

SHICKSHINNY BOROUGH  
GENERAL COUNCIL MEETING SEPTEMBER 6, 2022  
MINUTES

The General Meeting of the Borough of Shickshinny Council was held on Tuesday, September 6, 2022, in the Council room of the Shickshinny Municipal Building. President Jessica Bolles called the meeting to order at 6:01 PM.

Per roll call, the following members of Council were present: Rosalie Whitebread, Jim Wido, and Jessica Bolles. Absent were Joe Buchalski and 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 Bill Stephens, Larry Frace, Bobbi Titus, Diane Noss, Barry Noss Jr., Mike Shoemaker, Jim Bach, Kathy Llewellyn, Holly Morris, Kevin Morris, Sharon Baluta, Joe Selner, Michael Nadeau, and Vince Lamoreaux. (Please note: Mayor Madl left the meeting at 7:10 pm. 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 that the situation of high weeds behind the CVS building has been resolved. The owners of His and Hers Restaurant are handling the arrangement of the lot maintenance for the property owner.

President Bolles reported that a sink-hole opened up on the vacant lot of 24 W. Union Street, which is presently part of the Lot Next Door lease program. Larry Frace looked at the site and reported it appears to be an old cistern/well that opened up and is approximately 20' deep. Larry put stakes and caution tape around the area. Bobbi Titus stated that she spoke to Jim Brozena, consultant for various Luzerne County property buyout projects, and he noted that the building was demolished in December 2020 by Brdaric Excavating and the warranty expired December 2021. Mr. Brozena estimates approximately \$5,000 to contract out the repairs. There was discussion between Larry Frace and Jim Wido on having the Street Department do the necessary work. Larry stated an engineer should look at the site before the work was done.

**Motion made by Jim Wido/seconded by Jessica Bolles to have the work done by the Street Department. Yes votes: Bolles, Wido Abstain: Whitebread (no reason given) Absent: Buchalski and Kruczek. Motion carried.**

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

**Mayor's Report**

Mayor Madl requested Council hold off on any improvements to the bandstand in Municipal Park as the park seems to have become a late night hang out by some. Additionally, some suspicious activities have been observed and litter in the area has increased. There was a discussion with Council on having all parks closed from dusk to dawn. Jessica stated that she believed it was a Pennsylvania State Law for all parks. Kevin Morris stated that there is an ordinance already in place for Shickshinny Borough.

**Motion made by Wido/seconded by Bolles to purchase "closed dusk-to-dawn" signs for each park. Yes votes: Bolles, Wido. No votes: Whitebread. Absent: Buchalski and Kruczek. Motion carried.**

Mayor Madl stated that Halloween plans are being discussed. He intends to speak with Mr. Mills at Northwest High School regarding assistance from the cheerleaders for the event. More information will be provided at the next meeting.

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

### **Zoning/Code/Property Maintenance Officer's Report**

Larry Frace provided the August report, including:

- No Zoning or construction permits were issued and no magistrate hearings were scheduled.
- All vehicles on Borough property have been towed or removed except for two that are not accessible to the tow truck.
- Dredging work was completed on the small stream behind South Main Street. The DEP Permit #4002222-013 was obtained and must be retained by the Borough for future maintenance of the stream bed. Future maintenance/dredging can be performed without acquisition of another DEP permit. Larry recommended future dredging to go another 250' into the woods to prevent future flooding problems.
- Larry sent the property owners of the campground at the end of Search Street a letter but has had no response. He also attempted to locate online information about the campground. Jessica suggested that Joe Buchalski send Larry the online link.

**Motion made by Wido/seconded by Bolles to accept and approve the Zoning/Code/Property Maintenance Officer's Report. Yes votes: Bolles, Whitebread, Wido Absent: Buchalski and Kruczek. Motion carried.**

**Solicitor's Report** - Attorney Bill Stephens provided the following report:

Spring near Grant Street – The Maintenance Agreement between Shickshinny Borough and Erik Gotwalt has one remaining issue as Mr. Gotwalt does not want to provide insurance coverage for the property. Ms. Whitebread stated that all leases/agreements with the Borough require evidence of insurance coverage. Several residents commented on the positive impact that Mr. Gotwalt has made to the property. President Bolles will contact Mr. Gotwalt.

125/127 W. Union Street – Attorney Stephens stated that the paperwork for the lien has been completed. Additionally, a resident has expressed interest in purchasing the property but was concerned about the possibility of a lien and back taxes owed. Holly Morris asked the dollar amount of the lien placed on the property. Attorney Stephens stated the lien amount was \$27,000 as the demolition was \$24,000 and additional fees were \$3,000.

William Reinhard Subdivision – Attorney Stephens stated that the deeds are being finalized and everything should be completed within the next week. Rosalie asks how many subdivisions were included. Attorney Stephens stated there were two subdivisions.

Draft Ordinance 2022-0002 Short Term Rentals – Attorney Stephens confirmed that comments from Luzerne County Planning Commission have been incorporated into the ordinance. He asked Council whether or not off-street parking requirements were to be included in this ordinance, noting that normally off-street parking is not required to be incorporated. All agreed that off-street parking requirements should not be incorporated into the ordinance.

**Motion made by Wido/seconded by Bolles to advertise Draft Ordinance 2022-0002 Short Term Rentals and place on the October agenda for Council vote. Yes votes: Bolles, Whitebread, Wido. Absent: Buchalski and Kruczek. Motion carried.**

Attorney Stephens stated that all ordinances related to parking in the Borough have been gathered and one new ordinance will be created to address all parking requirements and also to repeal the existing parking ordinances. Rosalie asked if parking for snow removal will be included in the new ordinance. Attorney Stephens confirmed that parking for snow removal will be included. The issue of parking big trucks was raised. Attorney Stephens emphasized that one ordinance should resolve all of the various parking issues. When a draft has been prepared, it will be provided to Larry Frace for his review and comments.

Attorney Stephens stated that Attorney Logsdon has been attempting to speak with contractor Jim Dzielak regarding nonpayment to the Ameriglide subcontractor for the Historical Society Grant improvements. To date, Mr. Dzielak has not returned his calls.

Draft Ordinance 2022-0003 requires regular attendance by Council members at regular Council Meetings. Rosalie questioned whether or not the Borough could require attendance and repeatedly stated Attorney Stephens should contact the PSAB (Pennsylvania State Association of Boroughs) because we cannot remove a Council member. Attorney Stephens explained that Council was not removing a member because of attendance but a member can forfeit their seat because of lack of attendance.

## Solicitor's Report (continued)

**Motion made by Wido/seconded by Bolles to advertise Draft Ordinance 2022-0003 Council Attendance and place on the October agenda for Council vote. Yes votes: Bolles, Wido. Abstain: Whitebread. Ms. Whitebread wants to hear from PSAB on this ordinance. Absent: Buchalski and Kruczek. Motion carried.**

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

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

**Motion made by Wido/seconded by Bolles to accept and approve the minutes of July 28, 2022. Yes votes: Bolles, Wido. Abstain: Whitebread. Ms. Whitebread stated she abstained because she didn't read the minutes. Absent: Kruczek and Whitebread. Motion carried.**

**Motion made by Wido/seconded by Bolles to accept and approve the minutes of August 2, 2022. Yes votes: Bolles, Wido. Abstain: Whitebread. Ms. Whitebread stated she abstained because she didn't read the minutes. Absent: Kruczek and Whitebread. Motion carried.**

**Motion made by Wido/seconded by Bolles to accept the bank balances as of 8/31/22 and ratify the August 2022 bills paid. Yes votes: Bolles, Wido. Abstain: Whitebread. Ms. Whitebread stated she abstained because she didn't read the bank balances and bills paid. Absent: Buchalski and Kruczek. Motion carried.**

Bobbi provided Council with a copy of a Workers' Compensation form to be used for independent contractors performing work in the Borough Building and on Borough property. The form was provided by H. A. Thomson.

Bobbi provided Council with a list of six individuals, paid in 2021, that appear to have met the criteria for issuance of an IRS 1099 form.

Bobbi provided Council with an update on the 2020 Financial Audit. The audit remains incomplete pending input of 2020 transactions into the old QuickBooks system for two bank accounts. Presently, Bobbi is unable to complete the entries because of access issues with the files.

**Motion made by Wido/seconded by Bolles to contact Koala Computers for technical assistance with the old QuickBooks files. Yes votes: Bolles, Whitebread, Wido. Absent: Buchalski and Kruczek. Motion carried.**

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

## Correspondence Received

COSTARS 2022-2023 Season Sale Contract – The vendor approved for Luzerne County is Cargill.

DEP announced a drought Watch for 36 Pennsylvania counties and has requested voluntary water conservation.

An email from Jim Brozena confirmed that work at 41 W. Union Street will begin 9/6/22 with no parking allowed at the Bartoli Lane parking lot until the work is complete.

Correspondence was received from the American Lung Association regarding a program to enforce no smoking at parks. Joe Selner stated that there are presently "No Smoking" signs at both of the parks.

The 2023 PIRMA Liability Insurance Renewal Invoice and payment schedule was received. Three monthly payments of \$14,696 are required beginning 11/8/22. The annual premium is \$44,089.

Notification was received from QuickBooks regarding a price increase for Payroll processing, effective 10/1/22.

### **Correspondence Received (continued)**

A notice was received from PSAB regarding the 2023 Unemployment Compensation Plan rates. There is no increase in the rate for Shickshinny Borough and remains at 5.0%.

The Minimum Municipal Obligation report for 2023 for the Police Pension Plan was received.

### **Old or Unfinished Business**

Status of Crary Street Sink Hole Project – LSA Grant – \$44,916 Balance in Grant. Jessica stated that Joe Buchalski was going to contact John Ackerman regarding a possible meeting with Council. No further update is available at this time.

Luzerne County CDBG Grant Application for 2023 – Deadline September 16, 2022 - Larry Frace previously provided Council with an updated Blighted Property List which was forwarded to Reilly Engineering. Additional zoning information may be needed from Larry prior to submission of the application.

Luzerne County ARPA Grant Application – Deadline September 15, 2022 – Reilly will need to submit the application for the Chestnut Street storm drain improvements. Casey Cawley previously visited the site of the proposed project and submitted the pre-approval application for this grant.

### **New Business**

Council and residents discussed the benefits of the Municipal Services Partnership with the Luzerne County SPCA. Additional information is needed on the Trap Neuter Release program fees for feral cat colonies and the surrender of feral cats vs. stray cats. Rosalie stated that Shickshinny Borough terminated the prior agreement because the SPCA would not take cats. More information will be obtained from the SPCA for the next work session.

Council discussed the revision to Shickshinny's PennDOT Liquid Fuels Roads, specifically the possible reduction in miles because there are speedbumps on Creek Alley. Jessica explained there are two options: (1) remove the speedbumps and keep the existing mileage eligible for Liquid Fuels payments, or (2) leave the speedbumps in place and lose the mileage eligible for Liquid Fuels payments. Rosalie asked for a copy of the original memo regarding the meeting with Chris Goetz. Council discussed whether or not the work could be done by the Street Department. Contactor estimates from Don E. Bower and American Asphalt are needed for the next work session. It was suggested that Conyngham Township be contacted for the name of the contractor they used for speedbump removal. Jim Wido stated that renting a milling machine would be the least expensive option.

Implementation of a photocopy policy was discussed. Attorney Stephens recommended there be no charge for less than 10 pages per day, with a charge of \$.25 per page after that limit. He further noted that there would not be a charge for copies for Right to Know Requests and acceptable payment would be check or money order as no cash will be accepted. Rosalie Whitebread made disparaging remarks regarding the secretary raising the issue and not wanting to accept cash.

President Bolles attempted to regain order to the meeting. The meeting adjourned abruptly at 7:25 PM.

Respectfully submitted,

Roberta J. Titus, Secretary  
Borough of Shickshinny