

STROUDSBURG BOROUGH COUNCIL
MEETING MINUTES, OCTOBER 5, 2021

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 October 6, 2021 with the following members present: Council President Matt Abell, Council President Pro-Tem Erica McCabe, Council member Joanne Kochanski via Zoom, Council member Boyd Weiss, and Council member Jim Evanisko. Council members Victoria DeVries and James Smith were absent.

Also present at the meeting were: Mayor Tarah Probst, Borough Manager Larry Kopp, Borough Solicitor Joseph McDonald, Executive Assistant Mary Pat Quinn, Street Superintendent Brian Ace, and Zoning/Code Enforcement Officer Ron Kimes.

The Pledge of Allegiance was recited.

Approval of Council Meeting Minutes for the Regular Meeting, September 21, 2021

A motion was made by Ms. McCabe, seconded by Mr. Evanisko to approve the minutes of the regular meeting on September 21, 2021 with the following corrections in the Codes Committee report given by Mr. Abell: "He reported that he spoke with the Monroe County Land Bank about the Wallace house on Scott Street. The Land Bank is still on track to finalize the sale; their ~~thirty~~**thirty-ninety-day** due diligence period ends in October. The Wallace Family bankruptcy court has not yet agreed to the sale. ~~The appraisal came in at \$110,000.00. The Land Bank offered \$110,000.00.~~ The Land Bank has a HARB application prepared. The plan is to remove the two chimneys and ~~replace them~~**roof over the area**, replace the roof, replace the existing wood windows, put vinyl siding over the wood siding which is nailed to the studs, and rip off the front porch salvaging as much of the original porch as possible. The Land Bank may need to subsidize the part of the repairs." The motion was carried. (yes-5, no-0, abstain-0)

Continuation of the Public Hearing and Consideration to Adopt "AN ORDINANCE AMENDING ORDINANCE NO. 1048-2018, PRESENTLY CODIFIED IN THE STROUDSBURG BOROUGH CODE AS CHAPTER 27, ZONING, PART 8, SIGN REQUIREMENTS BY AMENDING CERTAIN SPECIFICATIONS FOR PERMITTED SIGNS, ADDING ADDITIONAL CATEGORIES OF CONSTRUCTION TYPES, PROHIBITED SIGNS, ADDING ADDITIONAL CRITERIA FOR PERMITS REQUIRED, REVISING TABLE I RESTRICTING THE LOCATION OF PERMITTED SIGNS, AMENDING TABLE II, ADDING ADDITIONAL NOTES AND CRITERIA FOR SIGNS REGULATED BY CONSTRUCTION TYPES, TABLE III AMENDING THE CRITERIA FOR MAXIMUM HEIGHT OF INDIVIDUAL SIGNS AND ALL ZONING DISTRICTS; TABLE IV, AMENDING THE MAXIMUM PERMITTED SQUARE FOOTAGE FOR INDIVIDUAL SIGNS IN ALL ZONING DISTRICTS; AMENDING THE CRITERIA FOR AREA COMPUTATION OF SIGNS, AMENDING ILLUMINATION RESTRICTIONS FOR ALL SIGNS INCLUDING ELECTRONIC MESSAGE BOARD SIGNS AND OTHER TEXTUAL CHANGES"

Solicitor McDonald noted that a court reporter was present at the meeting. He confirmed that a detailed summary of the proposed Ordinance was published in the Pocono Record in the issues of September 21 and 28, 2021. A copy of the entire proposed Ordinance was also sent to the Pocono Record and the Monroe County Law Library. The Ordinance clarifies categories of signage, recognizes electronic changeable message displays, illumination standards and, if adopted, it would permit what is commonly referred to as digital advertising in the industrial zone with certain requirements.

The Borough submitted an Application for Allowance of Appeal to the Pennsylvania Supreme Court, and if granted, the decision made by the Honorable Judge Zulick that invalidated one section of the existing ordinance which prohibits digital signage in the Borough will be reviewed by a panel of three people.

Adams Outdoor Advertising made an application for a sign permit one month ago which is intended for the same location they requested three years ago.

There were no questions or comments from the public.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to continue the hearing to Tuesday, December 7, 2021 at 7:00 P.M. due to the Borough's pending Application for Allowance of Appeal to the P.A. Supreme Court. The motion was carried. (yes-5, no-0, abstain-0)

Public Hearing and Consideration to Adopt "AN ORDINANCE AMENDING CHAPTER 20 SOLID WASTE OF THE STROUDSBURG BOROUGH CODE ESTABLISHING A MANDATORY MUNICIPAL SOLID WASTE COLLECTION SERVICE FOR ALL NON MULTI-FAMILY RESIDENTIAL DWELLING UNITS AND CONTINUING MANDATORY MUNICIPAL SOLID WASTE COLLECTION THROUGH PRIVATE CONTRACTED COLLECTION SERVICES FOR ALL NON-RESIDENTIAL AND MULTI-FAMILY RESIDENTIAL UNITS AND PRIVATE HOUSING COMMUNITIES AND ADOPTING ADDITIONAL DEFINITIONS, TERMS AND PROCEDURES FOR THE COLLECTION OF SOLID WASTE"

Solicitor McDonald confirmed that the summary of the proposed Ordinance was published in The Pocono Record in the issue of September 28, 2021; the full text of the Ordinance was also forwarded to The Pocono Record. The notice of public hearing and the full text of the Ordinance were also forwarded to the Monroe County Law Library.

Mr. Abell advised that the Borough Council has received numerous complaints about garbage scattered on the roads. Garbage is collected by private haulers every day, which compounds the problem. The buying power will result in cost savings for residents. Certain haulers are picking up recyclables curbside which are the property of the Borough. The sale of recyclables by the Twin Boroughs Recycling Program is used for the expenses of running the recycling program including staff wages. The taking of marketable recyclables by haulers results in a loss of revenue which directly affects residents.

There were no questions or comments from the public.

The Ordinance was adopted on a motion made by Ms. McCabe, seconded by Mr. Evanisko. The motion was carried. (yes-5, no-0, abstain-0)

The services of the court stenographer ended.

OLD BUSINESS

Consideration to approve a Standard Stormwater Facilities Maintenance and Monitoring Agreement between the County of Monroe and the Borough of Stroudsburg.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to approve the aforementioned agreement. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to approve a Development Agreement between the County of Monroe and the Borough of Stroudsburg.

A motion was made by Mr. Weiss, seconded by Ms. McCabe to approve the aforementioned Development Agreement. The motion was carried. (yes-5, no-0, abstain-0)

NEW BUSINESS

Consideration to schedule a public hearing for An Ordinance of the Borough of Stroudsburg requiring Knox Boxes for New Commercial Structures, Existing Commercial Structures, Existing Commercial Structures with Improvements, and Multi-Family Residential Structures.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to schedule a public hearing for consideration of the aforementioned proposed Ordinance. Solicitor McDonald suggested that the Ordinance needs more work, such as definitions, the reference to one manufacturer, and compelling private property owners to purchase the box.

Fire Chief Charles Frantz was present via Zoom and offered some more information about the boxes. A discussion ensued about how the Knox Boxes are used. John Stevens is the Knox Box Coordinator for the Fire Department.

Ms. McCabe withdrew her motion; Mr. Weiss withdrew his second.

A motion was made by Ms. McCabe, seconded by Mrs. Kochanski to table action on the proposed Ordinance and to direct Solicitor McDonald and Chief Frantz to discuss the details and bring an ordinance back to Council for consideration. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to schedule a public hearing for An Ordinance of the Borough of Stroudsburg providing for the Installation of Fire Department Connections to Ensure the Proper Amount of Water is Delivered to Fire Sprinkler Systems and Building Standpipe Systems in New and Existing Commercial Structures, Existing Commercial Structures with Improvements and Multi-Family Residential Structures.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to table the proposed Ordinance and to direct Solicitor McDonald and Chief Frantz to discuss the details and bring an ordinance back to Council for consideration. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to schedule a public hearing for An Ordinance of the Borough of Stroudsburg, County of Monroe, Commonwealth of Pennsylvania Authorizing the Stroudsburg Borough Fire Department and Other Emergency Service Organizations to Charge and Recoup the Costs of Certain Emergency Services and Equipment.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to schedule a public hearing for consideration of the aforementioned Ordinance on October 19, 2021 at 7:00 P.M. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to adopt a Budget Transfer Resolution for the General Fund, Sewer Fund, and Recreation Fund.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to adopt the aforementioned Resolution. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to adopt a Resolution of the Stroudsburg Borough Council to Revise Resolution #18-21 Entitled “A Resolution of the Stroudsburg Borough Council to Authorize a New Bank Account at ESSA Bank and Trust in the Name of “Borough of Stroudsburg Fire Escrow Account for 520 Brown Street” Owned by Jason Schneider Pursuant to the Stroudsburg Borough Code, Chapter 1, Part 6”.

A motion was made by Mrs. Kochanski, seconded by Mr. Evanisko to adopt the aforementioned Resolution. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to adopt a Resolution Authorizing the Board of Commissioners of Monroe County to Submit an Application for FFY 2021 Community Development Block Grant Program Funds in the Amount of \$110,265.00 on Behalf of the Borough of Stroudsburg.

A motion was made by Ms. McCabe, seconded by Mrs. Kochanski to adopt the aforementioned Resolution. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to Authorize a Cooperation Agreement By and Between the County of Monroe and the Borough of Stroudsburg for the FFY 2021 Community Development Block Grant (CDBG) Administration.

A motion was made by Mr. Weiss, seconded by Ms. McCabe to adopt the aforementioned Resolution. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to adopt a Resolution Acknowledging the Borough of Stroudsburg's Intent to Modify its FFY 2020 Community Development Block Grant – Coronavirus (CDBG-CV) Program.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to adopt the aforementioned Resolution. Mr. Kopp advised that the money will be available through the “Healthy Home Repair Program”, and information about the program will be posted on the Borough’s website. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to Adopt a Resolution of the Stroudsburg Borough Council to Revise the Penalties for Violations of the Property Maintenance Section of the Stroudsburg Borough Code.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to adopt the aforementioned Resolution. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to Adopt a Resolution of the Stroudsburg Borough Council to Revise the Professional Services Escrow Agreement Schedule.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to adopt the aforementioned Resolution. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to enter in to an agreement with Penn Strategies of Harrisburg, PA to provide grant writing services to Stroudsburg Borough.

A motion was made by Ms. McCabe, seconded by Mr. Weiss to enter in to an agreement for grant writing services with Penn Strategies of Harrisburg, PA. Mr. Kopp advised that there is \$10,000.00 budgeted for professional grant writing services. The motion was carried. (yes-5, no-0, abstain-0)

Consideration to approve a request from the Stroudsburg Area School District to hold the Annual Bonfire on Thursday, October 21, 2021 instead of October 28, 2021 (previously approved by Council).

A motion was made by Ms. McCabe, seconded by Mr. Weiss to approve the request of the Stroudsburg Area School District to hold the Annual Bonfire on Thursday, October 21, 2021. The motion was carried. (yes-5, no-0, abstain-0)

Consider the request of Daniel and Antoinette Folsom, Leonard F. DeMaria, and Scott Tretheway to Vacate an Unused Borough Street. This is an alleyway between the properties that are owned by Mr. and Mrs. Folsom, Mr. Tretheway, and Mr. DeMaria and is used by the property owners to access their respective garages.

Solicitor McDonald reported that he was contacted by Attorney Brett Riegel, who represents Mr. DeMaria. The Borough was approached last year about this matter. There is no record of a formal acceptance of the alleyway by the Borough. There is a stormwater pipe in the alley, which the Borough needs access to; therefore, that interest cannot be vacated.

The Borough could follow the street vacation process under the Borough Code while maintaining an easement for the stormwater pipe, or it could grant a quit claim deed to the adjoining property owners. In either case, the Borough would not be in a position to allocate portions of the alley to the three separate owners.

A scaled drawing was provided by Mr. DeMaria and was the subject of a discussion. A motion was made by Ms. McCabe, seconded by Mr. Evanisko to proceed with a street vacation ordinance which would be subject to the granting of an easement from the three owners to the Borough for repair and maintenance of the stormwater pipe when necessary. This action also includes an easement for the 12-foot-wide portion of the alley depicted on the drawing. The motion was carried. (yes-5, no-0, abstain-0)

Committee Reports

Codes Committee – Mr. Abell reported that the proposed zero setback subdivision ordinance will be provided to the Monroe County Planning Commission and the Stroudsburg Borough Planning Commission for their review and recommendation. The proposed sidewalk ordinance and the real estate transfer inspection ordinance were tabled; more information it needed. Mr. Abell and Mr. Kimes will be working on the second round of special exception revisions. A code enforcement and building code enforcement appeals board will be created to comply with that provision in the Stroudsburg Borough Code. The Committee will also look at an ordinance to decriminalize marijuana. The Codes office is working on the problem properties, including the trailer that is near the Happy Hour Restaurant. The next meeting of the Committee is October 27 at 3:30 P.M.

Budget Committee – Mr. Kopp is working on the first draft of the proposed 2022 budget. He will get a meeting together with the budget committee in the next couple of weeks.

Parking Committee – Ms. McCabe advised that there was no meeting. The Parking Department is reviewing the parking code in its entirety.

Recycling Committee – Mr. Kopp advised that the Stroudsburg Borough and East Stroudsburg Borough recycling committees will meet on October 13 in the Council Chambers of the Stroudsburg Municipal Building.

Sewer Committee – Mr. Kopp advised that there is no meeting scheduled; however, a meeting will be set up by the attorneys for Stroudsburg Borough and Stroud Township to discuss Stroud Township's contribution toward the proposed Ann Street Sewer Project.

Streets Committee – Mayor Probst advised that the Committee will meet on October 6 at 3:30 P.M.

Personnel Committee – No meeting.

Public Relations/Media Committee – The Committee will meet on October 12 at 5:30 P.M.

Redevelopment Committee – Mr. Abell noted that the Monroe County Planning Commission reviewed the proposed open space ordinance, and there were very few recommendations. The Stroudsburg Planning Commission will also review the proposed ordinance. He hopes to have the grant writer work on the following proposed projects: South Levy Loop Trail, Creek Walk Trail, and the coordinated bike lanes. The next meeting of the Committee is October 20 at 3:30 P.M.

I-80 Expansion Task Force Committee – No change in status.

Stroud Region Open Space and Recreation Commission – Ms. McCabe advised that Autumn Arthur, the Executive Director of SROSRC, will be coming to a Council meeting in the future. She will attend all municipal partner meetings and the school districts. SROSRC is working on their 2022 budget. A number of activities that are sponsored by SROSRC were discussed by Ms. McCabe, and more information can be found on their website www.stroudrec.org.

Mayor's Report

Mayor Probst discussed her participation in the Champions Institute for Smart Growth which is a six-course seminar. She is getting a lot of good information that she will share with Council.

There was an article in the Pocono Record recently about the old County Jail. She urged people to write to the Monroe County Commissioners to ask that they transfer ownership of the jail to the Borough.

There have been no suggestions submitted for the \$50,000.00 T-Mobile Community Project. She asked that residents send those to Mr. Kopp.

Spooky Stroudsburg is coming up, and there are several activities for everyone.

Council Member Reports

There were no reports from Council members.

Solicitor's Report

Solicitor McDonald reported that he is working on finalizing the development agreement between the Borough and AKS Realty (the former Hess Gas Station). He asked to discuss three matters with Council in executive session, they are: 124R Lee Avenue (a hearing before Judge Zulick is scheduled for October 6); 805-809 Scott Street (there is a written decision from the Stroudsburg Zoning Hearing Board that upheld the landowner's appeal of the Zoning Officer's decision); the status of Stroudsburg Borough v. VFG LaBar.

Borough Manager

Mr. Kopp advised that he received a request from Russ Scott, P.E. of RKR Hess that Council approve the submission of the Water Quality Management Report, Part II to the PA DEP in connection with the Ann Street Sewer Project. There were no questions or comments from the public. A motion was made by Mrs. Kochanski, seconded by Ms. McCabe to authorize the submission. The motion was carried. (yes-5, no-0, abstain-0)

The contract for health insurance through Benecon will expire December, 2022. He sent Benecon a letter to let them know that the Borough is looking at other options.

The Borough is receiving the maximum allowable cable television franchise revenue of 5%. He requested the renewal paperwork from Blue Ridge Communications and hopes to have that for Council's consideration at the next meeting.

Access Office Technologies is working on the cloud-based email system; it should be ready by next week. He got a thirty-day extension on the service provided through the Cyber Insurance Policy since there is still an issue with the server. Access Office Technologies is working on a proposal to get the server on a cloud-based system.

The Monroe Farmers' Market would like to continue until the end of the year and then every other week after that. He asked that they send a letter requesting that.

He will be working on performance evaluations and counseling for the three department heads.

He and the Pocono Mountains Visitors Bureau will meet on October 20 to discuss the Auston Healy Car Show which is planned for September 22, 2022.

The status of the sewer accounts payable was discussed. Progress is being made since the turn-off letters went out.

Three proposals have been received to automate the zoning and codes office. He will have those for Council at the November 3 meeting.

The newsletters and recycling pamphlets are at the printer and will be going out next week.

A copy of the proposed 2022 budget for the Monroe County Control Center was received earlier in the day. There will be a 26% increase due to technology upgrades. Mrs. Kochanski, the chairwoman of the Monroe County Control Center Commission, advised that the Commission held the line on the requested contributions for several years, but technology is changing. Mr. Kopp provided a copy of the information to Council, and he will incorporate that appropriation in to the 2022 budget.

Code Enforcement Officer's Report

Mr. Kimes reported that the vacant and abandoned registration letters went out. He applied through the Monroe County Redevelopment Authority, Land Bank, for the four vacant residential structures at LaBar Village.

Mayor Probst expressed concern about the status of the abandoned Bentzoni house at the north corner of 7th Street and Thomas Street. The owners of record are deceased, and they had a reverse mortgage on the property. A discussion ensued. Reverse Mortgage Funding, LLC. is the lending institution; Solicitor McDonald will look in to options that the Borough might have.

Street Superintendent's Report

The paving will start soon on North 8th Street; the equipment is on site.

The storm basin on Lower Main Street by the Wells Fargo Bank has been repaired.

Mr. Ace suggested that Council decide on the location of the portable ice rink so that his department can get the stakes in the ground while it's warm. Council picked the Helen Amhurst Third Street Park.

Approval of Bills on Warrants 211005

A motion was made by Ms. McCabe, seconded by Mr. Weiss to approve the payment of the bills on Warrants 212005. The motion was carried. (yes-5, no-0, abstain-0)

Public Input on Non-Agenda Items

There were no questions or comments from the public.

Executive Session, re: pending and anticipated litigation

A motion was made by Ms. McCabe, seconded by Mr. Weiss to go in to an executive session at 8:32 P.M. for the purpose of discussing pending and anticipated litigation. The motion was carried. (yes-5, no-0, abstain-0)

The executive session was concluded at 9:19 P.M. on a motion made by Mrs. Kochanski, seconded by Ms. McCabe. The motion was carried. (yes-5, no-0, abstain-0)

The meeting was adjourned at 9:20 P.M. on a motion made by Ms. McCabe, seconded by Mr. Evanisko. The motion was carried. (yes-5, no-0, abstain-0)

