

Minutes of the West Pittston Borough Council Meeting of October 11, 2023

PLEDGE OF ALLEGIANCE

1st ORDER- CALL TO ORDER

The Meeting was called to order at 6:33 PM by President Quinn at the West Pittston Borough Building, 555 Exeter Avenue West Pittston, PA.

2ND ORDER- ROLL CALL

Roll Call was taken by Secretary Kendra-lee O'Brien. Council: William Bohn, Jim Butera, John Hood, Ray Judge, President Ellen Quinn. Absent: Mayor Angelo Alfano, Jared Jordan and Ian Stevenson

Five members are in attendance, so a quorum is established.

3RD ORDER- EXECUTIVE SESSIONS

An executive session was held on September 20, 2023, from 6:00 PM to 6:30 PM at the West Pittston Borough Building for the purpose of discussing legal and personnel issues regarding the Department of Public Works and Wyoming Area Regional Police. All Council Members were in attendance as well as the Borough solicitor, Attorney Bufalino.

4TH ORDER- PUBLIC PARTICIPATION PERIOD FOR AGENDA ITEMS ONLY

Lynn Burbank of the Shade Tree Commission asked about the Shade Tree Ordinance and if the execution of the ordinance will fall to the Commission or the Code Office. The advertised ordinance was for code enforcement to write summons, but she was informed that that has changed. The Commission is not trained code enforcers, nor are they getting paid so how and why should the Commission be the ones to write summons.

5TH ORDER- APPROVAL OF MINUTES

Motion to approve and accept the minutes from September 6, 2023, as prepared and to place them on file in the Borough Office.

By: Bohn 2nd: Hood Motion Carried by All

6TH ORDER- REPORTS OF OFFICERS

Motion to accept the Reports of Officers as submitted and place it on file in the Borough office.

By: Bohn 2nd: Hood Motion Carried by All

Motion to approve and accept the corrected Mayor's Report from September 6, 2023, as prepared and place it on file in the Borough office. Total incorrectly read \$1,302.26 and should have been \$191.39.

By: Bohn 2nd: Hood Motion Carried by All

7TH ORDER- CORRESPONDENCE

Kendra-lee O'Brien reported the following correspondences have been placed on file in the Borough office:

A. WVSA - monthly report

B. Resident request for street closures of Delaware Avenue from Wyoming to Fifth Street and Fourth Street from Montgomery to Philadelphia on October 31, 2023, from 6-9 PM

C. Request for street closures of Third Street from North to Delaware and Delaware from Third to Second on October 21, from 3:30 PM to 6:30 PM.

D. Request from Exeter Events for the street closure of Erie Avenue from Wyoming to Susquehanna on November 25 from 9am to Noon for the Exeter Borough Turkey Trot.

E. Letter of Resignation from the West Pittston Parks & Recreation Committee from Barbara and Aldo Cardoni, effective immediately.

8TH ORDER- SOLICITOR

Attorney Bufalino stated that he prepared a resolution concerning the street closures on October 21 and October 31, 2023

9th ORDER-REILLY ASSOCIATES

Motion to place the monthly report prepared by Reilly Associates concerning LSA paving project, Bridge closure traffic, Luzerne Avenue CDBG closeout, LSA Applications and place it on file in the Borough office.

By: Bohn 2nd: Hood Motion carried by all

10th ORDER- MAYOR

Mayor Alfano was absent.

- A.** Police Report: Chief Turner reported that there were 622 calls, 138 in West Pittston. 23 traffic citations, 19 arrests, active narcotics investigations, and ongoing investigation concerning the Wyoming Area School district, and an overdose death.

11th ORDER-ADMINISTRATION

Motion to approve payroll of September 8, 2023, in the amount of \$21,996.43; and September 22, 2023, in the amount of \$18,300.75, totaling \$40,297.13.

By: Butera 2nd: Hood Motion Carried by All

Motion to approve General Fund Pre-paid bills totaling \$168,232.51

By: Butera 2nd: Hood Motion Carried by All

Motion to approve General Funds bills totaling \$539.58

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the Eastern Branch Settlement Agreement.

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the resolution for street closure requests on October 31 and October 21, 2023.

By: Butera 2nd: Hood Motion Motion brought to a roll call vote

Stevenson: A Jordan: A

Butera: Nay Quinn: Nay Hood: Aye Bohn: Nay Judge: Nay

Motion does not carry, resolution voted down

Kuharchik Construction Inc Invoice #414759 in the amount of \$516.00 for repair of low hanging wire on Montgomery Avenue to Delaware on 8/18 and 8/22

By: Butera 2nd: Hood Motion Carried by All

Motion to approve a resolution to establish procedures for the standard destruction of recordings upon the adoption of minutes by Council.

By: Butera 2nd: Hood Motion Carried by All

Motion to approve a resolution to hold in abeyance the COVID-19 Emergency Declaration and COVID-19 Personnel Policy.

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the West Pittston Borough NUF Pension Plan Administrative Fee from 3rd Quarter 2023 in the amount of \$364.84

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the West Pittston Borough Police Pension Plan Administrative Fee from 3rd Quarter 2023 in the amount of \$361.13

By: Butera 2nd: Hood Motion Carried by All

Motion to adopt a Quality of Life and Violations Ticket Process Ordinance.

By: Butera 2nd: Hood Motion Carried by All

Motion to approve applying for the County LSA West Pittston Grant Application for 2023

By: Butera 2nd: Hood Motion Carried by All

Motion to ratify the Resolution for County LSA West Pittston Grant Application for 2023

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the 2023 Proposed Amended Operating Budget

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the resolution Amending and Fixing Salaries of Certain Officers and Employees of West Pittston Borough for the Year Beginning 1/1/2023

By: Butera 2nd: Hood Motion Carried by All

Motion to approve submitting to Luzerne County OCD for payment approval the Reilly Associates Invoice No. 3 totaling \$52,146.83

By: Butera 2nd: Hood Motion Carried by All

Motion to table the traffic study prepared by Reilly Associates regarding the intersection of Wyoming Avenue and Susquehanna Avenue and authorization to submit to PennDot for review and approval

By: Butera 2nd: Hood Motion Carried by All

Motion to authorize the Solicitor to draft an Ordinance regarding the intersection of Wyoming Avenue and Susquehanna Avenue (Attorney Bufalino stated that he will wait until the traffic study is complete)

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the 2021 FMA West Pittston Grant Agreement for flood mitigation project in the amount of \$562,500.00 to be applied to levee design.

By: Butera 2nd: Hood Motion Carried by All

12TH ORDER-CODE ENFORCEMENT & ZONING

Motion to accept the monthly permit and case report, submitted by Barry Isett, to be kept on file in the Borough Office.

By: Bohn 2nd: Hood Motion Carried by All

Motion to approve Barry Isset & Associates (August) Invoice # WV-181412 in the amount of \$7,565.00 and Flood Plain Management in the amount of \$85.00, totaling \$7,650.00

By: Bohn 2nd: Hood Motion Carried by All

13th ORDER- PUBLIC SAFETY

Motion to hire Cory Sienkiewicz of 322 Pacific Avenue for the part-time West Pittston Fire Department Truck Driver

By: Hood 2nd: Bohn Motion Carried by All

14th ORDER-PUBLIC WORKS

Motion to accept the monthly report, submitted by Tony Scalzo.

By: Butera 2nd: Hood Motion Carried by all

Motion to install handicap parking sign for 333 Fremont Street, having been approved by DPW and WARP

By: Butera 2nd: Hood Motion Carried by All

15th ORDER- PARKS & RECREATION

Motion to appoint Beth Burke Davis of 111 York Avenue to the Parks & Recreation Committee

By: Hood 2nd: Judge Motion Carried by All

Announcement of the Parks & Rec Halloween Event on October 28, 2023, 1:00-2:30 PM in Morris Park

Motion to accept the resignation of Barbara and Aldo Cardoni from Parks & Recreation Committee, effective immediately.

By: Hood 2nd: Bohn Motion Carried by All

16th ORDER- SHADE TREE COMMISSION

Motion to approve the amendment to the Shade Tree Ordinance.

By: Butera 2nd: Bohn Motion brought to a roll call vote

Stevenson: A Jordan: A

Butera: Nay Quinn: Nay Hood: Nay Bohn: Nay Judge: Nay
Motion does not carry, resolution voted down

17th ORDER- WEST PITTSTON TOMORROW

Lynn Burbank announced that the next West Pittston Tomorrow meeting is on Monday October 16, 2023, at the West Pittston Borough Building.

18th ORDER- PUBLIC PARTICIPATION

Resident asked if Council could recommend anything about the street closure.

President Quinn said that the Council can close, suggested bringing it to the Council as a town event. Insurance is required by all municipalities. Resident asked if the motion can be approved, providing that proof of insurance will be given.

Chief Turner said that the Mayor just contacted him and ordered the streets to be closed for public safety. Chief Turner said that there is a severe public safety threat and that the streets should and will be closed with the support of the Mayor.

Solicitor Bufalino said that insurance is required. He suggested that there needs to be a meeting with the Mayor and the Chief to clarify how and why the street closure can occur, especially since the Council voted to not close the streets.

*Motion was made to open and amend the agenda.

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the street closure of Delaware Avenue and Fourth St on October 31, 2023, contingent on submission of insurance by requesters of Delaware Avenue

By: Butera 2nd: Hood Motion Carried by All

Motion to approve the street closure for Howell-Lussi Halloween event on October 21, 2023, contingent on submission of insurance by requester.

By: Butera 2nd: Hood Motion Carried by All

*In compliance with the Sunshine Act, there was a correspondence submitted within 24 hours of the meeting and requires immediate attention. It came in at 3:42 PM on the day of the meeting.

Motion made to approve payment of \$19,800 to Green Valley Landscaping for tree lawn improvements on the Eastern Branch Project.

By: Butera 2nd: Hood Motion Carried by All

Resident asked for a clarification on the Shade Tree Commission amendment and what was actually voted on.

Attorney Bufalino explained how Shade Tree Commission can write citations themselves because PA Legislation requires Shade Tree Commission to be a separate legal entity, including their own solicitor. Because of that, it would be against that outline for the Borough's code officer to be involved in those citations. The Commission will use an ORI number that allows them to issue non-traffic citations that they will be able to bring before the judge. Bufalino explained the process and that if there are questions on how other boroughs work then they would have to be asked directly. Shade Tree Commission will not be getting paid for this process and the amended agenda will be on the November agenda. The summonses are available on the Unified Judicial Systems website as printable citation forms. This will be on the November agenda as planned. The Shade Tree Commission will be using the Borough's ORI

*There is an error on Item S of Order 11. It should read \$562,500.00 It is a grant for levee design and environmental studies toward levee.

Resident stated that the street closures would be for the benefit of the kids and the community.

Chief Turner said that he received a request from Wyoming Area to alter the traffic pattern of Boston Avenue for two of the high school football games. The Wyoming Area School police will be handling traffic.

19th ORDER- ANNOUNCEMENTS

A. Leaf Pick up began on October 9, 2023. Please put leaves on the tree lawn and not on the street. Washington, Warren, Spring, and Parke will be picked up on Friday.

B. Residents can participate in the Luzerne County Electronics Recycling Event on October 28th, 2023, from 3-6 PM at the Luzerne County Soccer Fields in Forty Fort. Prices are: \$35 per car/truck/SUV; 2nd TV= \$30; 1 TV/Monitor per tag with no cracked screens; no commercial vehicle over ¾ ton. Payment by check only and available in the Borough office during business hours.

C. If anyone is interested in serving on any boards for West Pittston Borough, please contact the Borough Secretary with a letter of interest.

20th ORDER- ADJOURNMENT

Meeting adjourned at 7:31 PM by Bohn, 2nd by Hood

Submitted,

Kendra-lee O'Brien, Borough Secretary and Secretary to Council