

Council Meeting Minutes- February 13, 2017

The regular monthly meeting of West Wyoming was called to order by Chairman Stavish. Following the Pledge of Allegiance, roll call was taken by Secretary Pedley and the following were present: Chairman Stavish, Councilman Colarusso, Councilman Grescavage, Council Vice Chairwoman Zaboski, Solicitor Lukesh, Treasurer Kendzor and Administrator Pedley. Mayor Herbert and Engineer Amato were absent.

OLD BUSINESS:

An Executive Session was held on January 9, 2017 prior to the Council Meeting to discuss Personnel issues.

COMMITTEE REPORTS:

Gary Stavish- Chairman- Personnel : Stavish asked for a motion made by Dolan, seconded by Colarusso, to approve the previous month's minutes. Voice vote all in favor. Motion carried.

Stavish stated that the WSCOG Grant Approval for \$75,000 from the Commonwealth Financing Authority will be used for equipment for Street Dept.

Stavish also said that West Wyoming was charged a contamination fee due to garbage, TV's, etc being placed in recycling bins.

Randy Colarusso- Public Facilities: Colarusso made a motion , seconded by Grescavage, to approve all outstanding bills approved by the Finance Committee. Voice vote all in favor. Motion carried.

Colarusso made a motion, seconded by Dolan to approve the Ordinance for Amending the Killed In Service Benefit (Ordinance 2of 2017). Voice vote all in favor. Motion carried.

Colarusso stated that Engineer Amato is looking into the matter of the Storm Sewer on Brady St. DPW report- Some projects we are working on include pot hole patching- winter maintenance- plowing – taking down of Christmas decorations- fixing lights and general maintenance on pump station.

Colarusso called upon Treasurer Kendzor for the reading of the Treasurer's Report. It is as follows:

WEST WYOMING BORO						
				2/12/17	General, Sewer & Highway Aid Funds	
ASSETS						
Current Assets						
<i>General Fund</i>						
	118.100	· ESSA BANK REFUSE		\$171,997.59	Luzerne	\$34,394.62
	118.200	· ESSA DEBT SERVICE		\$0.05	Plgit	\$221,987.46
		FNCB DEBT SERVICE ACCOUNT		\$20,003.57	PNC	\$130,638.89
		FNCB GENERAL ACCOUNT		\$33,336.31	ESSA	\$171,997.64
		FNCB REFUSE ACCOUNT		\$81,790.54	M&T	\$353,981.10
	112.100	· LUZ BK GROWING GREENER		\$0.00	FNCB	\$182,799.75
	112.150	· LUZERNE BANK REFUSE ACCT		\$34,394.25		<u>\$1,095,799.46</u>
	112.175	· LUZERNE BANK LSA-COG		\$0.37		
	105.000	· PLGIT-PAYROLL		\$6,020.59		
	107.000	· CASH-PLIGIT GENERAL		\$12,097.93		
	107.100	· PLGIT EARNED INCOME TAX		\$87,777.65		
	100.000	· PNC BANK - PRIMARY CHECKING		\$46,796.34		
	115.000	· PNC DEBT SERVICE		\$42,267.45		
		Total General Fund Checking/Savings		<u>\$536,482.64</u>		
<i>Highway Aid Fund</i>						
	35-107-000	CASH-PLIGIT		\$97,141.61		
		Total Highway Aid Fund Checking/Savings		<u>\$97,141.61</u>		
<i>Sewer Fund</i>						
	08-100-000	PNC-SEWER FUND CKG		\$41,575.10		
	08-100-100	M&T - SEWER		\$353,981.10		
		FNCB DEBT SERVICES		\$27,629.72		
		FNCB SEWER OPERATING FUND		\$20,039.61		
		PLGIT Sewer Credit Card		\$18,949.68		
		Total Sewer Fund Checking/Savings		<u>\$462,175.21</u>		
		Total Combined Checking/Savings		<u>\$1,095,799.46</u>		

Motion made by Colarusso, seconded by Dolan, to approve the reading of the Treasurer’s Report. Voice vote all in favor. Motion carried.

Daniel Grescavage -Community Development/Recreation : Grescavage reminded all residents that building permits are needed for home improvements. All contractors working within the Borough should be registered with the state and have PA Registration#.

Mike Dolan- Public Safety/Code Enforcement :Dolan read the monthly Chief’s Report for the month of January. West Wyoming Emergency Services responded to eighty-six alarms in January: six rescue company assists- two engine company assists-seventy four EMS calls-one motor vehicle collisions-one residential fire alarm activation-one gas leak-one tree in roadway.

Residents are asked to please help the fire and EMS department by making sure their house numbers are clearly marked, and by keeping a list of current medications and medical history handy in the event of a medical emergency.

Hose Co # 1 is currently hiring EMTS for duty crew positions. Applications can be obtained from any member or by calling 693-3660.

Hose Co # 1 will be holding its annual ziti dinner at the fire house on Shoemaker Ave. on February 18th from 4 to 7p.m. Tickets are \$8 for adults, and \$5 for children, and are available from any member and at the door. Take out is also available.

Hose Co. # 1's Lenten Pizza sale will begin on March 3 and continue every Friday during Lent. Baked and unbaked pizzas will be available along with local delivery. Pre orders are encouraged and can be placed by calling 693-1811 and leaving a message. In the absence of Mayor Herbert, Dolan gave the Monthly Call Report for the Police Department: 127 calls for the month of January- 3 criminal arrest/warrants and 13 citations. Gave update on Code Enforcement. Dolan made a motion, seconded by Colarusso, to approve Hazard Mitigation Plan Update Resolution. Voice vote all in favor. Motion carried. Dolan stated that the Borough is obtaining video cameras for Boro building.

Maureen Zaboski- Administration /Finance- Health and Sanitation: Zaboski made a motion, seconded by Colarusso, to approve the Tax Collector Ordinance. Voice vote all in favor. Motion carried.

Motion made by Zaboski to approve the Berkheimer Liaison Resolution and seconded by Grescavage. Voice vote all in favor. Motion carried.

Motion by Zaboski, seconded by Colarusso, to put the Pave Cut Ordinance Revision on the table for 30 days. Voice vote all in favor. Motion carried.

Motion by Zaboski, seconded by Colarusso, to approve the Borough Audit for 2015. Voice vote all in favor. Motion carried.

Zaboski stated that Refuse collection is in the full cost phase of \$200 and March 1st price will go to \$300. 479 payments at \$175 and 533 at \$185 were paid.

Engineer Amato- Absent

Linell Lukesh- Solicitor: Briefing Council on legal matters at work sessions.

Mayor Herbert- Absent

CITIZENS PARTICIPATION:

Jason Azarovich- Shoemaker Ave: Thanked Council for their time. Said it was mentioned earlier in session that many of us have not received a newsletter. Said he himself did not receive one and asked other residents if they received one. It was stated by Councilwoman Zaboski that newsletters were included in with trash payments and were sent out in early November. Azarovich said that most of us

feel we are not in the loop, and that is the reason why many of us are here. One of the councilman, who I spoke to last week at the zoning meeting, mentioned to me that we need to show up at these meetings. We are here at this time to ask that you do not approve the sale of the Moonlight theater. It is a shortsighted decision, let's face it. It may take care of some budget issues in the short term, but the average age of this community, is 46.5 years old. Twenty percent of this boroughs population is over 65, which means at some point in time we are going to have property that is going to be for sale, and that property is going to be hurt by the fact that we are inviting congestion. Many people who have lived here a lot longer than me have made it clear that there will be traffic congestion. To say the least and this is only one of the concerns we have. We were not kept in the loop, there was no communication. If the community knew that this was going on, we would not have approved it. If we had a taskforce, maybe that would help. Looking forward with this would be an excellent way to preserve our property value, to preserve the integrity of our neighborhood. We have community members that are worried about head lights being flashed in their house at various times. Those are some of my basic feelings . I fee building community relations would be the way to go about this.

Councilman Stavish stated that there were several offers for this property. There were 5 different offers out there. As far as the property – the sign has been up for how long. For 5 months. We went through a lawsuit with that company and all the neighbors there had been contacted. A question was what was the selling price on that property? Answer was \$130,000 and we paid \$200,000. A discussion followed this and Mr. Azarovich stated that we cannot do anything about the past and we who are here today are concerned about the future. We are asking you to worry about the future of this community. This is a very short sided decision. I understand that you are cutting your losses and I get that part of it. Have you taken studies of what the long term of the value of the properties will be? Most of these theaters are obsolete, a thing of the past . They are not in a residential communities. This is a residential community with homes all around. Council man stated that the value of the property can only go up, because you got a vacant property that is run down, that has not paid taxes in decades, as a matter of fact we just went to court today and we are still spending tax dollars to get it off the tax roll. We will not be responsible for the prior taxes. Another discussion occurred.

Mr. Azarovich asked if council would want to live in that environment? He said that Councilman Grescavage was at the zoning meeting complaining but changed his mind after he heard what Symeon will do with the property. Dan now believes it is a good thing. Another discussion occurred.

Another resident stated that there is a problem with hunters allowed to hunt with crossbows.

Azarovich stated that if headlights shined in his house he would call police. I feel council is turning their backs on our community .

Councilman stated that should have been directed to county. A letter was sent by council stating that we have no objections to Mr. Symeon's plans. The Zoning Board sent letters to all residents in that area about the plans. Azarovich said he did not receive a letter. Councilman Grescavage stated that his name was on the list of people that the letter was sent to. Azarovich asked about the wetlands on the property. Stavish answered that the County is in charge of Symeon getting permits.

Resident Brenda Clarke would have known about Moonlight.

Dave Smith stated that the Wetlands covers 6 acres of the Moonlight. Only needs to be changed if wetlands are disturbed.

A resident read the letter.

Gas-Sewer-and water lines access doesn't pertain to Moonlight. Values of properties. Group need to go to county to appeal taxes. Stavish stated that council has no say in taxes being changed.

The right of away along Dave Smiths property – He stated he has adverse possession because of 20 or 30 years of maintaining the property and will seek an injunction so no one can use that property, Moonlight person want to use as an exit. Stavish stated – It's your option

Don Saunders – 728 W.8th- Problem with the creek in the hallow. A cage type wall was put in place for creek improvement but 2 years after installed was falling down – had to replace it 3 years after - Wall leaning over and falling down. He was told to Contact Dan. G. Did contact – never heard from him. Inspection was going to be done by Army of Engineers. If wall falls it will block the creek. Said he wanted to take tour with Army Corp Of Engineers. Never heard anything.

Saunders stated he had to leave his home due to flooding. Did some minor flood repairs then it has gotten worse. I would like the Borough engineers to look at this. Solicitor Lukesh stated that he should contact his Representative and he replied he would want council to do that.

Patricia Pacovsky- Shoemaker Ave. Asked that the Creek between her property and the Moonlight be looked at.

Jim Dennis – Stated that a critical thing is transpiring and the public has a right to know through the press. We would want the press to come.

Councilman Stavish stated that we cannot force them to come and said he could call and let them know.

A question was asked of Dan G. When you apply for a permit does contractor need to be registered?
Answer : Does have to be registered with the state, they do not need to be with the Borough. One does need proof of Insurance and pin number.

Question was also asked – Who is going to buy houses by the drive in when one passes away, and the house is for sale?

Jim Dennis asked if the sewers were going to be decreased. Answer – The final payment date for the sewer is 2020.

Mike Dolan – Bill will not disappear all together. The sewers will still need a maintenance fee.

Patricia Pacovsky – When did we get the letter? I went back a few months and looked at the council meeting minutes.

Mr. Symeon made three bids – going back a few years.

Linell Lukesh- We asked residents many years ago about issues at the Moonlight, about 2010 we made phone calls – no one wanted to be bothered. October 2013 the Borough got the property . It was in the newspaper.

Joe Erzar – About the sewer problem on Brady St. We have to get in touch with Krescavage to fix the sewer drain that runs down the road.

The snow plows onto the sidewalks, please ask the guys to stay off the sidewalks when plowing.

Another problem – kids come flying out Brady St on Bicycles, something to look at, also the speed of cars coming down Narrow and Brady.

Brian Kondrosky – People driving about 59 miles per hour, if Moonlight comes in concerned about cars, drugs, and alcohol. I feel this is a big bag of air. Council dosen't care, the decision was made, I love this town, I am from Bucks County. This area is going to be trashed.

Dan stated to have a little respect to the buyer of the Moonlight. We have to give the new owner a chance.

Brian Kondrosky – We are worried about the concept of what is going to happen. Beer Bottles, Soda cans if not picked up it will be all around the area. What will happen if garbage isn't picked up?

Dan Grescavage – That is why we have code enforcement.

Azarovich- I want an apology from Dan Grescavage on what mail I received and I paid my garbage sticker.

Dan Grescavage – I will not apologize. The Zoning Board states that you received the letter.

Gary Stavish – File a complaint if there is garbage left there.

For the D.E.P. and Penn Dot – that has to go through the county.

Mike Dolan – If there is a problem with garbage there is an ordinance. Report it, we will send the police and they will be fined or cited. We will work with the owner to put up garbage receptacles. We don't want to keep the property. The only person interested was Symeon.

Al Marina , Shoemaker Ave. I believe I am the oldest resident to see the drive in originally, I think I have first hand experience about the questions asked.

The exit road by Smiths land. Problem with that is with people leaving at 1 AM . Also problem with the wet lands, there will be floods. Bringing the road around the back is a bad idea. My father was a cop and knows what went on in the 50's and 60's. Times have changed. They are going to need the police constantly.

Gary Stavish - We agreed it floods. Mike Ross was the only person who ever testified and the court decided the property was usable. The Creek was altered. The court made us take over the property.

Resident - Will Flood gates be opened?

Gary Stavish – Gates will be closed. Scarlett strip keeps water from flooding. If he gives up permit he has to re-do the land so he will not give up permit.

Rick Humphry – Has owner mentioned about doing a flea market?

Gary Stavish – He would have to re-apply with county

Rick Humphrey – Need police to get people out –

Resident – said Symeon will hire 2 flag men.

Rick Humphrey– Litter – who will take care of that. Symeon wants to stay open until 1 AM.

The screen has to be re-done. It is made of asbestos – that is an environmental issue – A lot of the screen has already come down . Concession stand will flood. There are 23 acres at the Moonlight and zoned for 3 acres – dead center only –

Gary Stavish – None of this has anything to do with the borough. County decides on those things.

Rick Humphrey – Quad problem – Someone is going to be hit by a car crossing the streets , can anything be done?

Mike Dolan-We cannot pursue them.

Smith -What happen next – Does council vote on it?

Gary Stavish – No, we already accepted his offer. What Symeon decides to put on the property now depends on the County. We are just waiting on the county to take care of the taxes.

Resident – He has money to buy it? No stipulations for property by the borough zoned as a B4 light industries, Drive ins appear in B3.

Gary Stavish - That is why he had to get a variance.

Resident -Constructing a drive in on an old site cost about \$500.000

A Motion to adjourn by Councilman Colarusso, second by Councilman Dolan. All in favor. Motion carried.

