

# ASHLEY BOROUGH

Donald Sipple, Sr., Mayor

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

Gerald Maldonado  
Donna Schappert  
Brian Casey

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Greg Gulick, Borough Manager

William E. Vinsko, Jr., Esquire, Solicitor

## ASHLEY BOROUGH COUNCIL WORK SESSION SUMMARY MEETING MINUTES AUGUST 7, 2018

49 West Cemetery Street, Ashley, Pennsylvania

Meeting Start Time: **6:30 PM**

Meeting End Time: **7:19 PM**

### Attendance:

Gerald Maldonado-	Present
Frank Sorokach-	Present
Donna Schappert-	Present
Brian Casey-	Present
Donald Sipple -	Present
John Gibbons-	Absent
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 Vice President of Council, **Donald Sipple, Jr.** **Attorney Vinsko** called roll call for the Council, Mayor and Borough Officials. The Pledge of Allegiance was recited by all.

**Mr. Sipple** announced that an **Executive Session** was held on July 24, 2018 at 6:00 PM for Police Employment Matters. The Police Committee met and a quorum of the Council was present. **Mr. Maldonado** objected to the executive session claiming that it should have been advertised as an executive session under the Sunshine Act. **Attorney Vinsko** was asked to comment by **Mr. Sipple**. **Attorney Vinsko** confirmed that an executive session does not need to be advertised and can be held if it meets the requirements of an executive session under the Pennsylvania Open Meetings law. For this purpose, it met the criteria because it was a police matter, it was a personnel matter and an employment matter. **Mr. Sipple** stated that the Luzerne County District Attorney's Office did not find anything inappropriate. **Mr. Sorokach** stated that it was not true and that the District Attorney's office was still investigating it. **Mr. Maldonado** admitted that he turned it in to the District Attorney's Office to review. **Mr. Maldonado** claimed that the entire council should have been requested to attend. **Mr. Sipple** responded, as well as **Ms. Schappert**, that the matter

was a police committee matter and like all committees, the entire council does not attend. **Attorney Vinsko** gave the history confirming that the personnel matter was held to hear one side of the issues and then a second meeting was held the following week on Tuesday, July 31, 2018 to hear the other side. No deliberations took place and there would not be any discussions until the matter was presented to the entire Council. **Attorney Vinsko** also confirmed that the meetings were recorded and each member of council is welcome to listen to the same. Additionally, a package was provided to each Council Member tonight with all of the supporting paperwork for the subject issue. **Mr. Sorokach** and **Mr. Maldonado** asked that it officially be on the record that they object to the executive session and to the meeting held on July 24, 2018.

**Mr. Sipple** then asked that **Wes Saltz**, the Ashley Fire Chief, come up to make an announcement. **Mr. Saltz** announced the COMMUNITY SMOKE DETECTOR GIVEAWAY for Saturday, August 25, 2018 - 10:00 AM to 2:00 PM. The Ashley Borough Fire Department and the American Red Cross are going to be going through the trailer park and areas of the patch to install smoke detectors. They will request access to your home and install battery-operated smoke detectors at NO CHARGE to you. Installation will be immediate and will be at a location that you direct. There is no limit to the number of detectors you can have, but they are going to generally offer one per floor. Hearing impaired ones will also be available but will require installation another time. **Mr. Saltz** also confirmed that the Department is looking for volunteers to assist. Everyone will meet at approximately 9:00 AM at the Ashley Borough Municipal Building and will dispatch from there. For more information, residents can contact the Borough offices at 570.270.5839.

### COUNCIL MEMBERS PRESENTATIONS:

**GERALD MALDONADO** – **Mr. Maldonado** raised the following issues:

(1) **Building Next to the Bank on Main Street** – **Mr. Maldonado** is concerned that the building is going to collapse. He mentioned that it was about the 5<sup>th</sup> time he had mentioned it. **Mr. Sipple** stated that the issue is that there is a common wall and a common stairway with the adjacent building, making demolition very difficult. **Mr. Sorokach** asked whether Mr. Kratz could condemn both buildings since there is a substantial safety issue. **Mr. Maldonado** stated that both should be blocked off at the very least. **Charlie Coleman**, stated he was present at the building with Mr. Kratz and Leonard Engineering. **Mr. Maldonado** asked if the engineer can also look at the drainage problem in the same area. He would like the Street Committee to meet and investigate it. Water is flooding houses and going down Ashley Street. **Mr. Sorokach** asked if the Borough could get all of the buildings inspected. **Ms. Schappert** stated that Brian Casey, Mr. Maldonado and her are all on the Street Committee and she never got a call. **Mr. Casey** confirmed that the street in the patch which required work was tabled and **Mr. Maldonado** had it done using Borough workers anyway. **Mr. Maldonado** asked if Mr. Casey put a catch basin in on Ashley Street. **Mr. Casey** and **Ms. Schappert** confirmed that it was done, but was approved by all of Council.

(2) **Percentage of Delinquent Garbage Fees** – **Mr. Maldonado** asked if **Mr. Gulick** could give a percentage of delinquencies on garbage fees. **Mr. Gulick** confirmed that the

Borough does not keep such a record and asked that Council consider raising the delinquent fee from \$10 to \$50.00. **Mr. Sorokach** asked for the names and addresses of all delinquent accounts. **Mr. Gulick** stated that the Borough was going to issue citations and they would be getting people to pay. **Mr. Sipple** asked if it was legal to give out the names and addresses of those who did not pay. **Attorney Vinsko** stated that it was. **Mr. Gulick** stated that he would have the names and addresses to **Mr. Sorokach** by October 1, 2018.

(3) **Cash Received at the Municipal Building** – **Mr. Maldonado** asked **Mr. Gulick** if the Borough was still accepting cash as a method of payment. **Mr. Gulick** confirmed that the Borough still accepts cash as people do not want to pay for money orders. **Mr. Maldonado** confirmed that Borough Council passed a resolution that prohibited the Borough from accepting cash. **Mr. Gulick** confirmed that the Borough maintains receipt records to ensure that everything is accounted for. **Mr. Sipple** told **Mr. Maldonado** that if there is a complaint, he should make it, but everything is audited and there are no issues. **Mr. Maldonado** wants a checks and balances system. **Mr. Sipple** then questioned **Mr. Maldonado** on the issues related to his previous comment at the July 10, 2018 meeting regarding the legality of money laundering and fraud. He specifically asked **Mr. Maldonado** what he was referring to. **Mr. Maldonado** did not answer.

**FRANK SOROKACH** – **Mr. Sorokach** had the following issues:

(1) **6 Ross Street** – The mail carrier had an issue going to this home because it was a single family home and is now a duplex. **Ms. Schappert** advised that she was intimately familiar with this situation. The home was a duplex, was changed to a single family residence, and then back to a duplex. She discussed the matter with Mr. Kratz. Apparently, they are waiting for a 911 authorization.

(2) **Water Company has not completed the Road Repair** – There are 2 issues on Main Street alone. **Mr. Gulick** stated that there were 18 utility cuts and the Borough reported everything.

(3) **Notice of the new Rental Ordinance** – **Mr. Sorokach** asked about the new rental ordinance and getting notice out to the residents. **Attorney Vinsko** suggested extending the start date six months and then providing notice in the tax bills so that the Borough can guarantee the notices were received.

(4) **Requested a Meeting with Penn Strategies** – **Mr. Sorokach** is requesting a meeting with Penn Strategies and to have public input concerning whether a Burger King is going into Ashley. He stated that he does not believe a Burger King will be in Ashley. **Mr. Sipple** stated that a neighboring Burger King complained to corporate claiming it would be too close. Therefore it may be a CVS. **Mr. Sorokach** stated that he only heard of a Burger King and heard there would not be one. **Mr. Sipple** stated that something is coming, and Hutchenson (the corporate agency) does Burger King, Dunkin Donuts and CVS. **Mr. Sipple** said he believes that Penn Strategies would be here for the next meeting.

(5) **Meeting Minutes and Public Access** – **Mr. Sorokach** stated that he would like the meeting minutes in advance of the meeting and to make it available for the public. **Attorney Vinsko** confirmed that the meeting minutes were available for 2 weeks and the minutes of tonight’s meeting will be available tomorrow (August 8, 2018).

**DONNA SCHAPPERT** – Nothing for this meeting.

**BRIAN CASEY** – Nothing for this meeting.

**DONALD SIPPLE, JR.** - **Mr. Gibbons** met with PennDOT Monday looking at the tunnel under I-81 for the Rails to Trails issues. It will be built similar to Jeddo Borough. We will apply for a grant in 2019.

Also, the Borough is going to start a test street sweeping program on Monday, Tuesday and Wednesday of next week (August 13, 14 and 15). It will be only streets with curbs and no one will be ticketed. It is a trial run and is under the Stormwater Management responsibilities under the State.

**JOHN GIBBONS** – Absent

**MAYOR DONALD SIPPLE, SR.** – Unveiled the new Certificate of Appreciation that they are going to send to those who donated to the Ashley Borough K9 Fund.

**BOROUGH MANAGER GREG GULICK** – **Mr. Gulick** announced that the state came in to do the Liquid Fuels Audit for the last 6 months of 2017. They stated our record keeping is good and they were supposed to be there for 3 days, but were finished in 6 hours. The audit came back perfect.

**Mr. Maldonado** asked **Mr. Gulick** when the COG meetings are. **Mr. Gulick** stated that they have not been in months. The last meeting was when they were handling LSA Grant matters. He last remembers one in January, 2018. He stated that there will be one on or before October, 2018. **Mr. Maldonado** stated that he felt that Council should be there. **Mr. Sorokach** asked if there was a status on any grants from there. **Mr. Gulick** stated that he would know at the meeting in October or November.

**POLICE CHIEF DAVID FEDORCZYK** – Nothing for this meeting.

### **COMMITTEE REPORTS**

No Committees had any reports or issues to address.  
Only the Police Committee met, which was previously discussed.

**Mr. Maldonado** asked **Mr. Gulick** to schedule a Street Committee meeting and he wanted an engineer present. There was a discussion about which engineer the Borough should use: A+E Group or Reilly Associates. **Ms. Schappert** wanted the meeting held off until we can confirm which engineer we were going to use.

**Mr. Sipple** confirmed the next meetings and that an Executive Session would be held immediately after on the issue of personnel/employment.

Meeting Ended at 7:19 PM.

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