

**SHICKSHINNY BOROUGH
GENERAL COUNCIL MEETING MARCH 7, 2023
MINUTES**

The General Meeting of the Borough of Shickshinny Council was held on Tuesday, March 7, 2023, in the Council room of the Shickshinny Municipal Building. President Jessica Bolles called the meeting to order at 6:00 PM.

Per roll call, the following members of Council were present: Jessica Bolles, Joe Buchalski, Rosalie Whitebread, and Jim Wido. Absent was Kevin Kruczek.

President Bolles led the reciting of the Pledge of Allegiance and then welcomed others in attendance.

Others in attendance: Mayor Jordan Madl, Attorney William Stephens, Bobbi Titus, Chris Goetz, Alex Blydenburgh, Holly Morris, Kevin Morris, Sharon Belles, Amber Folk, Lynn Voss, Tommy Noss, and Dawn Noss. (Please note: If any residents did not sign in, their names may not be included as attending.)

President Bolles asked if there were any comments from residents in attendance on the agenda items. There were no comments.

President's Report – President Bolles reported on the following:

President Bolles introduced Chris Goetz, PennDOT, to respond to questions from Council on the mileage reduction for the Liquid Fuels funding for Shickshinny Borough. Mr. Goetz explained that the review of the mileage should be conducted by PennDOT every 10 years. Mr. Goetz stated that Liquid Fuels does not fund alleys, roads that do not meet the PennDOT standards, or roads on private property. Rosalie Whitebread questioned the removal of funding for Cemetery Road. Bobbi will provide Mr. Goetz with documentation that supports that Cemetery Road is owned by Shickshinny Borough for his review and reconsideration.

President Bolles announced that State Representative Mike Cabell will be at the Shickshinny Borough Building the 3rd Tuesday of each month, 10:00 AM – Noon, beginning in April, to meet with constituents. Council was very pleased with this news and asked that Bobbi post this on social media.

President Bolles reported that an email was received from a Mocanaqua resident regarding duplicate address concerns for some Nicely Street residents. Bobbi explained that upon receipt of the email she spoke with Fire Chief McDaniels who suggested that the matter be referred to Conyngham Township Supervisors for handling. She forwarded the email to Conyngham Township who responded that they would not be addressing the issue and included Luzerne County 9-1-1 center in the response. Bobbi further explained that she was contacted by Andy Zahorsky from 9-1-1 who stated this was a safety issue. There was considerable discussion on the subject by Council and residents, with many questions addressed to Attorney Stephens, and many different opinions for resolution. Kevin and Holly Morris confirmed that this is a valid issue that has impacted them. Attorney Stephens stated that something needs to be done as this is a safety issue. President Bolles stated this should be discussed with impacted residents. Bobbi was instructed to contact Mr. Zahorsky for options.

President Bolles reported that the fully executed Franchise Agreement and Certificate of Insurance was received from COMCAST for their planned expansion into Shickshinny Borough.

President Bolles reported that United Heating was called to repair a leak in the boiler at the Borough Building.

Motion made by Buchalski/seconded by Wido to approve and sign the Polling Place Agreement for 2023 for the Municipal Primary Election 5/16/23 and the Municipal Election 11/7/23. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Motion made by Buchalski/seconded by Wido to accept and approve the President's Report. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Mayor's Report

Mayor Madl updated Council on the plans for the Easter Egg Hunt to be held on Saturday, April 1, 2023, at noon at the Canal Street Park. The rain date is Sunday, April 2, 2023.

Motion made by Buchalski/seconded by Whitebread for the Borough to donate \$100.00 for the Easter Egg Hunt. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Mayor Madl did not have any update on the Northwest Area Little League requests for assistance. Joe Buchalski stated that Little League signups were recently held.

Mayor Madl raised the issue of the poor conditions at the Borough parks. He stated that both parks need new playground mulch. Joe Buchalski stated that a mulch border is needed at one of the parks. Bobbi is to get current prices on mulch and borders. Alex Blydenburgh is to get the measurements needed for the border.

Motion made by Wido/seconded by Bolles to accept and approve the Mayor's Report. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Zoning/Codes Officer Report – Henry Mleczynski provided the February 2023 report, including the following updates:

- 25 Baer Street – property owner is getting an engineer's report – Henry will not issue an extension until a new permit application is filed
- 10 W. Butler Street – family of property owner is aware and will handle the necessary issues
- 72 W Butler Street – violation issued for junk vehicle
- 96 S. Main Street – Chimney issue resolved. Issue closed.
- 20 Search Street – Borough has placed Repository bid on property.
- 28 Search Street – Owner intends to repair the structure.
- 35 Search Street – Borough has placed Repository bid on property.
- 54-56 W Union Street – New LLC has purchased property. Violation letter issued. Henry will discuss options with Attorney Stephens.
- 75 W Union Street – Issue Closed.
- 98 W Union Street – Owner intends to clean up property.
- 100 W. Union Street – Violation letter for garbage has been issued.
- 71 Grant Street – Some cleanup activity has been observed.

Henry is following up on a sink hole by Kruczek's. Jessica explained that this was not Borough property.

Rosalie Whitebread asked for an update on 80 Grant Street. Attorney Stephens does not have any update at this time.

Motion made by Buchalski/seconded by Wido to approve the Zoning/Codes Officer Report. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Solicitor's Report

Attorney Stephens stated that he was in contact with the Luzerne County District Attorney's office regarding the old police department files. They will not accept the files unless they are identified as open cases. Joe Buchalski will review the files to identify any open cases to be forwarded to the DA's office and the closed cases to be destroyed.

Farmer's Market Permit – Attorney Stephens provided an update of his review on this issue. He noted that the Peddler's Permit ordinance does not really apply to this scenario, however Section 1001d of the Zoning Ordinance applies. If the Peddler's Permit ordinance is used, then evidence of insurance is an issue. For the Zoning Ordinance, the responsibility of insurance is for the property owner. Sonja Sprague stated that the property owner at the site of the former grocery store will not apply for or sign anything. There was a lengthy and, sometimes heated, discussion on the issues of permits vs. insurance. Attorney Stephens stated that Council should reopen the vote taken at the last Council meeting to waive the

Solicitor's Report (continued)

peddler's permit fee and then take a subsequent vote to rescind waiving the fee. In doing so, the Farmer's Market could proceed with the Zoning Permit Application process.

Motion made by Buchalski/seconded by Bolles to reopen the vote taken at the February 7, 2023 meeting regarding waiving the Peddler's Permit Fee for the Farmer's Market. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Motion made by Buchalski/seconded by Bolles to waive the Peddler's Permit Fee for the Farmer's Market. Yes votes: None No votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried and the Peddler's Permit Fee is no longer waived at this time.

Attorney Stephen's provided Bobbi with an ordinance on clothing donation boxes for the next meeting.

Motion made by Wido/seconded by Buchalski to accept and approve the Solicitor's Report. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Secretary/Treasurer's Report – Bobbi Titus provided the February report.

During the review of the minutes for the General Council meeting of February 7, 2023, Rosalie Whitebread questioned whether or not Mayor Madl attended the meeting with Christine Deetore from DCNR. Ms. Whitebread stated she wants a copy of any final report from any investigation on the 125/127 W. Union Street property. Attorney Stephens stated that it is not common for investigators to provide any reports on any investigation. Bobbi Titus stated she does not have reports from any investigations. Additionally, Ms. Whitebread wants the following statement included in the minutes - "Kevin Morris asked the status of Kevin Kruczek's Council Seat".

Motion made by Whitebread/seconded by Buchalski to approve the minutes of the General Council Meeting of February 7, 2023 on the condition the statement "Kevin Morris asked the status of Kevin Kruczek's Council Seat" is included in the approved minutes. Yes votes: Bolles, Buchalski, Whitebread, Wido Absent: Kruczek. Motion carried.

Motion made by Whitebread/seconded by Buchalski to approve and ratify the bank balances as of 2/28/23 and the February 2023 bills paid. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

The February Deliverables Matrix was provided showing the dates completed for current required deliverables.

Bobbi provided Council with a copy of the notification of the annual Liquid Fuels Payment received March 1, 2023 in the amount of \$31,785.79, a decrease of \$455.15 from 2022.

Bobbi submitted the application for the COSTARS 2023-2024 contract. The contract was received and approved. Bobbi noted that the winter ton agreement amount of salt was ordered on 2/28/23, fulfilling our 2022-2023 contract obligation.

The 2023 membership invoice was received from the Luzerne County Boroughs and Townships Association in the amount of \$35.00. Bobbi noted that she did not find evidence of membership for 2022. Joe Buchalski asked what the benefits were to membership.

The 2023 membership invoice was received from the Northeastern Pennsylvania Alliance in the amount of \$295.00. Bobbi noted that she did not find evidence of membership for 2022. Jessica stated she will look into the benefits of membership.

Bobbi reported she received notification from Luzerne County Recycling that there will not be a county tire collection in 2023.

Bobbi reported that she requested assistance from Jim Brozena and Luzerne County GIS for a map of Shickshinny Borough-owned properties to assist with future planning by Council.

Secretary/Treasurer's Report (continued)

Bobbi provided Council with the following audit reports: 2020 Financial Audit, 2021 Financial Audit, and 2021 Liquid Fuels Audit.

Bobbi reported that the project to scan all Borough ordinances has been completed. She explained that there is an excel spreadsheet with each ordinance listed, by category, that links to a digital copy of the ordinance. If anyone wants a copy of the files, please bring a flash drive and it will be provided.

Bobbi recommended the following records be destroyed:

- Job Applications for individuals not hired – destroy records received prior to 1/1/2020
- Prior Employees if no worker's compensation claims – destroy records for termination before 12/31/2017
- Real Estate Tax Collector Records – destroy records with dates before 12/31/2015
- Financial Records (AP, AR, Bank Statements, Time Cards, Payroll, etc.) – Destroy 2013 and prior

Motion made by Buchalski/seconded by Bolles to approve the Secretary recommendations for destruction of old records outlined above. Yes votes: Bolles, Buchalski, Wido. No votes: Whitebread. Absent: Kruczek. Motion carried.

Bobbi is in contact with the State Workers' Insurance Fund third-party contractor, Hoover Inc., for a current list of medical providers for employees.

Motion made by Buchalski/seconded by Wido to accept and approve the Secretary/Treasurer's report. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Street Department – President Bolles provided the following report from the Street Department:

Council discussed replacement of the garage roof and whether or not an insurance claim should be submitted for the replacement. An estimate was made by Red's Roofing for \$3,800 to replace the singles. Council wanted to make sure that there would be no additional charges for plywood etc.

Motion made by Buchalski/seconded by Bolles to accept the estimate of \$3,800 to have Red's Roofing replace the garage roof, without any additional charges, and to not file a claim with the insurance company. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Discussion of acquisition of a new salt shed will be added to the April agenda.

PA Department of Labor & Industry inspected the Borough building boiler on 2/8/23. The boiler passed inspection.

Motion made by Buchalski/seconded by Bolles to accept and approve the Street Department report. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Correspondence – President Bolles reported the following items were received:

Luzerne County Bureau of Elections – Municipal Primary Proclamation that identifies the number of seats included in the primary election May 16, 2023 was received.

Sewer Authority – Minutes of the January 17, 2023 meeting

Risk Strategies – email from Gretchen Swanson – interested in providing a quote to Borough for insurance coverage. Jessica noted that after current outstanding claims are settled, Council could revisit the issue.

David Elmore – email regarding Askrail website. Bobbi noted that this was in response to recent train incidents in other states and she forwarded the email to Mocanaqua Volunteer Fire Company and the Shickshinny Volunteer Ambulance Association.

PA One Call – designation of April 2023 as "Safety Digging Month".

Correspondence (continued)

Luzerne Conservation District – fax rec'd 2/17/23 announcing their revised Erosion & Sediment Pollution Control Program Service Fee Schedule.

PennDOT – email dated 2/21/23 – Correspondence identifies locations for collection of traffic data between March 2023 and November 2023. Four Shickshinny Borough locations were identified.

Letter received from Frontier that they will remove the payphone in Shickshinny Borough due to lack of use.

Pennsylvania American Water Company – Service Line Identification Initiative correspondence was received.

Motion made by Buchalski/seconded by Wido to accept the Correspondence. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Old or Unfinished Business

Status of Crary Street Sink Hole Project – LSA Grant – \$44,916 Balance in Grant. Grant expires 6/23 – Per John Ackerman, an updated quote from Mohawk Contracting is expected next week.

2022 LSA Grant – Public Works Vehicle – Grant \$93,463 vs. Revised Quote \$120,542 – The grant expiration is June 30, 2025 – Jessica Bolles provided Council with a quote for a pickup truck with a snow plow and recommended Council consider that option rather than a dump truck, given the financial impact. The quote provided for the pickup truck with the snow plow was \$52,894 allowing additional funds from the grant for a salt shed and needed repairs to the newer dump truck.

Motion made by Buchalski/seconded by Bolles for Bobbi Titus to proceed with the request to modify the current grant to purchase the pickup truck with the plow, salt shed purchase, and necessary truck repairs on newer dump truck. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

The estimate was received from Tomassacci of \$1,600 to remove the tree at 25 Conyngham Street. Council previously approved Tomassacci removing the tree. Rosalie asked if residents can take wood that is there. The wood has been there for several months.

Motion made by Buchalski/seconded by Wido to accept the Old or Unfinished Business. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

New Business

Motion made by Buchalski/seconded by Bolles to approve the 570 Redline Outlaws car show on September 16, 2023 at Canal Street Park. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Lisa Burns, PA Department of Community & Economic Development – Technical Assistance Program – Letter of Intent needed – There was no discussion on this item.

Christine Deetore, DCNR – Small Community Grant Guidelines - There was no discussion on this item.

Pennsylvania American Water – 2023 Environmental Grant Program – Deadline March 31, 2023. There was no discussion on this item.

Motion made by Buchalski, seconded by Bolles to approve hosting a Paper Shred Event on May 6, 2023, 9:00 am – Noon, with Purple Paper Eaters as the shredding vendor. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Keep America Beautiful – Pick up PA Event – March 1 – May 31 – There was no discussion on this item.

Susquehanna Greenway Cleanup – April 15, through April 23, 2023 – There was no discussion on this item.

New Business (continued)

Dave Elmore provided the application for the annual Radiation Emergency Response Fund Grant, due May 26, 2023. Bobbi reported the application was provided to Barry Noss and Josh Gregory for their recommendations.

There are two street lights out on the lower Route 11 side of Rockview Avenue. Bobbi will follow up with UGI.

Motion made by Buchalski/seconded by Wido to approve the New Business. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

Comments from Residents

Kevin Morris asked what Council intends to do about the Council Seat of Kevin Kruczek. Attorney Stephens stated that Council has decided to not consider the seat vacant for the rest of the year. Joe Buchalski commented that there will be two seats decided at the 2023 election. Kevin expressed concern with an empty Council seat for the remainder of 2023.

Motion made by Buchalski/seconded by Bolles to adjourn the meeting. Yes votes: Bolles, Buchalski, Whitebread, Wido. Absent: Kruczek. Motion carried.

The meeting adjourned at 8:05 PM.

Respectfully submitted,

Roberta J. Titus, Secretary
Borough of Shickshinny