

**OLYPHANT BOROUGH
COUNCIL MEETING
SEPTEMBER 6, 2022**

Flag Salute: Baldan led with the Pledge of Allegiance.

Moment of Silence: Baldan asked all in attendance to recognize Steven Klem, former Council Member and current Planning Commission Member, who recently passed away.

Executive Session: Discussion regarding personnel.

Roll Call: Harrington, Hudak, Frushon, Tully, Krukovitz, Abda, and Baldan were present.

Minutes: A motion was made by Tully and seconded by Krukovitz to approve the minutes from the previous meeting, all members assented.

Borough Bills: A &A Auto \$510.54, AJ Gilgallon \$100.00, Berkheimer Associates \$445.69, Blakely Borough \$7,244.02, Building Inspection Underwriters of PA \$5,097.05, Cintas \$249.98, Corky's Garden Path Greenhouses \$175.00, DGK Insurance \$17,853.40, English's Hardware \$29.99, First Bankcard \$2,501.49, Frasier Advanced Information Systems \$225.75, GBA Premium Account \$2,923.40, Gerrity's Ace Peckville \$231.82, Fire Chief Robert Powell \$50.00, Hose Co. #1 \$1,300.00, Hose Co. #2 \$1,300.00, Hose Co. #4 \$1,300.00, Hose Co. #6 \$1,300.00, Hose Co. #8 \$1,300.00, Lackawanna County Recycling \$552.00, Louis LaFratte \$11,600.00, Legendary Autoworks \$351.87, Masters Concrete Products \$4,730.00, New Technologies \$966.14, Northeast Hydraulics \$11,031.32, Olyphant Ambulance \$450.00, One Point \$291.71, Otis Elevator \$140.63, PA Municipal Health Insurance Cooperative \$51,408.78, Pennsylvania Northeast Regional Railroad \$175.00, Positive Concepts \$369.00, Rossi Rooter \$2,397.50, Scranton Dodge \$1,768.50, Scranton Times \$2,205.12, Service Tire Truck Center \$1,036.40, Staples \$528.12, Stratix Systems \$8.34, TJ Novitsky \$398.35, UGI \$114.70, Verizon \$1,480.84, Vision Benefits \$290.85, ZEP Manufacturing \$697.46, **Total \$137,297.20.**

A motion was made by Abda and seconded by Harrington, to pay the bills when funds are available; all members assented.

TREASURERS REPORT: Income: Taxes \$201,101.81, Licenses & Permits \$12,887.77, Fines & Forfeits \$6,831.76, Interest, Rents & Royalties \$24.72, Intergovernmental Revenue \$12,000.00, Charge for Services \$9,239.63, Miscellaneous Revenues \$6,030.65, Other Finance Source \$122,833.33, Total Income \$370,949.67. Reconciliation Discrepancies \$4,074.70, Expense, Legislative Body \$1,541.64, Executive \$291.67, Executive Manager \$0, Financial Administration \$375.00, Tax Collection \$1,330.36, Law-Retainer Fee \$725.00, Clerk/Secretary \$9,813.54, Data Processing \$0, Engineering Retainer Fee \$708.34, General Government \$4,330.83, Public Safety \$96,310.53, Fire \$9,819.26, Ambulance/Rescue \$450.00, Protective Inspection \$4,094.50, Planning & Zoning \$225.00, Employee Salaries \$45,414.53, Recycling Collection \$574.80, Solid Waste Collection \$33,109.87, Wastewater Sanitary Sewer \$3,200.00, Highways \$26,581.20, Recreation \$6,426.20, Debt Service \$0, Miscellaneous Expenditures \$52,322.83, Total Expense \$301,719.90, Net Income **\$69,229.77.**

STATEMENT OF ACCOUNTS- Olyphant Borough General Fund Beginning Balance \$134,333.33, Receipts \$355,438.95, Interest \$1.23, Bills Paid \$259,766.78, Ending Balance \$230,006.73, General Hi-Fi (Parking Meters) Beginning Balance \$12,489.72, Meter Collection \$0, Interest Earned \$.082, Ending Balance \$12,490.54, Special Road Account (Liquid Fuels) Beginning Balance \$236,781.91, Interest Earned \$15.44, Liquid Fuels Ending Balance \$236,797.35, Sinking Fund Account Beginning Balance \$26,383.31, Receipts \$11,000.00 Loan Payments \$10,929.68, Ending Balance \$26,453.63, Refuse Account Beginning Balance \$68,476.40, Sale of Refuse Stickers \$3,436.00, Interest \$0.52, Bills Paid \$18,965.34, Ending Balance \$52,947.58, Police Pension Fund Beginning Balance \$2,225,689.70, Ending Balance \$2,144,474.69, Non Uniform Pension Plan Beginning Balance \$1,183,864.38, Ending Balance \$1,118,003.26, Phillip Condella Recreation Checking Beginning Balance \$498.03, Interest \$0, Ending Balance \$498.03, Fire Loss Escrow Account Beginning Balance \$72,414.74, Ending Balance \$72,414.74, Contingency Fund Beginning Balance \$703,968.32, Transfer \$12,000.00, Interest \$6.71, Endurance Money \$105,000.00, Flood CD \$55,635.62, Stafursky Paving \$4,111.75, M Mayo \$4,485.00, Check Charge \$14.45, Ending Balance

\$822,999.75, Flood Account Beginning Balance \$25,467.16, Interest \$0.21, Ending Balance \$25,467.37.

Secretary's Monthly Report: None.

Mayor's Monthly Report: August 2022 total incidents 793; Abandoned Vehicles 6, ALS call 13, Animal Incident 6, Assault 2, Assist Motorist 24, ATV 5, Automatic Fire 1, Building Check 130, BSL 10, Brush Fire 1, Burglary 2, Phone Message 128, Carbon Monoxide 0, Child Custody 1, Chimney Fire 0, Criminal Mischief 9, DOA 1, Disorderly Person 3, Dog Complaint 9, Domestic 11, Driving Drunk 2, Drugs 0, Dumping 1, Emotionally/Mental 4, Escort 7, Fight 4, Fraud 1, Harassment 5, Hazardous 1, Hearing /court 1, Highway/road 6, Hit and Run 6, Hold up/ robbery 0, Identity Theft 0, Intrusion Alarm 3, Investigation 93, Juvenile 4, Landlord Tenant 0, Lockout 5, Loitering 0, Lost/recovered 9, Missing Person 1, Motor Vehicle 22, Neighbor dispute 2, Non-Structure Fire 0, Nuisance 2, Ordinance 3, Other Unspecified 28, Overdose 2, Parking Issue 10, Police Assistance 4, Police Information 2, PFA 2, Public Indecency 2, Robbery/Holdup 0, Service 4, Sex Crime 0, Shooting 1, Special duty 5, Stolen Vehicle 3, Structure Fire 3, Suicide /attempt 3, Suspicious Person 0, Suspicious Vehicle 12, Theft 5, Threats 0, Traffic Control 13, Traffic Stops 103, Transport 4, Trespassing 4, Vehicle Fire 1, Vehicle Pursuit 1, Warrant Service 4, Water Main 0, Weapon 0, Welfare Check 19, Wire Down 3. Mayor Sedlak welcomed the birth of a son, of Officer Kyle Kolveck and his wife; still having issues with F-150, down 1 truck, the vehicle is 4 years old; the police received two pallets of disinfectant wipes available to the public; King assisted Blakely Police in an arrest; two officers completed drone training.

Engineer's Report: Attended Planning, Work Session and Monthly Borough Meetings, communicated with Soil Conservation Service, Lackawanna River Basin Sewer Authority and County engineer, pertaining to Borough Business; Communication with Zoning Officer about Planning Commission meeting items; Communication with Borough Manager/Solicitor, DPW Foreman and Zoning Officer regarding ongoing borough projects; Review of various Borough issues with DPW foreman, Borough Manager and council President; PA American and UGI, continued to call each utility company about repair to cuts made at various locations in the Borough; Communication with Delaware Ave, N Valley and side street re-pavement; MS-4 Submission and Communication with DEP and sub consultant KBA on submission of PRP (Pollution Reduction Plan); Lackawanna County OECD Borough Building ADA Access Project review of Shop Drawings and continued communication with Lackawanna County and contractor on project status; Flood Plain Administrator- review of multiple zoning applications for Flood Zone; Pedestrian Update Project completed project closeout; Olyphant Borough 2021 Dirt and Gravel Roads Project placement of seeding and price of guardrail installation to complete project; , communication with Lackawanna County Soil Conservation; DCNR Condella Park Equipment Project, sent all information to DCNR for Review awaiting confirmation; Borough Stormwater /Paving Project contractor started project removing remainder of fire station foundation and start stormwater; Borough Building ADA Update Project-Contractor placed footers and piers for roof and platform; performed project inspection and Communication with Lackawanna County and Contractor; 2022 Local Share Account Grant application-continuing application process for downtown project. **Reimbursable-Preliminary/Final Plans-Subdivision Plan-Triboro-** Review of Plan, prepared comment letter and Communication with Engineering; Communication with LCRPC, Borough Officials and Zoning Officer.

Code Enforcement Officer Report: Permit Activity 9 \$3,153.50, Administration Fee 9- \$675.00; Zoning Permits 13- \$520.00, Dumpster Permit 1- \$25.00; Pave Cut \$125.00, Total collected in August \$4,498.50; **Code Enforcement Activity:** Attended Planning Commission meeting regarding Triboro Industrial Park Minor Sub division, dividing 1 Parcel into 5 separate Parcels; CLTS Land Development Plan approved and signed; attended meetings with contractors regarding Endurance sewer line project; beginning to compile data on the Landlord/Towners of rental properties within the borough; Responded to RTK request; completed monthly permit report for Census Bureau; continue scanning plans to eliminate the need to store paper plans; continued to purge old paper work, plans and catalog pertinent documents for easier retrieval; Code Enforcement Activity: Filed

complaints with Magistrate's office; prepared paperwork and correspondence for upcoming Zoning Hearing Board meeting regarding an appeal of Zoning Officers Notice of Violation; numerous Notices out concerning violations of Borough Ordinances; attended magistrate hearing, continued until September at the request of defendant; Update: Nuisance property on W Line St. landlord paid judgement settlement and is in the process of cleaning up the property after the tenant moved; mailed numerous Violation Notices out concerning violations of Borough Ordinances; fielded numerous phone calls regarding complaints and concerns around the borough.

Manager/Solicitor Report: *Administration-* Coordinated the administration of the Olyphant Borough Electric Department and Electric Service Accounts including drafting and execution of payment agreements, discussions with account holders and account collection procedures; reviewed delinquent electric accounts collection summary report as compiled and submitted to the Borough Light Committee; consulted with Borough Civil Engineer regarding ongoing projects including the Downtown Revitalization Project; consulted with Borough Electrical Engineer regarding ongoing purchases, maintenance, usage and repair of Borough Electric Distribution System and reviewed new Electric Rates; consulted with Borough Civil and Electrical Engineers regarding ongoing projects and several proposed developments throughout the Borough; including meetings and discussions concerning the available capacity of electric supply to the Borough in order to provide Electric Service to the Endurance Development and for future growth; acted as CAO and provided required administration of Borough Police and Non-Uniform Pension Plans, reported balances and investments of Plans to Borough Council; calculated the Minimum Municipal obligation for both Pension Borough Plans; Conducted the administration of the Random Drug and Alcohol Testing Program regarding all DPW Employees having drivers licenses; conducted discussions regarding code enforcement officers and assisted in resolving several property maintenance conditions including the abatement of several nuisance properties; responded to several Right to Know Requests; processed and responded to several unemployment compensation claims; processed and coordinated several insurance claims regarding personal injury, property damage and sewer backups; participated in several discussions with the insurance carrier regarding ongoing Workers Compensation Litigation. **Legal:** Review of case files for Eric Hartshorn and Robert Powell and consulted on settlement of Hartshorn Workers; Compensation Claim and Powell Insurance Coverage; drafted Resolution for authorization to apply for a LSA Grant in the amount of \$80,000.00 for the Downtown Renovation Project; drafted Resolution for the 2022 CDBG Program funds in the amount of \$109,916.00 minus Lackawanna County Administration Cost in the amount of \$19,784.00; conducted discussions with Utility Engineers, P.C. regarding prospective service for the Borough; discussions with SEIU Business Agent regarding Olyphant Borough Personnel and negotiations concerning possible modification of Contract Provisions..

Fire Chief Report: Tully read Fire Chiefs Report; 8/5/ 1401 E Lackawanna Ave Saint Gobain Commercial AFA Bldg 2 smoke detector; 8/6 Lackawanna and N. Garfield 2 car MVA, no injuries; 8/7 1401 CanPack AFA general alarm; 8/8 305 Jackson St PA-14 asking lift assistance; 8/14 MVA vehicle vs. deer with injuries; 8/17 101 S. Valley Ave one car MVA into ditch and 628 S. Valley Ave. vehicle fire; 8/20 900 Susquehanna Ave. Brush Fire; 8/22 628 S Valley Ave vehicle in wall:8/23 Casey Hwy vehicle vs tractor trailer; 8/25 603 S. Valley Ave 2 car MVH head on collision; 8/27 230 Lackawanna fire alarm; 8/29 738 Beechwood Dr Dickson City mutual aid working structure fire; 8/31 117 Delaware Ave hissing from the gas meter.

Committee Reports: Krukovitz said there was garbage clean up on N. Valley Ave, Consburg area; Abda asked about the private roadway entering N Valley and By Pass intersection; Mustacchio said it is a hazard and asked the Engineer to find out who owns the property, and have issues addressed; Frushon said there was an issue with vandalism at Condella Park; suggested getting quality cameras for the parks; asked Code Enforcement to look at property issue the 100 block of Susquehanna, he said he was aware of the situation; Abda asked about seeking a grant regarding cameras; Baldan said the problem is getting the equipment; Baldan announce the Borough received \$100,000 grant from DCNR for Fern Hill Park; Hudak asked LaFratte about the Infrastructure Project; he said it will ready to go next month; A DPW meeting is scheduled for Monday 9/12/22 at 10:30 AM; Hudak

asked when will the pothole repairs be completed; Abda commended the Mayor for addressing the Police scheduling and there is no need for a Police committee meeting;

A motion was made by Abda and seconded by Krukovitz to accept the reports; on the question Abda noted the correction that Moskel made in regard to the Police Pension account, which was corrected; all members assented.

Unfinished Business: None

New Business: A motion by Abda and seconded by Frushon to approve BIU as Inspector for Residential Rental Ordinance and adjust the agreement to reflect the Landlord fee of \$50 per unit every two years; on the question it was asked when this would be implemented, and Shigo he needs to get a list of owners; he said sometime early 2023; all members present assented.

A motion was made by Abda and seconded by Harrington to approve the 2023 Olyphant Borough Police pension Plan Minimal Municipal Obligation in the amount \$132,915.00 and the Non-Uniform Pension Plan, Minimal Municipal Obligation in the amount \$25,562.00, all members assented.

A motion was made by Hudak and seconded by Frushon to approve the Refuse Collection Policy as a maximum of six (6) bags to be collected each week; from individual households, all members assented.

A motion was made by Abda and seconded by Hudak to approve a COVID Policy as to testing, back to work time periods and use of PTO regarding Borough employees that contract COVID; all members assented.

Public Hearing: MS-4 Pollution Reduction Plan- the purpose of this plan is to reduce pollution from tributaries that eventually discharge into the Chesapeake Bay; there was no comments.

A motion was made by Abda and seconded by Harrington to approve the MS-4 Pollution Reduction Plan; all members assented.

A motion was made by Hudak and seconded by Krukovitz to approve Resolution authorizing application for LSA Grant in the amount of \$80,000.00, for Façade Improvements and Parking Meters; all members assented.

A motion was made by Tully and seconded by Krukovitz to approve CDBG Certification and Resolution in the amount of \$109,916.00 minus Administration Cost in the amount of \$19,784.00, all members assented.

A motion was made Harrington and seconded by Krukovitz approve an Electric Charging Station in Municipal Parking Lot, on the question Frushon asked how soon can it be implemented; LaFratte said using the Pump Station as a power source, the system would be set fairly quickly; all members assented.

A motion was made by Hudak and seconded by Tully to appoint Utility Engineers, P.C. as Borough Electrical Engineers; all members assented.

A motion was made by Hudak and seconded by Krukovitz to authorize the Borough to join PLGIT and to invest \$100,000.00 in 1 year CD; on the question Mustacchio suggested using funds from accounts that do not have much activity, such as Flood Account; Frushon asked what the interest rate was and why did we not look into this sooner; Mustacchio said it fluctuates, right now it 3.6%, and the reason we did not do it sooner, was there were some lean years; all members assented.

Public Comment: John Kowalchik asked about the garbage limits and does the Borough still pick up the garbage; no more than six bags and yes, the Borough still does refuse pickup; he asked what the new fee was on the Electric Bill; it is a \$20.00 meter charge; Mustacchio said we were running into problems with the garbage stickers; Council may look at the meter charge, and may look at elderly accounts and its effects; Kim McDonald said she has an unattached garage with a separate meter, and asked if Council would they take a situation like this, into consideration, where there isn't much electricity being used; Mustacchio said that each meter has service charge, and no it would not be taken into consideration; her husband suggested put signs up in the park, to alert the police of any suspicious activities; Christine Powell said there is a problem with the flag pole at the square; Council was aware of the problem; she asked how many applicants were there for the Borough Manager's position; four have been received; she asked what kind of business is in the old Sullum's store; Shigo said it's a general store; she asked if Keystone Stage needed a permit to sell food; Shigo said if it is

packaged food, no, but if it is prepared there, they would need a permit from the PA Health Inspector; she said there were people sitting on the marquee, Shigo said he wasn't aware of it, but said the Fire Chief has the authority to enforce capacity concerns; she said there was a fire in the bathroom at Fern Hill Park, that was not reported, she said that is why we need cameras; Baldan said we are working on it, but it is supply issue; Henry DePietro said he is glad to see Council will take into advisement, to consider changing the meter charge; he also said what is with the potholes, he said they pour tar into the hole but never fill them; Mustacchio this should have been taken care of in April.

Adjournment: A motion was made by Abda and seconded by Krukovitz Adjourn.

Secretary

John Tomcho