

**ASHLEY BOROUGH MINUTES/TRANSCRIPT OF**  
**ASHLEY BOROUGH COUNCIL MEETING**

**JANUARY 8, 2019**

Meeting Time:	6:30 PM
Meeting Location:	Ashley Borough Municipal Building

*Meeting officially opened at 6:37 PM.*

*Meeting Officially Ended at 8:05 PM*

**Mr. Gibbons:** I would like to call the meeting to order. Roll call of council members and Mayor.

**Attorney Vinsko:** Mr. Maldonado.

**Mr. Maldonado:** Present.

**Attorney Vinsko:** Mr. Sorokach.

**Mr. Sorokach:** Here.

**Attorney Vinsko:** Ms. Schappert.

**Ms. Schappert:** Here.

**Attorney Vinsko:** Mr. Casey.

**Mr. Casey:** Present.

**Attorney Vinsko:** Mr. Sipple

**Mr. Sipple:** Present.

**Attorney Vinsko:** Mr. Gibbons.

**Mr. Gibbons:** Present.

**Attorney Vinsko:** Mayor Sipple.

**Mayor Sipple:** Here.

**Attorney Vinsko:** Mr. Gulick.

**Mr. Gulick:** Present.

**Attorney Vinsko:** Chief Fedorczyk.

**Chief Fedorczyk:** Present.

*Pledge of Allegiance recited by all.*

**Attorney Vinsko:** At this time we are going to declare all of the council positions vacant in terms of offices. So we are going to start off with a nomination for the position of council chairperson.

**Mayor Sipple:** I'd like to nominate Mr. Gibbons.

**Mr. Sipple:** I'll second that.

**Attorney Vinsko:** I'll do a roll call. Mr. Maldonado.

**Mr. Maldonado:** I'll abstain on that.

**Mr. Gibbons:** Why?

**Mr. Maldonado:** Well, I'd like to nominate Mr. Sorokach.

**Mr. Sorokach:** I don't want to accept that Jerry.

**Mr. Maldonado:** Then I'll take it back then.

**Attorney Vinsko:** Mr. Sorokach.

**Mr. Sorokach:** I'm going to abstain.

**Mr. Gibbons:** Your reason?

**Mr. Sorokach:** Some things that have been done by Mr. Gibbons recently, especially the \_\_\_\_\_ line transaction. I have very much concerns about. I think he took it upon himself to whatever contract that he is writing up and I don't agree with it. I got a chance to read it over recently and I am sort of fearful of what he is doing.

**Attorney Vinsko:** Ms. Schappert.

**Ms. Schappert:** Yes.

**Attorney Vinsko:** Mr. Casey.

**Mr. Casey:** Yes.

**Attorney Vinsko:** Mr. Sipple.

**Mr. Sipple:** Yes.

**Attorney Vinsko:** Mr. Gibbons.

**Mr. Gibbons:** Abstain because it's my name.

**Attorney Vinsko:** We are going to do nomination and vote for vice chair.

**Mayor Sipple:** I'd like to nominate Donnie Sipple.

**Mr. Gibbons:** I'll second it.

**Attorney Vinsko:** Roll call. Mr. Maldonado.

**Mr. Maldonado:** No.

**Attorney Vinsko:** Mr. Sorokach.

**Mr. Sorokach:** No.

**Attorney Vinsko:** Ms. Schappert.

**Ms. Schappert:** Yes.

**Attorney Vinsko:** Mr. Casey.

**Mr. Casey:** Yes.

**Attorney Vinsko:** Mr. Sipple.

**Mr. Sipple:** Abstain.

**Attorney Vinsko:** Mr. Gibbons.

**Mr. Gibbons:** Yes.

**Attorney Vinsko:** I'll turn it over to you.

**Mr. Gibbons:** So we have the swearing in Thursday.

**Attorney Vinsko:** You don't have to swear in, not for this purpose. I took that off my last year so I apologize for that.

**Mr. Gibbons:** Councilmember presentation. Mr. Maldonado.

**Mr. Maldonado:** Yes. I'm going to follow-up with Mr. Sorokach on the Huber Breaker property. Do you know if the court Order still stands on anybody trespassing on the property.

**Mr. Gibbons:** Yes.

**Mr. Maldonado:** Then why are people in there?

**Mr. Gibbons:** That's Paselo is in there.

**Mr. Maldonado:** Paselo is not supposed to be in there.

**Mr. Gibbons:** We'll check on that.

**Mr. Maldonado:** You don't have to check on that. I spoke to DEP.

**Mr. Gibbons:** Well, DEP is the one that I am meeting with in the next couple weeks.

**Mr. Maldonado:** You might be meeting with them but they are not supposed to be running demolition, they are not supposed to take anything out of there and that is trespassing because it's still a standing Order.

**Mr. Gibbons:** Okay, well I have already met with them once and they didn't tell me that but I'll check with them again tomorrow.

**Mr. Maldonado:** Now, I didn't take a vote on this posting of that property. Is there a deal being made?

**Mr. Gibbons:** On which.

**Mr. Maldonado:** Huber Breaker property.

**Mr. Gibbons:** You were given a copy of what we were working on and we did vote on it and you were present at the meeting. Council voted on it.

**Mr. Sorokach:** I didn't either.

**Mr. Maldonado:** I have worked very hard for the residents of Ashley for that contamination that is in that property and now I understand there is a deal being made to buy that property and this is why I keep \_\_\_\_\_.

**Mr. Gibbons:** We'll go over it one more time because and you have heard this before you have complained about me saying it before, so I know you have heard it before, this is the way it works. We get control so we can go in and have DEP tells us what we have to do. Okay DEP has

a meeting going to be scheduled soon with about ten people and they will tell us based on what they already have. The reports for Phase I and Phase II went to DEP. We got a copy of them from DEP. DEP will tell us what they decided and what their interpretation of their own reports are okay. At that point forward, we will basically look at what has to be done. I have also mentioned to you that a lady who is getting the Ashley yards is claiming the Huber land and basically wants us to then sign that we are a municipality and she won't have to pay for her cleanup which I have said here at this meeting that I am not going to do it no matter what happens. Okay. So that's where we are. We basically have to get with DEP, they have to tell us what's going on, and what has to be done. From that point forward, we will figure out what we have to do.

**Mr. Maldonado:** Let me ask you a question. There is a sales agreement with Pasquale Scalie.

**Mr. Gibbons:** There is an agreement based on what DEP says, what has to be cleaned up, things like that.

**Mr. Maldonado:** Is there a \$500,000.00 agreement.

**Mr. Gibbons:** There is an agreement that \$500,000.00 plus 2% of development over a period of years.

**Mr. Maldonado:** It goes back to Paselo.

**Mr. Gibbons:** It would go back to Paselo.

**Mr. Maldonado:** Why. They left a mess there and we are going to pay for it.

**Mr. Gibbons:** No, and then they would have to take money out of their part for the Court Order to do clean up that would have to be done but we don't know how the cleanup is going to be assessed at this point. DEP will have to tell us that.

**Mr. Maldonado:** So there is a signed agreement for sale correct, with Pasquale Scalie and Yumus am I right?

**Mr. Gibbons:** Right.

**Mr. Maldonado:** Why?

**Mr. Gibbons:** Because that is what we voted on at council.

**Mr. Maldonado:** That's not what we voted on. You might have voted on it, I didn't vote on that.

**Mr. Gibbons:** And you got a copy of it before hand. Both of you.

**Mr. Sorokach:** I have a copy in front of me and that's why I brought it up. You know we have a property committee here we don't have an I or me running this show here John. I don't know what kind of deal you are making. I have gone to these meetings and Bill Vinsko, you know more than anybody, you have been on top of this, how long this has gone on with the Judge down there and you know the problems that have been with that piece of property. I don't know who is trying to negotiate with who here.

**Mr. Gibbons:** We voted on it Frank when we had Jason here and he said he basically outlined it that we would negotiate and then bring it back to council which is what we did. And between showing it back to council and doing signatures was probably six months. Six months.

**Mr. Sorokach:** Who negotiated? There is a property committee. Who negotiated? You negotiated with Bill?

**Mr. Gibbons:** We voted on having me negotiate it.

**Mr. Maldonado:** Well that's news to me because I'm on property and I did not vote to sell that property.

**Mr. Gibbons:** Go back to the minutes for that.

**Attorney Vinsko:** I'm looking for that now.

**Ms. Schappert:** It was a while ago, we did vote on that.

**Mr. Maldonado:** Not to sell the property we didn't.

**Attorney Vinsko:** We did for negotiation that's what I am looking for. There was a resolution to authorize Mr. Gibbons and I think Mr. Fitzgerald to negotiate but I am pulling that.

**Mr. Gibbons:** What else while he is looking that up?

**Mr. Maldonado:** Okay, we talked about the tenants moving into the Main Street building which is dangerous. They don't have an occupancy permit and they are in there. That's a no no. Now, a question I have, do we have, Mr. Saltz do we have a disaster warning alarm in Ashley?

**Mr. Saltz:** A disaster warning?

**Mr. Maldonado:** One of those.....

**Mr. Sipple:** On top of the town hall building there is a siren.

**Mr. Maldonado:** Is it active?

**Mr. Saltz:** Yes.

**Mr. Sipple:** Is the one still in Sugar Alley also?

**Mr. Saltz:** That one is disconnected.

**Mr. Sipple:** Because we got a thing in the mail, didn't we Greg? Something about they wanted to replace the meter.

**Mr. Maldonado:** Is there power going into that building?

**Mr. Saltz:** There is power into the town hall. The plan initially when we were proposing to keep the fire station where it's at, was to move the control box for that siren to the station there. Right now for us to operate the siren, we have to go into the basement and activate it. But it is active, you can activate it.

**Mr. Maldonado:** So it's going to take time for actually going in to activate it.

**Mr. Saltz:** Yeah, but that would be the case no matter where, there is not an automatic siren where the county can set off anywhere right now, no. They are going to be something that is going on one of the line officers or a member of the department would have to activate that siren.

**Mr. Maldonado:** Okay, another question for you. Was there a fire at the Huber Breaker?

**Mr. Saltz:** Yes.

**Mr. Maldonado:** Okay, so people were in there starting fires.

**Mr. Saltz:** There was three gentlemen in there Friday night burning debris. Probably about 10:30. That was on Friday. The fire department responded, walked in, investigated what the fire was, even though he resisted us being on the property. I told him that we had every right to be there. We walked back there and it was mostly lumber, some small pieces of metal burning and we extinguished the fire with one of our pressurized water cans.

**Mr. Maldonado:** Do you know who it was? Did he give you any ID?

**Mr. Saltz:** No, he said he worked for the owner of the property. That's all they told me. And there was also the next day, on Saturday, there were people there burning again \_\_\_\_\_ they cannot be burning there.

**Mr. Maldonado:** They are not supposed to be trespassing anyway. That's a Court Order.

**Mr. Saltz:** Whatever that is, I mean there is an open burning ordinance in town. You can burn if you have a pit and its contained so on and so forth but where he is burning I guess they have a water source other than one five gallon bucket and he is burning right next to the one building that they completely dropped down to the ground so it wouldn't take much for that to transition over because of the extension problems so we told him that he wasn't allowed to burn and Saturday there was somebody there burning again. We never got a call for it for the fire

company or from 911 but one of members was out and he went back there and told him to put the fire out.

**Mr. Maldonado:** Thank you. Chief, is it possible to get some patrolling in the area because they are not supposed to be there.

**Chief Fedorczyk:** There is a problem with that. We have been called there a couple of times because people think that there is people trespassing and I dealing with him and his workers, he starts to get nasty saying he is allowed to be there and that the police department is harassing him. I asked Andy and Andy did say that as long as he is cleaning out what was his, he is allowed to be there. I don't know if there is miscommunication.

**Mr. Maldonado:** There is because I spoke to DEP and they told me they are not supposed to be there and they are not supposed to be doing any demolition whatsoever in there. And they are doing demolition. Okay, so there is a court order stating there is no trespassing on that property. So they are starting fires and they are tearing down buildings, they are not supposed to be in there. And I would like to find out if we can just patrol it and whoever is in there either fine them or get them the hell out of there.

**Chief Fedorczyk:** There is no problem doing it, but like I said, Andy is saying something a little bit different and he is telling us we are harassing him every time we show up.

**Mr. Maldonado:** Okay, DEP actually is the one that has the court order against these people. Okay. There is liens against that property, there are a lot of things that a lot of people don't know about that property.

**Mr. Gibbons:** Do you have the paperwork on that Jerry?

**Mr. Maldonado:** Yes, I do. And if you want a letter from DEP, I will get you a letter from DEP.

**Chief Fedorczyk:** We should have some documentation. Like I said, Andy is telling me that there is a stipulation that the owner is allowed to do that.

**Mr. Maldonado:** I will have it faxed here, whatever. Thank you Dave. I'd like to find out if we are going to have some money for the roads of Ashley. Liquid fuel maybe because this Borough has just gone to pot.

**Mr. Gibbons:** Greg, what do you have on grants for roads.

**Mr. Gulick:** We have two grants in process. We won't know anything until March.

**Mr. Maldonado:** Okay, I don't think we can wait for grants because sometimes we are not going to get grants. We are going to have to get some money from the general fund to do our roads. These roads are terrible.

**Mr. Gibbons:** When do they open the plant for asphalt.

**Mr. Maldonado:** In April sometime.

**Mr. Gibbons:** So we can't wait until March to find out that they are not going to open the plants for the asphalt until April.

**Mr. Maldonado:** The problem is that you are not, if you are going to rely on grants and you don't receive the grants, then you are not going to get anything.

**Mr. Gibbons:** We also put in money for road paving just a small amount for 2019 is that not correct Greg?

**Mr. Maldonado:** There was \$35,000.00, that is not going to get you a road.

**Ms. Schappert:** What's with the COG?

**Mr. Gulick:** The thing of it is all those streets that could just be overlaid have been done. Any other streets that we do have to be milled and it's about \$18,000.00 because we don't have a milling machine. We have to hire a contractor and the average street to mill is about \$18,000.00 plus the paving.

**Mr. Maldonado:** Can I say something. Listen, I did Hannis Street in the patch. Okay. And it cost me \$14,000.00, well it cost the Borough \$14,000.00, I negotiated it. Okay. They milled it and they paved it. That is \$14,000.00.

**Mr. Gulick:** It's a small street.

**Mr. Sipple:** Yeah, you could throw a rock from one side to the other. It's a small road.

**Mr. Maldonado:** Still, it's a road. We could do a road a year.

**Mr. Gulick:** We have \$35,000.00 allotted for it.

**Mr. Maldonado:** Yes, and now Mr. Gulick is saying that it's going to cost us what?

**Mr. Gulick:** The average for milling is \$18,000.00.

**Mr. Maldonado:** Eighteen thousand for milling.

**Mr. Gulick:** Plus then we will have to have the COG do the paving so whatever asphalt will be this year.

**Mr. Maldonado:** First of all, we should negotiate with the contractors.

**Mr. Gulick:** We will. We see what streets we want to do. There are 10 or 12 streets I have submitted for the grants.

**Mr. Maldonado:** You just don't guesstimate and say it's going to cost us \$19,000.00 for milling or \$18,000.00 whatever.

**Mr. Gulick:** That's the average.

**Mr. Maldonado:** Okay, I got the restorations on the street cuts which were damaging people's on Main Street by the way. Catch basins on Wyoming Street. We have somebody throwing dog feces and paper towels in our catch basin. It's a crying shame.

**Mr. Gulick:** Sure is, yeah.

**Mr. Maldonado:** We have another, I was by there today, that's where I am.

**Mr. Gulick:** Jerry, just so you know too, under storm water management, that can't be. There is a large fine. If we can find out who is doing it.

**Mr. Maldonado:** I'll find out. Now, there is garbage cans left on the sidewalk on Davis and Maxwell Street. I understand Mr. Hess they put their garbage in the garbage can.

**Mr. Hess:** They got their new stickers, everything. It's all cleaned up.

**Mr. Maldonado:** They do it, but nobody else can. Okay, they need their garbage cans out there on the corner.

**Mr. Hess:** The garbage isn't in the can when I pick it up, it's out of the can. He comes out in the morning and pulls it out and puts it on the street.

**Mr. Maldonado:** Then what are their cans doing there because I saw it today.

**Mr. Hess:** Because he puts them in at night all during the week and then at pick up time he takes them out.

**Mr. Maldonado:** Yeah, but that's been there all week.

**Mr. Hess:** The can, yeah.

**Mr. Maldonado:** They should take those cans and put them back in their yard.

**Mr. Hess:** There is not an ordinance that you can't have your garbage can on the side of the road.

**Mr. Maldonado:** Do you know how many cans I have picked up because the wind is blowing the cans into the street. You have seen me picking up cans. Okay. It's out there and the wind blows it into the street and somebody has to go around that can because they are not going to stop and pick it up, there might be an accident.

**Mr. Hess:** Look at Carey Street on recyclable day when it's windy. All the cans are all over the street.

**Mr. Maldonado:** But they go back in, correct?

**Mr. Hess:** Who puts them back in?

**Mr. Maldonado:** The owner. Right. I'm not saying you have to.

**Mr. Hess:** I understand. And they are metal cans up there.

**Ms. Schappert:** How old is this person you are talking about Bob who puts their garbage in out.

**Mr. Maldonado:** A very young guy.

**Ms. Schappert:** Young?

**Mr. Hess:** Young. Yeah, we have some problems with him but we straightened them out.

**Ms. Schappert:** Okay.

**Mr. Gibbons:** What else Jerry?

**Mr. Maldonado:** Okay, the alley in the rear of Carey Street, that is getting real bad. We were there cutting a tree down for a gentleman, Mr. Sorokach and I, and you just can't maneuver that alley. And who owns \_\_\_\_\_.

**Mr. Hess:** Yeah, I did check there. It shows an alleyway there and it goes all the way behind but that's Redevelopment Authority property.

**Mr. Gibbons:** Is that the one we fixed in the summer?

**Mr. Sipple:** That's the one behind Carey Street.

**Mr. Hess:** Yeah but there is another little alley that goes from Cherry Street to that alley.

**Mr. Sipple:** Oh, that's \_\_\_\_\_ little on. It goes behind Wagonowicz.

**Mr. Hess:** It's a no name alley but it's connected to the other one that the Redevelopment owns.

**Mr. Maldonado:** Is that the Borough's or is that?

**Mr. Hess:** I don't know.

**Mr. Casey:** The one we fixed was Redevelopment right?

**Mr. Hess:** Absolutely.

**Mr. Casey:** And that was done illegally.

**Mr. Hess:** I don't know if it was legal or not.

**Mr. Maldonado:** It wasn't illegally. That's right, I authorized it. You are right, you know why?

**Mr. Casey:** Why?

**Mr. Maldonado:** Because there were puddles there.

**Mr. Casey:** It doesn't belong to us.

**Mr. Maldonado:** I got permission to do it.

**Mr. Casey:** From who?

**Mr. Maldonado:** From the Redevelopment Authority.

**Mr. Casey:** You didn't bring it in front of us. You did that on your own. So, I think you should pay for that.

**Mr. Maldonado:** No, you should pay for it.

**Mr. Casey:** I should?

**Mr. Maldonado:** Yes. As a matter of fact, Mr. Casey, you cut a tree down in your property.

**Mr. Casey:** I didn't cut that tree down. Don't start on me Jerry.

**Mr. Gibbons:** You have the floor just talk. What else.

**Mr. Maldonado:** What did we do with the fines that we fined the trucks that are going in back.

**Mr. Hess:** It comes into the general fund.

**Mr. Maldonado:** Okay, we have damage from all those trucks going over that curb and the pave. I think we should use some of that money and repair some of that.

**Mr. Sipple:** Absolutely not. That's a fine. The company should be notified, they should be charged for damages.

**Mr. Sorokach:** Those papers Greg can you send them up.

**Mr. Sipple:** The company should be notified.

**Mr. Maldonado:** What are we fining them?

**Mr. Sipple:** Didn't they pay for the damage when they damaged by Yermel's that time. They paid for the sidewalk and all that.

**Mr. Sorokach:** They paid for the sidewalk that time. Nothing in the paperwork today stated that we were going to be reimbursed for damages. It was just a fine, \$500.00.

**Mr. Sipple:** I mean, we have to go through the company, right Bill?

**Mr. Sorokach:** We have to note on there. Anymore on those reports we are going to have to note damage.

**Mr. Sipple:** Yeah, so we can go through the company and get paid.

**Mr. Maldonado:** It's not the company itself. They are independent contractors. It's not Walmart itself. It might be a Walmart trailer but they are independent drivers.

\_\_\_\_\_ : Empty trailers.

**Ms. Schappert:** But they are hired by somebody, correct?

**Mr. Maldonado:** They are subcontractors.

\_\_\_\_\_ : They own their company. They own their trucks. They are just contract to Walmart. So if there is any damages, the driver needs to take care of it.

**Mr. Maldonado:** One more thing, did we get a letter out to PennDot for the traffic study, the speeding on Main Street. There has been a couple accidents there. A matter of fact we had four of our officers in an accident.

**Mr. Gibbons:** I know, Frank, you were going to get in touch with them for a traffic study right?

**Mr. Sorokach:** Yeah, I didn't get a chance to talk to Eddie Day Pashinski. I have to go to Eddie Day on that. Hopefully he can help us out. I don't of anybody else at PennDot that could help us.

**Mr. Maldonado:** There is people at PennDot. George Roberts up in Dunmore, send him a letter.

**Mr. Sorokach:** If Eddie Day can't help us then we will go to George.

**Mr. Maldonado:** Well, contact George first.

\_\_\_\_\_ : If they'll return a phone call. I've tried for two weeks.

**Mr. Gibbons:** Who was the phone call to?

\_\_\_\_\_ : To George Roberts at PennDot.

**Mr. Maldonado:** I'll get him. That's it.

**Mr. Gibbons:** That's it Jerry?

**Mr. Maldonado:** Yes.

**Mr. Gibbons:** Frank.

**Mr. Sorokach:** Bill, can you explain over at the Clinton building can you tell the audience out here about purchasing it and what we are going to do with it.

**Attorney Vinsko:** We already submitted the paperwork for the property to be transferred to us. Right now, as we speak, it's being approved by the Hanover Area School District. We will have that letter first thing in the morning. We will take it to the Luzerne County Council they will approve it and the Deed will be issued we are hoping by early next week and then we are going to put it out for bid for sale before the next meeting and then we will open it at the next February meeting for the transfer of the property.

\_\_\_\_\_ : Where is that property at?

**Attorney Vinsko:** It's 29 North Main Street.

**Mr. Gibbons:** The old pharmacy on Main Street.

\_\_\_\_\_ : What happens with the tenants that are in the other side.

**Mr. Gibbons:** That's what we have to figure out. There is a question.

\_\_\_\_\_ : Do I know if somebody is living in there? I know the lights are at night and then they go off and then they go on.

\_\_\_\_\_ : Somebody is in the bottom floor. In the old post office. They are working, I don't know if they stay there or.

**Mr. Gibbons:** That's one of the things that we are working on. That you have to have control of one before you even have a say. Because otherwise, you are calling the county hey what are you doing to do and they say well. That's the owner in back of you. And she will be speaking, she has her name down to speak also. Frank.

**Mr. Sorokach:** Yeah, at last month's meeting I requested to get rid of the resolution, I want to repeal our sewer tax. The reason for repealing that sewer tax, a lot of people have just received another increase from the Sanitary Authority down there. We have \$137,000.00 in the sewer maintenance fee and there is according to Greg, you said there is \$80,000.00 in delinquencies that have not been paid. Some people have never paid from what I understand. Some residents so I just don't think it's fair to the residents of this county that we be paying \$45 or \$50 every year. I think we should repeal that tax and I'd like to get a vote on that.

**Mr. Gibbons:** We could put it down for a vote. What else Frank?

**Mr. Sorokach:** We had a meeting with fire department and the committee will report on that, I believe there is a committee report. That's all I have.

**Mr. Gibbons:** Okay. Ms. Schappert.

**Ms. Schappert:** Nothing at this time.

**Mr. Gibbons:** Mr. Casey.

**Mr. Casey:** Nothing.

**Mr. Gibbons:** Mr. Sipple.

**Mr. Sipple:** I spoke with Andy on Resolution 2, or Ordinance 2 of 2018 that was a new ordinance establishing the rental regulations for Ashley Borough with owners and renters. It's actually a federal add on for the individual bedrooms, it's Section 6400-81 and it describes the different aspects of what is required in bedrooms stuff like that. He is going to places there is mattresses on the floor, stuff like that. And this is actually federal regulations so I'd like to make a Resolution that we can add it into our Ordinance.

**Mr. Maldonado:** That would be an amendment.

**Mr. Sipple:** Yeah, amendment. It's actually federal regulations.

**Attorney Vinsko:** I'll add that in but we have to advertise for that one.

**Mr. Sipple:** Okay.

**Attorney Vinsko:** We can do that for February.

**Mr. Gibbons:** We vote on it at the next meeting.

**Attorney Vinsko:** I'm going to have to get the paperwork for the next meeting.

**Mr. Gibbons:** Okay, alright. The only thing I have is we are still working on the cell tower sale.

**Mr. Sipple:** John, I had one more thing. I think it was two months ago I brought up a resolution and I'd like to revisit it. Due to circumstances, I'd like to make a Resolution that we contact David \_\_\_\_\_ who is a consultant. He did Wilkes-Barre and he is a retired officer in Butler Township. He did numerous reports for departments to review our policies, procedures and general operation of the police department and by no means it's not toward any officer, it goes over the policies where we can improve, steps to improve, what needs or what doesn't need improvements and that's all it is an evaluation.

**Ms. Schappert:** What does that cost again Donnie?

**Mr. Sipple:** He charges \$20.00 an hour and he could be here one day or he could be here 3 days, it's not big. He just goes over the policies, he goes over if there is any improvements needed that's all it is.

**Mr. Sorokach:** He was invited down wasn't he?

**Mr. Sipple:** Yep. Maybe 2 months ago.

**Ms. Schappert:** November maybe I want to say.

**Mr. Sipple:** October maybe.

**Mr. Sorokach:** I just don't see the need for it. I voted against it. I think we are in good hands with Dave Fedorczyk you know, a former state policeman. Whoever this gentlemen is but I think we are in good hands. The department is run well. We might have had a glitch here recently but you know that is nobody's fault.

**Mr. Gibbons:** Donnie, anything else?

**Mr. Sipple:** That's it.

**Mr. Gibbons:** Okay. We are working on the \_\_\_\_\_ information, another 6 documents came in this afternoon to be reviewed. Bill is going to go over them and any changes and whatever they will send a formal set of documents that are to be signed. This is something we were trying to have done in December but there is a large number of paperwork that is associated with it and they didn't get it all in during the holidays and we didn't know that this amount of paperwork was outstanding because we had already signed about 6 or 7 documents at that point. Okay. So some of them sound like the same ones that we originally signed which was the contract and everything else. So, that's kind of what we are working on. We are working on a few other things, trying to resolve our issues with the ambulance because we are not always in service at this

point in time so we are working on trying to come up with a couple ideas on that. Okay. Mayor's presentation.

**Mayor Sipple:** None.

**Mr. Gibbons:** Borough Manager.

**Mr. Gulick:** Okay, if you look at your treasurer's report we will go over the finances and as of December 31, 2018 debt service has \$131,774.00; capital improvement, \$35.00; highway aid, \$34,852.00; general fund, \$450,512.00; fire equipment, \$9,129.00; Citizens Bank, \$15,705.00; sewer account, \$137,945.00; K9 fund, \$6,040.00 for total assets of \$785,995.00.

**Mr. Gibbons:** Greg, for the loans when you go over them can you just explain what they are for so it's just not a number to everybody.

**Mr. Gulick:** The M&T loan the balance on that is \$41,949.00 and what that is from a few years ago council borrowed some money, they didn't pay it back, they had a TAN, they did not pay it back so we had to take the loan to pay that money back.

**Mr. Gibbons:** Was that the sewer fund?

**Mr. Gulick:** Yeah.

**Mr. Gibbons:** They borrowed money out of the sewer fund. They are not allowed to take money out of the sewer fund unless it's for sewer repairs or repairs associated with sewer repairs like for instance, the street over the top of it. So they borrowed money out of there and they are not allowed to do that and they had to take out a loan to repay everything.

**Mr. Gulick:** Next, the lease on the dump truck is \$16,806 that's on the new white dump truck we purchased. The computer lease is \$24,884.00 that's to lease our computers. The Ehrlich loan \$25,915.00 that was for the rest of the money we needed to work down on this building. The model match, \$19,436.00, we received a grant of \$100,000.00 and we had to borrow the money for our match it was a 30% match. The 2018 police car, the balance on that is \$35,736.00. The 2014 police car the balance on that is \$11,930.00 for a total loans outstanding \$176,658.00.

**Mr. Sorokach:** That last one there Greg, we were going to pay that off weren't we?

**Mr. Gibbons:** I brought it up, we never acted on it.

**Mr. Sipple:** Did we ever get the reimbursement from the insurance on that?

**Mr. Gulick:** \$5,200.00. It's better just to keep the loan to keep the money in the general fund.

**Ms. Schappert:** Okay, we have to vote on that. That is council's decision. We are voting on that.

**Mr. Gulick:** Are you done Donna? Okay. Also, too, you had a proposal from Wyoming Valley Sanitary about the sewer accounts about the collections of the outstanding balances. You also had a proposal from the SPCA, we are getting calls of people finding dogs, we can take them there. The rest of the stuff is in Resolutions and also we received notice that our tipping fees for garbage is going from \$85.00 to \$88.25. And that is effective immediately. And that is all I have.

**Mr. Gibbons:** Chief Fedorczyk. I'm sorry Mayor's presentation.

**Mayor Sipple:** I have nothing.

**Chief Fedorczyk:** Last month I wasn't able to give a total as far as our fine reimbursements go because as is typical of the Magistrate, \_\_\_\_\_ wasn't done. We did bring in for the month of November just to update you on that, \$1,291.11 with \$69.23 from crime and vehicle code fines and \$641.88 from ordinance fines. That coupled with report requests and parking violation fees total \$1,396.11. This month is no exception again. As of this morning the Magistrate's report wasn't finished, I can't give you the total. Four parking tickets were issued during the month of December, 15 traffic citations, one non-traffic. The call volume was done slightly. We logged 114 calls, 73 of those calls were cleared. And to touch on something that Greg just mentioned, with the SPCA, typically in the past if there was a stray animal or sick animal we would get called and take it to the SPCA they would either fine the owner or do whatever they have to do. We can't do it. There is not much we are going to be able to do if it's a stray or sick animal is because they won't accept them.

\_\_\_\_\_: What do we do if we see them Chief Fedorczyk. I mean on Hartford Street I seen there is a little Chihuahua running around trying to bite people. I almost got bit yesterday. My neighbor has 4 pit bulls, jumps the fence, runs the neighborhood all the time. So when we see that and we can't call you guys because you can't take them to the SPCA, I have called the SPCA on these people already and all they come do is talk to them and they walk away. So, what are we supposed to do?

**Chief Fedorczyk:** If we know who they belong to that's a different story but if we don't know who they belong to, there is not much we can do.

**Mr. Gibbons:** What we had decided was we were going to take them to a different place which is out in Dallas. I think it's called Blue Chip. Now, that works up to a certain number of animals, after that then it would have been better to go with the SPCA. But, since we have never hit that number you know maybe we will have a banner year for animals or something. But that's what the current plan is.

**Chief Fedorczyk:** Blue Chip is quite a ways away so if you have an officer gone, he is going to be gone for a while.

**Mr. Gibbons:** That's the problem, you are going to be missing an officer for like an hour.

\_\_\_\_\_: I'm not saying that, I'm just wondering how we are supposed to handle it if something happens.

**Mr. Maldonado:** If there is a dog that is loose and it belongs to somebody, do you know who it belongs to?

\_\_\_\_\_ : No, I only know because I live at 95 West Hartford. He runs between the corner of Hartford and Brown.

**Mr. Maldonado:** He is out there now?

\_\_\_\_\_ : I don't know if he is out there right now but he was out there yesterday when I went out and he almost got my leg. I had to run in my front door.

**Mr. Maldonado:** How about the pit bulls?

\_\_\_\_\_ : The pit bulls, they jump every other day.

**Mr. Maldonado:** Do you know who they belong to?

\_\_\_\_\_ : Yes, my neighbor next door, I've called the cops before.

**Mr. Maldonado:** You should have reported it.

\_\_\_\_\_ : I already have reported it. I reported it numerous times and I reported it to the SPCA and have them come to the house.

**Mr. Gibbons:** I thought Andy approached them. I thought they had over the limit of dogs or something.

\_\_\_\_\_ : Yeah, and it's four. But they have four and I'm going to be honest, and I don't like complaining but I'm at the point where I am going to give my name this time when I call the cops. I mean I am not kidding you, they bark constantly and I work from home so I already called about that. They jumped the fence, they almost bit, I have their daughter, she almost bit my dog. I can't even take my dog out when they are outside. My mom has been there when this goes on. They don't take care of them, they let them run around, the guy goes out and kicks the dogs. I call the SPCA. You know what they did, they came out and they talked to them and they said because there is no eye witness there is nothing we can do about it. And I said, I'm the eye witness. And he said not unless you go to court there is nothing I can do about it. The only reason why I don't go to court with them Donnie is because they start problems. They already threatened twice that they were going to burn my house down. I'm just saying this is what they do.

**Mr. Maldonado:** They can't be threaten anybody.

\_\_\_\_\_ : I keep my mouth shut and if he sees me I don't even leave my house.

**Mr. Maldonado:** You do what you are doing now and call the police and they can take care of it.

\_\_\_\_\_ : I can't think of the man's name right now. And he said that I know the dog warden has been there, I know the SPCA has been there.

**Mr. Sorokach:** Greg, I have one question and its Solomon Industries. The last report that you gave us it was like \$900.00 is that all we collected last year?

**Mr. Gulick:** Yeah, there is no market for recyclables now, as a matter of fact, we are lucky they are not charging us. Some of the communities are being billed now to take their recyclables but it's still cheaper to recycle because like I just said, tipping fees and everything have gone up.

**Mr. Sorokach:** Well recyclables are about 45-50 cents per pound of aluminum.

**Mr. Sipple:** The problem if you went with the recycling your tipping fees are already going up to 88, you are going to have more weight on your tipping fees. \_\_\_\_\_ throws all the recycling in there.

\_\_\_\_\_ : Four ton of paper and cardboard today.

**Mr. Gibbons:** The tipping fees they are mentioning is what we pay when we are taking things up to the landfill and things like that.

**Mr. Sipple:** Per ton, that's per ton.

**Mr. Gulick:** So the more we can keep out of the garbage, the better off we are.

**Mr. Gibbons:** So, as the tipping fees go up, obviously that is our garbage fees. Now, we have been holding them, we haven't raised them in four years. But I can safely say they have gone up every year for four years. Okay, so we are making it up in other places. We have an awful lot of elderly we are trying to keep things solid that's why we have the taxes and we haven't raised them. And we haven't raised the garbage fees. Okay. That is why you will see in a little while when we take some of the votes that will be some of our reasoning. We don't make money on the garbage, actually it costs us money. So we can't always lower things in other areas when we are holding things like \_\_\_\_\_, because it is costing us money. What approximately are we losing per year on the garbage fees.

**Mr. Gulick:** I believe it was about \$6,000.00.

**Mr. Sorokach:** We were getting almost \$6,000.00 and I know people like Solomon and I don't have a problem but just to see that reduced all the way down to \$900.00 wow that's a big difference. Could we get estimates or shouldn't we?

**Mr. Maldonado:** I thought we were going to get them.

**Mr. Sorokach:** On certain things we should be some estimates.

**Mr. Sipple:** Bobby, that's co-mingle right? Do we do the co-mingle for the recycling?

**Mr. Hess:** Yes.

**Mr. Sipple:** So it's not separated.

**Mr. Hess:** The paper and cardboard.

**Mr. Sipple:** Yeah, the paper and cardboard.

**Mr. Gibbons:** Okay, committee presentations. Any committees?

**Mr. Sorokach:** Yeah, we met with the fire company. We met with Wes, Ryan, Donna and myself and they need a new fire truck and they need it desperately. Wes is here and I think he can give us a little.

**Mr. Gibbons:** He is going to speak in a little bit Frank. He is on the list to speak here.

**Mr. Sorokach:** Just so you know, they need \$115,000.00 if I make a mistake correct me Donna. The fire truck they are looking at is \$230,000.00. I'll make it brief. And they need \$115,000.00 from council and my suggestion was that cell tower money isn't accounted for right now, we don't have it but that money could help them out a lot. You know. I'll leave it up to Wes if you want to talk about it Wes. That was my opinion, I don't know how Brian and Donna what opinions they have. I'm all for helping them. They have 25 members left I believe. We are very lucky to have a fire company. That's my opinion on it.

**Mr. Gibbons:** Normally, on the committees we have somebody get up and tell us what the committee decided but that is fine.

**Mr. Sorokach:** I think we each had individual. I voiced my opinion. I am not sure what Donna or Brian's are. So they have their own opinions you know. I am just giving you my opinion John.

**Mr. Gibbons:** Okay, you are supposed to have a recommendation too.

**Ms. Schappert:** At the meeting Joe, excuse me, at the meeting both, actually all of us, Frank, myself and Brian we did agree you know hey let's help the firemen. With all we can, I am still in agreement with that to a point right now but right now there is things that are going on with our financials that we need to get solved first before we can even go through with helping the firemen. That's my opinion right now. I mean it was said yes we will help them if we can but right now under the circumstances that are going on, I think we should wait a little bit on that.

**Mr. Gibbons:** Brian.

**Mr. Casey:** We have look into it a little deeper now with the finances.

**Mr. Sorokach:** I'm looking at the finances, I would just like to make a comment on it. Our finances look pretty good right now. Like I said, that \$115,000.00 isn't accounted for and that's why I felt.

**Mr. Gibbons:** You understand our general fund is down over \$200,000.00 from last year right?

**Mr. Sorokach:** I see that and I see money that hasn't been collected yet like sewer funds.

**Mr. Gibbons:** Like the sewer fund, we can't use it for anything else. If we use it for something else we are going to end up with another fine and another loan.

**Mr. Sorokach:** You think if we tighten our belts John, if we look at it this year, tighten our belts, we could be fine.

**Mr. Gibbons:** We are also just so everybody knows, the general fund out of the \$450,000.00 we have some projects that will be paid out of there. For instance, we do have grants. The grants do not cover everything. For instance on the sulphur run project, there is a number of easements in each and they won't pay for legal fees out of the grants so that has to be paid for out of our general fund. No matter what we do and believe me we have tried a couple other things to try and get around that and there is no other grants to cover legal fees you know there is just certain things that grants don't do. Okay, so we are going to have to pay money out of the general fund for certain things and we have to keep that in mind okay.

**Ms. Schappert:** Excuse me John, can we just have for my knowledge I'd like to know can Greg possibly see how much a payment would be for that \$115,000.00 could you check into that Greg?

**Mr. Gibbons:** You mean to take a loan out for it.

**Ms. Schappert:** Yes, please. If you could check on how much the payment would be, for how long. Thank you.

**Mr. Sipple:** As a committee, do you have like you want us to vote on it, do you have bids on this or you are talking \$200,000 do we have 3 bids on that.

**Mr. Gibbons:** Ron, do you mind if I let Wes go in front of you.

\_\_\_\_\_: No, go ahead.

**Mr. Sipple:** I'm just asking because I haven't seen anything.

**Mr. Saltz:** Realistically my reason for talking today was about the fire burning down at Blue Coal just to make sure council is aware of it. But the answer to the questions that are out there, yes, the fire department put together an apparatus replacement committee. Right now we have two vehicle, one that is 29 years old and one that is going to be 21. So they are at the end of

their useful life. Replacing one that is 21 years old would cost about \$500,000.00. The fire company applied for a \_\_\_\_\_ grant for that and we are hoping that we are successful in getting it but if we are not, we are going to prepare \_\_\_\_\_ that truck for the foreseeable future. We went out and got bids from actually 4 different manufacturers on a \_\_\_\_\_ pumper which is a smaller version of what we have today. It will be getting into the side streets and the alleys. It's still a \_\_\_\_\_ so it won't change for insurance rates and that truck is like Frank said, the lowest \_\_\_\_\_. So what the fire company had talked about was the ability to pay for half of that out of our own funds and us tapping into our bank and taking a loan out to pay for half of it. If the council or the Borough would pay for the other half. The truck that we have that is 29 years old now, fortunately it's not costing us a lot of money but every month we are replacing something. It went down for inspection this year it came back with a clean bill of health and the next day it was out of service for an air leak. Fixed the air leak, brought it back, two days later it was out for a pallet that was leaking. \_\_\_\_\_ leaks on the truck. He have been operating with it leaking but it is a concern so that's what we came up with, doing something that was a smaller version that was less of a burden that still would provide us what we needed to put fires out.

**Mr. Gibbons:** Which of those trucks is the one we just bought two years ago.

**Mr. Saltz:** The one that is 29 years old. That's the one the fire company bought.

**Mr. Gibbons:** Yeah, and we used part of the, we took what \$13,000.00 out of the fund right.

**Mr. Saltz:** No, the fire department paid for that truck itself. The last time the Borough purchased or assisted the fire company in buying a fire truck was in 1999. It was the rescue pumper we have today that is now 20 years old, going to be 21. That's the last time the Borough has given us money.

**Mr. Gibbons:** Okay, I thought we took something out of the equipment fund.

**Mr. Sipple:** No, that is what the fire company receives every month, the 351, that's the 35 that's in with the taxes for fire protection.

**Mr. Gulick:** Wes, did you look at the 2% loan?

**Mr. Saltz:** We haven't done anything on an application until we knew we were going forward.

**Mr. Gulick:** Do you know what the max is you can borrow at 2%?

**Mr. Saltz:** The maximum for something of that scale I believe is \$150,000.00 but I would have to check into that. But that is why we wanted to present it to the fire committee. I am not too sure you know, \_\_\_\_\_ some were a little surprised to hear that. The fire department, 240 times last year we were out responding to fire calls or helping residents whether they were in Ashley Borough or Hanover Township. And I think that was a little bit of a shock to them. We are just like any other organization in the service now where yeah we could use more volunteers,

but we are \_\_\_\_\_ along and we are in the trucks and we are getting people out the doors. As a matter of fact, the night of the committee meeting, we had a structure fire in Hanover Township and \_\_\_\_\_ to stay at the meeting because we had 5 other guys that responded to the call. So we had 5 people here and 5 people that responded to the call. So, what we are asking for is whether it came out of debt services like we did with the packer or one of the police cruisers was to just be able to help us out so we can get something that is current and up to date and that's going to meet the needs of the fire department and the residents of Ashley. That's what we are looking for.

**Ms. Schappert:** We are going to have Greg check out and see.

**Mr. Maldonado:** Greg, how about checking out the Pennsylvania \_\_\_\_\_ Bank please. They have a low interest loan or 1%.

**Mr. Gulick:** Right, 1.75.

**Mr. Sipple:** Yeah, but you still need three bids for that.

**Mr. Saltz:** There is 3 bids.

**Ms. Schappert:** I only have one.

**Mr. Saltz:** And that's the one copy that everybody is left with. We have 3.

**Ms. Schappert:** You have the bids, okay. Give us the lowest.

**Mr. Saltz:** I \_\_\_\_\_ on the replacement committee who has to pay the fire chief and also as a fact that I sell fire trucks for a living, so I don't want there to be any look like I was colluding with the decision. So, the committee themselves, which is 5 members of the fire department, went out and got 3 competitive bids on the same type of truck. I believe that we left a copy of the big pumper just as an example of the \$500,000.00 truck and a copy of the smaller one that was \$230,000.00 and they only left one copy for everybody to look at. They have the bids for \_\_\_\_\_. And that is something that is purchased through \_\_\_\_\_.

**Mr. Gibbons:** Alright, did you have anything else?

**Mr. Saltz:** Just that I know you have a lot going on, but the sooner we can find out what's going on the better off we will be. It's going to take some time to build that if we are successful in getting the money to do it.

**Mr. Gibbons:** Okay. Mr. Wickhizer.

**Mr. Wickhizer:** I am simple. My thing is with all the bad publicity with the police department, I spoke with Dave earlier, I got some good news with the police department. Mr. Wildes, bridge, UGI, made a cut, had a very deep super gas main that was leaking. Four people blew there wheels out on a Sunday afternoon. Mr. Wildes by himself taking care of them four people. I helped him direct traffic while he did that.

**Mr. Gibbons:** That's not the one that Bobby was helping on too was it?

**Mr. Wickhizer:** No. I want to give Mr. Wildes credit for taking care of them 4 people. Bob for putting cold patch in there as a temporary. Mr. Maldonado for having UGI come out there the next day with hot patch. And a backhoe and dig it out properly and hopefully it will hold through the rest of the winter. You know. Number 2, Mr. Wildes again a gentlemen coming over the bridge again, I didn't design that bridge, I'm out thousands of dollars already and just over the last 6-7 years I'm out thousands. I mean my car was totaled again. My wife's car had over \$3,000.00 worth of damage.

**Mr. Gibbons:** I heard you had two damages.

**Mr. Wickhizer:** Again, I'd like to thank Mr. Wildes and Ashley Auto as much as you know, Ashley Auto doesn't get much credit. They were there within minutes and you know, they had a bad situation solved in minutes. With their equipment. And Mr. Wildes again, no help. You know eventually someone came from Sugar Notch eventually. But you know, something happened, again, this is why I have been on PennDot for.

**Mr. Gibbons:** We can give you an update on that right now. Greg, what's the plan on that bridge?

**Mr. Gulick:** The plan is to take that bridge down next year.

**Mr. Gibbons:** What year?

**Mr. Gulick:** 2019. I'm sorry, this year.

**Mr. Gibbons:** They are supposed to remove the bridge. Now we have been asking them for that for a while but that is what the plan is. They were here a couple, two months ago, to start work on it.

**Mr. Wickhizer:** I have been on the phone for two weeks since this all happened, before Christmas. So, Merry Christmas to me. You know. I spoke to them people and you know what the man said to me, he says, well we put a sign by Kelsey's and he said we put a sign on the other side. You know, be prepared for stopped vehicles. People don't read them signs.

**Mr. Gibbons:** Apparently not.

**Mr. Wickhizer:** That kid, if my car wasn't there, he would have been in my living room. You know. I just want to know that there are people, Mr. Maldonado, Officer Wildes and more people like if you had more like Officer Wildes and you know, the job that Ashley Auto does. You know. And then to make it even worse, the kid had a brand new vehicle alright, his vehicle was in the shop the next day. He didn't have enough money to pay for my vehicle and my wife's.

**Mr. Gibbons:** No insurance.

**Mr. Wickhizer:** He had the minimum. But he had enough full coverage on his to pay for his. He had a 2018 and he had the minimum liability on it. My insurance had to pick up and then I had to take the difference off my again.

**Mr. Sorokach:** Ronnie looks a little light doesn't he, it cost him a lot of money. It did, it cost him a lot of money to pay. And I don't know how much damage was done on your wife's car. I didn't see it.

**Mr. Wickhizer:** It was over \$3,000.00.

**Mr. Sorokach:** On her's? Okay, I didn't know that.

**Mr. Wickhizer:** I mean it was before it was done you know. If he was doing 25, he wouldn't have totaled my car and he would never put my car into my \_\_\_\_\_ and did the damage he did at 25. And that is my problem. I spoke to Dave but there is not enough officers to set up like especially now, traffic is getting worse. It's only a matter of time before the school bus, something is going to happen there with the bus.

**Mr. Gibbons:** That's why we were asking for a traffic study and everything else to prove that because that is what we all feel that nobody will listen to us without a traffic study. You know, so that is why Frank is working on that and as soon as he gets with.

**Mr. Wickhizer:** You know what the guy told me and Mr. Maldonado brought it up, I guess he is writing a letter to PennDot. Because the signage is terrible. The sign for the kids is behind the fence. And when the trees are growing in the spring and summer, I mean they are blocked. That is no warning. That should be right at the beginning of the bridge. You know right at the beginning of the fence. Give somebody a warning. There is no orange flares on the signs anymore. I mean there was and I had PennDot put one up for me one time by the playground.

**Mr. Gibbons:** It should almost be like a flashing light. To get their attention.

**Mr. Wickhizer:** The traffic is getting worse and the situation is only going to get worse.

**Mr. Gibbons:** That's why we are trying to get rid of the bridge.

**Mr. Wickhizer:** I don't see it happening.

**Mr. Gulick:** The hold up is with PUC right now. To abandon the railroad track.

**Mr. Wickhizer:** That has been abandoned for years.

**Mr. Gulick:** Yeah, but they have to go through the PUC. That's the problem with PennDot. Their attorneys are working on that now.

**Mr. Gibbons:** Okay.

**Mr. Wickhizer:** Like I said, give credit where credit is due.

**Mr. Gibbons:** Okay. Eva is the owner of 31 Main Street which is the old post office.

**Eva:** I would like to find out when the two apartments will be inspected because when I speak with \_\_\_\_\_ and for that reason I have tenants which I am renting to him and not knowing that they had any issue with my building. I rent this apartment for 8 past years and I never had any trouble, they were always inspected. They are in pretty good condition. Everything was up to code and now all of a sudden since the building next door is condemned, I am having trouble with this town official getting my place inspected. \_\_\_\_\_ because I didn't expect there was going to be any issue so you know we have tried everything and now the ladies mentioned that there is a light at night because my maintenance guy was working the entire week since you know I spoke with Don. I don't what their last names are. John and \_\_\_\_\_.

**Mr. Gibbons:** John, Bill and Charlie.

**Eva:** I asked for additional week to bring everything you know, make sure that everything is up to code for sure since my last tenants moved out and they have been pretty much, one of them was behind with the payment and the other one was evicted so if she was counting on those \_\_\_\_\_ you can just realize what kind of story and issue you can hear about. But since then, I didn't have anybody to actually come and inspect so I don't find anything wrong with my apartment. I mean like I said, everything is up to code. The only issue we have that is practically belong to the building which is condemned. But as of now, the building is still standing, still intact and I believe that until we don't find out what is the real you know fate of that building is going to be, I assume that my tenants could use that. No matter how long that is going to take. We could find out in a month or two, let's at least.

**Mr. Gibbons:** That was the update that Bill gave earlier on that building. That the Hanover school board is voting on their piece tonight. He will get the information tomorrow, then it goes to the county and the county should give us an answer by Monday or Tuesday.

**Eva:** I promised my future tenants they are pretty much waiting.

**Mr. Gibbons:** Right, but last week you asked us to postpone the inspection so.

**Eva:** Yes.

**Mr. Gibbons:** So now.

**Eva:** The county today he didn't seem like he \_\_\_\_\_.

**Mr. Gibbons:** I'll get with them tomorrow. They don't do all types of inspections. For instance, they don't do mold inspections, things like that.

**Eva:** Like I said, maybe someone will like to come and double check.

**Mr. Gibbons:** I'm, not sure if they can.

**Mr. Maldonado:** Ma'am, there has to be occupancy permit before anybody moves in.

**Eva:** They didn't move in.

**Mr. Maldonado:** Okay, but you still have to have an occupancy permit. I hate to say it but you still have to have an occupancy permit.

**Eva:** That's why we are here to ask.

**Mr. Maldonado:** That has to be done through the code enforcement officer. Am I right?

**Mr. Gibbons:** Yes, that's right.

**Attorney Vinsko:** Yes.

**Mr. Gibbons:** And Andy is aware of it. I am not sure what him and Charlie decided on later today, I didn't talk to him.

**Eva:** I called Mr. Kratz, he never returned my call. How many messages I leave but I don't have any answers.

**Mr. Gibbons:** We will get you an answer tomorrow. I'll talk to Andy.

**Eva:** And when can we expect they have keys, they bring me.....

**Mr. Gibbons:** The whole part here is somebody moved into a building over in Hanover without an occupancy permit. They had a fire and somebody died. Okay. That's like everybody is nuts on the occupancy permits. Okay and they should be because it's the safety of the individuals. Alright, so they have to have them as Mr. Maldonado mentioned. It's not something that we dreamt up or anything, it's just for everybody's safety.

\_\_\_\_\_: I have two questions. What are the requirements for occupancy, what is the requirement?

**Mr. Gibbons:** They come in and do an inspection on the property.

**Mr. Maldonado:** It has to be up to code.

**Mr. Sipple:** Electrical, everything.

\_\_\_\_\_: Okay, that's why I am asking. I'm not sure.

**Mr. Maldonado:** You have to have ground fault receptacles, etc., etc.

\_\_\_\_\_ : How soon can you get an inspection?

**Mr. Maldonado:** Well that's what he just said, he is contacting Andy tomorrow.

**Mr. Gibbons:** They were waiting a week because that is what was requested.

\_\_\_\_\_ : What about that front stairwell when we take the building over?

**Mr. Gibbons:** That will be another.

**Attorney Vinsko:** We will address that.

**Mr. Gibbons:** That is the next problem. Okay, the next problem is this. Once we get control of that building, the other building where the pharmacy is, that building is condemned. Okay, so that stairwell is part of that building.

**Mr. Sipple:** First of all you got a fire issue because you need to \_\_\_\_\_.

\_\_\_\_\_ : Let's say when that is actually going to happen then when you condemn the stairwell.

**Mr. Gibbons:** I think it's already condemned. It's just we are not the owner at this point. We are not the owner until next week.

\_\_\_\_\_ : Emergency exit?

**Mr. Gibbons:** I don't think I can tell you from here what to build or whatever, you have to wait and see what happens with the zoning officer but I don't think any of us can tell you what you have to do. Okay.

\_\_\_\_\_ : Can I \_\_\_\_\_? What's going on with the condemned house on Carey Lane, Alley, whatever that is behind my house. Is that condemned? Anybody know what is going on with it?

**Mr. Sipple:** By the creek?

\_\_\_\_\_ : Yes.

**Mr. Sipple:** Rear 99 Ashley Street.

\_\_\_\_\_ : The house is facing like Carey Alley.

**Mr. Sipple:** Yeah, that's the one where sulfur run is going through that. We are supposed to get.

\_\_\_\_\_ : Does anyone know what is going on with that?

**Attorney Vinsko:** That was taken off the tax sale.

**Mr. Maldonado:** It should be taken off. I think we discussed that.

\_\_\_\_\_ : It's bad. I went past there the other day.

**Attorney Vinsko:** I changed hands, that was the problem.

**Mr. Maldonado:** The guy sold it.

**Mr. Gibbons:** Resolution 1 of 2019, a Resolution authorizing the December, 2018 payroll in the amount of \$35,565.36.

**Mr. Casey:** I'll make that motion.

**Mr. Maldonado:** Second.

**Mr. Gibbons:** Okay, all those in favor. Opposed. Abstain. I's have it. Resolution 2 of 2019, a Resolution authorizing the December, 2018 bills in the amount of \$28,696.63.

**Mr. Sorokach:** So moved.

**Mr. Casey:** I'll second it.

**Mr. Gibbons:** All those in favor.

**Mr. Maldonado:** Can I ask a question on that. This Tupperhawken Water, we have \$111.00. It used to be \$78-80. How much water are we drinking here? From 78 we add another 50 dollars on there.

**Mr. Gulick:** That's a two month bill.

**Mr. Maldonado:** Oh, it's a two month bill. Thank you for clarifying that.

**Mr. Gibbons:** Okay, all those in favor. Opposed. Abstain. I's have it. Resolution 3 of 2019, a Resolution setting the 2019 real estate tax at 4.85 mills for Ashley Borough.

**Mr. Sorokach:** Same as last year John?

**Mr. Gibbons:** Yes.

**Mr. Sipple:** There is no increase. I'll make the motion.

**Mr. Maldonado:** Second.

**Mr. Gibbons:** All those in favor. Opposed. Abstain. I's have it. Resolution 4 of 2019, a Resolution authorizing the 2019 meeting calendar. I'll make that motion.

**Mr. Sipple:** Could we just add on there just subject to change just in case something comes up.

**Attorney Vinsko:** You can always change that.

**Mr. Gibbons:** A second.

**Ms. Schappert:** I'll second it.

**Mr. Gibbons:** All those in favor. Opposed. Abstain. I's have it. We have another Resolution.

**Attorney Vinsko:** There is 3 more. The first one is Resolution No. 5 of 2019, a Resolution to authorize the repealing of the Ashley Borough sewer tax.

**Mr. Gibbons:** Did we advertise.

**Attorney Vinsko:** This is to if we approve it then we will prepare the advertisement and finalize it but that way it won't be collected going forward.

**Mr. Gibbons:** Okay, so repeal of \_\_\_\_\_.

**Attorney Vinsko:** The Ashley Borough sewer tax.

**Mr. Maldonado:** For maintenance it is.

**Mr. Gibbons:** Which is currently \_\_\_\_\_.

**Mr. Sorokach:** I believe it's \$45.00. The residents needs a break.

**Mr. Maldonado:** I'll make a motion on that.

**Mr. Gibbons:** Jerry has a motion.

**Mr. Sorokach:** I'll second that.

**Mr. Gibbons:** Okay, let's have a roll call.

**Attorney Vinsko:** Mr. Maldonado.

**Mr. Maldonado:** Yes.

**Attorney Vinsko:** Ms. Schappert.

**Ms. Schappert:** No.

**Attorney Vinsko:** Mr. Sorokach.

**Mr. Sorokach:** Yes.

**Attorney Vinsko:** Mr. Casey.

**Mr. Casey:** No.

**Attorney Vinsko:** Mr. Sipple.

**Mr. Sipple:** No.

**Attorney Vinsko:** Mr. Gibbons.

**Mr. Gibbons:** No.

**Mr. Sipple:** I'd just like to comment on the only reason is we do have a lot of outdated sewer lines and I know the one from Hartford Street all the way down to Manhattan is getting close to needing repair all the way down and if we run into a problem and I'd rather pay \$50.00 a year than see our general fund go down or have to raise taxes, that's the only reason I voted no.

**Mr. Sorokach:** I'd like to make a comment. Like I said before, not everybody is paying it so it's not fair for all of us to pay it.

**Mr. Gibbons:** That's why we are going to make that one of the next Resolutions.

**Mr. Sorokach:** And the second reason is that money is collected, we have \$137,000 in there now, add more than \$80,000 to that, that's over \$200,000. That's a lot of money to have in the sewer account.

\_\_\_\_\_: Excuse me, I asked for a breakdown. Those fines \_\_\_\_\_ the people who are not paying this. So, if you pay \$45.00 if they don't pay for a couple years, it keeps on going up.

**Ms. Schappert:** Frank has that.

**Mr. Sorokach:** There is a lot of people that have never paid it okay.

\_\_\_\_\_: Could you break it down and isolate the fines if they don't pay it.

**Mr. Sorokach:** There is a breakdown. Some people never paid on it since it's been out.

\_\_\_\_\_ : Some people's houses aren't even on the list.

**Mr. Sorokach:** Some people have sold their houses and never paid on it.

\_\_\_\_\_ : That's what I'm saying. Some of the people houses aren't even on the list.

**Attorney Vinsko:** The next one is Resolution No. 6 of 2019, to contact a consultant to review the policies and procedures of the police department.

**Mr. Sipple:** I'll make the motion.

**Mr. Casey:** I'll second that.

**Attorney Vinsko:** Mr. Maldonado.

**Mr. Maldonado:** No.

**Attorney Vinsko:** Ms. Schappert.

**Ms. Schappert:** I'm abstaining right now on that. I'm sorry. I have to check into it. I can't vote yes or no.

**Attorney Vinsko:** Mr. Sorokach.

**Mr. Sorokach:** No.

**Attorney Vinsko:** Mr. Casey.

**Mr. Casey:** Yes.

**Attorney Vinsko:** Mr. Sipple.

**Mr. Sipple:** Yes.

**Attorney Vinsko:** Mr. Gibbons.

**Mr. Gibbons:** I'm going to explain why I'm going to answer the way I am. I am okay with everything being reviewed, I just have a problem with the person being selected.

**Mr. Sipple:** I think that is a lot of misinformation John, it's not a relative. This gentlemen did Wilkes-Barre Police Department.

**Mr. Gibbons:** I am just going to say that I am for that but I can't vote with this particular one so I am going to abstain.

**Ms. Schappert:** So it's a tie.

**Attorney Vinsko:** So it fails.

**Mr. Sipple:** No, it's a tie.

**Attorney Vinsko:** Yes, I'm sorry, Mayor.

**Mayor Sipple:** Yes.

\_\_\_\_\_ : \_\_\_\_\_ now confidence in the chief. That's my opinion.

**Mr. Sipple:** It has nothing to do with the chief Ronnie. There is issues that we deal with all the time. It has nothing to do with the chief. It's to make sure our policies are up to date and other things. Everybody sees the news. If we are responsible for what happens in that police department, then we got to be responsible and step forward and make sure everything is up to snuff. And everything is the way we need it to be. No, I'm just explaining that is my reasoning behind it. To show that we are proactive, that we are looking into make sure that things. Understandable, but it has nothing against Chief Fedorczyk.

\_\_\_\_\_ The Chief could work right with him.

**Mr. Sipple:** Absolutely.

**Mr. Maldonado:** Do you know him?

**Chief Fedorczyk:** No.

\_\_\_\_\_ : Do you have anybody else in mind that could do this, that could do an overview. How about looking into it before we select anybody. Give a recommendation.

**Mr. Gibbons:** I think you have to call the state and they will recommend somebody.

**Mr. Sipple:** Yeah, but the motion was for \_\_\_\_\_.

**Mr. Gibbons:** Yeah, the motion went through.

**Attorney Vinsko:** Resolution No. 7, a Resolution to use the insurance money received to pay off the police car loan.

**Mr. Sipple:** Hold on that was 7. How much was the reimbursement?

**Ms. Schappert:** Seven thousand something.

**Mr. Maldonado:** It was only \$2,000.00.

**Mr. Sipple:** That's what I'm trying to figure out.

**Mr. Gibbons:** I explained this at the one meeting. The cost of the car was \$12,000.00. So the car is coming in it's supposed to have lights on the inside not on top. They took lights off the old car, put it on top, that reduced the price, didn't reduce the loan, but reduced the price of the car to \$9,000.00 right.

**Mr. Gulick:** Offhand, I'd have to look.

**Mr. Gibbons:** Nine thousand some dollars. Then we got the money from the insurance company which reduced the price to \$2,700.00 so that's the price.

**Mr. Sipple:** So we would have to come up with the other \$2,700.00 from the general fund to pay it off.

**Mr. Gibbons:** Yeah, and I imagine, where did the extra money from the loan go?

**Mr. Gulick:** It's in debt service. We originally had a gift of money, get the loan so that we could pay for the car because the price is \$12,000.00. Okay, we saved some money, that loan was already approved, it was already in debt service to give the gentlemen a check when he brought the car. Now, that loan is being paid off using debt service. My opinion is you don't want to take money out of the general fund with the things that are going on right now. The loan is costing us 1.73%.

**Ms. Schappert:** Can we vote on that please.

**Attorney Vinsko:** We need a motion and a second.

**Mr. Gibbons:** Which price are you paying, the amount of the reduced loan with the \$3,000.00 and the \$7,200.00 which would leave \$2,700.00 or are you paying the whole thing.

**Ms. Schappert:** Paying the \$11,000.00.

**Mr. Gulick:** Four thousand seven hundred thirty dollars out of the general fund.

**Mr. Sipple:** How much?

**Mr. Gulick:** Four thousand seven hundred thirty dollars out of the general fund.

**Mr. Sipple:** Four thousand is going to come out for the car?

**Mr. Gibbons:** The car is 12.. That was the loan. That was the initial price. They didn't put the lights on the inside, they took the lights off the old car, put them onto the top so that reduced it around \$3,000.00. They got \$7,700.00 from the insurance company. Leaving around \$2,700.00 I believe the difference of all this stuff so \$2,700.00 should have been our out of pocket.

**Ms. Schappert:** Right.

**Mr. Gulick:** But the loan was for \$12,000.00.

**Mr. Gibbons:** So you are saying take the money that we got for the insurance and apply it to the loan and take the difference money that we got and apply it to bring it down to \$2,700.00 or are you saying pay the whole thing.

**Attorney Vinsko:** The whole thing.

**Mr. Gulick:** But that's what debt service is for. Why tap into the general fund. With the stuff that is going on we may be in trouble.

**Mr. Sorokach:** Why don't you explain that to us. You want to know something Greg.

**Ms. Schappert:** Pay it then look.

**Mr. Gibbons:** It's up for a vote.

**Attorney Vinsko:** We have a motion but we need a second.

**Ms. Schappert:** I made a motion.

**Mr. Sorokach:** Second it.

**Mr. Gibbons:** Do a roll call.

**Attorney Vinsko:** Mr. Maldonado.

**Mr. Maldonado:** Yes.

**Attorney Vinsko:** Ms. Schappert.

**Ms. Schappert:** Yes.

**Attorney Vinsko:** Mr. Sorokach.

**Mr. Sorokach:** Yes.

**Attorney Vinsko:** Mr. Casey.

**Mr. Casey:** No.

**Attorney Vinsko:** Mr. Sipple.

**Mr. Sipple:** No.

**Attorney Vinsko:** Mr. Gibbons.

**Mr. Gibbons:** Yes. Greg, the one for the sewer authority to accept the sign the contract with the sewer authority to take care of the debt service.

**Mr. Gulick:** I have the contract here. You all have a copy of it.

**Mr. Gibbons:** What will the resolution be that's what we want.

**Mr. Gulick:** A resolution to hire Wyoming Valley Sanitary Authority to take care of the delinquent sewer accounts.

**Mr. Sipple:** Did we get prices on what it's going to cost?

**Mr. Gulick:** Yeah, you all have the print outs. I have it to you last month.

**Mr. Maldonado:** I do have a print out and there is residents that are not even on there. What do you do then? You have to have a list of everybody that pays the sewer and transfer that to the sewer maintenance fee.

**Mr. Gulick:** Everybody we have that we are getting money from is on that list. That's the current list.

**Mr. Maldonado:** Then somebody is not paying Wyoming Valley Sanitary Authority sewer.

**Mr. Gulick:** Wyoming Valley Sanitary gets the list from the \_\_\_\_\_.

**Mr. Maldonado:** Are you certain Greg, collecting, correct?

**Mr. Gulick:** Correct, they get the list from Pennsylvania American Water Company. So people who aren't registered with Pennsylvania American Water Company, they are not getting a sewer bill from Wyoming Valley Sanitary because that's where they get their files.

**Mr. Maldonado:** So, if they are paying a sewer bill, Wyoming Valley Sanitary Authority, and I checked the list and some people are not paying that and they are not being shut off. The water is not being shut off. If you can't shut off the water on a sewer maintenance fee.

**Mr. Gulick:** Yes, you can.

**Mr. Sorokach:** You told us that Greg.

**Mr. Gulick:** I know and if we sign the contract with Wyoming Valley Sanitary and I gave you the documents from them, they will shut the water off. And once the water is shut off the code has to condemn the house because there is no water.

**Mr. Maldonado:** What I understood was that you have to go down there, the Borough has to go down to the resident.

**Mr. Gulick:** We have to notify them.

**Mr. Maldonado:** Notify them that they are shutting the water off.

**Mr. Gulick:** Correct.

**Ms. Schappert:** The Borough has to do all this so why are we hiring somebody else. You are not just going to go over and say oh yeah I'm looking at this piece of paper. Hey Sharon never paid that, well you know what, lets' just go turn her water off without notifying her. I don't think so.

**Mr. Gulick:** The Borough is not authorized to do it, the Authority is.

**Ms. Schappert:** But the Borough still has to warn her. They have to warn her.

**Mr. Gulick:** It's in the contract.

**Mr. Sipple:** Two dollars for each letter, ten dollars for each posting.

**Ms. Schappert:** It's ridiculous.

**Mr. Sipple:** Crazy.

**Mr. Sorokach:** If the person never paid it Greg, are they is there going to be a fine. Like if they owe \$800 and they never are they going to pay more than \$800.

**Mr. Gulick:** Yeah, there is penalty and interest. It's on the paper I gave you.

**Mr. Sorokach:** Okay, I'll look at it. I didn't get a chance to look at it.

**Mr. Gibbons:** Otherwise nobody has to pay it.

**Mr. Sorokach:** That's why I want to get rid of it.

**Mr. Gibbons:** Like right now, we have \$137,000.00 in the sewer fund and last year we spend over \$69,000.00 just in repairs on sewers.

**Mr. Maldonado:** John, there is over \$90,000.00.

**Mr. Gibbons:** I'll make the motion.

**Mr. Casey:** I'll second it.

**Attorney Vinsko:** Mr. Maldonado.

**Mr. Maldonado:** What's that, I wasn't listening.

**Attorney Vinsko:** This is for the Sanitary Authority.

**Mr. Maldonado:** No.

**Attorney Vinsko:** Ms. Schappert.

**Ms. Schappert:** No.

**Attorney Vinsko:** Mr. Sorokach.

**Mr. Sorokach:** No.

**Attorney Vinsko:** Mr. Casey.

**Mr. Casey:** Yes.

**Attorney Vinsko:** Mr. Sipple.

**Mr. Sipple:** No.

**Attorney Vinsko:** Mr. Gibbons.

**Mr. Gibbons:** Yes. Okay that's all we have. The next meetings are February 5 and February 12. We had an executive session before this meeting to go over personnel.

**Mr. Hess:** On behalf of myself and the rest of the Ashley Borough Police Department, we would like to thank all council for our new coats and boots, they are very warm and people know we are Ashley Borough.