

ASHLEY BOROUGH

Donald Sipple, Sr., Mayor

John Gibbons, Council Chair
Donald Sipple, Jr. Council Vice Chair
Frank Sorokach

Gerald Maldonado
Donna Schappert
Brian Casey

Ashleypa.net

Greg Gulick, Borough Manager

William E. Vinsko, Jr., Esquire, Solicitor

ASHLEY BOROUGH COUNCIL MEETING SUMMARY MEETING MINUTES APRIL 9, 2019

49 West Cemetery Street, Ashley, Pennsylvania

Meeting Start Time: **6:43 PM**

Meeting End Time: **7:39 PM**

Attendance:

| | |
|------------------------------------|---------|
| Gerald Maldonado- | Present |
| Frank Sorokach- | Present |
| Donna Schappert- | Present |
| Brian Casey- | Present |
| Donald Sipple - | Present |
| John Gibbons- | Present |
| Mayor Donald Sipple, Sr.- | Present |
| Borough Manager, Greg Gulick - | Present |
| Police Chief David Fedorczyk- | Present |
| Solicitor William E. Vinsko, Jr. - | Present |
| Andrew Kratz, Code Officer- | Absent |

Meeting was called to Order by Council President **John Gibbons**. **Attorney Vinsko** called roll call for the Council, Mayor and Borough Officials. The Pledge of Allegiance was recited by all.

An Executive Session was held prior to the Meeting for personnel issues relating to an employee. The Executive Session was held at 6:00 PM prior to the current meeting.

President of Council, **John Gibbons**, called upon **Jason Fitzgerald** of Penn Strategies to provide an update for the Council and the public. **Mr. Fitzgerald** confirmed that Ashley was awarded a grant from the Commonwealth of Pennsylvania for \$350,000 for the start of the Main Street Project, which is part of the overall Ashley Vision 2020 program. Also, Penn Strategies is submitting additional grant applications, some of which are being approved this evening. The public applauded during the presentation recognizing Penn Strategies' efforts in this regard.

COUNCIL MEMBERS PRESENTATIONS:

GERALD MALDONADO –

1. **Huber Breaker -- Mr. Maldonado** asked if the Borough police are patrolling the breaker site. The gate is open and people are in and out of there. **Chief Fedorczyk** acknowledged that his officers are patrolling when they can, and that there are significant portions of the fence which are missing. **Mr. Maldonado** also asked **Attorney Vinsko** if citations have been issued since DEP representatives recommended that the Borough enforce its zoning ordinances regarding people being on that property. **Attorney Vinsko** advised that **Mr. Kratz** had issued citations, but he was unsure of the status before the Magistrate. **Attorney Vinsko** confirmed that he would follow up with **Mr. Kratz** regarding the status.
2. **Sulphur Run Project – Mr. Maldonado** was advised that the engineers working on this project sent out their cost estimates and they were accepted. As a result, surveying is likely to start shortly.
3. **Letter from Police Union – Mr. Maldonado** asked if a letter was issued from or about the police union as he was told but did not receive a copy. **Attorney Vinsko** confirmed that the union requested a mediator, and a letter was sent confirming that a mediator was appointed.

FRANK SOROKACH –

1. **Sulphur Run – Mr. Sorokach** stated that he would like to explore sending letters to residents who may be affected by the Sulphur Run project to advise them of the status. **Attorney Vinsko** acknowledged that he would look into doing that for the Borough.
2. **Blue Coal Property Hearing – Mr. Sorokach** stated that he and **Mr. Maldonado** attended the hearing on the tax sale of the coal property. He explained that there are more than \$2.7 million in liens and that will affect the ability to sell.

DONNA SCHAPPERT – Announced that there is an Ashley 150th Anniversary Celebration coming in 2020 and they had a meeting last evening to discuss a logo and a movie night. The next meeting is April 24, 2019 at 6:00 PM. The public is invited to attend.

Ms. Schappert also requested that the pictures that are on the bulletin board in the municipal building should be behind glass, and would like the Borough to purchase the glass for it. The Council agreed.

BRIAN CASEY – Announced that tomorrow (April 10, 2019) the Street Committee is taking a walking tour of Manhattan, Brown and Carey Streets to address the paving which is going to occur.

DONALD SIPPLE – Nothing for this meeting.

JOHN GIBBONS – Asked **Attorney Vinsko** to discuss Centennial Park and the issues related to the attempts to sell it to a fast food franchise, a pharmacy or something similar. **Attorney Vinsko** announced that the Borough is working with **Gregory Barrouk** and **Stephen Barrouk** who are from City Brokers, LLC and who have experience with Wendy’s and Burger King. They are going to have a 90-day exclusive right to negotiate with a franchise to potentially place the same at the Centennial Park location, with a minimum amount payable to the Borough in the amount of \$200,000. **Attorney Vinsko** confirmed that this would be through a 90-day letter of intent and that all contracts and agreements have to be approved by Borough Council before anything would be binding. This will be put up for a vote this evening. **Attorney Vinsko** confirmed that there are also potential traffic studies and other issues which may have to be addressed before anything could be finalized.

MAYOR DONALD SIPPLE – Nothing for this meeting.

GREG GULICK, BOROUGH MANAGER – Gave the Financial Report. **Mr. Gibbons** asked about the financial report and whether the taxes for 2019 were reflected in the current number. **Mr. Gulick** stated that they were not and that the Borough will be getting a check in this month.

Mr. Maldonado asked about whether the Borough has applied for the “Arley grant” for Hazleton Street. **Mr. Fitzgerald** offered to assist in any way he could. **Mr. Gibbons** stated that the Borough would have 4 streets at the Hazleton Street intersection, but that PennDOT wants a new street light there. PennDOT has not articulated the reasons for a new streetlight demand. **Mr. Fitzgerald** stated that PennDOT has the “Green Light Go” grant available for traffic lights. **Mr. Maldonado** confirmed that the Arley grant is something different, and that he would like to have it worked on. **Mr. Gulick** and **Mr. Fitzgerald** both said they would work on it.

POLICE CHIEF FEDORCZYK – **Chief Fedorczyk** gave the Police Report. Additionally, he presented a handicapped parking sign application for 3 Frederick Street, Ashley, but that the owner refused to or did not complete the physician application portion. **Attorney Vinsko** confirmed that it would be Council’s discretion to consider and approve the application when all other applications have properly completed the form. During the meeting, a second handicapped application was submitted to **Chief Fedorczyk** for 54 Carey Street, Ashley. This was completed properly and was added to the resolutions.

Mr. Gibbons asked **Mr. Gulick** to discuss the audit that came back. **Mr. Gulick** stated that the Borough goes through approximately seven (7) audits annually. This audit came back clean, once again, and there were zero (0) findings.

COMMITTEE REPORTS:

Mr. Maldonado confirmed that the Street Committee is meeting tomorrow on the issues of paving with a walk on Manhattan, Brown and Carey Streets.

PUBLIC COMMENT

DON KANE – Asked why people are on the Huber Breaker property as they are not supposed to be there. Additionally, he stated that since the sliding board was removed at Centennial Park, what will be happening? The snow fencing that is there is not going to work long term. **Mr. Gibbons** stated that he would look into both issues.

JENNIFER HELLER – Submitted a letter from Luzerne Bank directly to **Mr. Gibbons** requesting to be added to the Ashley Borough Depository List. **Mr. Gibbons** stated that he would meet with **Mr. Gulick** on that issue tomorrow morning. Additionally, Ms. Heller asked if there was any money for the Ashley Borough Little League Fields. She wanted to pay for a sign that was previously removed because it was old, and was told that she could not do so. **Mr. Maldonado** and **Mr. Sipple** provided some contacts for Ms. Heller to reach out to.

LEGISLATION

RESOLUTION 30 OF 2018 – A Resolution authorizing the March, 2019, payroll in the amount of \$55,426.45.

Date: April 9, 2019

Motion: **BRIAN CASEY** Second: **DONALD SIPPLE**

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|--------------------|----------|-------------------|----------|-------------|
| Donald Sipple – | Y | Donna Schappert - | Y | PASS |
| Brian Casey - | Y | Frank Sorokach - | Y | |
| Gerald Maldonado - | Y | John Gibbons - | Y | |

Mr. Sipple stated that the payroll was so high this month because it was a three (3) payroll month.

RESOLUTION 31 OF 2019 – A Resolution authorizing the March, 2019, bills in the amount of \$33,224.10.

Date: April 9, 2019

Motion: **DONALD SIPPLE** Second: **FRANK SOROKACH**

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|--------------------|----------|-------------------|----------|-------------|
| Donald Sipple – | Y | Donna Schappert - | Y | PASS |
| Brian Casey - | Y | Frank Sorokach - | Y | |
| Gerald Maldonado - | Y | John Gibbons - | Y | |

RESOLUTION 32 OF 2019 – A Resolution formally accepting and adopting the update Standard Operating Procedures for the Ashley Borough Police Department.

Date: April 9, 2019

Motion: **DONNA SCHAPPERT** Second: **DONALD SIPPLE**

TABLED at the request of **Mr. Casey**. Borough Council Agreed.

RESOLUTION 33 OF 2019 – A Resolution authorizing the Borough to donate \$500.00 to the Ashley Memorial Parade Association.

Date: April 9, 2019

Motion: **DONNA SCHAPPERT** Second: **FRANK SOROKACH**

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|--------------------|----------|-------------------|----------|-------------|
| Donald Sipple – | Y | Donna Schappert - | Y | PASS |
| Brian Casey - | Y | Frank Sorokach - | Y | |
| Gerald Maldonado - | Y | John Gibbons - | Y | |

RESOLUTION 34 OF 2019 – A Resolution to approve the submission of a Community Conservation Partnership Program Grant Application to the Department of Conservation and Natural Resources for a park construction project for an amount not to exceed \$550,000. The scope of the grant will include construction and renovation costs associated with the project. The President of Borough Council is hereby authorized to execute all documents and agreements between Ashley Borough and the Commonwealth Financing Agency to facilitate and assist in obtaining the requested grant.

Date: April 9, 2019

Motion: **BRIAN CASEY** Second: **DONNA SCHAPPERT**

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|--------------------|----------|-------------------|----------|-------------|
| Donald Sipple – | Y | Donna Schappert - | Y | PASS |
| Brian Casey - | Y | Frank Sorokach - | Y | |
| Gerald Maldonado - | Y | John Gibbons - | Y | |

RESOLUTION 35 OF 2019 – A Resolution Authorizing the submission of a Greeways, Trails and Recreation Program (GTRP) Grant Application to the Commonwealth Financing Authority of no more than \$250,000 for use in the park construction project. The President of Borough Council is hereby authorized to execute all documents and agreements between Ashley Borough and the Commonwealth Financing Agency to facilitate and assist in obtaining the requested grant.

Date: April 9, 2019

Motion: **DONNA SCHAPPERT** Second: **DONALD SIPPLE**

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|--------------------|----------|-------------------|----------|-------------|
| Donald Sipple – | Y | Donna Schappert - | Y | PASS |
| Brian Casey - | Y | Frank Sorokach - | Y | |
| Gerald Maldonado - | Y | John Gibbons - | Y | |

RESOLUTION 36 OF 2019 – A Resolution eliminating work sessions and holding meetings on the second Tuesday of each month.

Date: April 9, 2019

Motion: **BRIAN CASEY** Second: **DONALD SIPPLE**

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|--------------------|-----------|-------------------|-----------|-------------|
| Donald Sipple – | Y | Donna Schappert - | NO | PASS |
| Brian Casey - | Y | Frank Sorokach - | NO | |
| Gerald Maldonado - | NO | John Gibbons - | Y | |

Mayor Sipple – **Y**

RESOLUTION 37 OF 2019 – A Resolution granting a 90-day exclusive letter of intent to Gregory Barrouk and Stephen Barrouk of City Brokers, LLC for the marketing of Centennial Park to a franchise with the ultimate approval resting with Ashley Borough Council and with any agreement having a minimum of \$200,000 to Ashley Borough.

Date: April 9, 2019

Motion: **DONNA SCHAPPERT** Second: **JOHN GIBBONS**

Donald Sipple – Y Donna Schappert - Y PASS
Brian Casey - Y Frank Sorokach - Y
Gerald Maldonado - Abstain John Gibbons - Y

Mr. Maldonado announced that abstained because he wants the park to remain where it is. This set off a significant public discussion over alleged contamination issues at the new park proposed location and issues and concerns about moving the park next to the Huber Breaker site.

RESOLUTION 38 OF 2019 – A Resolution approving the handicapped parking for 54 Carey Street, Ashley.

Date: April 9, 2019

Motion: **FRANK SOROKACH** Second: **GERALD MALDONADO**

Donald Sipple – Y Donna Schappert - Y PASS
Brian Casey - Y Frank Sorokach - Y
Gerald Maldonado - Y John Gibbons - Y

RESOLUTION 39 OF 2019 – A Resolution approving the handicapped parking for 3 Frederick Street, Ashley, subject to the physician application being properly prepared and submitted.

Date: April 9, 2019

Motion: **DONALD SIPPLE** Second: **FRANK SOROKACH**

Donald Sipple – Y Donna Schappert - Y PASS
Brian Casey - Y Frank Sorokach - Y
Gerald Maldonado - Y John Gibbons - Y

RESOLUTION 40 OF 2019 – A Resolution authorizing the Borough to apply for a road improvement grant, a Multimodal Grant and/or an LSA Grant for at least \$300,000 for street paving and improvements.

Date: April 9, 2019

Motion: **GERALD MALDONADO** Second: **FRANK SOROKACH**

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|--------------------|---|-------------------|---|-------------|
| Donald Sipple – | Y | Donna Schappert - | Y | PASS |
| Brian Casey - | Y | Frank Sorokach - | Y | |
| Gerald Maldonado - | Y | John Gibbons - | Y | |

Meeting Ended at 7:39 PM.

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