

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 OCTOBER 2, 2018

49 West Cemetery Street, Ashley, Pennsylvania

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

Meeting End Time: **7:26 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.

Mr. Gibbons announced that an **Executive Session** was held on September 11, 2018 at 7:00 PM for Employment Matters.

COUNCIL MEMBERS PRESENTATIONS:

GERALD MALDONADO –

1. **Preston Street** -- Mr. **Maldonado** received a complaint from a resident regarding garbage fees reaching the amount of \$169.00 which is higher than the amount that is normally due for a six month period. Mr. **Gulick** stated that was only for the last six months and a prorated amount for the first six months of the year. Mr. **Maldonado** compared the situation to a guy on Barnes Street, specifically, 36 Barnes Street, that has no stickers at all and wanted to see why some are being followed up upon and some

are not. Mr. **Gulick** stated that the gentlemen on 36 Barnes Street paid for the first half of the year and did not pay for the second but was going to be cited for that. He also stated that the Preston Street situation was a vacant house and the vacant property registration ordinance requires that there be a \$250.00 fee for being vacant for the first year. This was cheaper and much more effective for the homeowner. Mr. **Maldonado** asked whether or not we can work with these people. Mr. **Gulick** claimed that we did work with them and gave them a proration. Mr. **Gibbons** echoed that assessment and stated that the gentlemen received a discount.

2. **Conyngham Street** – Mr. **Maldonado** referenced that there were restoration cut markings in the street and wanted to know what the situation was. Mr. **Gibbons** stated that there were many cuts near driveways. Mr. **Maldonado** said he spoke with the gas company with Mr. **Sorokach** and that they are required to pay from curb to curb. Mr. **Gibbons** stated that we could make that request but they were not supposed to be cutting anything, a sentiment that Mr. **Sipple** confirmed. Mr. **Gulick** stated that if the gas company rips up more than thirty feet they have to pave curb to curb. He is going to contact Kevin Lambesser of the gas company. He believes that this particular pave cut did not qualify for a curb to curb repaving.
3. **Trailers on Main Street** – Mr. **Maldonado** asked about whether or not the Borough was citing the parking of the trailers on a daily basis. Attorney **Vinsko** stated that he would find out from Mr. **Kratz** and report back to him.
4. **Police Committee Meeting** – Mr. **Maldonado** understood that there were four people that attended the recent police committee meeting and wanted to know if that was a violation of the Sunshine Act. Attorney **Vinsko** confirmed that it was not a violation as it is an exception to the Sunshine Act under committees and would also be under an executive session if necessary.
5. **The building next door to the bank** – Mr. **Maldonado** expressed a concern about whether or not the property adjacent to the bank should be tapped off because of its condition. Attorney **Vinsko** expressed concern over hindering access to other parcels but recognized the concern regarding the condition of the property. Mr. **Gibbons** stated that we had two meetings to address this and we are constrained to take much more action given the ownership issue. Mr. **Maldonado** only wanted to put a ribbon to notify outside parties of a potential danger. Mr. **Sorokach** asked that Borough Council receive a copy of the engineering report so that everyone is aware of the condition of the property.
6. **Main Street** – Mr. **Maldonado** saw that there were 3 cuts on the Main Street and as not sure if it was the water company. Mr. **Gulick** confirmed that it was the gas company and the 811 markings have been done. It will likely be fixed and completed when the weather is better.
7. **Lawn mower use by the street department** – Mr. **Maldonado** identified the fact that we know have a trailer for the Borough and wanted to know why the street department was riding the lawn mower on the street rather than using the trailer. Mr. **Hess** stated that they needed an extension for the spreader which was subsequently obtained.

8. **Street paving** – Mr. **Maldonado** confirmed that the Borough authorized \$35,000.00 for street paving. He met with Mr. Casey on the Barnes and Culvert Street paving conditions. Since there is approximately \$12,000.00 left after the 3 streets that have been approved for paving, and he wanted to have both Barnes and Culvert Street considered for paving. Mr. **Gulick** stated that it is approximately \$18,000.00 just for the milling of those roads. Mr. **Maldonado** confirmed that Sivley Street cost only \$13,000.00. Mr. Casey recommended that the Borough also consider Stewart's Alley which is in much worse condition. Mr. **Gibbons** confirmed that Stewart's Alley cannot be done because of the sulfur run project which is expected to commence shortly. Mr. **Gibbons** asked Mr. **Hess** to get a price on milling for the streets on a per foot basis as well as the cost to move the equipment and to have operators.

FRANK SOROKACH –

1. **42 Carey Street** – Mr. **Sorokach** saw that the owner of the property at 42 Carey Street was starting to clean the yard but there was a significant amount of debris on the property. Mr. **Gibbons** said that he would direct Mr. **Kratz** to investigate that issue.
2. **35-37 Barnes Street** – Mr. **Sorokach** asked about the taxes and whether they were paid prior to the tax sale. Mr. **Gulick** confirmed that the taxes were paid except for a small portion of the Luzerne County taxes which is now under a payment agreement. Mr. **Maldonado** asked that Attorney **Vinsko** contact Specialized Loan Services, LLC to request that the property be maintained since they are allegedly maintaining the property in place of the owner Hecter Tindle.

DONNA SCHAPPERT –

1. Ms. **Schappert** announced that she wanted to thank Mr. Coleman and Mr. Kratz for their work on Manhattan Street on the property next to the church.

BRIAN CASEY –

1. Mr. **Casey** expressed a concern about the fact that Family Dollar is a mess. There are cigarette butts and diapers left in the parking lot. He called Family Dollar and left a message but he would like a certified letter and a citation sent immediately. He would also like to have Mr. Kratz and Mr. Coleman check out the property.
2. Mr. **Casey** also asked Attorney **Vinsko** about the tire storage issue and the concern that it is a fire hazard. There are also vehicles which need to be removed and a wall collapsed on the one side of the property making it difficult for a neighbor to access the side of her property. Attorney **Vinsko** said that he would speak with Attorney Dean on this issue and report back at the next meeting.

DONALD SIPPLE –

1. Mr. **Sipple** asked about people parking on a street that does not technically have a sidewalk but which is paved with asphalt. He is concerned that it is a safety issue and wanted the chief of police to check it out.

JOHN GIBBONS –

1. Mr. **Gibbons** announced that there is a second home that started construction on the Mary Street project. The first home may be under contract but it is for sale. Additionally, Mr. **Gibbons** announced that Ashley Borough received \$300,000.00 from the Commonwealth Finance Authority toward the sulfur run project for Ashley's part of the "local match" for the Department of Environmental Protection Flood Control Project. Ashley was also granted a local match waiver which means that the Borough was not required to use any general fund money for the project and case use the entirety of the \$400,000.00 awarded previously by Luzerne County. Additionally, the Borough was still waiting to hear on the RACP funding for the Huber Breaker and the Ashley Borough Municipal Building (former). The Borough is likely to receive a Department of Community and Economic Development Multimodel grant award in December for the Main Street project. We did not receive the PennDot multimodel funding because the project does not fix a transportation problem. The Borough's application is stronger with DCED because it is centered around economic development. Additionally, the Economic Development Authority has applied for \$100,000.00 in facade improvement funding through DCED and we will keep the Borough Council updated on that. Finally, Mr. **Gibbons** stated the Borough is going to use the "Business in our Sites" grant program which may help us to create a site that is "pad ready" at the Huber Breaker site.
2. Mr. **Gibbons** addressed the Huber Breaker land and he would address those issues in an executive session to follow this meeting. Also, on the Sulphur run project, the Borough spoke with Shane Erdman of the Department of Environmental Protection who said that the information on the easements needed for the eminent domain portion of this project will take approximately 6-8 months but they are hoping it will be sooner. Mr. **Sorokach** announced that he would like to publicly thank Mr. **Maldonado** for his leg work on this project. Mr. **Gibbons** also stated that there were quite a few people who were involved and that Mr. **Maldonado** did do a significant amount of work on this matter. He also thanked Penn Strategies as well.

MAYOR DONALD SIPPLE – He also echoed the sentiments of Mr. **Gibbons** thanking everyone for their hard work on the project including Eddie Day Pashinski and John Yudichak.

GREG GULICK, BOROUGH MANAGER – Nothing for this meeting.

ECONOMIC DEVELOPMENT AUTHORITY MATTERS – The EDA did not have a meeting but they are working on the Business in our Sites grant program as well as getting the soil samples for the playground which is going to be completed shortly. After that, they will remove the objects and the contaminated portion of the land and then get approval from DCNR to complete the park project.

COMMITTEE REPORTS:

Police Committee – The Police Committee met and recommends the hiring of Autumn Atkinson as a part time police officer. The Chief was present for the interview and they are recommending that she be hired for the next meeting.

Mr. **Sipple** also suggested that, based on a meeting with the Police Committee, that an outside agency review the inter-workings of the police department to see if any improvements are needed so that Borough Council can stay out of any contentious issues. Mr. **Maldonado** asked if that issue can be addressed in house through the police committee. Ms. **Schappert** stated that if there is an outside agency then there is no finger pointing on Council. Mr. **Sorokach** stated that the chief is respected and does not think this is necessary. Chief **Fedorczyk** questioned the issue and stated that this was the first he was hearing about any concerns and asked if there was any specific issue which required action of this nature as brought up by Mr. **Sipple**. Mr. **Sipple** responded that it had nothing to do with Mr. **Fedorczyk**, it was just an effort to see if anything can be improved upon within the department.

Mr. **Casey** asked Attorney **Vinsko** about whether or not there was a meeting scheduled with the union on the new union contract. Attorney **Vinsko** stated that they were looking to have the meetings starting in the third week of October. Mr. **Casey** then thanked the street department for the great job ceiling the driveway and the parking lot in the Borough.

Meeting Ended at 7:26 PM.

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