

MINUTES
Stroudsburg Borough Council Meeting
Tuesday, September 15, 2020 at 7:00 P.M.

Special Note: This meeting will be held on Zoom.com; the public may submit comments on agenda items and non-agenda items to the Borough Manager via bace@stroudsburgboro.com prior to the meeting. The public is also invited to participate via livestream by following the zoom link and not the Stroudsburg Borough Facebook page.

1. Call to Order/Roll Call - Present were: Council Member Jim Evanisko, Council Member Boyd Weiss, Mayor Tarah Probst, Solicitor Joseph McDonald, Solicitor Christopher Brown, Council President Anthony Lanfrank, Borough Manager Brian Ace Jr., Council Vice President Matt Abell, Council Member Victoria DeVries and Council Member Erica McCabe. Absent was Council Member James Smith. A Quorum was present.
2. Pledge of Allegiance.
3. Public Hearing and Consideration to Adopt a Resolution to Approve an Intermunicipal Transfer of a Liquor License into the Borough of Stroudsburg at 615 Main Street, Stroudsburg. Solicitor McDonald advises Alternate Solicitor Christopher Brown will be representing the Borough. Solicitor Brown advises this was advertised in the Pocono Record twice over the last several weeks although the Borough has not received the proof of publication notice back from the Pocono Record. Solicitor Brown turned the hearing over to Attorney George Westervelt who is representing Mrs. Finola Conboy for the Intermunicipal Transfer of a Liquor License into the Borough of Stroudsburg at 615 Main Street, Stroudsburg. (This hearing was transcribed by Ms. Donna G Kenderdine and will be filed along with the Resolution).

Motion by Ms. McCabe to Close Public Hearing and Consideration to Adopt a Resolution to Approve an Intermunicipal Transfer of a Liquor License into the Borough of Stroudsburg at 615 Main Street, Stroudsburg, second by Mr. Weiss. All in favor, Motion Carries.

Motion by Mr. Abell to Adopt a Resolution to Approve an Intermunicipal Transfer of a Liquor License into the Borough of Stroudsburg at 615 Main Street, Stroudsburg, second by Ms. DeVries. All in favor, Motion Carries.

4. Public Hearing and Consideration to Adopt An Ordinance of the Stroudsburg Borough Council to Amend Chapter 19 Signs and Billboards, Part 1 Sandwich Board Signs, Section §19-103 1. E. Entitled “Design and Display Requirements” of the Stroudsburg Borough Code.
Motion by Mr. Weiss to Close Public Hearing and Consideration to Adopt An Ordinance of the Stroudsburg Borough Council to Amend Chapter 19 Signs and Billboards, Part 1 Sandwich Board Signs, Section §19-103 1. E. Entitled “Design and Display Requirements” of the Stroudsburg Borough Code, second by Ms. McCabe. All in favor, Motion Carries.

Motion by Mr. Abell to Adopt An Ordinance of the Stroudsburg Borough Council to Amend Chapter 19 Signs and Billboards, Part 1 Sandwich Board Signs, Section §19-103 1. E. Entitled “Design and Display Requirements” of the Stroudsburg Borough Code, second by Ms. McCabe. All in favor, Motion Carries.

5. Public Hearing and Consideration to Adopt An Ordinance to Regulate the Use of Fireworks in the Borough of Stroudsburg. Solicitor McDonald advises this was advertised in the Pocono Record although the Borough has not received the proof of publication notice back from the Pocono Record.

Motion by Mr. Weiss to Close Public Hearing and Consideration to Adopt An Ordinance to Regulate the Use of Fireworks in the Borough of Stroudsburg, second by Mr. Evanisko. All in favor, Motion Carries.

Motion by Mr. Weiss to Adopt An Ordinance to Regulate the Use of Fireworks in the Borough of Stroudsburg, second by Mr. Abell. All in favor, Motion Carries.

6. Approval of Council Meeting Minutes for the Regular Meeting, September 1, 2020.
Motion by Mr. Weiss to Approve Council Meeting Minutes for the Regular Meeting, September 1, 2020, second by Mr. Evanisko. All in favor, Motion Carries.

7. Monthly Administrative Reports
 - a. Permits Issued Report
 - b. Public Works Report
 - c. Parking Report
 - d. Fire Department Report
 - e. Right-To-Know Report
 - f. Police Department Report (provided via email)

Motion by Mr. Weiss to Approve Monthly Administrative Reports, second by Ms. DeVries. All in favor, Motion Carries.

8. Accept Unaudited August, 2020 Treasurer's Report.
 - a. Bank Account Balances
 - b. Budget to Actual Report

Motion by Mr. Weiss to Accept Unaudited August, 2020 Treasurer's Report, second by Mr. Abell. All in favor, Motion Carries.

Old Business

9. Consider the Application of Monroe County Commissioners, as recommended for approval and issuance by the Historic Architectural Review Board, for an addition and renovations to the Monroe County Courthouse at 610 Monroe Street. Mr. Lanfrank advises Solicitor McDonald and Mayor Probst received a letter from Mr. McManus to table the Application of the Monroe County Commissioners to October 20th with granting Council until November 3, 2020 to take action.

Motion by Mr. Abell to Table the Application of Monroe County Commissioners, as recommended for approval and issuance by the Historic Architectural Review Board, for an addition and renovations to the Monroe County Courthouse at 610 Monroe Street, second by Mr. Weiss. All in favor, Motion Carries.

10. Status of Bike Rack Project. No Update

11. Status of LERTA Ordinance. No update. Mr. Lanfrank will reach out to the School Board.

12. Status of Outdoor Dining-PennDOT Special Event Permit. Mr. Ace advises we received a response from Penn Dot. Penn Dot wants corrections made to the Special Event Form in reference to who is supplying the barricades. Mr. Ace advises the Borough only has wooden saw horses. Mayor Probst advises the Sherman Theater would provide barricades. Chief Lyons is recommending Borough Council look at traffic rated barricades for safety. Chief Lyons referred to a storefront safety council report listing 20 incidents in August of vehicles crashing into Outdoor Dining areas after restaurants re-opened after Covid compared to 4 incidents all year. Safety needs to be a priority. Mr. Abell advises the Sherman Theaters barricades are metal and wouldn't provide enough protection in addition the Borough should not be paying for the barricades; the costs of concrete barriers should be absorbed by restaurant owners including arrangements for delivery and removal. Mayor Probst compared this request to StroudFest where vendors are in the street. Additional discussion of other Municipalities and what type of barricades are being using. Solicitor McDonald advises on the application for the special event permit it lists the

applicant (Borough) shall indemnify officers, agents and employees from any and all claims for special activity; by filing this application we are giving up an indemnity we normally have with Penn Dot if there was an accident along Main Street. Participating restaurants already have an Outdoor Dining permit; this would be an extension of that permit beyond the sidewalk and into the parking spaces. The restaurant owners would need to indemnify the Borough. Solicitor McDonald advises Council of the risk to the Borough. Mr. Ace advises in order to re-submit we need to address Penn Dot's question, also the license was until September 25th, we would need to request with Penn Dot an extension through the end of the year. Mayor Probst asking if the owners purchase the barricades could they be stored at the Borough Yard.

Motion by Mr. Abell to require concrete barriers with restaurant owners to provide, second by Ms. McCabe. Public Comment from Tobias about possibly using concrete planters. All in favor, Motion Carries.

New Business

Motion by Ms. McCabe to Approve the Agenda with flexibility, second by Mr. Abell. All in favor, Motion Carries

13. Consideration to Approve Payment Request #1 from Barker and Barker for the Scott/Oak Paving Project in the amount of \$201,332.03. Mr. Ace would like this tabled since we have not received the test results. The overages were due to the extra milling.

Motion by Mr. Abell to Table the Payment Request #1 from Barker and Barker for the Scott/Oak Paving Project in the amount of \$201,332.03, second by Ms. McCabe. All in favor, Motion Carries.

14. Consideration to Award the Bid for the Lee Avenue and Stokes Avenue Paving and ADA Ramps Project to Northeast Site Contractors in the amount of \$149,221.00.

Motion by Ms. McCabe to Award the Bid for the Lee Avenue and Stokes Avenue Paving and ADA Ramps Project to Northeast Site Contractors in the amount of \$149,221.00, second by Mr. Abell. All in favor, Motion Carries.

15. Consideration to Authorize a Notice to Proceed for the Lee Avenue and Stokes Avenue Paving and ADA Ramps Project.

Motion by Ms. McCabe to Authorize a Notice to Proceed for the Lee Avenue and Stokes Avenue Paving and ADA Ramps Project, second by Mr. Abell. All in favor, Motion Carries.

16. Consideration to Adopt a Resolution of the Stroudsburg Borough Council to Scrap Two (2) 2003 Ford Crown Victoria Sedans by the Authority of Section §1201.2 entitled "Personal Property" of the Pennsylvania Borough Code. Mr. Ace advises these are both out of commission.

Motion by Mr. Weiss to Adopt a Resolution of the Stroudsburg Borough Council to Scrap Two (2) 2003 Ford Crown Victoria Sedans by the Authority of Section §1201.2 entitled "Personal Property" of the Pennsylvania Borough Code, second by Ms. McCabe. All in favor, Motion Carries.

17. Consideration to Adopt a Resolution of the Stroudsburg Borough Council to Authorize the Sale of a 1986 Pierce E-One/Ford Fire Truck, a 1990 Federal E-One Protector Pumper Fire Truck, and a 2000 Evi-Spartan Rescue Fire Truck Pursuant to the Authority of Section §1201.2 Entitled "Personal Property" of the Pennsylvania Borough Code.

Motion by Mr. Weiss to Adopt a Resolution of the Stroudsburg Borough Council to Authorize the Sale of a 1986 Pierce E-One/Ford Fire Truck, a 1990 Federal E-One Protector Pumper Fire Truck, and a 2000 Evi-Spartan Rescue Fire Truck Pursuant to the Authority of Section §1201.2 Entitled “Personal Property” of the Pennsylvania Borough Code, second by Mr. Evanisko. All in favor, Motion Carries.

18. Consideration to Approve the issuance of one (1) additional parking permit in Municipal Parking Lot 3 @ \$129 for a handicapped employee of Monroe County.

Motion by Mr. Weiss to Approve the issuance of one (1) additional parking permit in Municipal Parking Lot 3 @ \$129 for a handicapped employee of Monroe County, second by Mr. Abell. All in favor, Motion Carries.

19. Consideration to Approve the 2021 Minimum Municipal Obligation for the Stroudsburg Borough Non-Uniform Pension Plan.

Motion by Mr. Weiss to Approve the 2021 Minimum Municipal Obligation for the Stroudsburg Borough Non-Uniform Pension Plan. Second by Mr. Evanisko. All in favor, Motion Carries.

20. Consideration to Adopt a Resolution of the Borough of Stroudsburg, Monroe County, Pennsylvania, Authorizing Transfer of Funds for Budget Purposes.

Motion by Mr. Abell to Adopt a Resolution of the Borough of Stroudsburg, Monroe County, Pennsylvania, Authorizing Transfer of Funds for Budget Purposes, second by Mr. Weis. All in favor, Motion Carries.

21. Consideration to Approve a request from Marty Klotz to hold a block party on October 31, 2020 from 8:00 P.M. to 12:00 A.M. on Bryant Street between Lee Avenue and Stokes Avenue and to close that portion of Bryant Street.

Motion by Mr. Weiss to Approve a request from Marty Klotz to hold a block party on October 31, 2020 from 8:00 P.M. to 12:00 A.M. on Bryant Street between Lee Avenue and Stokes Avenue and to close that portion of Bryant Street, No 2nd. Motion Died.

Motion by Mr. Abell to Table therequest from Marty Klotz to hold a block party on October 31, 2020 from 8:00 P.M. to 12:00 A.M. on Bryant Street between Lee Avenue and Stokes Avenue and to close that portion of Bryant Street, second by Ms. McCabe. The request should be submitted per CDC guidelines and include a certificate of insurance. All in favor, Motion Carries.

22. Consideration to Approve the placement of the “Snowmen of Stroudsburg” by Go Collaborative. Mr. Jody Singer advised Go Collaborative s looking to place 25-26 Snowmen, Motion by Mr. Weiss to Approve the placement of the “Snowmen of Stroudsburg” by Go Collaborative, second by Ms. McCabe. All in favor, Motion Carries.

23. Acknowledge Receipt of a letter dated September 3, 2020 from Gilmore and Associates, Inc. for Alpha Recycling Hwy 80, Inc. The letter is a “Notice of Intent to Remediate”; Alpha Recycling Hwy 80, Inc. will engage in remediation of the site located at 2 Katz Drive. Said remediation will be in compliance with the Non-Residential Statewide Health and the Site Specific Clean Up Standards.

Motion by Mr. Abell to Acknowledge Receipt of a letter dated September 3, 2020 from Gilmore and Associates, Inc. for Alpha Recycling Hwy 80, Inc. The letter is a “Notice of Intent to Remediate”;

Alpha Recycling Hwy 80, Inc. will engage in remediation of the site located at 2 Katz Drive. Said remediation will be in compliance with the Non-Residential Statewide Health and the Site Specific Clean Up Standards, second by Mr. Weiss. All in favor, Motion Carries.

24. Consider the Application of Michael Schaadt, as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of siding, gutters, and downspouts at 24 North Seventh Street.

Motion by Mr. Abell to Approve the Application of Michael Schaadt, as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of siding, gutters, and downspouts at 24 North Seventh Street, second by Mr. Evanisko. All in favor, Motion Carries.

25. Consider the Application of Debra Osadca, as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of roofing at 512-514 Scott Street.

Motion by Mr. Weiss to Approve the Application of Debra Osadca, as recommended for approval and issuance by the Historic Architectural Review Board, for the replacement of roofing at 512-514 Scott Street, second by Mr. Abell. All in favor, Motion Carries.

26. Consider the Application of John A. Young, as recommended for approval and issuance by the Historic Architectural Review Board, for an addition and renovations to the Jacob Stroud Mansion at 900 Main Street. Mr. Chris Worton, Mr. John Young and Ms. Amy Leifer were on the call. Lengthy discussion ensued about the addition and renovations approved by HARB. Mr. Chris Worton showed renderings of the project. There was numerous Public Input in reference to road closures and parking.

Motion by Ms. McCabe to Approve the Application of John A. Young, as recommended for approval and issuance by the Historic Architectural Review Board, for an addition and renovations to the Jacob Stroud Mansion at 900 Main Street, second by Mr. Evanisko. All in favor Voting YES (Mr. Evanisko, Mr. Lanfrank, Mr. Abell, Ms. DeVries, Ms. McCabe), Voting NO (Mr. Weiss), Motion Carries.

27. Consider the Application of Daniel Luzon, as recommended for approval and issuance by the Historic Architectural Review Board, for the construction of a new five story building at 621-623-625 Main Street. Mr. Mark Metzgar and Mr. Gadi Ruham were on the call.

Motion by Mr. Abell to Approve the Application of Daniel Luzon, as recommended for approval and issuance by the Historic Architectural Review Board, for the construction of a new five story building at 621-623-625 Main Street, second by Ms. McCabe. Motion Withdrawn.

Lengthy discussion ensued. Borough Council would prefer to have more time to review the application; however, the deadline for action on the application is September 15, 2020, and an extension was not granted by the applicant. A Certificate of Appropriateness was not issued for the project for the following reasons: (1) The presence of stucco on the exterior of the proposed building, which is contrary to Section §4-2-14 1.B.(13) entitled "Siding, Stucco and Capping and (2) The use of Packaged Terminal Air Conditioners (PTACs) on walls that are visible from a public right-of-way which is contrary to Section §4-2-14 1.B.(21) entitled "Mechanicals" of the Stroudsburg Borough Code, Historic Preservation District."

Motion by Mr. Abell to Deny the Application of Daniel Luzon, as recommended for approval and issuance by the Historic Architectural Review Board, for the construction of a new five story building at

621-623-625 Main Street, second by Ms. McCabe. All in favor Voting YES (Mr. Lanfrank, Mr. Abell, Ms. DeVries, Ms. McCabe), Voting NO (Mr. Evanisko, Mr. Weiss), Motion Carries.

28. Consider the Application of David Carrol and Green Team Contracting, as recommended for denial by Historic Architectural Review Board, to replace a rear second story deck and stairs and to replace the front porch at 503-505 Sarah Street. Mr. Kimes advises Mr. David Carrol was given notice of tonight's meeting and will not be attending.

Motion by Mr. Abell to Approve the Application of David Carrol and Green Team Contracting, as recommended for denial by Historic Architectural Review Board, to replace a rear second story deck and stairs and to replace the front porch at 503-505 Sarah Street, second by Mr. Weiss. All in favor, Motion Carries.

29. Committee Reports

- A. Codes Committee -No update, the next meeting is September 23rd to discuss Borough wide garbage collection and reviewing a Sidewalk Maintenance Ordinance.
- B. Budget Committee– No Report
- C. Parking Committee - No Report
- D. Recycling Committee - No Report
- E. Sewer Committee -No Report
- F. Street Committee - No Report
- G. Personnel Committee - No Report
- H. Public Relations/Media Committee– the meeting was tonight at 6:30pm. We will be moving forward with the flags and a mural with the June 1st photo in Quaker Alley, Mayor Probst needs to know how high it can be, Mr. Kimes advises 6 feet high and 20 feet max. CGI is doing a video for the County, will forward it to Council when complete.
- I. Redevelopment Committee– the next meeting is tomorrow at 3:30pm. The Committee will begin implementing recommendations from the Monroe County Active Transportation Plan; South Levee Trail Head by Broad Street Bridge, the Committee would like to memorialize and add signage; have a shared bike lane from there to Glen Park. The Committee will be looking to Adopt Borough Ordinances to establish streets that work for cars along with biking or walking. The Committee will also discuss Complete Streets Ordinance, Penn Dot Access Management Model Ordinance, codify traffic calming measures to slow down traffic.
- J. I-80 Expansion Task Force Committee– Kris Battle submitted the Committee report to Council. The Committee is working on getting crash statistics; has been playing phone tag with hospitals; is requesting to meet individually with Penn Dot's Advisory Board; still working on getting the word out and advocating for the community. The Committee is considering the costs on the items listed in the report.
- K. Stroud Region Open Space and Recreation Commission - No Report

30. Mayor's Report– Mayor Probst wanted to make sure Chief Lyons has the Fireworks Ordinance and can begin issuing tickets. Mr. Ace will send the Ordinance to Chief Lyons. We will have the Dog Barking Ordinance for the next meeting. Still waiting to hear from PPL about no light on Thomas between 7th and 8th. We need to discuss Halloween in the Borough, maybe we can have timeframes by age group. Mayor Probst is disappointed in the Shanti House decision tonight.
31. Council Member Reports
Mr. Evanisko – Would like to purchase two welcome to Stroudsburg signs, one at the corner of 2nd Street, Main and McConnell and the other by Dreher and West Main. Mr. Abell suggested speaking to the Jacob Stroud Corporation or the Sherman Theater as there were plans drawn up 5 or 6 years ago.
32. Solicitor's Report – Solicitor McDonald advises there has been no movement in the Appeal in Commonwealth Court regarding Adams Outdoor; we did receive a 2nd extension to defer to Monday August 5th, we are at a standstill. I will go back and file a brief on behalf of the Borough.
33. Manager's Report – Mr. Ace advises we have received a letter from the Monroe County Commissioners and we were awarded the Covid PPE Grant for \$4,489.18. The Law run which was scheduled for May will be re-scheduled for October 18th, there will be a stage setup at the Bar Association, no road closures or personnel are needed by the Borough, they will be working with the Sheriff's Office. We received from Control Center the Route 80 accident reports. We received a letter from the Pennsylvania State Police that they have received our Right to Know and will respond within 30 days.
34. Code Enforcement Officer's Report– Mr. Kimes advised the Codes Office recently changed HARB from paper packets to Google Docs. For anyone unable to access Google Docs please let us know and we will provide a paper copy.
35. Street Superintendent's Report– Mr. Ace advises we are getting ready for the paving projects and adding last minute drainage.
36. Approval of Bills on Warrants 200915.
Motion by Mr. Weiss to Approve Bills on Warrants 200915, second by Mr. Abell. All in favor, Motion Carries.
37. Public Input for Non-Agenda Items. Tobias would have liked to see the Shanti House approved.
38. Executive Session. No Executive session.
39. Adjournment.
Motion by Mr. Weiss to Adjourn at 10:21pm, second by Mr. Abell. All in favor, Motion Carries.