

MINUTES
Stroudsburg Borough Council **Rescheduled** Meeting
Wednesday, September 16, 2015 at 7 p.m.

Note that the minutes are presented in the order in which items were discussed at the meeting. Each agenda item, however, has retained the original number it was assigned on the original agenda.

1. Call Meeting to Order/Roll Call: Council President Kim Diddio called the meeting to order at 7:00 p.m. Borough Manager Cathryn Thomas called roll. Present were President Diddio, Vice President Joanne Kochanski, Council Members Eric Scelza, Ken Lang, Matt Abell, Boyd Weiss, and Solicitor Ralph Matergia. Absent was Council Member Neil Allen.

2. The Pledge of Allegiance was recited.

Special Presentation: Proclamation in recognition of the service of Mayor David Deihl: Council President Diddio read and presented a proclamation to Ellen Deihl in recognition and honor of her husband, the late Mayor David Deihl.

15. Consideration to make an appointment to fill the vacancy of the Mayor's position, with that term ending January 3, 2016: Motion by Joanne Kochanski, second by Mr. Weiss, to appoint Ellen Deihl to fill the term of Mayor until January 3, 2016. Motion Passed unanimously.

3. Public Input:

Stroudsburg High School Principal Jeff Sodl requested permission to hold their Annual Homecoming Parade on October 23, 2015 and a bon fire tentatively scheduled for November 5, 2015. Motion by Mrs. Kochanski, second by Mr. Abell, to approve the request of the Stroudsburg High School for their annual Homecoming Parade on October 23, 2015. Motion passed unanimously. Motion by Mr. Lang, second by Mr. Abell, to approve the request of the Stroudsburg High School for a bon fire tentatively scheduled for November 5, 2015 coordinating with the Fire Department. Motion passed unanimously.

Fire Chief Mike Seip requested permission to take the ladder truck and the Chief's truck to the Pierce Road Show in Lake Harmony on September 24th. Motion by Mrs. Kochanski, second by Mr. Abell, to approve the request of Fire Chief Mike Seip to take the ladder truck and the Chief's truck to the Pierce Road Show in Lake Harmony on September 24th. Motion passed unanimously.

Due to the Fire Department renovations, the annual Fire Prevention activities cannot be held at the Municipal Building. Chief Seip requested permission to hold the activities on Sunday October 4th from 3:00 p.m. to 5:00 p.m. in Court House Square. He has contacted the County but has not yet received a response. Motion by Mrs. Kochanski, second by Mr. Abell, to approve the request of Chief Seip to hold the Fire Prevention activities on Sunday October 4th from 3:00 p.m. to 5:00 p.m. in Court House Square. Motion passed unanimously.

Resident Jim Viola asked Council if they were concerned with the level of noise on Main Street from cars, motorcycles, trucks and boom boxes and asked Council to consider a noise ordinance. Council President Diddio stated that this has been discussed before. The problem is defining how

loud is too loud and then how to enforce the ordinance. She welcomed any suggestions on how to remedy the issue.

4. Approval of Council Meeting Minutes from September 1, 2015: Motion by Mrs. Kochanski, second by Mr. Abell, to approve the Council Meeting Minutes from September 1, 2015. Motion passed unanimously.

5. Monthly Administrative Reports: The Fire Department report was not included in the packet. Ms. Thomas will get it to Council tomorrow. Motion by Mrs. Kochanski, second by Mr. Abell, to accept the Monthly Administrative Reports excluding the Fire Department Report. Motion passed unanimously.

6. Accept August Treasurer's Reports: Reports not provided. No action taken.

Old Business

7. Consideration of a Certificate of Appropriateness, as recommended for approval and issuance by the Historic Architectural Review Board, for 712 Associates for the installation of railings, guards and handrails at 720-722 Monroe Street: Motion by Mrs. Kochanski, second by Mr. Lang, to grant a Certificate of Appropriateness, as recommended for approval and issuance by the Historic Architectural Review Board, for 712 Associates for the installation of railings, guards and handrails at 720-722 Monroe Street. Motion passed unanimously.

8. Consideration of the event request to hold the 39th Annual St. Patrick's Day Parade by the Pocono Irish-American Club on Sunday, March 20, 2016: Ms. Thomas will have a meeting with all parties involved sometime in January or February to go over the details. Motion by Mr. Weiss, second by Mrs. Kochanski, to approve the request of the Pocono Irish-American Club to hold the 39th Annual St. Patrick's Day Parade on Sunday, March 20, 2016. Motion passed unanimously.

9. Report on the veto of the amendment to the Borough Code pertaining to vehicles parked in public spaces with expired registrations and inspections, which amendment was approved by a majority of the Borough Council, however was vetoed by the Council President in her capacity as Acting Mayor, and consideration of potential further Council action on the matter: Council decided to take no further action at this time.

10. Consideration to set public hearing to amend Chapter 15, Part 3 General Parking Regulations to add one handicapped parking space in front of 111 North 9th Street: Mr. Lang feels there should be some sort of system for determining handicap parking spaces. He doesn't like the idea that we just "throw them out" as people ask for them. Motion by Mrs. Kochanski, second by Mr. Abell, to set a public hearing for October 6th to amend Chapter 15, Part 3 General Parking Regulations to add one handicapped parking space in front of 111 North 9th Street. Motion passed unanimously.

11. Staff report on a request from several residents to amend the West Side Residential Parking District to include the following addresses on Sarah Street: Nos. 909, 911, 913, 915 and 917,

noting that these are located in a commercial zoning district and are therefore ineligible to be established as residential parking according to the Stroudsburg Borough Code: Motion by Mr. Lang, second by Mr. Abell, to deny the request to amend the West Side Residential Parking District to include the 900 block of Sarah Street as it is zoned commercial not residential therefore not meeting the ordinance requirements. Motion passed unanimously.

New Business

12. Consideration of a Certificate of Appropriateness, as recommended for approval and issuance by the Historic Architectural Review Board, for The Russel Partnership for the replacement of roofing at 17-27 South Seventh Street: Motion by Mr. Abell, second by Mrs. Kochanski, to grant a Certificate of Appropriateness, as recommended for approval and issuance by the Historic Architectural Review Board, for The Russell Partnership for the replacement of roofing at 17-27 South Seventh Street. Motion passed unanimously.

13. Consideration of a Certificate of Appropriateness, as recommended for approval and issuance by the Historic Architectural Review Board, for Timothy Grenko for the replacement of windows at 600 Thomas Street: Motion by Mr. Abell, second by Mrs. Kochanski, to grant a Certificate of Appropriateness, as recommended for approval and issuance by the Historic Architectural Review Board, for Timothy Grenko for the replacement of windows at 600 Thomas Street. Motion passed unanimously.

14. Consideration of a Certificate of Appropriateness, as recommended for approval and issuance by the Historic Architectural Review Board, for Kathleen Lockwood for the installation of a skylight structure at 727-733 Main Street: Motion by Mr. Abell, second by Mr. Lang, to grant a Certificate of Appropriateness, as recommended for approval and issuance by the Historic Architectural Review Board, for Kathleen Lockwood for the installation of a skylight structure at 727-733 Main Street. Motion passed; 4 ayes and one abstention with Mrs. Kochanski abstaining.

16. Consideration to hire outside Counsel to provide legal advice to the Borough regarding a request and proposal for the Borough to sell sewer capacity: Mr. Lang does not feel the Borough should have to pay for the legal advice. Ms. Thomas stated we will have to pay Attorney Weitzmann then negotiate with Pocono Township for them to cover the costs. Motion by Mrs. Kochanski, second by Mr. Abell, to hire Attorney Todd Weitzmann to provide legal advice to the Borough not to exceed a cost of \$10,000 regarding a request and proposal for the Borough to sell sewer capacity. Motion passes; 3 ayes and 2 nays with Mr. Lang and Mr. Weiss voting no.

Mr. Lang again voiced his concern of being reimbursed for any legal costs. Motion by Mr. Lang, second by Mr. Weiss, to direct Borough Manager Cathryn Thomas to seek reimbursement of Borough expenses as a condition of the negotiations. Motion passed unanimously.

17. Consideration of a Resolution to consolidate and/or close certain Borough bank accounts: Motion by Mrs. Kochanski, second by Mr. Abell, to adopt a Resolution to consolidate and/or close certain Borough bank accounts. Motion passed unanimously.

18. Distribution of Preliminary Budget requests for review by the Council: Not available.

19. Solicitor's Report: Mr. Matergia informed Council that the Zoning Hearing Board denied the Shanti House application. There will be a decision that follows. He will keep Council informed.

20. Acting Mayor's Report: None.

21. Council Member Reports:

Mrs. Kochanski reported street lights still out, specifically the one at Thomas and Eighth. Public Works Director Brian Bond stated it was fixed on Monday.

Mrs. Kochanski also commented that Rotary Park was not maintained well at all this year. She would like some maintenance done including the removal of a tree limb hanging over the creek at the first turn around by the garbage cans.

Mr. Lang reported that HARB member Lori Giovinco resigned her position as she moved out of the Borough. Borough resident Yarrow Wilkins, a real estate associate of Ms. Giovinco's, expressed interest in taking her place. Motion by Mr. Weiss, second by Mr. Abell, to appoint Yarrow Wilkins to the HARB. Motion passed unanimously.

There was a letter at Council's desk from an out of state resident Mr. Daniel Christmann who while visiting Stroudsburg received a parking ticket on Main Street for parking "Against the Flow of Traffic". Mr. Christmann feels he was targeted because he had an out of state plate and feels there should be signs posted. It was explained by both staff and Captain Lyon of the Stroud Area Regional Police Department that Mr. Christmann backed into an angled space on Main Street which means he had to drive against the flow of traffic to do that which is not only a violation of a Borough ordinance, it is a violation of the State Motor Vehicle Code. In conclusion Council agreed that the ticket was valid.

Ms. Diddio asked if there was any way to remove the gum on sidewalks and bump outs. Public Works Director Brian Bond stated that the only way would be with steam.

Mr. Abell requested an update on the dumpster on Borough property in Lot 3 and the air conditioning units on Borough property by Aarons. Solicitor Matergia reported that our engineer did the plotting to compare the property lines and the dumpster is clearly outside the easement area. There was also a title examination done. Mr. Matergia sent a letter to the property owner. Either they will come in with a proposal that Council will or will not accept, or we will remove the dumpster. Ms. Diddio directed Ms. Thomas to put this on the next Council meeting agenda. Property owner Linda Gialouris was in attendance. Mr. Matergia asked her to arrange a meeting between her, him and Zoning and Codes Officer Jeff Wilkins possibly on September 29th after Mr. Wilkins returns from vacation.

In regards to the air conditioning units by Aarons, Mr. Matergia has to review that again before reporting to Council.

22. Manager's Report: At Council's desk is the Minimum Municipal Funding Obligation Worksheet for 2016 for the Stroudsburg Borough Non-Uniformed Pension Plan. The 2016 Borough obligation is \$173,650 which is a slight increase from the 2015 amount of \$169,369. Motion by Mrs. Kochanski, second by Mr. Abell, to adopt a Resolution approving the 2016 MMO for the Non-Uniform Pension Fund in the amount of \$173,650. Motion passed unanimously.

At this time Ms. Diddio asked Assistant Zoning and Codes Officer Ron Kimes to report on an invoice remitted to the Borough in the amount of \$550.20 from HARB Member Ted Hoyt for scanning of 1979 Monroe County Planning Commission photographs and putting them on a DVD to be used by the HARB. Mr. Hoyt worked on this from 2007 to 2015. Mr. Kimes has viewed the photos and feels they will be very useful to HARB. Motion by Mr. Lang, second by Mr. Abell to approve payment in the amount of \$550.20 to Ted Hoyt, providing payment has not already been made. Motion passed unanimously.

23. Approval of Bills on Warrant 150915: Motion by Mr. Lang, second by Mr. Abell, to approve the bills on Warrant 150915. Motion passed unanimously.

24. Executive Session: None.

25. Adjournment: Motion by Mrs. Kochanski, second by Mr. Lang, to adjourn at 8:00 p.m. Motion passed unanimously.

Approved:

Kim M. Diddio, President of Council

Attest:

Cathryn Thomas, Borough Manager/Secretary