

MINUTES
Stroudsburg Borough Council Meeting
Tuesday, March 5, 2019 at 7:00 P.M.

1. Call to Order/Roll Call – Present were: Council Member Joanne Kochanski, Council Member Anthony Lanfrank, Council Vice President Boyd Weiss, Mayor Tarah Probst, Solicitor Joseph McDonald, Borough Manager Maier, Council Member Matt Abell, Council Member Mark Connors and Council Member McCabe. Absent was Council President James Smith. A Quorum was present.
2. Pledge of Allegiance was recited.
3. Public Hearing and Consideration to Adopt An Ordinance Amending the Stroudsburg Borough Zoning Ordinance, Chapter 27 Stroudsburg Borough Code, Providing for the Regulation of Medical Marijuana Facilities. Solicitor McDonald advises there was appropriate Public Notice given along with this Ordinance being reviewed by both Planning Commissions. Solicitor McDonald summarized the Ordinance as amending Chapter 27 to add 4 different types of uses; proposing to allow as Permitted by Right or as a Conditional Use. The use would depend on the specific district.

Motion by Ms. Kochanski to close Public Hearing and Consideration to Adopt An Ordinance Amending the Stroudsburg Borough Zoning Ordinance, Chapter 27 Stroudsburg Borough Code, Providing for the Regulation of Medical Marijuana Facilities, second by Mr. Lanfrank. All in favor, Motion Carries.

Motion by Ms. Kochanski to adopt Adopt An Ordinance Amending the Stroudsburg Borough Zoning Ordinance, Chapter 27 Stroudsburg Borough Code, Providing for the Regulation of Medical Marijuana Facilities, second by Ms. McCabe. Lengthy discussion ensued between Permitted by Right or Conditional Use. Voting YES (Ms. McCabe), Voting NO (Ms. Kochanski, Mr. Lanfrank, Mr. Weiss, Mr. Abell, Mr. Connors), Motion Fails.

Motion by Mr. Connors to advertise a Public Hearing to adopt the same Ordinance with changing from Conditional Use to Permitted Use by Right only in C-1, C-1A, C-2, R-1, R-2, R-3 districts as well as the I-1 District, second by Mr. Lanfrank. Lengthy discussion ensued. All in favor, Motion Carries.

4. Public Hearing and Consideration to Adopt An Ordinance of the Borough of Stroudsburg to Amend Chapter 15 of the Stroudsburg Borough code Entitled “Motor Vehicles and Traffic”, Part 2, “Traffic Regulations”, Section §15-206 (1), “One-Way Streets”. The Ordinance will add Sarah Street from 9th Street to 10th Street as a one-way street in a westerly direction; Barry Street from Park Avenue to Broad Street in an easterly direction; remove Barry Street from Broad Street to Park Street in a westerly direction.

Motion by Mr. Lanfrank to close Public Hearing and Consideration to Adopt An Ordinance of the Borough of Stroudsburg to Amend Chapter 15 of the Stroudsburg Borough code Entitled “Motor Vehicles and Traffic”, Part 2, “Traffic Regulations”, Section §15-206 (1), “One-Way Streets”. The Ordinance will add Sarah Street from 9th Street to 10th Street as a one-way street in a westerly direction; Barry Street from Park Avenue to Broad Street in an easterly direction; remove Barry Street from Broad Street to Park Street in a westerly direction, second by Ms. Kochanski. All in favor, Motion Carries.

Motion by Ms. Kochanski to Adopt An Ordinance of the Borough of Stroudsburg to Amend Chapter 15 of the Stroudsburg Borough code Entitled “Motor Vehicles and Traffic”, Part 2, “Traffic Regulations”, Section §15-206 (1), “One-Way Streets”. The Ordinance will add Sarah Street from 9th Street to 10th Street as a one-way street in a westerly direction; Barry Street from Park Avenue to Broad Street in an easterly direction; remove Barry Street from Broad Street to Park Street in a westerly direction, second by Mr. Lanfrank. Discussion in changing Sarah Street to be easier to plow along with being hazardous to park on both sides of the street, Penn Dotstates we do not need their approval, Barry Street has a rock wall and the plows cannot see around it. This was discussed at the

Streets Committee. Voting YES (Ms. Kochanski, Mr. Lanfrank, Mr. Weiss, Mr. Abell, Ms. McCabe), Voting NO (Mr. Connors). Motion Carries.

5. Public Hearing and Consideration to Adopt An Ordinance of the Stroudsburg Borough Council to Amend §15-315 1. B(6) of the Stroudsburg Borough Code entitled, "Parking Prohibited by Type of Vehicle", Specifically to Authorize the Borough Council to Establish a Daily Rate for the Purchase of Meter Bags by Resolution." Motion by Mr. Lanfrank to close Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to Amend §15-315 1. B(6) of the Stroudsburg Borough Code entitled, "Parking Prohibited by Type of Vehicle", Specifically to Authorize the Borough Council to Establish a Daily Rate for the Purchase of Meter Bags by Resolution.", second by Ms. Kochanski. All in favor, Motion Carries.

Motion by Ms. Kochanski to Adopt An Ordinance of the Stroudsburg Borough Council to Amend §15-315 1. B(6) of the Stroudsburg Borough Code entitled, "Parking Prohibited by Type of Vehicle", Specifically to Authorize the Borough Council to Establish a Daily Rate for the Purchase of Meter Bags by Resolution.", second by Mr. Abell. All in favor, Motion Carries.

6. Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to Revise the Penalty for Violations of §15-701 entitled, "Residential Parking Districts". Motion by Mr. Lanfrank to close Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to Revise the Penalty for Violations of §15-701 entitled, "Residential Parking Districts", second by Ms. Kochanski. All in favor, Motion Carries.

Motion by Ms. Kochanski to Adopt An Ordinance of the Stroudsburg Borough Council to Revise the Penalty for Violations of §15-701 entitled, "Residential Parking Districts", second by Mr. Lanfrank. All in favor, Motion Carries.

7. Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to Amend §15-608 entitled "Penalties" of the Stroudsburg Borough Code. The Ordinance will increase the penalties for parking against the specific regulations during the declaration of a snow emergency. Motion by Ms. Kochanski to close Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to Amend §15-608 entitled "Penalties" of the Stroudsburg Borough Code. The Ordinance will increase the penalties for parking against the specific regulations during the declaration of a snow emergency, second by Mr. Lanfrank. All in favor, Motion Carries.

Motion by Ms. Kochanski to Adopt An Ordinance of the Stroudsburg Borough Council to Amend §15-608 entitled "Penalties" of the Stroudsburg Borough Code. The Ordinance will increase the penalties for parking against the specific regulations during the declaration of a snow emergency, second by Mr. Lanfrank. All in favor, Motion Carries.

8. Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to revise §15-801 entitled, "Fire Lanes" of the Stroudsburg Borough Code. The Ordinance will increase the penalties associated with parking in designated fire lanes. Motion by Mr. Lanfrank to close Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to revise §15-801 entitled, "Fire Lanes" of the Stroudsburg Borough Code. The Ordinance will increase the penalties associated with parking in designated fire lanes, second by Ms. McCabe. All in favor, Motion Carries.

Motion by Ms. Kochanski to Adopt An Ordinance of the Stroudsburg Borough Council to revise §15-801 entitled, "Fire Lanes" of the Stroudsburg Borough Code. The Ordinance will increase the penalties associated with parking in designated fire lanes, second by Mr. Lanfrank. All in favor, Motion Carries.

9. Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to Amend §15-407 entitled "Unlawful to park after Time on Meter has Elapsed; Evidence of Violation". Mr. Bill Cullen had a question on receiving the ticket and paying for the space using the mobile app. Ms. Wall advised we can check the app for payment and void the ticket.

Motion by Ms. Kochanski to close Public Hearing and Consideration to Adopt an Ordinance of the Stroudsburg Borough Council to Amend §15-407 entitled “Unlawful to park after Time on Meter has Elapsed; Evidence of Violation”, second by Mr. Lanfrank. All in favor, Motion Carries.

Motion by Ms. Kochanski to Adopt An Ordinance of the Stroudsburg Borough Council to Amend §15-407 entitled “Unlawful to park after Time on Meter has Elapsed; Evidence of Violation”, second by Mr. Lanfrank. All in favor, Motion Carries.

10. Public Hearing and Consideration to Adopt an Ordinance to Amend Ordinance §15-401 of the Stroudsburg Borough Code Entitled, “Metered Parking, Parking Meter Zones Established”. The Ordinance will establish alternate side parking in Parking Lot 5 to allow for maintenance, snow and ice removal, pavement repair and sweeping.

Motion by Mr. Lanfrank to close Public Hearing and Consideration to Adopt an Ordinance to Amend Ordinance §15-401 of the Stroudsburg Borough Code Entitled, “Metered Parking, Parking Meter Zones Established”. The Ordinance will establish alternate side parking in Parking Lot 5 to allow for maintenance, snow and ice removal, pavement repair and sweeping, second by Ms. Kochanski. All in favor, Motion Carries.

Motion by Ms. Kochanski to Adopt An Ordinance to Amend Ordinance §15-401 of the Stroudsburg Borough Code Entitled, “Metered Parking, Parking Meter Zones Established”. The Ordinance will establish alternate side parking in Parking Lot 5 to allow for maintenance, snow and ice removal, pavement repair and sweeping, second by Ms. McCabe. All in favor, Motion Carries.

11. Public Input for Agenda Items.

Mr. John Duda was in attendance representing The Vietnam Veterans Chapter 678. Mr. Duda was responsible for the memorial in Courthouse Square that represents the 10 men who died. Mr. Duda advises the Veteran’s Day parade is sparsely attended and the Committee is working on trying to increase participation. Some other areas in Lackawanna County, Scranton, Old Forge and Pen Argyl have large banners posted to honor Veterans. Flags can be placed around town prior to the parade, presented to East Stroudsburg, there would be enough participation to cover the parade route. Mayor Probst will promote the parade on Facebook. Ms. Maier advises she spoke to Mr. Ralph Matergia today about funding through the Mattioli Fund. Lengthy discussion ensued on raising funds.

Motion by Ms. Kochanski to authorize the installation of banners for current and past Veterans on the street lights along Main Street with specific times and type of style, discussed with the Borough Manager and Streets Department, second by Mr. Lanfrank. All in favor, Motion Carries.

Motion by Ms. Kochanski to close Public Input for Agenda Items, second by Ms. McCabe. All in favor, Motion Carries.

12. Approval of Council Meeting Minutes for Regular Meeting, February 19, 2019.

Motion by Ms. Kochanski to approve Council Meeting Minutes for Regular Meeting, February 19, 2019, second by Mr. Lanfrank. Voting YES (Mr. Lanfrank, Mr. Weiss, Mr. Abell, Mr. Connors, Ms. McCabe), Ms. Kochanski Abstained. Motion Carries.

Old Business

13. Status of remaining Municipal Building Renovation Project Loan balance, re: Fire Alarm System, Upgrade Reception Area and replacement of the HVAC system. Ms. Maier advises the Fire Alarm drawings went back to the contractor and they will discuss the code with the architect. Flooring America dropped off color samples for the Reception Area which we did not like. We have asked for additional samples, once the carpet is in the contractor will install the cabinets. Barry Isset has documented the duct work and is preparing construction drawings.

14. Status of Bike Rack Project. Ms. Maier advised she reached out to Mr. Ralph Matergia and MCTA and is looking for a total of \$28K to cover the costs, \$18K from the Mattioli Fund and \$10K from MCTA.

15. Consideration to purchase a new Hino or International truck for the Street Department. Ms. Maier advised the International Truck was sold and there is a resolution on the agenda for the Hino Truck.

New Business

16. Resolution to authorize a revision to the daily rate for meter bag purchases.
Motion by Ms. Kochanski to authorize a revision to the daily rate for meter bag purchases at \$10, second by Mr. Lanfrank. All in favor, Motion Carries.
17. Consideration to schedule a public hearing for An Ordinance of the Stroudsburg Borough Council to Amend §15-303 of the Stroudsburg Borough Code Entitled, “Angle Parking/Head-On Parking Required on Portions of Certain Streets”.
Motion by Mr. Lanfrank to schedule a public hearing April 2, 2019 for An Ordinance of the Stroudsburg Borough Council to Amend §15-303 of the Stroudsburg Borough Code Entitled, “Angle Parking/Head-On Parking Required on Portions of Certain Streets”, second by Ms. McCabe. All in favor, Motion Carries.
18. Consideration to approve a request from the Monroe County Bar Association to conduct the 37th Annual Edwin Krawitz Memorial Law Day "Race Judicata" on April 28, 2019.
Motion by Ms. McCabe to approve a request from the Monroe County Bar Association to conduct the 37th Annual Edwin Krawitz Memorial Law Day "Race Judicata" on April 28, 2019 with certificate of insurance, second by Mr. Lanfrank. All in favor, Motion Carries.
19. Consideration to authorize the Council President, Mayor and Borough Manager to execute the Cooperation Agreement By and Between the County of Monroe and the Borough of Stroudsburg for the FY 2018 Community Development Block Grant (CDBG) Program Administration. Solicitor McDonald advises there are 15 items listed under The Borough’s Responsibilities; #14 states the Borough will be responsible for any cost overruns that are not or cannot be covered by the program. Ms. Maier advises that is standard.
Motion by Ms. Kochanski to authorize the Council President, Mayor and Borough Manager to execute the Cooperation Agreement By and Between the County of Monroe and the Borough of Stroudsburg for the FY 2018 Community Development Block Grant (CDBG) Program Administration, second by Mr. Lanfrank. All in favor, Motion Carries.
20. Consideration to approve a request from East Stroudsburg University to have their flags along Main Street from August 19, 2019 to October 31, 2019.
Motion by Mr. Abell to approve a request from East Stroudsburg University to have their flags along Main Street from August 19, 2019 to October 31, 2019, second by Mr. Lanfrank. All in favor, Motion Carries.
21. Consideration to authorize the installation of banners for current and past Veterans on the streetlights along Main Street. Addressed during Public Input for Agenda Items.
22. Consideration to authorize the JDRF One Walk on April 28, 2019.
Motion by Ms. Kochanski to authorize the JDRF One Walk on April 28, 2019, second by Ms. McCabe. All in favor, Motion Carries.
23. Consideration to approve a Resolution to Authorize the Purchase of a 2020 Hino 338 Truck from TransEdge Truck Center in the amount of \$139,343.27.
Motion by Mr. Lanfrank to table to the 1st meeting in June to allow Mr. Ace to look for other demo trucks, second by Ms. Kochanski. Lengthy discussion ensued. Council mentioned a possible special meeting to authorize the

purchase. Ms. Maier and Mr. Ace can discuss the specs to purchase up to a specific \$\$ amount and list on the next agenda. All in favor, Motion Carries.

24. Committee Reports.

- A. Codes Committee - Ms. Kochanski advised the next meeting will be March 17th
- B. Finance Committee - No Report
- C. Parking Committee - Ms. McCabe advises the Committee met and discussed a potential new violation for Alternate Side Parking, Borough wide during inclement weather for \$100 with a \$50 late fee. This is intended to assist the Streets Department in clearing the snow, along with safety issues for the Fire Department and ambulances. This would need to go to a Public Hearing. Mr. Connors would like the Committee to discuss a window of time for Alternate Parking. The Committee also discussed residential permits which will all expire this year and being able to tie into the tenant registration forms. We will issue a blank permit expiring the end of 2019 and begin the process new in 2020 to tie into the tenant registration forms, going forward the permits will run January to December at \$5 per year.
- D. Recycling Committee - No Report
- E. Sewer Committee - No Report
- F. Street Committee - Mr. Lanfrank advises the next meeting is scheduled March 19th.
- G. Personnel Committee - Mr. Connors will advise the April quarterly date.
- H. Public Relations/Media Committee - Mayor Probst advises we are working on the newsletter and need input from each Council Member, Zoning Officer, Street Superintendent, Borough Manager and Solicitor. Ms. McCabe is working on Concerts in the Park and needs to schedule 5 more dates. Mayor Probst sent the list of dates for approval to Greg Christine and has not heard back yet.
- I. Redevelopment Committee - Mr. Abell advises the Committee will meet right after the Council meeting tonight.
- J. I-80 Expansion Task Force Committee - Mr. Connors advised the Committee met last week. The Committee is dividing up lobbying efforts which will emphasize NEPA's planning (Northeast Planning Agency). Mr. Connors advised we received a letter from the State of Pennsylvania Deputy Secretary for Highway Administration thanking us for our efforts and input including information in reducing property impact by using retaining walls instead of slopes. The letter also advises keeping the eastbound exit onto Park Avenue at its current location which we lobbied for; additional traffic studies for Rt 80 East and West will be done and they will look again at Rt 611. The Final Environmental assessment document is almost complete, then onto the final design. The next meeting is the 4th Tuesday of March.
- K. Stroud Region Open Space and Recreation Commission - No Report

25. Mayor's Report - Mayor Probst would like to thank the Streets Department for snow removal during the storm. Mayor Probst is asking where we are with Air B&B's and that they are not allowed in the Residential districts. Ms. Kochanski advises the Codes will look into it on March 18th and then would need a Public Hearing. Mr. Kimes advises it's been left out of Zoning to not allow current uses to be non-conforming or grandfathered uses. Ms. Linda Schwartz commented she is against Air B&B's in the Borough, she states it's a quality of life issue. Mayor Probst advises there is a downtown business meeting Tuesday at 9:00am at the Stroud Mansion. Mayor Probst is looking for clarification for Borough trees which are causing damage to the sidewalks. Ms. Linda Schwartz asked if you fall on the sidewalk who is responsible. Mr. Ace advises the homeowner is responsible to lift the sidewalk with the Borough being responsible to remove the tree. Ms. Maier advises this is a Public Works issue, if we cut the roots it could cause the tree to fall down on the house. We need an Ordinance where we can cite locations. Ms. Kochanski advises The City of Easton received a grant for tree remediation. The Borough can

look to remove problem trees and will come up with a form for Borough trees. Solicitor McDonald read Chapter 25 on trees.

26. Council Member Reports

Ms. Kochanski - Ms. Kochanski is looking for an estimate of time we will begin working on the lights. Mr. Ace is working with PP&L and there is a 6-week lead time.

Mr. Lanfrank - Mr. Lanfrank is asking when the traffic study will be ready. Mr. Maier will send an email.

Mr. Weiss - Nothing to Report

Mr. Abell - Nothing to Report

Mr. Connors – Mr. Connors advises the motion which passed for item #3 didn't mention to advertise for Public Hearing.

Motion by Mr. Connors to advertise for Public Hearing April 16, 2019, second by Mr. Abell. All in favor, Motion Carries.

Ms. McCabe - Nothing to Report

27. Solicitor's Report – Solicitor McDonald advises as a follow up to the Zoning Hearing Board previously scheduled February 20th which was cancelled with the snow. The meeting has been re-scheduled March 20th for Adams Outdoor. There are 3 additional items scheduled, Mr. Kimes will go over. Solicitor McDonald advises he will be meeting with Mr. Kimes, Ms. Maier and Ms. Kochanski on Ordinance issues which have fallen through the cracks (Dumpsters, Short term rental registrations).

28. Borough Manager's Report – Ms. Maier advises she will meet with the school board tomorrow about LERTA program which is a 5-year tax abatement. Chuck Leonard from the County will be there. Ms. Maier will also speak to the school board about renewing the lease for the pool and has a site plan. Ms. Maier advises she met with the women about the garden at the 3rd Street Park and getting water to that location.

29. Superintendent of Streets Report – No Report

30. Codes Officer Report – Mr. Kimes advises 3 Zoning permits were issued. Two for new Attorney Offices at 513 Main and on N. 8th. In addition, the Sunoco on Park Avenue will be a Seven Eleven.

In addition to Adams Outdoor, the Zoning Board will hear 3 new items. John Parker is requesting a Special Exception for a Convenience Store with Gas. A property at 75 Kautz Street is looking to expand their home and will not need a front yard set-back. McDonalds is looking for a digital message signage to replace the drive thru sign, it is not permitted currently and they are seeking a Variance.

31. Approval of Bills on Warrants 190305.

Motion by Ms. Kochanski to approve Bills of Warrant 190305, second by Mr. Lanfrank. All in favor, Motion Carries.

32. Public Input for Non-Agenda Items – Ms. Linda Schwartz came in inquiring about the abandoned property at 513 N. 5th Street and also at Wallace and Scott. Ms. Maier advised this is a new initiative, Parking, Codes and DPW will report any vacant buildings, the abandonment needs to be 6-months. We will take this as verbal notification for 513 N. 5th and on September 5th, 2019 we can take action. Mr. Kimes advises this property has been cited for junk vehicle, weeds, yard trimmings and there is an arrest warrant currently for the owner.

33. Executive Session. No Executive Session

34. Adjournment.

Motion by Ms. Kochanski to adjourn at 9:07pm, second by Mr. Connors. All in favor, Motion Carries.