

STROUDSBURG BOROUGH COUNCIL  
MEETING MINUTES, APRIL 5, 2022

A meeting of the Stroudsburg Borough Council convened at 7:00 P.M. on Tuesday, April 5, 2022 in the Council Chambers of the Stroudsburg Borough Municipal Building, 700 Sarah Street, Stroudsburg PA with the following members present: Council President Matt Abell, Vice-President of Council Erica McCabe, Council President Pro-Tem Jim Evanisko, Council member Victoria DeVries, Council member Tobias Sabatine, and Council member Joanne Kochanski. Council member James Smith was absent.

Also present were: Mayor Tarah Probst, Borough Manager Larry Kopp, Executive Assistant Mary Pat Quinn, Street Superintendent Brian Ace Jr., Borough Solicitor Joseph Mc Donald Jr. Esq., Co-Borough Solicitor Christopher Brown Esq., and I-80 Expansion Task Force Committee Chairwoman Kris Battle.

The Honorable Kristina Anzini, Magisterial District Judge, will administer the Oath of Office to Charles Frantz as Fire Chief, Mehmet Barzev as Assistant Fire Chief, and Michael Mignosi as Assistant Fire Chief. Their new terms begin April 7, 2022 and will expire April 6, 2025.

Judge Anzini administered the oath of office to each officer individually and thanked them for their service to the Borough.

The following line officers from the Stroudsburg Fire Department were present to support Chief Frantz, Assistant Chief Barzev, and Assistant Chief Mignosi: Michael Seip, Michael Jabbour, Brandon Overbeck, Michael Schroder, Robert Smith, and Adam Transue. Family members of each officer were also present.

Public Hearing and Consideration to Adopt An Ordinance of the Borough Council of the Borough of Stroudsburg in the County of Monroe, Commonwealth of Pennsylvania to Amend Chapter 21, Part 2, Section §21-221 entitled, “Use of Sidewalks for Display or Advertising Regulated”.

There were no comments or questions from the public regarding the proposed Ordinance. The public hearing was closed on a motion made by Ms. McCabe, seconded by Mrs. Kochanski. The motion was carried. (6-yes; 0-no; 0-abstain).

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to adopt the aforementioned Ordinance. The motion was carried. (6-yes; 0-no; 0-abstain).

Public Hearing and Consideration to Adopt An Ordinance Amending Chapter 13, Part 3 Public Exhibitions, Amusements and Entertainment of the Stroudsburg Borough Code and Borough Ordinance No. 599 Now Codified at Chapter 13-301-306 to Permit a Permit for Reoccurring Events on Multiple Days and/or Nights Under Certain Conditions and Regulating or Prohibiting Outdoor Amplification of Pre-Recorded Audio.

Mrs. Katherine Nunn, co-owner of the Willow Tree Restaurant, asked the Council for clarification about the permit process. She has music during the summer on the rear deck behind her restaurant. Mr. Abell explained that the new ordinance pertains to requests to have music on sidewalks. It does not affect what she is doing.

Ms. McCabe asked about the rationale for the \$100.00 special event permit fee. Mr. Abell answered that the special event permit would allow recurring events not exceeding two days/night per week up to ten days/nights per month.

A motion was made by Mrs. Kochanski, seconded by Mr. Sabatine to adopt the aforementioned Ordinance. The motion was carried. The motion was carried. (6-yes; 0-no; 0-abstain).

#### Approval of Council Meeting Minutes for the regular meeting on March 15, 2022

The minutes of the March 15, 2022 regular meeting were approved as circulated on a motion made by Mrs. Kochanski, seconded by Mr. Sabatine. The motion was carried. (6-yes; 0-no; 0-abstain).

#### Approval of Council Meeting Minutes for the special meeting on March 21, 2022

The minutes of the March 21, 2022 special meeting minutes were approved as circulated on a motion made by Mrs. Kochanski, seconded by Mr. Sabatine. The motion was carried. (6-yes; 0-no; 1-abstain- Mr. Evanisko).

#### OLD BUSINESS

#### Consideration to discuss the potential lease of property to P3 Towers, LLC. for a cellular tower for network upgrade and FirstNet Emergency Responders Network deployment by AT&T.

Larry Romanowski, the owner of P3 Towers, LLC. provided the Council with information about his company and his request to put a cellular tower on the Public Works property located at 118 Borough Street. AT&T would like to increase its coverage in the area. P3 Towers, LLC. is a Pennsylvania-based, independent cell tower company. Eighty percent (80%) of the towers that he builds are located on municipal, recycling or wastewater treatment properties. The height of the towers that his company builds are 100-150 feet high with 5G.

P3 Towers, LLC. takes care of the permits, construction and maintenance of the tower. The revenue share would provide the Borough with 40% of the monthly rental fee charged to carriers like AT&T. Initially, the monthly rental fee per carrier would be \$2,380.00. The annual rental fees increase by 3% each year, and 40% of that increase would be given to the Borough. Although there are no guarantees, other carriers such as Verizon, T-Mobile, and Dish Network could co-locate on the tower. This would increase the Borough's revenue share. Generally, the term of a lease is 29 years.

Communication equipment that would be needed by the Stroudsburg Public Works Department or the Stroudsburg Fire Department would be co-located on the tower free of charge.

Solicitor McDonald noted that the project would require Conditional Use Approval.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to authorize Solicitor McDonald to review the proposed lease agreement and the scope of the project being proposed. The motion was carried. (6-yes; 0-no; 0-abstain).

Consideration to schedule a Public Hearing for An Ordinance of the Stroudsburg Borough Council to Revise Chapter 15 Entitled, "Motor Vehicles and Traffic", Part 3 "General Parking Regulations" Section 1 "Parking Time Limited in Certain Locations, Certain Days and Hours".

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to schedule a public hearing for consideration of the aforementioned Ordinance on April 19, 2022 at 7:00 P.M. The motion was carried. (6-yes; 0-no; 0-abstain).

Consideration to Adopt a Resolution to authorize the submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources for the Stroudsburg Creek Walk Project and to authorize the Council President, Matt Abell, to execute the grant application on behalf of the Borough of Stroudsburg.

A motion was made by Mrs. Kochanski, seconded by Ms. DeVries to adopt the aforementioned Resolution and to authorize Council President Matt Abell to execute the grant application and the certified resolution on behalf of the Borough. The motion was carried. (6-yes; 0-no; 0-abstain).

Mr. Kopp advised that the grant is for engineering in connection with the Stroudsburg Creek Walk Project.

Consideration to Adopt a Resolution of the Stroudsburg Borough Council to Establish a Fee Schedule for Special Event Permits.

A motion was made by Mrs. Kochanski, seconded by Mr. Sabatine to adopt the aforementioned Resolution. The motion was carried. (6-yes; 0-no; 0-abstain).

Consideration to Adopt a Resolution of the Borough of Stroudsburg, Monroe County, Pennsylvania, Authorizing the Transfer of Funds for Budget Purposes for CY 2021.

A motion was made by Mrs. Kochanski, seconded by Ms. DeVries to adopt the aforementioned Resolution. The motion was carried. (6-yes; 0-no; 0-abstain).

Consideration to approve a Special Event/Car Show on Main Street on Wednesday, September 21st, 2022, 3:00 pm to 7:00 pm, by the Austin-Healey Club of America, sponsored by the Pocono Mountain Visitors Bureau.

Mr. Kopp advised that he is still working with Chief Lyons to prepare a traffic plan for this event. A motion was made by Mrs. Kochanski, seconded by Mr. Sabatine to table consideration of the event. The motion was carried. (6-yes; 0-no; 0-abstain).

Consideration to approve a Resolution refunding Fire Escrow Account Funds to Androulla M. Tofalli for 501 Sarah Street in accordance with §1-602 of the Stroudsburg Borough Code.

A motion was made by Mrs. Kochanski, seconded by Mr. Evanisko to adopt the aforementioned Resolution. The motion was carried. (6-yes; 0-no; 0-abstain).

Consideration to advertise for a bid opening on May 18<sup>th</sup>, 2022, for Multimodal Sidewalk Grant Project in the Pocono Record in the issues of April 12<sup>th</sup> and 26<sup>th</sup>, 2022.

A motion was made by Mr. Sabatine, seconded by Mrs. Kochanski to advertise for bids for the Sidewalk Project as requested. The motion was carried. (6-yes; 0-no; 0-abstain).

Consideration to approve a request from Elizabeth Ruggerio, Development Director of Women's Resources of Monroe County to put teal ribbons on the light posts on Main Street from April 6 to April 28, 2022.

A motion was made by Mrs. Sabatine, seconded by Ms. DeVries to approve the aforementioned request. The motion was carried. (6-yes; 0-no; 0-abstain).

Consider the application of Clinton Meisser, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for replacing rear porches, replacing gutters, and repairing the siding of the rear of the property at 724-726 Monroe Street.

A motion was made by Ms. DeVries, seconded by Mr. Sabatine to authorize the issuance of a Certificate of Appropriateness to Clinton Meisser for the work described above. The motion was carried. (6-yes; 0-no; 0-abstain).

Consider the application of Ian Schreier, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for infilling and/or replacing doors and windows at 735 Main Street.

A motion was made by Mr. Sabatine, seconded by Ms. DeVries to authorize the issuance of a Certificate of Appropriateness to Ian Schreier for the work described above. The motion was carried. (6-yes; 0-no; 0-abstain).

Consider the application of Shane Steinman, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the replacement of the slate roof at 540-542 Scott Street.

A motion was made by Mr. Sabatine, seconded by Ms. DeVries to authorize the issuance of a Certificate of Appropriateness to Shane Steinman for the work described above. The motion was carried. (6-yes; 0-no; 0-abstain).

Consider the application of Anthony Jakubowski, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the replacement of an overhang at the rear of the property at 603 Thomas Street.

A motion was made by Ms. DeVries, seconded by Mr. Sabatine to authorize the issuance of a Certificate of Appropriateness to Anthony Jakubowski for the work described above. The motion was carried. (6-yes; 0-no; 0-abstain).

Consideration to approve the sale of the 1996 GMC 3500 4X4 Dump Truck with Snowplow, VIN 1GDJK34F8VF046254, for \$4,500 to Stephen Griffith.

A motion was made by Mr. Sabatine, seconded by Ms. DeVries to authorize the sale of the 1996 GMC dump truck from Twin Boroughs Recycling to Stephen Griffith in the amount of \$4,500.00. The motion was carried. (6-yes; 0-no; 0-abstain).

### Committee Reports

Codes Committee – Mr. Abell reported that the Committee is working on an amendment to the Noise Ordinance.

Budget Committee – No meeting.

Parking Committee – Nothing to report.

Recycling Committee – Mr. Kopp reported that the Twin Boroughs Recycling Committee will meet on April 6 at 5:45 P.M. in Council Chambers.

Sewer Committee – Mr. Kopp reported that he has completed the EDU/EBU review of rental unit data between existing and BCRA's records. A priority list of properties to be inspected is the next step.

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

Personnel Committee – Mr. Abell congratulated Mr. Kopp on his one-year anniversary with the Borough. A meeting of the Personnel Committee will be scheduled to review his evaluation.

Public Relations/Media Committee – Mayor Probst advised that the Welcome to Stroudsburg banners were received and will be put up by the Street Department. The next meeting of the Committee is April 19 at 5:30 P.M.

Redevelopment Committee – Mr. Abell advised that there will be a meeting with Penn DOT on April 15 to discuss the final design of the Route 80 Expansion Project, the number of taxable properties that will be taken for the project, and the anticipated start date of the construction.

I-80 Expansion Task Force Committee – Kris Battle was present and advised that the task force will be contacting Secretary of Transportation Pete Buttigieg about the project. She also asked that the Borough Council consider an injunction against PennDOT to force them to have an environmental impact study completed by an outside agency. Mayor Probst added that the Brodhead Watershed

Association and Penn Futures had questions about the project as well. Solicitor McDonald suggested that he, Solicitor Brown, Mrs. Battle, Mayor Probst and Mr. Kopp meet virtually to discuss the recent communication from Penn DOT. A meeting will be set up through Mr. Kopp.

Stroud Region Open Space and Recreation Commission – Ms. McCabe reported that there are a number of summer employment opportunities, which can be found on the SROSRC website. The pools will be open from June 10 to August 21 this year.

#### Mayor’s Report

Mayor Probst announced that the Pocono Mountains Visitors Bureau will hold the Annual “Pick up the Poconos” event on Earth Day.

#### Council Member Reports

Mrs. Kochanski advised that next week is Dispatchers Appreciation Week and asked that the Borough of Stroudsburg send a letter of thanks to the Monroe County Control Center dispatchers.

Mr. Abell advised that the requirement to wear masks in the Municipal Building is no longer required pursuant to the updated CDC guidelines.

#### Solicitor’s Report

Solicitor McDonald reported that a special meeting of the Borough Council was held on March 21 to authorize the refinance of a portion of the Borough’s debt. Thomas Smida, the Bond Attorney, will have documents ready on April 7 for distribution to the Borough and the appropriate banking institutions.

VFG LaBar accepted service of the citations with the Magisterial District Justice regarding the violations related to the Borough’s Vacant and Abandoned Building Ordinance. Simpson Glen will be enjoined to the complaints.

#### Manager’s Report

##### Meetings

Al DeGennaro/Mascaro & Sons	March 17 <sup>th</sup>
Chuck Leonard/Pocono Mountains Economic Dev. Corp	March 17 <sup>th</sup>
Nate/Multimodal Grant	March 18 <sup>th</sup>
PennDOT/I-80	March 18 <sup>th</sup>
DCNR Follow-Up/Penn Strategies	March 22 <sup>nd</sup>
COG Meeting	March 28 <sup>th</sup>
Monroe County Tax Meeting (MCCC)	March 28 <sup>th</sup>
County Conservation District/McMichael Creek	March 29 <sup>th</sup>
Scott Peckins/YMCA	April 1 <sup>st</sup>
Twin Boroughs Recycling Committee	April 6 <sup>th</sup>
Alpha Recycling Site Visit	April 12 <sup>th</sup>

## Infrastructure/Streets/Capital Projects

*Sidewalk Replacement Project/Multimodal Grant.* Extension approved from DCED/CFA. Finalizing to go out to bid; waiting to hear from RKR Hess. Project completion in summer 2022. Will add ramp(s) at corner at 6<sup>th</sup> and Monroe (SW Corner) as part of the project.

*Ann Street Sewer Replacement & Paving.* Sewer Facilities Planning Module sent 3/9/22. Water Quality Management Plan sent to DEP on 3/18/22. Still hope to go to bid this spring.

*Thomas Street Paving Project.* Out for bids. Bids due/opening April 12<sup>th</sup>.

## Grants Strategy 2022

*Parking Garage.* LSA Grant submitted on March 15<sup>th</sup>. Discussed with Chuck Leonard, Pocono Mountains Economic Development Corporation. They will be able to fund with grant funds on hand if DCED doesn't fund.

*Flood Mitigation.* Met with Monroe County Conservation District. Decided to hold off on the Flood Mitigation grant because of uncertainty as to long-term impacts of I-80 Project. We can remove trees from stream without permitting, so will pursue that this FY.

*Trails.* Submitting a DCNR Non-Motorized Trail Planning Grant by April 6<sup>th</sup>.

*PMVB Community Impact Grant Application.* Due by April 30<sup>th</sup>. Quality of Life/Recreation Projects. 50% Match.

## Emergency Operations Plan

I'm working with Mehmet to update our contacts and to look specifically at EMP and Cyber Attacks. Current world situation has me concerned and I want us to be ready. Plan was due to be updated in 2021.

## MyGov Software for Codes/Zoning and Parking

Will have all data/information provided to MyGov by April 15<sup>th</sup> to begin the implementation process. We will go live the week of May 9<sup>th</sup>.

## Recycling Center

Committee Meeting for 1<sup>st</sup> Quarter 2022 scheduled for April 6<sup>th</sup>. New Buckets for recyclables have arrived! GMC Dump Truck met reserve of \$4,500 on auction and will be sold. Update of the Twin Boroughs Recycling Agreement on the agenda for the Committee Meeting. Finally, considering adding Saturday afternoon hours once monthly at the Recycling Center; union wants to increase Saturday hours, not just move them.

## Sewer Collection System/I&I Initiative

Waiting for a date for a meeting with BCRA on updated I&I Plan. Acquired GIS capabilities to accurately, and quickly, map sewer collection system. Acquired laptop (budgeted) for the GIS Mapping program. We are conducting smoke testing weekly; 500-600 and 800-900 Blocks of Ann Street this week (April 4<sup>th</sup>). Camera work on potential lines with I&I ongoing when conditions are favorable.

## Request for Proposal (RFP), Solid Waste Service

Working on the RFP for Trash Haulers to provide service to the Borough starting in 2023. Met with Mascaro & Sons on March 17<sup>th</sup> to discuss; they provided some excellent examples of RFP from other PA municipalities.

## Sewer Rates/EDU Assessment/Billing

Completed scrub of rental unit data from the Borough against billed EDUs from BCRA as well as a scrub of BCRA Water EDUs. We are going to have to look at hundreds of properties, which sounds daunting, but really will not take as long as you would think. It can probably be completed in several weeks. Prioritized properties to inspect, will do inspection is order of priority. Next step is to develop plan and coordinate staffing; will need assistance from either Codes or Public Works.

Beginning issuing separate bills for sewer customers in 2022 and will change the information that is included on bills later in the FY. BCRA is having issues with their billing system and may be changing vendors.

## Five Points Intersection North 5<sup>th</sup> Street

Preliminary design & cost estimate complete! Working on setting up a meeting with Nate Oiler to discuss.

## Garbage Concerns on Main Street

Second letter sent to all property owners on the North side of the 500 & 600 Blocks of Main Street requiring them to provide the Borough evidence of a trash hauler for their property. As of 3/10 I have proof of 18 of the 29 properties having garbage service. They had until March 4<sup>th</sup> to respond, then I will be pursuing legal action.

## Capital Improvements Plan

Working during winter/spring 2022 to put together a 10-year Capital Improvements Plan for the Borough listing all major capital projects and purchases through 2031. Looking to finish priority projects before beginning later in March or April 2022.



## Code Enforcement

I have taken over supervision of the Zoning/Code Enforcement Office and am working on several large-scale projects necessitated by Ordinances that have been passed by Council. *Dumpster*: Identifying dumpsters and owners for notification and implementation of Ordinance requiring dumpsters to be screened from the right-of-way. Codes Committee granted additional time for compliance. *Rental Properties*: Looking at ways to make sure all rental properties are registered with the Borough. Need to identify properties that are rental properties to update EDU/EBUs and to ensure compliance with the IPMC. *Short-Term Rentals*: Compiling list of properties for notification.

## McMichael Creek Flood Protection Project/Levee Repair/DEP Grant

Project is being managed by the Army Corps of Engineers. Award date for the contract is now tentatively March 31<sup>st</sup>; Notice to Proceed April 14<sup>th</sup>, with construction starting June 1<sup>st</sup> and be completed NLT August 30<sup>th</sup>. Will keep Council updated. Grant Agreement is complete for DEP to provide 100% of the share of the Borough's cost of the project. We will be responsible for the upfront match costs and then will be reimbursed, up to \$80,000, by DEP, and is included in the 2022 Budget.

## Sewer Fund Delinquent Accounts/Liens

BCRA wants to meet in regard to delinquent accounts; this has been put onto the back burner until plans to address I&I are underway. I have talked to three different collection agencies and given the experiences so far with the shutoff notices, there may be a place for collection agencies when a rental property has water due to be shut off because of nonpayment by the property owner/landlord. BCRA found a 20-year-old agreement on how billing was to be done for sewer accounts.

## Levee Conduit Inspection

In 2021, all conduits on our Levees must be inspected by camera. Since we have our own camera truck, we are able to do this work "in house" and save costs. Working on getting more guidance from the Corps of Engineers/DEP.

## Borough Pool

I am getting quotes from several vendors for an install of a pool liner in fall 2022, after the outdoor pool season is complete. There are basically two types of lines, trying to determine which is the most durable and cost effective for the Borough.

## Bicycle Racks

Three racks remain to be installed: 745 Main, 401 Main & 33 North 7<sup>th</sup> Streets. North 7<sup>th</sup> Street was approved with a slightly changed location. Waiting to hear back from the remaining two

property owners. One property owner (1172 Main Street) declined to have the rack on their property. Installation in Spring 2022.

### Safety Committee

Last time the Safety Committee met was in August 2019. We will set-up a meeting soon. It is important for insurance purposes to have an active Safety Committee.

### Upcoming Focus

MyGov Implementation

Grants

Solid Waste Request for Proposals

Code Enforcement (Dumpster/Recycling/Rental Prop)

Sewer EDU Assessment Plan

Smoke Testing/I&I Mitigation

Capital Improvement Plan

Day to Day Activities

### Code Enforcement Officer's Report

Mr. Kopp read a report from Ms. Walker.

- Planning Commission: The monthly meeting is on Monday, April 11, 2022 at 6:00 PM. The application of 1009 Realty, LLC. (Dunkin Donuts) is on the agenda for consideration by the Commission.
- Zoning Hearing Board: There are no new applications at this time.
- HARB: The HARB meeting that was scheduled for Monday, April 4, 2022 was cancelled due to a lack of quorum. The next meeting is Monday, May 2, 2022 at 5:30 PM.
- The owner of the former Kays Tavern, 500 Main Street, picked up building permits today.
- BioSpectra has been issued permits and their internal renovations are moving forward.
- The owner of 724-726 Monroe Street picked up permits yesterday. Improvements to the building are moving along and are under control.
- The YMCA applied to Penn DOT for the approval of a new traffic pattern.
- AKS Realty (former Hess Gas Station): Permits have been issued for the building demolition. The property owner is waiting for their EPA approval for the pumps and tanks.
- Barry Isset's office is temporarily processing Zoning Permit Applications in the absence of Jenn Walker.

### Street Superintendent's Report

Mr. Ace had nothing additional to report.

### Approval of Bills on Warrants 220405

A motion was made by Mrs. Kochanski, seconded by Mr. Evanisko to approve the payment of bills on Warrants 220405. The motion was carried. (6-yes; 0-no; 0-abstain).

### Public Input for Non-Agenda Items

Don Cafano, 848 Thomas Street, spoke about the parking in his area. Ms. McCabe advised him that the Parking Department conducted two parking assessments and found that there is sufficient parking. Mayor Probst urged Council to designate that area of Thomas Street as a residential, permitted parking zone. There was no interest in doing so.

Mr. Cafano also spoke about the wood chips that were left after the removal of a tree in front of his house. Mr. Ace will follow up with him about what the Borough is planning when Thomas Street is repaved this summer.

The meeting was adjourned at 8:48 P.M. on a motion made by Mr. Sabatine, seconded by Ms. McCabe. The motion was carried. (6-yes; 0-no; 0-abstain).