

MINUTES  
Stroudsburg Borough Council Meeting  
Tuesday, July 5, 2016 at 7 p.m.

1. Call Meeting to Order/Roll Call: Council President Ken Lang called the meeting to order at 7:00 p.m. Borough Manager Cathryn Thomas called roll. Present were President Lang, Vice President James Smith, Council Members Joanne Kochanski, Boyd Weiss, Matt Abell and Mark Connors. Absent was Council Member Patrick Maurath. Also present were Mayor Tarah Probst and Solicitor Joe McDonald.

2. The Pledge of Allegiance was recited.

3. Public Input: Scott Street Resident Suzanne McCool stated that the borough has a burning ban yet one of her neighbors is frequently burning at night and on weekends. Codes Officer Ron Kimes stated that burning using cooking devices and for personal warmth are permitted and suggested she call him or the police so they can try and identify where and how the burning is taking place.

Mrs. McCool had suggested to Council months ago that there be no left turn allowed when turning onto West Main Street from Tenth Street and that the Public Works Director was supposed to have conducted a study. She asked if the study had been conducted. Council President Lang stated Public Works Director Brian Bond will address this when he is back from vacation.

Borough resident Linda Schwartz stated the current condition of the old Hess Station property is disgusting and asked if there are any plans in the works for a new use. Mr. Kimes stated there has been no contact regarding a new use for the property. President Lang stated there currently is no ordinance on the books that would prevent this and stated the Codes Committee can look into it.

Ms. Schwartz also asked if the Borough could contact KFC about replacing their sign as the current one is old and ugly.

714 Sarah Street resident Maryanne Kowalyshyn had a question regarding the motion made at the last council meeting deferring further enforcement of the sign ordinance as it relates to signage on outdoor restaurant barriers. She asked is that for just Mr. Lynch or the entire borough. President Lang clarified that anyone in the borough with an outdoor dining license could put up barriers with signage during the 90 day period and that the Codes Committee will be presenting their suggestions to Council at the next meeting.

East Stroudsburg resident Jodie Strunk, with the Epilipsy Foundation, asked if the borough street crew could erect and take down a banner they have been permitted to hang from July 5<sup>th</sup> to the 16<sup>th</sup>. President Lang stated our road crew does not have the time to hang and take down banners. Audience member Mike Savoy stated his banner is supposed to go up on the 16th and offered to have Singer Signs take down Ms. Strunk's banner. She was very appreciative.

Motion by Mr. Abell, second by Mrs. Kochanski, to close public input at 7:18 p.m. Motion passed unanimously.

4. Approval of the June 16 and 21, 2016 Council Meeting Minutes: Motion by Mr. Abell, second by Mr. Smith, to approve the June 16, 2016 Council Meeting Minutes. Motion passed 5-0-1 with Mr. Connors abstaining.

At the bottom of page 7 regarding the motion to defer enforcement of the sign ordinance as it relates to signage on outdoor restaurant barriers, Mr. Connors would like the wording “which may be utilized as part of an application for and issuance of, an outdoor dining license” struck from the ordinance in as much that deferring further enforcement was related to signage on the barrier not as it relates to applications for signage on the barrier. Motion by Mr. Connors, second by Mr. Smith, to approve the June 21, 2016 Council Meeting Minutes with Mr. Connors correction. Motion passed unanimously.

### **Old Business**

5. Consideration to award the bid for the sale of a piece of Borough-owned property which fronts on McConnell Street, which bid and sale process are subject to conditions set by the Council: Mr. Connors included in Council’s packet his concerns regarding the conditions as stated in the resolution to offer the property for sale in that they weren’t adequately itemized and he felt the discussion of conditions was premature until the property was actually offered for sale. Motion by Mr. Connors, second by Mr. Abell, to table the discussion of conditions in consideration of the acceptance of the bid until we have the appropriate opportunity to discuss and review all of the conditions we think appropriate governing this sale. Motion failed with Mayor Probst breaking a 3-3-0 tie with Mrs. Kochanski, Mr. Smith and Mr. Weiss also voting no.

Solicitor McDonald did review the bid which also included a proposed agreement of sale. Council needs to decide if they want to accept the bid, accept the bid and agreement of sale, or accept neither. Solicitor McDonald advised against negotiating a site plan through the bid process and stated if Council wants to award the bid, they can do so subject to terms of an agreement of sale.

Motion by Mr. Smith, second by Mrs. Kochanski, to accept the bid of BTS Stroudsburg LLC in the amount of \$25,000 for the sale of borough land fronting on McConnell Street subject to the terms of an agreement of sale to be agreed upon by both parties and which the award of the bid is valid for no longer than 6 months. Motion passes 5-1-0 with Mr. Connors voting no.

Motion by Mr. Smith, second by Mrs. Kochanski, to advertise for public hearing a work session for Tuesday July 12, 2016 at 4:00 p.m. for discussion and possible action regarding an agreement of sale with BTS Stroudsburg LLC. Motion passed unanimously. Mr. Connors doesn’t feel action should be taken during a workshop. Consensus of Council was action could be taken if needed.

Solicitor McDonald stated that the applicant, BTS Stroudsburg LLC, also furnished notice that it is authorizing what is called an Extension of Time to review it’s preliminary/final land development plan. The previous extension of time expired on June 30<sup>th</sup>. This now grants the Council time to review and take action through August 15<sup>th</sup>. Council Member Abell cautioned Council that accepting the time extension grants the validity of an application that has not been

submitted. Motion fails 0-6-0. Solicitor McDonald stated that Council does not need to take any action at this time.

6. Report from staff on a study performed on Fulmer Street in response to a request for that street to be included in the Hill District residential parking area: Parking Secretary Lynn Heimbach reported that all of the vehicles parked during both studies were registered to Stroudsburg Borough addresses therefore Fulmer Avenue does not qualify to be part of the Hill District. President Lang directed Mrs. Heimbach to notify Mr. Akhatib of the results.

7. Report on a recommendation to amend the Zoning Code whereby establishment of an “Escape Room” could occur within the C2 commercial zoning district: Codes Officer Ron Kimes researched the topic of amending the zoning ordinance to allow for a use similar of an “escape room” and, after speaking with other municipalities and the Monroe County Planning Commission, recommends changing the zoning language to define what indoor recreation is and/or allowing this use in a C2 district by special exception.

Motion by Mrs. Kochanski, second by Mr. Abell, to move this forward and send this to the Planning Commission for review. Motion passed unanimously.

### **New Business**

8. Consideration to approve a request from St. Luke’s Church to hold a Flea Market sale as one component of their Summer Festival from 9 a.m. to 7 p.m. on Saturday, July 30<sup>th</sup> and 9 a.m. to 5 p.m. on Sunday, July 31<sup>st</sup>: Motion by Mrs. Kochanski, second by Mr. Connors, to approve the request from St. Luke’s Church to hold a Flea Market sale as one component of their Summer Festival from 9 a.m. to 7 p.m. on Saturday, July 30<sup>th</sup> and 9 a.m. to 5 p.m. on Sunday, July 31<sup>st</sup>. Motion passed unanimously.

9. Consideration of a recommendation from the Parking Committee to extend the hours when motorists are required to pay for parking in metered spaces, from the current 9 a.m. to 6 p.m. to 9 a.m. to 9 p.m., which change requires an ordinance subject to a public hearing: As Mr. Maurath from the Parking Committee was not in attendance a motion was made by Mrs. Kochanski, second by Mr. Smith, to table this. Motion passed unanimously.

10. Consideration of a Resolution adopting the Operation and Maintenance Manual for the Stroudsburg Flood Protection Project involving the Brodhead and McMichael creeks: Motion by Mrs. Kochanski, second by Mr. Abell, to approve a Resolution adopting the Operation and Maintenance Manual for the Stroudsburg Flood Protection Project involving the Brodhead and McMichael creeks. Motion passed unanimously.

11. Solicitor’s Report: None.

12. Mayor’s Report: Mayor Probst had a resident question whether a stop sign will be placed at the corner of Thomas and Stone Streets. Mrs. Kochanski stated that does not work because Bell Terrace is too close.

Mayor Probst reported that she will be meeting with the Commissioners on July 12<sup>th</sup> regarding a “pop-up” garden at the corner of Quaker Alley and N. 6<sup>th</sup> Streets which can be easily disassembled if the County decides to use the property for something else. Also Erica McCabe is gathering information on grants and private investors.

Mayor Probst reported she has approval from the County for making the old jail into a tourist attraction and is waiting to hear from the Visitors Bureau and the Historical Society before moving forward any further with a plan.

Concerts in the park are a huge success.

PennDOT approved our TODS Program application for 7 signs promoting Stroudsburg. A cite locations needs to be identified. There is some confusion as to whether the signs will be permitted on Route 80 as applied for.

The Mayor reported that when police presence is increased downtown the number of varants decreases. She has not heard back yet from District Attorney Christine regarding the validity of our current ordinances.

The Mayor asked who was responsible for taking care of weeds along Main Street. Assistant Street Superintendent Brian Ace stated that is on their agenda for next week. Resident Maryanne Kowalyszyn mentioned that the weeds are bad also at the parking deck on Ann Street. Borough Manager Cathryn Thomas explained that there are plans to install a rain garden there which should take care of the weed issue.

Council Member Mark Connors asked the Mayor if the downtown business association could hire private security to patrol downtown to which she replied apparently not. Rick Berkowitz from the Sherman Theater stated that they could only patrol on private property not public streets.

Mayor Probst and Public Works Director Brian Bond selected Friday August 12<sup>th</sup> and Saturday August 13<sup>th</sup> until noon for the free yard sale in conjunction with the second borough clean-up to take place on Saturday the 13<sup>th</sup> from noon to 4:00 p.m.

13. Council Member Reports: Mrs. Kochanski reported that Bridge Street in Stroud Township is closed.

Mrs. Kochanski reported numerous cars still parking in the empty lot on the corner of Main and 8th Streets and asked if they are being ticketed now that the ordinance has changed permitted ticketing on commercial properties for unapproved parking. It was explained that because the ordinance was just changed, the borough is giving warnings for the first week.

Mrs. Kochanski also reported that when Public Works Director Brian Bond returns from vacation they will move forward with identifying areas in the borough that need more lighting.

Mr. Smith asked if the American flag is hanging on the top of the borough building. Assistant Fire Chief John Stevens said no but he will take care of it.

Mr. Smith asked Council to consider the Street Department partnering with the YMCA teen campers for performing community service to help keep the streets clean. He also suggested giving them a ½ day pool pass for each ½ day of service. President Lang asked Mr. Smith to draft a formal request for Council's review. Motion by Mrs. Kochanski, second by Mr. Smith, to present the YMCA teens with a ½ day pool pass once they complete a ½ day of community service in the borough. Motion passed unanimously.

Mr. Smith asked consensus of Council to send a thank you letter to the attorney who worked with the Mayor and donated funds for the concerts in the park. Consensus of Council was yes.

Mr. Smith asked if there is any work still being done on the current pandhandling ordinances. Ms. Thomas stated that the last full direction of Council was to continue to have the solicitor review and possibly present to the Council a pandhandling ordinance that would supplement what is already on the books. Solicitor McDonald is hesitant to spend a lot of time on this until SARP and the District Attorney determine if the current ordinances are enforceable.

Mr. Smith asked Assistant Public Works Director Brian Ace to explain the Career Link Youth Program the Street Department will be utilizing. Per Mr. Ace, the program consists of 18 and 19 year olds that will be working with the borough 35 hours per week forwarding their time sheets directly to Career Link.

Mr. Weiss received a couple of comments from residents that they were unaware of where and when weeds were being sprayed and that children could potentially get in contact with the chemicals and also that it was being used near the creeks potentially contaminating the water.

Mr. Weiss commented that as he understand is, there is a project in place to replace damaged flagstones and to paint garbage cans using Mattioli funds.

Mr. Weiss voiced his concern of the borough using unsupervised volunteers. One year they pulled out his flowers thinking they were weeds. Last week they were supposed to pick up trash but only picked up the large items leaving the small stuff. Mr. Ace stated they will be supervised.

President Lang had assignments for two new committees:

The Redevelopment Committee Members are Council Members Abell, Connors, Smith and Codes Offcier Ron Kimes.

The Route 80 Task Committee Members are Council Members Kochanski and Connors.

When hiking on Glen Park trails Mr. Abell noticed a large amount of garbage and pitched tents. Mr. Ace stated they have cleaned up in that area before. Ms Thomas stated the area he is referring to may also be Stroud Township or County property.

Mr. Abell asked if there are updates from the R.K.R. Hess I and I Proposal. Ms. Thomas stated she has not heard anything back from them. Mr. Abell suggested scheduling a Sewer Committee meeting to start recommending to Council approval of some of the purchases.

Mr. Connors reported that the Personnel Committee met on June 24th handing out the meeting notes to Council. The discussion was focused on replacing Ms. Thomas who would like to be gone by the end of August. Her position has been advertised and the committee has received responses. The goal is to hire a replacement by October 1<sup>st</sup>. Mr. Connors suggested that Council could possibly discuss in Executive Session how to cover her position for the month of September.

The committee will also be enlisting the help of the PA Association of Boroughs to review our job descriptions and to discuss the whole hiring process.

Mr. Connors passed out further comments on the Rite Aid project for Council to review.

14. Manager's Report – 8/15 CDBG PH: Martha Robbins from the Redevelopment Authority contacted Ms. Thomas regarding setting a date for the first of the two required public hearings for the 2016 CDBG funds. Motion by Mrs. Kochanski, second by Mr. Smith, to advertise the first public hearing for the 2106 CDBG funds on August 15, 2016. Motion passed unanimously.

15. Approval of Bills on Warrant 160705: Motion by Mrs. Kochanski, second by Mr. Abell, to approve the bills on Warrant 160705. Motion passed unanimously.

16. Executive Session: There were two personnel matters for Executive Session. Motion by Mr. Connors, second by Mr. Abell, to go into Executive Session at 8:37 p.m. to discuss personnel matters. Motion passed unanimously.

Motion by Mr. Abell, second by Mr. Connors, to adjourn the Executive Session and resume the open meeting at 8:58 p.m. Motion passed unanimously.

Motion by Mr. Abell, second by Mr. Smith, to appoint Public Works Director Brian Bond as Interim Borough Manager in Training, effective July 18, specifying that this is an additional assignment to his normal duties as Public Works Director. Motion passed unanimously.

17. Adjournment: Motion by Mrs. Kochanski, second by Mr. Smith, to adjourn at 9:02 p.m. Motion passed unanimously.