

ASHLEY BOROUGH

Donald Sipple, Sr., Mayor

Lisa Wildes, Council Chair
Frank Sorokach, Council Vice Chair
Gerald Maldonado

Brian Casey
Carl Byra
Brian Demchak

Ashleypa.net

Greg Gulick, Borough Manager

Moses & Gelso LLP, Solicitor

ASHLEY BOROUGH COUNCIL MEETING SUMMARY MEETING MINUTES FEBRUARY 11, 2020

Attendance:

Lisa Wildes – Present
Frank Sorokach – Present
Gerald Maldonado – Present
Brian Casey – Present
Carl Byra – Present
Brian Demchak – Present
Mayor Donald Sipple, Sr. – Present
Borough Manager Greg Gulick - Present
Police Chief David Fedorczyk – Not Present (Sgt. McGlynn – Present)
Peter John Moses, Esq. for Solicitor Moses & Gelso LLP – Present

Meeting was called to Order by Attorney Moses. Attorney Moses called roll for the Council, Mayor and Borough Officials. The Pledge of Allegiance was recited by all.

COUNCIL AND BOROUGH OFFICIAL PRESENTATIONS

Lisa Wildes – Nothing for this Meeting
Frank Sorokach – Nothing for this Meeting
Gerald Maldonado – Nothing for this Meeting
Brian Casey – Nothing for this Meeting
Carl Byra – Nothing for this Meeting
Brian Demchak – Nothing for this Meeting
Mayor Donald Sipple, Sr. – Nothing for this Meeting
Borough Manager Greg Gulick – Mr. Gulick read the Treasurer's Report. (See Attached)
Sgt. McGlynn – Nothing for this Meeting.

COMMITTEE REPORTS

STREET COMMITTEE – Mr. Maldonado indicated that he recently had a conversation with the engineer involved with the Sulphur Run Project in Stewart’s Alley. He indicated the project is moving along nicely.

PERSONNEL COMMITTEE – Mr. Sorokach reported that the Committee is reaching out to BHW Construction Consultation Services, Inc., to fill an open zoning position. He also reported the Committee is going to try and meet with the Sugarnotch Council in the near future to discuss sharing zoning expenses.

PUBLIC COMMENT – PENDING LEGISLATION

Jack Zardecki – Mr. Zardecki spoke in favor of purchasing the “Culvert St. Railroad Bridge” Structure. Mr. Zardecki stated that if Council does not follow the majority, we do not live in a democracy. He also stated that, throughout the entire existence of the structure, no one has ever been injured by it.

Paulette Zardecki – Ms. Zardecki spoke in favor of purchasing the “Culvert St. Railroad Bridge” Structure. She stated there is money currently in escrow to insure the structure. She also stated that there are endless means to continue to raise money for this account.

Sean Martinelli – Mr. Martinelli spoke against pending Resolution 17 of 2020, which would rescind Resolution 16 of 2019. He stated that if Resolution 16 of 2019 were rescinded, all parking would be lost for the newest business in Ashley Borough. Attorney Moses asked Mr. Martinelli to provide him with an indemnity agreement in connection with this matter. Attorney Moses also outlined options for Council regarding this vote, such as tabling Resolution 17 of 2020 then either amending it or rescinding it.

Ron Wickiser – Mr. Wickiser spoke about Ashley Borough’s Zoning Issues. He stated that Ashley Borough has paid \$40,000.00 for two zoning officials, who in turn brought in \$14,000.00 in revenue. Mr. Wickiser also briefly spoke about the Huber Breaker, stating there was never a meeting where it was deeded back to Ashley Borough. Mr. Casey responded, stating there was a meeting and a resolution was passed in connection with the matter. Additionally, Mr. Wickiser expressed that Penn Strategies is not giving Ashley Borough a worthwhile return in grant money compared to the \$90,000.00 they have been paid. He suggested paying someone 1-3% to write grants, possibly the Borough Manager. Finally, Mr. Wickiser stated that ambulance services are currently inadequate to serve the needs of Ashley Borough. Mr. Casey indicated that many areas are lacking adequate ambulance service and that Transmed will not provide services to areas beyond Wilkes-Barre City.

Jennifer Heller – Ms. Heller spoke in favor of purchasing the “Culvert St. Railroad Bridge” Structure. Ms. Heller began by citing a report completed by Brozina Consulting, which indicated the bridge was structurally sound. Ms. Heller also stated that, due to low

property values, Ashley Complex LLC has been buying up as much land as they can with no indication as to what their plans are. She indicated the culvert can help limit the property they can buy as well as what they can build. Finally, Ms. Heller stated that they have funds for the first-year insurance payment on the culvert and can fundraise for other attendant fees and costs.

Mark Gryski – Mr. Gyski asked whether, in the event Ashley Borough took ownership of the structure and decided to demolish it, private developers would bear the costs of demolition.

Patty Briskey – Ms. Briskey spoke in favor of purchasing the “Culvert St. Railroad Bridge” Structure.

Mr. Casey – Asked Mr. Byra about the culvert repair estimates he received. Mr. Byra indicated he received three estimates for \$52,000.00, \$58,000.00 and \$76,000.00. Mr. Byra indicated these estimates involved capping the concrete to prevent cracking. Ms. Wildes suggested applying for a Rescape Grant to fix the culvert and inquired whether the repairs can be completed in stages.

Mike Collins – Mr. Collins spoke about the lack of need for a forensic audit. Mr. Collins stated that Ashley Borough has had several recent audits that have not shown any irregularities. Mr. Collins asked why Ashley Borough should pay for a forensic audit. Mr. Sorokach stated that there are some problems with the numbers that they would like to look into. Mr. Gulick responded that he doesn't believe there are any issues with the budget and welcomes a forensic audit. Mr. Sorokach stated he believes there is a possibility that the Borough will run out of money in November, and that is a concern for everyone here.

James Barberi – Mr. Barberi discussed a potential groundwater contamination issue in Ashley Borough.

Daryl Hannis – Ms. Hannis asked council to reach out to Ashley Complex LLC to determine what their intentions are with land they are purchasing in Ashley Borough. Ms. Hannis expressed concerns that tractor trailer concentrations would result in a rise of prostitution and drug use.

LEGISLATION

RESOLUTION 13 OF 2020 - A Resolution approving the January 10, 2020 Special Council Meeting Minutes.

Motion: Carl Byra
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – Y

PASS

RESOLUTION 14 OF 2020 – A Resolution to accept the January 2020 Payroll in the amount of \$53,244.83

Motion: Brian Casey
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – Y

PASS

RESOLUTION 15 OF 2020 – A Resolution to pay the January 2020 Bills in the amount of \$46,944.15

Motion:
Second:

FAILED – No Motion

RESOLUTION 15 OF 2020 (AMENDED) – A Resolution to pay the January 2020 Bills in the amount of \$46,944.15, minus the \$2,006.50 owed to Attorney Vinsko.

Motion: Gerald Maldonado
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – N

PASS

RESOLUTION 16 OF 2020 – A Resolution to adopt Ordinance No.1 of 2020 electing to amend the Ashley Borough Police Pension Plan.

Motion: Brian Casey
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – Y

PASS

RESOLUTION 17 OF 2020 – A Resolution to rescind Resolution # 16 of 2019.

(TABLED)

RESOLUTION 18 OF 2020 – A Resolution to rescind Resolution # 47 of 2019.

Motion: Gerald Maldonado
Second: Brian Demchak

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – N

PASS

RESOLUTION 19 OF 2020 – A Resolution to rescind Resolution # 55 of 2019.

Motion: Gerald Maldonado
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – N

PASS

RESOLUTION 20 OF 2020 – A Resolution to rescind Resolution # 85 of 2019.

Motion: Gerald Maldonado
Second: Lisa Wildes

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – N

PASS

RESOLUTION 21 OF 2020 - A Resolution to execute an agreement with Luzerne County Redevelopment Authority for the Rails-to-Trails Project.

(TABLED)

RESOLUTION 22 OF 2020 – A Resolution that Ashley Borough will acquire “The Culvert St. Railroad Bridge” structure and seventy-five (75) ft. of land on each side to maintain embankment by transfer by Quit Claim Deed from the Luzerne County Redevelopment Authority in exchange for payment from Ashley Borough in the amount of one (\$1.00) dollar.

Motion: Carl Byra
Second: Lisa Wildes

Lisa Wildes – Y
Frank Sorokach – N
Gerry Maldonado – N
Carl Byra – Y
Brian Demchak – N
Brian Casey – N

FAILED

RESOLUTION 23 OF 2020 – A Resolution to accept the Notice of Termination of Agreement of Sale from PWP for the Centennial Court/Centennial Park Property based on potential buyer’s decision not to proceed after exercising due diligence.

Motion: Carl Byra
Second: Gerald Maldonado

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – Y

PASS

RESOLUTION 24 OF 2020 – A Resolution authorizing the Borough Solicitor to seek proposals from professional auditors.

Motion: Carl Byra
Second: Gerry Maldonado

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – Y

PASS

RESOLUTION 25 OF 2020 – A Resolution authorizing the Borough Manager apply for a Grant to install LED lighting in 180 street lights.

Motion: Carl Byra
Second: Frank Sorokach

Lisa Wildes – Y
Frank Sorokach – Y
Gerry Maldonado – Y
Carl Byra – Y
Brian Demchak – Y
Brian Casey – Y

PASS

PUBLIC COMMENT

JACK ZARDECKI – Expressed concerns about the Culvert Street Bridge Structure.

JENNIFER WATKINS – Expressed concerns about the Culvert Street Bridge Structure.

An Ashley Borough Resident inquired about the length of time the Sulphur Run Project will take to complete.

Meeting Adjourned.

