there has been a problem filling vacancies and getting quorums. Solicitor McDonald prepared a draft Ordinance, which will be given to the Planning Commission. A motion was made by Mrs. Kochanski, seconded by Mr. Abell to advertise the Ordinance for a public hearing on April 3, 2018. The motion was carried with all present voting affirmatively.

A letter dated March 19, 2018 from Marc Wolfe, Esq., attorney for Shanti House, LLC., was referred to by Solicitor McDonald. Attorney Wolfe asked Council to consider amending Section 27-501.3.C of the Zoning Ordinance which would require applicants in the C-2 district to obtain new Conditional Use approval each time the elevation of building changes. Council did not wish to take any action.

Mr. Smith reported that there will only be funding for four (4) bike racks. The donor asked that the Borough poll the Main Street businesses to confirm their interest in the bike racks first. Ms. Probst advised that she and other Main Street businesses will be meeting next week, and she will get input from the group. Mrs. Kochanski suggested that a flyer be delivered by the Parking Enforcement Officers to each business on Main Street to make sure that each one has an opportunity to comment. Mr. Smith felt that the officers' time would be better spent with enforcement.

With regard to Glen Park, Mr. Smith reported that he and Mr. Weiss met with the Monroe County Soil Conservation District about the possibility of bringing clean fill in to the park to create a dog park. Mr. Smith has spoken with Leeward Construction, who will donate the fill and level it at no cost to the Borough. Mrs. Kochanski suggested that staff get involved in this discussion.

Ms. Probst thanked the Stroudsburg Street Department for its hard work clearing the streets during the past two nor'easters. All present showed their appreciation.

Ms. Quinn reported that Mr. Ace will need temporary help in the Street Department from mid-April to November 30. She asked for authorization to advertise for a Temporary Municipal Worker at a rate of \$17.00 per hour. A motion was made by Mrs. Kochanski, seconded by Mr. Maurath to authorize the addition of a temporary worker for the Street Department. The motion was carried with all present voting affirmatively.

Approval of Bills on Warrants 180320

A motion was made by Mr. Weiss, seconded by Mr. Abell to authorize the payment of the bills on Warrants 180320. The motion was carried with all present voting affirmatively.

Executive Session, re: Pending Litigation and Personnel Matters

A motion was made at 9:20 P.M. by Mrs. Kochanski, seconded by Mr. Abell to go in to executive session for the purpose of discussing pending litigation and personnel matters. The motion was carried with all present voting affirmatively.

The executive session was concluded at 9:50 P.M. on a motion made by Mr. Abell, seconded by Mrs. Kochanski. The motion was carried with all present voting affirmatively.

There was nothing to report from the executive session.

Solicitor McDonald stated that Mr. Ace advised him right before the meeting that Northeast Site Contractors, the contractor for the 2nd Street Paving and ADA Ramp Improvement Project has gotten behind due to the weather. They are required by the contract to have all of the ADA ramps completed by April 1, 2018. There is one more ramp to be done. A motion was made by Mr. Abell, seconded by Mrs. Kochanski to authorize a thirty (30) day extension of the contract for the completion of the ramp. The motion was carried with all present voting affirmatively.

The meeting was adjourned at 10:00 P.M. on a motion made by Mr. Abell, seconded by Mrs. Kochanski. The motion was carried with all present voting affirmatively.

Respectfully submitted:

Mary Pat Quinn, Interim Borough Manager