

TOWNSHIP OF STROUD
BOARD OF SUPERVISORS

MEETING MINUTES

REGULAR MEETING, SEPTEMBER 19, 2017, 7:00 P.M.

The regular meeting of the Stroud Township Board of Supervisors was called to order by Chairman/Secretary-Treasurer, Daryl A. Eppley at 7:00 P.M., with the Pledge of Allegiance, at the Stroud Township Municipal Center, 1211 North Fifth Street, Stroudsburg, Pa. Also present were Vice-Chairman/Ass't Secretary, Christine A. Wilkins; Supervisor/Ass't Treasurer, Edward C. Cramer; Township Solicitor, Todd Weitzmann; Township Staff Engineer, Donna Alker; Office Manager & Recording Secretary, Judy Adkins.

Public Comments: Chairman asked if there were any public comments, Mr. Pat Henley, a resident was present and he wanted to thank the Supervisors for the good job on the Bi-Centennial Day at Brodhead Creek Park.

Approve Minutes of Public Hearing, June 15, 2017, 2:00 P.M., Conditional Use Application of Royce and Debra Fetherman, Operate A Winery & Wine Production As An Agritourism Enterprise. Mrs. Wilkins **moved to approve minutes of Public Hearing, June 15, 2017, 2:00 P.M., Conditional Use Application of Royce and Debra Fetherman, Operate a Winery & Wine Production as an Agritourism Enterprise.** Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously.

Approve Minutes Of Regular Meeting, August 1, 2017, 7 P.M. Mr. Cramer **moved to approve the minutes of the regular meeting, August 1, 2017, 7 PM.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

Approve Minutes Of Regular Meeting, August 15, 2017, 7 P.M. Mrs. Wilkins **moved to approve the minutes of regular meeting, August 15, 2017, 7 PM.** Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously.

Approve Payment of Bills: General Fund: \$65,463.81. Mr. Cramer **moved to approve payment of bills from the General Fund in the amount of \$65,463.81.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

Approve Payment of Bills: Golf Course Fund: \$4,397.89. Mrs. Wilkins **moved to approve payment of bills from the Golf Course Fund in the amount of \$4,397.89.** Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously.

Treasurer's Report Month of August. Mr. Eppley read the **Treasurer's Report for the month of August.** Mr. Cramer **moved to accept the Treasurer's Report.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

Public Works Dept. Report. Chairman said that he spoke to Doug Walker, Public Works Superintendent today, the paving and line striping project is near completion for the 2017 paving project, the Wigwam Culvert Project is completed, the Wigwam Park Road West paving and line striping is nearly complete. Chairman also reported that the completion of the Bridge Street intersection, that's our project could be extended and he received correspondence from PennDOT contractor for construction that the Bridge Street Bridge will be closed at night beginning the week of the 25th through October 5th, they are erecting beams so the night time closure could extend to October 5th.

Police Report: Month of August. Lt. Chuck Schmidt reported that traffic accidents are down 28% from last year; there were two burglaries in the Bridge Street area and they are in the process of hiring new officers. Chairman said that the Police Report for August is available for review.

Solicitor's Report: Mr. Weitzmann said that he has agenda and executive session items.

Engineer's Report: Ms. Alker said she submitted the report to DEP Report on Friday and there is still a lot more work to do over the next five years.

Fire Department Report: Chairman said that he would like to thank the Fire Department for their coverage for the Bi-Centennial Community Day and for the fireworks. Present was Fire Chief, Bill Unruh and he said that he has nothing to report.

Old Business:

1. Land Development Plan – Panera Bread – Planning Commission Recommendation; Action Deadline: September 28, 2017. Chairman said that we have the Planning Commission's recommendation and the Township Staff Engineer review comments. Present on behalf of this plan was Mr. Carl Schimmel, P.E. with Quad3 Engineering Services, Mr. Schimmel stated that Panera Bread is a restaurant at the Shoppes at Stroud and they plan to construct a new building on Pad #8, at the front of the Shoppes at Stroud Shopping Center, the proposed restaurant will be 4,600 square feet and will include drive-thru service. Chairman said that we have the Planning Commission's recommendation and our Staff Engineer's review letter. Ms. Alker, Township Staff Engineer discussed the following items from her review letter: proposed signs, development agreement, recreation fee, modification from Section 3.603.C.1 to allow an exposed curb face of 6" rather than 8", approvals from Stroud Township Sewer Authority and Brodhead Creek Regional Authority, landscaping and issuing zoning occupancy permit. Mr. Cramer in reference to the modification request **moved to grant the modification request from Section 3.603.C.1 to allow an exposed curb face of 6" rather than 8"**. Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously. Mr. Cramer asked Mr. Schimmel if he knew what was going to happen with the old Panera Bread site, Mr. Schimmel said that he does not know. After a brief discussion on curbing, lighting, landscaping, recreation fee, donation to the fire department, permits and approvals, Mr. Cramer **made a motion for approval of the land development plan for Panera Bread with the following conditions: an adequate developer's agreement security satisfactory to the township solicitor, resolution of outstanding comments of township engineer's review letter dated September 19, 2017, payment of any outstanding township engineering review fees, all approvals by outside agencies, receipt of recreation fees in-lieu of open space in the amount of \$2,364.00 which has been provided, receipt of a contribution to the Fire Department in the amount of \$1,000.00, separate security provided for landscape and separate security provided for landscape maintenance.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously. Mr. Unruh asked if there would be Knox boxes in place, Ms. Alker replied yes.

2. Amended Land Development Plan PMGM Holdings, Inc. – Planning Commission Recommendation: Action Deadline: September 28, 2017. Chairman said that we have the Planning Commission's recommendation and the Township Staff Engineer review comments. Present on behalf of this plan was Mr. Chuck Niclaus, Engineer and Attorney Matt Jinks. Attorney Jinks said that they were here on a minor issue and requesting approval of an addition on commercial structure located on the property of Stroud Commons on the corner of Rte. 611 and Shafer's School House Road. The purpose of the plan is to revise the restriction on the original plan regarding the use of a 1000 square foot portion of the lower level of the building for storage use and to amend a change in the location of the 1,000 square feet restricted space to the upper level floor. After a brief discussion concerning storage, 1,000 square feet from the lower level to the 1,000 to the upper level, revision to the plan, the fire lines, setback off of Shafer's School House Road and traffic signal maintenance agreement, Mr. Cramer **made a motion to approve the amended land development plan for PMGM Holdings, Inc. subject to Donna's letter dated September 18, 2017 note on the plan superseding the revised plan to the satisfaction of the engineer and solicitor and payment of the last invoice relative to traffic signal maintenance and execution of the traffic maintenance agreement by the developer.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

3. Award Glenbrook Golf Course Clubhouse Roof Replacement Bid. Chairman addressed this item stating that he has a letter from Joseph Sedler, Sedler Design & Redevelopment LLC and he read said letter noting the contractors bid as follows; **Robert K. Ace, Jr. Construction, LLC - \$51,500.00, Nauman Contracting - \$81,541.00 and Countrywide Enterprises - \$121,524.00**; it is his recommendation to award the contract to Robert K. Ace Construction LLC. Mrs. Wilkins **made a motion to approve the Glenbrook Golf Course Clubhouse roof replacement bid based on recommendation of Sedler Design & Redevelopment to award the contract to Robert K. Ace Construction LLC for \$51,500.00.** Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously.

4. Open Municipal Roof/HVAC/Skylights Replacement Bids. Mr. Weitzmann opened and read aloud the bids as follows: **Spotts Brothers Inc. - \$247,327.00, Nauman Inc. - \$290,000.00.** Mrs. Wilkins **moved to table for architect review.** Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously.

5. Open Municipal Parking Lot Paving Bids. Mr. Weitzmann opened and read aloud the bids as follows: **Northeast Site Contractors - \$33,999.00; Hanson Aggregates Pa LLC - \$48,944.00.** Chairman asked if there was a third bid, the list shows Willow Grove Paving, LLC; Mr. Weitzmann re-checked and he said that there were only two bids and he suggested that before the meeting adjourns, someone could check the office. Mr. Cramer **moved to table for review.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

New Business:

1. Approve Signing Stroud Plaza Land Development Plan (SALDO #2001-06). Ms. Alker said that this plan was approved in 2001; they added an addition, the check-cashing business prior to receiving any approvals and they came back to get the approval. Ms. Alker said when she pulled the plan, she found out that they don't have the parking lot striped according to the approved plan and they never got a Zoning Permit or a CO for that addition because they never striped the parking lot the way it was supposed to be, so their land development plan was never finalized, signed nor recorded. Ms. Alker said that they have re-striped the parking lot, they posted signs and it now can be finalized. Chairman said that this is basically a clean-up for the plan, Mr. Cramer **moved to approve signing Stroud Plaza Land Development Plan (SALDO #2001-06).** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

2. Approve Security Release #23 In The Amount of \$139,176.23 For Mountain Hollow Estates, LLC Per Recommendation Of Township Engineer. Mr. Cramer **moved to approve Security Release #23 in the amount of \$139,176.23 for Mountain Hollow Estates, LLC per recommendation of Township Engineer.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

3. Authorize Township Solicitor To Prepare Amendment To Mountain Hollow Estates, LLC Development Agreement For Completion Extension And Security Increase As Recommended By Township Engineer. Ms. Alker said that they should be responsible for providing her with an updated itemized list of what they have yet to do; we want to make sure they have security for what they have left to do, also would like a new estimate of cost on what needs to be completed. Mr. Cramer **made a motion to authorize Township Solicitor to prepare amendment to Mountain Hollow Estates, LLC Development Agreement for completion extension and security increase as recommended by Township Engineer.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

4. Adopt Resolution No. 2017-41 Minimum Municipal Obligation for Stroud Township Non-Uniform Employee Pension Plan. Chairman said that this is something we have to do every year before September 30th; he sent a copy to our solicitor for review and Ed is the Chief Administrator of the Stroud Township Non-Uniform Employee's Pension Plan. Mr. Cramer **moved to adopt Resolution No. 2017-41 Minimum Municipal Obligation for Stroud Township Non-Uniform Employee Pension Plan.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

5. Ratify Approving Change Order #2, Re-Paving of 8 Speed Humps, By Hanson Aggregates PA LLC At A Cost Of \$16,000. Mr. Cramer moved to ratify approving Change Order #2, re-paving of 8 speed humps, by Hanson Aggregates PA LLC at a cost of \$16,000. Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

6. Authorize Township Solicitor To Advertise For Kaplan Hearing Pertaining To Stormwater Management Ordinance. Ms. Alker, Township Staff Engineer addressed this item stating that she sent Mr. Kaplan a notice of violation pertaining to the Stormwater Management Ordinance; this is an appeal to her decision. Chairman said that it's Mr. Kaplan's intention to appeal, as a courtesy, if the Board agrees to have Mr. Kaplan pay fee of \$450.00 rather than the \$700.00. Mrs. Wilkins made a motion to authorize township solicitor to advertise for Kaplan Hearing pertaining to the Stormwater Management Ordinance and for the applicant to pay a fee of \$450.00 to the township. Discussion – Mr. Weitzmann asked if we have a date, Chairman said that we are trying to set a date and he thinks it's going to be the week of October 16th, once we hear back, we'll firm up a date and Todd will advertise it. Mr. Cramer made a motion to authorize the township solicitor to advertise for Kaplan hearing for the Stormwater Ordinance at a date to be set. Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

The Board excused Township Staff Engineer, Donna Alker at 8:05 P.M.

7. Authorize Township Solicitor To Advertise For Eagles Rest Cellars, Inc., Conditional Use Hearing. Chairman said that there are four different dates being floated in October, Mr. Cramer made a motion to authorize Township Solicitor to advertise for Eagles Rest Cellars, Inc., Conditional Use Hearing. Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

8. Grant Permission To Eagles Club To Use Municipal Parking Lot On Sunday, October 22nd from 11:00 AM to 7:00 PM. Mr. Cramer moved to grant permission to Eagles Club to use municipal parking lot on Sunday, October 22nd from 11:00 AM to 7:00 P.M. Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

9. Approve Signing Change Order #2 For A Decrease Of \$1,855.00 Towards Wigwam Culvert Project As Determined By Township Bridge & Culvert Engineer. Chairman said that we are getting a credit toward our contract with Possinger. Mrs. Wilkins made a motion to approve signing Change Order #2 for a decrease of \$1,855.00 towards Wigwam Culvert Project as determined by Township Bridge & Culvert Engineer. Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously.

10. Approve Partial Closure Of Clause Drive At Faith United Methodist Church For Car Show On Saturday, September 30 From 8 AM To 4 PM And Provide Township Traffic Signs And Cones. Mr. Cramer moved to approve partial closure of Clause Drive at Faith United Methodist Church for Car Show on Saturday, September 30 from 8 AM to 4 PM and provide township traffic signs and cones. Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

11. Approve Request By Richard & Candice Ace To Have Municipal Property Taxes For Tax ID#17/17/1/84-1 Paid To Hamilton Township. Chairman addressed this item stating that most of the building and the property is in Hamilton Township, they still pay the Stroudsburg Area School District taxes, they still pay the county and this is where their municipal taxes will go. Mr. Cramer made a motion to approve the request by Richard and Candice Ace to have their property taxes of Stroud Township and to reassess to Hamilton Township conditioned upon verification to each municipal tax collector and the county assessor's office. Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

12. Approve Proposal By Cooke Contracting, Inc. In The Amount Of \$1,542.00 To Replace Door And Increase Entry Opening To Election House/Distribution Center At Josie Porter Farm/CSA – Budget Line Item #454.780. Mr. Cramer addressed this item stating that this is the old election house

that the county gave to the township, we moved it out to the Josie Porter Farm, it's the distribution center for the farm and the township owns the Josie Porter farm where they have produce is opened to the public. Mr. Cramer **made a motion to approve the proposal by Cooke Contracting, Inc. in the amount of \$1,542.00 to replace door and increase entry opening to Election House/Distribution Center At Josie Porter Farm/CSA, Budget Line Item #454.780.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

13. Approve Use And Installation Of Township Light Tower For Haunted Trail Event By SROSRC On Saturday, October 28. Chairman said that this is being held at Zacharias Pond, Mrs. Wilkins said that they do a good job and she **moved to approve use and installation of Township light tower for Haunted Trail Event by on SROSRC on Saturday, October 28.** Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously.

14. Approve Re-opening Wigwam Park Road West Subject To Township Engineer's Recommendation And Township Bridge And Culvert Engineer's Recommendation. Chairman addressed this item stating that today he received correspondence from our Bridge and Culvert Engineer and he read said letter concerning the opening of Wigwam Park Road and we need some paperwork to close out that contract, he also heard today from Chris McDermott, Township Engineer that the paving is done on Wigwam Park Road West, the line striping is near completion. Chris is checking on the traffic signal plan that's in effect now, no changes needed to the signal operation and once we have Chris's recommendation, it could be opened by the end of the week. Chairman said that we don't want to open the road until we have the engineers' recommendations, it's been a long time coming, also the medical building at St. Luke's is planning to open by the end of October. Mrs. Wilkins **moved to approve re-opening Wigwam Park Road West subject to Township Engineer's recommendation and Township Bridge and Culvert Engineer's recommendation.** Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously.

Executive Session: Mrs. Wilkins **made a motion to recess into executive session at 8:23 P.M. to discuss litigation, real property and personnel matters.** Mr. Cramer seconded the motion. All voted aye. Motion carried unanimously. Mr. Cramer **made a motion to reconvene to regular session at 8:55 P.M.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously. Chairman said that the Board discussed real property matters and personnel matters in executive session, and he asked if there are any motions to come before the Board. Mr. Cramer **made a motion to reject all the paving bids for the municipal parking lot.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously. Mr. Cramer **made a motion to reject the two bids for the roof replacement, HVAC replacement and skylight replacement.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously. Mr. Cramer **moved to authorize the advertising of the roof and skylights for Stroud Township Municipal Center, 1211 North Fifth Street.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously. Mr. Cramer **made a motion to advertise for HVAC units and to be installed prior to the new roof for Stroud Township Municipal Building, 1211 North Fifth Street.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously. Mr. Cramer **made a motion to re-advertise for the paving for the side parking lot on Fifth Street at the Stroud Township Municipal Building, 1211 North Fifth Street and include landscape area south of the Fire Department.** Mrs. Wilkins seconded the motion. All voted aye. Mr. Cramer **made a motion to promote Chris Clause to Forman, an increase of \$2.50 per hour until such time Mark Pysher returns but still retain \$2.50 per hour rate once Mark Pysher returns.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously. Mr. Cramer **made a motion to ratify hiring Bob Mudrick, as Pro Shop Assistant at \$7.50 per hour as of September 7, 2017.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

There being no further business, Mr. Cramer **made a motion to adjourn the meeting at 9:01 P.M.** Mrs. Wilkins seconded the motion. All voted aye. Motion carried unanimously.

Respectfully submitted,

Judith Ann Adkins
Recording Secretary