STROUDSBURG BOROUGH COUNCIL MEETING MINUTES – REORGANIZATION/ REGULAR MEETING JANUARY 3, 2022

The biennial reorganization meeting of the Stroudsburg Borough Council convened at 7:00 P.M. on Monday, January 3, 2022 with the following Council members present: Matt Abell, Jim Evanisko, Erica McCabe, and Tobias Sabatine. Victoria DeVries, James Smith, and Boyd Weiss were not present.

Also present were: Mayor Tarah Probst, Borough Manager Lawrence Kopp, Executive Assistant Mary Pat Quinn, Borough Solicitor Joseph McDonald, Esq., Street Superintendent Brian Ace, Jr., Codes and Zoning Officer/Land Development and Subdivision Administrator Jennifer Walker, Tax Collector Lynn Harrison, and Deputy Tax Collector Siobhan Dunleavy.

The meeting was called to order by Mayor Probst, and the Pledge of Allegiance was recited.

Administration of Oaths of Office

The new elected officials: Tarah Probst, Matt Abell and Tobias Sabatine provided Mr. Kopp with their residency affidavits prior to the meeting.

Mayor Probst administered the Oath of Office to Mr. Abell and Mr. Sabatine with Mr. Nick Allison assisting.

Nomination and Election of Council President

Mayor Probst called for nominations for the position of Council President. Ms. McCabe nominated Mr. Abell. He was elected as Council President with all present voting affirmatively (Evanisko, McCabe, Sabatine, Abell). Mayor Probst turned the gavel over to Mr. Abell.

Nomination and Election of Vice-President of Council

Mr. Abell called for nominations for the position of Vice-President of Council. Mr. Sabatine nominated Ms. McCabe. She was elected as Vice-President of Council with all present voting affirmatively (Evanisko, Sabatine, Abell, McCabe).

Nomination and Election of Council President Pro-Tem

Mr. Abell called for nominations for the position of Council President Pro-Tem. Ms. McCabe nominated Mr. Evanisko. He was elected as Council President Pro-Tem with all present voting affirmatively (Sabatine, Abell, McCabe, Evanisko).

Position Appointments

A motion was made by Ms. McCabe, seconded by Mr. Evanisko to appoint Joseph P. McDonald, Jr. as the Borough Solicitor for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Evanisko to appoint Christopher Brown, Esq. as the Alternate Borough Solicitor for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Nathan Oiler, P.E. as the Borough Engineer for 2022. The motion was carried. (yes-4; no-0; abstain-0)

The position of Alternate Borough Engineer is under advisement.

A motion was made by Ms. McCabe, seconded by Mr. Evanisko to appoint Mary Pat Quinn as the Right to Know Officer for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Christopher Brown, Esq. as the Planning Commission Solicitor for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Barry Isset and Associates as the Residential and Commercial Permit Service Provider for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Building Inspection Underwriters as the Alternate Residential and Commercial Permit Service Provider for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Thomas Detweiler as the Health Officer for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Tom Josiah Consulting, LLC. as the Accounting Service Provider for 2022. The motion was carried. (yes-4; no-0; abstain-0)

Appointment of Vacancy Board Chairperson

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Joanne Kochanski as the Vacancy Board Chairperson for 2022. The motion was carried. (yes-4; no-0; abstain-0)

Annual Board Appointments

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to appoint Mayor Probst as the Borough's representative on the Monroe County Council of Governments (COG) and Ms. McCabe as the alternate representative for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Mr. Sabatine, seconded by Ms. McCabe to appoint Ms. McCabe as the Borough's representative on the Middle Eastern Council Association of Boroughs (MECAB) and

Mrs. Kochanski as the alternate representative for 2022. The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Lawrence Kopp as the Borough's representative on the Monroe County Tax Collection Committee (Earned Income) and Ms. Quinn and Mr. Sabatine as alternate representatives for 2022. The motion was carried. (yes-4; no-0; abstain-0)

Board and Commission Appointments

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Christopher Schnaitman as a member of the Zoning Hearing Board for a five-year term (expires 12-31-2026). The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Elizabeth Burnett as a member of the Shade Tree Commission for a five-year term (expires 12-31-2026) and also Mr. Sabatine as a member to fill an unexpired term (term expires 12-31-2025). The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Wanda Lasher as the alternate member of the Stroud Region Open Space and Recreation Commission for a three-year term (term expires 12-31-2024). The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Joanne Kochanski and Mary Pat Quinn as members of the Monroe County Control Center Board for two-year terms (terms expire 12-31-23). The motion was carried. (yes-4; no-0; abstain-0)

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to appoint Ken Lang as a member of the Historical Architectural Review Board for a four-year term and Eron Rouse as member for a four-year term (terms expire 12-31-25). The motion was carried. (yes-4; no-0; abstain-0) The vacancy for a member who shall be a Building Inspector is under advisement.

Depositories

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to authorize ESSA Bank and Trust, Wayne Bank, PNC Bank and Pa Local Government Investment Trust (PLGIT) as the depositories for Borough funds. The motion was carried. (yes-4; no-0; abstain-0)

Signatories on Bank Accounts

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to name Mr. Abell, Ms. McCabe, Mr. Evanisko, and Mr. Kopp as the authorized signatories for all Stroudsburg Borough bank accounts. The motion was carried. (yes-4; no-0; abstain-0)

Signatories on Twin Boroughs Recycling Account

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to name Mr. Abell, Ms. McCabe, and Mr. Kopp as the authorized signatories on the Twin Boroughs Recycling bank account. The motion was carried. (yes-4; no-0; abstain-0)

There will also be three authorized signers from East Stroudsburg Borough pursuant to the Operating Agreement between the two Boroughs. One signer from each municipality is required on all checks.

Appointment of Deputy Tax Collector

A motion was made by Ms. McCabe, seconded by Mr. Evanisko to appoint Siobhan L. Dunleavy as the Deputy Tax Collector, which shall run concurrent with the term of Tax Collector Lynn Harrison. The motion was carried. (yes-4; no-0; abstain-0)

Committee Assignments as Designated by the Council President

Mr. Abell made the following appointments for 2022:

- Finance/Budget Committee Mr. Abell, Ms. McCabe, and Mr. Sabatine
- Street Committee Mayor Probst, Mr. Abell, Mr. Evanisko, Mr. Ace, and Adam Courtney
- Sewer Committee Mr. Abell, Mr. Sabatine, and Mr. Smith
- Codes Committee Mr. Abell, Mayor Probst, Mr. Evanisko, and Mrs. Kochanski
- Recycling Committee Mr. Abell, Mr. Evanisko, and Mr. Sabatine
- Parking Committee Ms. McCabe, Ms. DeVries, and Mr. Smith
- Hamilton, Stroud, Pocono and Stroudsburg (HSPS) Regional Planning Group, re: Comprehensive Plan: Ms. McCabe, Mayor Probst, and Mr. Sabatine
- Non-Uniform Pension Board: Mr. Kopp, Ms. Quinn, Walter Phillips, Wayne LaBar, Brian Ace, Barbara Quarantello, and Ms. McCabe
- Personnel Committee: Mr. Abell, Ms. McCabe, and Mr. Smith
- Public Relations/ Media Committee: Mayor Probst, Mr. Sabatine, Ms. McCabe, Mr. Evanisko, and Adam Courtney
- Redevelopment Committee: Mr. Abell, Mr. Evanisko, and Mr. Sabatine
- Route 80 Expansion Task Force Committee: Mayor Probst, Ms. McCabe, Mr. Smith, and Kristen Battle.

Consideration to Approve the 2022 Meeting Calendar for the Borough Council

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the 2022 meeting calendar; however, the meeting on May 17 (Primary Election Day) will be moved to Wednesday, May 18. The motion was carried. (yes-4; no-0; abstain-0)

Consideration to Approve the 2022 Wage and Salary Plan

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the 2022 Wage and Salary Plan. All employees will receive a 3% increase with the exception of Mr. Kopp and Ms. Walker, whose salaries are set at \$88,000.00 (Kopp) and \$55,000.00 (Walker). The motion was carried. (yes-4; no-0; abstain-0)

Consideration to Approve a proposal dated November 18, 2021 from RKR Hess, a division of UTRS, for engineering services for CY 2022.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the proposal from RKR Hess, a Division of UTRS, for engineering services for CY 2022. The motion was carried. (yes-4; no-0; abstain-0)

Consideration to Approve a proposal dated November 9, 2021 from Kirk, Summa and Company, LLP. for auditing services for CY 2022 in the amount of \$17,500.00.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve a proposal from Kirk, Summa and Company for auditing services for CY 2022. The motion was carried. (yes-4; no-0; abstain-0)

Consideration to Approve a proposal dated November 9, 2021 from Kirk, Summa and Company, LLP. for auditing services for Twin Boroughs Recycling for CY 2022 in the amount of \$1,800.00.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve a proposal from Kirk, Summa and Company for auditing services for Twin Boroughs Recycling for CY 2022. The motion was carried. (yes-4; no-0; abstain-0)

Consideration to Approve a proposal from Tom Josiah Consulting, LLC. for accounting services to prepare for the 2021 Audit in the amount of \$115.00 per hour not to exceed \$10,000.00.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve a proposal from Tom Josiah Consulting, LLC. for account services for 2022. The motion was carried. (yes-4; no-0; abstain-0)

Consideration to Approve the Mileage Reimbursement Rate, to be set the same as the Government/Internal Revenue Service of \$.585 per mile.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the IRS mileage reimbursement rate for 2022. The motion was carried. (yes-4; no-0; abstain-0)

Consider Authorizing the early payment of invoices for discounts and/or to avoid late charges.

A motion was made by Ms. McCabe, seconded Mr. Sabatine to authorize early payments on invoices that would provide for discounts or to avoid late charges. The motion was carried. (yes-4; no-0; abstain-0)

REGULAR COUNCIL MEETING

Approval of Council meeting minutes for the special meeting on December 21, 2021.

The minutes of the special meeting on December 21, 2021 were approved as circulated on a motion made by Ms. McCabe, seconded by Mr. Evanisko. The motion was carried. (3-yes; 0-no; 1-abstain – Mr. Sabatine)

Approval of Council meeting minutes for the regular meeting on December 21, 2021.

The minutes of the regular meeting on December 21, 2021 were approved as circulated on a motion made by Ms. McCabe, seconded by Mr. Evanisko. The motion was carried. (3-yes; 0-no; 1-abstain – Mr. Sabatine)

OLD BUSINESS - None

NEW BUSINESS

Consideration to schedule a Public Hearing for Consideration of An Ordinance of the Stroudsburg Borough Council to Revise Chapter 15 Motor Vehicles and Traffic, Part 3 General Parking Regulations, Section §15-316 Entitled, "Handicapped Parking Zones Established".

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to schedule a public hearing on Tuesday, January 18, 2022 at 7:00 P.M. for consideration of the aforementioned proposed Ordinance. The motion was carried. (yes-4; no-0; abstain-0)

Consideration to adopt a Resolution to Authorize the Destruction of Specific Records in Accordance with the Municipal Records Act of January 18, 1968 (P.L. 961, NO. 428).

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to adopt the aforementioned Resolution. The motion was carried. (yes-4; no-0; abstain-0)

Consideration to adopt a Resolution of the Borough of Stroudsburg, Monroe County, Pennsylvania, Authorizing a Transfer of Funds for Budget Purposes in Connection with Twin Boroughs Recycling for the Calendar Year 2021.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to adopt the aforementioned Resolution. The motion was carried. (yes-4; no-0; abstain-0)

Consider the application of Costas Lambropoulos, as recommended for denial of a Certificate of Appropriateness by the HARB, for the amendment of replacement windows at 501 Sarah Street.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to deny the issuance of a Certificate of Appropriateness for the replacement of windows at 501 Sarah Street. The motion was carried. (yes-4; no-0; abstain-0)

Consider the application of Michael & Diane Liberman, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the replacement of roofing at 520 Thomas Street.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the issuance of a Certificate of Appropriateness for the replacement of roofing at 520 Thomas Street. The motion was carried. (yes-4; no-0; abstain-0)

Consider the application of Cityline, as recommended for the issuance of a Certificate of Appropriateness by the HARB, for the replacement of the windows, roof, and siding on fire damaged building at 816-818 Ann Street.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the issuance of a Certificate of Appropriateness for the replacement of windows, the roof, and siding on 816-818 Ann Street. The motion was carried. (yes-4; no-0; abstain-0)

Consider the application of Scott Secrest, as recommended for the issuance of a Certificate of Appropriateness by the HARB, replacing two front doors, windows and roof over front overhang at 500 Main Street.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to approve the issuance of a Certificate of Appropriateness for the replacement of two front doors, windows and the roof overhang on 500 Main Street. The motion was carried. (yes-4; no-0; abstain-0)

Consideration to adopt A Resolution of the Borough Council of the Borough of Stroudsburg, Monroe County, Pennsylvania, Establishing the amount of Recreation Land-Common Open Space to be Dedicated or Fees to be paid In Lieu of Recreation Land-Common Open Space as required by §22-205 (Recreation, Common Open Space, and In-Lieu Fees) of Chapter 22 (Subdivision and Land Development) of the Stroudsburg Borough Code.

A motion was made by Ms. McCabe, seconded by Mr. Sabatine to table this resolution until the February 1, 2022 Council meeting. Mr. Abell advised that the version in the Council packets has been revised. The motion was carried. (yes-4; no-0; abstain-0)

Solicitor's Report

Solicitor McDonald advised Council that he will be providing them with a revised proposed Knox Box Ordinance. John Stevens, the Knox Box Administrator of the Stroudsburg Borough Fire Department, was present and advised that the Fire Department has decided to withdraw its

request for the ordinance. The proposed ordinance would defeat the purpose of rapid access. The Fire Department has decided to continue to apply the theory and continue as they have been.

There has been no decision from the Federal Court Judge on the Borough's motion to move the VFG LaBar matter back to the Court of Common Pleas.

Solicitor McDonald was advised that Cityline has submitted an application to the Zoning Hearing Board for a use variance for 816-818 Ann Street to revert the property to a residential use. Ms. Walker advised that the matter is on the Board's agenda for January 19.

Judge Zulick signed an order that will allow the Borough to receive the legal costs that it incurred in connection with the 124R Lee Avenue matter. The funds will be forwarded to the Borough when the property closes.

Mayor's Report

Mayor Probst received a complaint from a resident about the unlit streetlights on the parking deck. Mr. Ace advised that he is aware of the problem and has scheduled a licensed electrician to determine/ fix the problem.

The Public Relations/ Media Committee will be working with the Equal Justice Institute on an appropriate remembrance of the unjust treatment of a historical figure in Stroudsburg Borough.

Council Member Reports

Mr. Abell welcomed Mr. Sabatine to the Borough Council. He advised that Boyd Weiss no longer lives in the Borough of Stroudsburg. Solicitor McDonald advised that the Borough Council may declare a vacancy if Mr. Weiss does not produce an Affidavit of Residency (in the Borough) in the next ten days. That matter will be placed on the agenda for the January 18 meeting. If the vacancy is declared, the Council has 30 days to fill the seat.

Borough Manager's Report

Meetings

Recycling Committee Meeting December 27th

Upcoming Meetings

Kathryn/Barry Isett January 5th
BCRA/I&I Meeting Update January 6th

Infrastructure/Streets/Capital Projects

Sidewalk Replacement Project/Multimodal Grant. DCED/CFA will grant an extension after January 1, 2022 if needed. Out to bid this winter, project completed next spring into summer. Will add ramp at corner at 6th and Monroe (SW Corner) as part of the project.

Ann Street Sewer Replacement & Paving. Will use ARPA funding. This is an approved use of funds (I&I mitigation of sanitary sewer system) and requires no approval from the state or federal governments. Waiting for approval from DEP of temporary sewer service. Then will go out to bid.

Thomas Street Paving Project. Environmental review complete and was approved for use of CDBG Funds. Beginning survey work. Will begin bid process this winter.

New Borough Logo

Webmaster is working on updating website; new letterhead is already in use. Used new logo on upcoming Newsletter (and for all newsletters from now on).

Capital Improvements Plan

Working during winter 2022 to put together a 10-year Capital Improvements Plan for the Borough listing all major capital projects and purchases through 2031.

Software for Codes/Zoning and Parking

Working on inputting work flow and data to use in new system. Hope to have everything updated by the end of the year, with training to follow in Winter 2022.

Sewer Collection System/I&I Initiative

Meeting with BCRA (along with Stroud & Pocono Townships) on January 6th in regard to ongoing I&I issues. Comprehensive identification/mitigation plan is underway. Beginning smoke testing the week of January 3rd. Letters sent to residents prior to New Years of first block to be tested, the 700 & 800 Blocks of Ann Street. Camera work on potential lines with I&I ongoing when conditions are favorable.

Recycling Center

Sent out letters to haulers in regard to picking up recycling in violation of Borough Code. Will begin enforcement in Winter 2022.

Winter 2022 Newsletter

Complete and sent to printer. Should be delivered in January 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. *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.

Sewer Rates/EDU Assessment/Billing

Developing a plan to implement an EDU Assessment for the Borough, assessing/updating our EDUs for all properties in the Borough. Using this information, looking at ways to reallocate expenses and review user fees to be fairer to all customers.

Beginning issuing separate bills for sewer customers in 2022 and will change the information that is included on bills later in the FY.

Garbage Concerns on Main Street

We have had an ongoing problem with tenants with apartments on Main Street depositing their household trash curbside. We have been closely monitoring and checking trash for any possible evidence of the location of the offenders. There is provision in our Code that allows the Borough to require property owners to supply the Borough information within 72 hours on their trash haulers. Instead of going after tenants who may not even realize what they are doing is wrong, this way we can force some of the property owners, who do not have trash haulers, to comply with our Ordinance. Letter going out this week and copy will be posted on doors.

Five Points Intersection North 5th Street

Survey work underway. Once survey is complete Ben can go forward with other elements of the study.

McMichael Creek Flood Protection Project/Levee Repair/DEP Grant

Project is being managed by the Army Corps of Engineers. Award date for the contract has been pushed back, and we are now looking at Spring 2022 for the project to begin. 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

Water level settled at normal level from in past years. Looking to work at discovering leak location in spring 2022 when filling for the new season.

Parking Garage

Working on getting bids from contractors to do work to repair our parking garage. Will be used for a potential grant request for repairs. Also, contacting concrete contractors to determine costs for a new garage.

Bicycle Racks

Three racks remain to be installed: 745 Main, 401 Main & 33 North 7th Streets. North 7th 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.

Upcoming Focus

Smoke Testing/I&I Mitigation Capital Improvement Plan Sewer Liens and A/R (Dumpster/Recycling/Rental Prop) Day to Day Activities MyGov Implementation Sewer EDU Assessment Code Enforcement

Code Enforcement Officer's Report

Ms. Walker gave a report on the Codes Office activities in CY 2021. 337 violations for snow, weeds, and trash were issued. 434 permits were issued for Zoning, Building, Signs, etc. There were 51 HARB applications, eight Zoning Hearing Board applications, and 11 Planning Commission applications.

The former Ciro's Restaurant building is under contract. There is a new owner (the mortgage company) of 610 Thomas Street. She spoke with the property manager of 727 Ann Street (the Central Building) about the pile of garbage. Some of the cans do not belong to the Central Building. This matter is being monitored. The owner of 862-864 Thomas Street has started to make repairs.

Street Superintendent's Report

Mr. Ace reported that the portable ice rink is filled.

County Waste is no longer picking up garbage for the Stroudsburg Borough locations: Main Street garbage cans, the Municipal Building, the Public Works yard, and the parks. VanWhy Sanitation is the new hauler; they started yesterday. They will be picking up the trash from the garbage cans on Main Street four days per week.

The Street Department will start smoke testing tomorrow on the 700 block of Ann Street at 10:00 A.M. He has already advised the Monroe County Control Center.

Approval of Bills on Warrants 220103

A motion was made by Ms. McCabe, seconded by Mr. Evanisko to approve the payment of bills on Warrants 220103. The motion was carried. (yes-4; no-0; abstain-0)

Public Input on Non-Agenda Items

There were no questions or comments from the public.

Executive Session

There was no need for an Executive Session.

The meeting was adjourned at 8:15 P.M. on a motion made by Ms. McCabe, seconded by Mr. Sabatine. The motion was carried. (yes-4; no-0; abstain-0)