

**OLYPHANT BOROUGH  
COUNCIL MEETING  
AUGUST 2, 2022**

**Flag Salute:** Baldan led with the Pledge of Allegiance.

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

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

**Borough Bills:**, Auto Zone \$80.30, Berkheimer Associates \$330.36, Blakely Borough \$8,190.78, Cerra Signs \$50.00, Cintas \$149.89, Comcast \$1,971.43, Corky's Garden Path Greenhouses \$175.00, Fed Ex \$24.66, First Bankcard \$1,496.17, Five Star Equipment \$1,692.89, Fleet Pride Heavy Duty Expert \$183.48, Frasier Advanced Information Systems \$509.27, Gerrity's Ace Peckville \$252.43, Gibbons Ford \$720.69, Greenfield Power Equipment \$250.00, AJ Gilgallon \$100.00, 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, Home Depot \$226.44, Hunter Keystone Peterbilt \$2,575.06, & \$12,299.69, Jan Pro \$729.00, Kwik N Ezy \$148.00, Lackawanna County Recycling \$574.80, \$612.60, Louis LaFratte \$10,950.00, Legendary Autoworks \$1,450.43, M Mayo Sealcoating \$4,485.00, Manasek Auto Parts \$25.14, , New Technologies \$262.50, Northeast Inspection Consultants \$225.75, Olyphant Ambulance \$450.00, One Point \$299.89, Positive Concepts \$369.00, Scranton Times \$364.16, Staples \$440.77, Thomas O'Boyle Auto Service \$109.90, Trittech Software \$1,385.84, Verizon \$740.42, Vision Benefits \$277.00, Witner Public Safety Group \$739.18, **Total \$49,655.63.**

A motion was made by Abda and seconded by Krukovitz, to pay the bills when funds are available, on the question Hudak asked about the Hunter Peterbilt bills, there are two different vehicles; Abda said there is another vehicle at NE Hydraulics; the \$12,299.69 bill is for 2019 Truck; Abda asked when did we start using Legendary Auto again, their bill was for seven separate invoices; all members assented.

Baldan announced the Bids for the 2022 Paving Project were closed: LaFratte opened the bids; there were three: Pennsy Supply \$81,430.00, Wayco Inc. \$65,392.00 (said work could not be done this year), New Enterprise Stone & Lime \$84,770.00; Mustacchio asked if there was a Pre-Bid meeting; LaFratte said that American Asphalt was the only company that attended, and said they were unable to do the work this year and that was the reason they did not submit a bid.

A motion was made by Hudak and seconded by Krukovitz to introduce a proposal to award the 2022 Paving Contract to Pennsy Supply in the amount of \$81,430.00; all members assented.

A motion was made by Abda and seconded by Frushon to award the bid, contingent upon the final review of the bid bond, to Pennsy Supply in the amount of \$81,430.00; all members assented.

**TREASURERS REPORT:** Income: Taxes \$39,668.06, Licenses & Permits \$49.10, Fines & Forfeits \$779.36, Interest, Rents & Royalties \$9.39, Intergovernmental Revenue \$248,972.33, Charge for Services \$28,564.62, Miscellaneous Revenues \$26,812.11, Other Finance Source \$23,000.00, Total Income \$367,854.97. Expense, Legislative Body \$1,541.64, Executive \$291.67, Executive Manager \$0, Financial Administration \$375.00, Tax Collection \$3,166.32, Law-Retainer Fee \$725.00, Clerk/Secretary \$9,521.19, Data Processing \$136.24, Engineering Retainer Fee \$725.00, General Government \$715.51, Public Safety \$71,146.37, Fire \$9,919.13, Ambulance/Rescue \$450.00, Protective Inspection \$5,873.31, Planning & Zoning \$1,285.00, Employee Salaries \$30,458.73, Recycling Collection \$220.40, Solid Waste Collection \$7,951.27, Wastewater Sanitary Sewer \$4,647.50, Highways \$34,143.66, Recreation \$5,928.69, Debt Service \$10,929.68, Miscellaneous Expenditures \$114,685.41, Total Expense \$314,700.48, Net Income **\$58,154.49. STATEMENT OF ACCOUNTS-** Olyphant Borough General Fund Beginning Balance \$102,650.67, Receipts \$207,656.97, Interest \$1.75, Bills Paid \$185,512.06, Ending Balance \$124,797.33, General Hi-Fi (Parking Meters) Beginning Balance \$12,446.83, Meter Collection \$0, Interest Earned \$0.10, Deposit \$42.00, Ending Balance \$12,488.93, Special Road Account (Liquid Fuels) Beginning Balance \$270,877.93, Interest Earned \$1.97, Stafursky Paving \$4,100.00 Liquid Fuels Ending Balance

\$236,799.90, Sinking Fund Account Beginning Balance \$26,242.67, Receipts \$11,000.00 Loan Payments \$10,929.68, Ending Balance \$26,312.99, Refuse Account Beginning Balance \$56,740.02, Sale of Refuse Stickers \$33,340.00, Interest \$0.38, Bills Paid \$11,268.03, Ending Balance \$78,812.38, Police Pension Fund Beginning Balance \$2,167,098.89, Ending Balance \$2,225,468.70, Non Uniform Pension Plan Beginning Balance \$1,127,684.04, Ending Balance \$1,183,864.38, 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 \$720,572.26, Transfer \$12,000.00, Interest \$6.16, DCED Reimbursement \$126,189.00, Fulton Bank two leases \$24,494.00, Kuharchik \$113,514.80, Sean Byrne Construction \$16,790.00, Ending Balance \$703,968.32, Flood Account Beginning Balance \$25,466.94, Interest \$0.22, Ending Balance \$25,467.16.

**Secretary's Monthly Report:** None.

**Mayor's Monthly Report:** July 2022 total incidents 733; Abandoned Vehicles 3, ALS call 18, Animal Incident 3, Assault 2, Assist Motorist 17, ATV 3, Automatic Fire 1, Building Check 140, BSL 8, Brush Fire 1, Burglary 1, Phone Message 148, Carbon Monoxide 1, Child Custody 1, Chimney Fire 0, Criminal Mischief 5, DOA 0, Disorderly Person 3, Dog Complaint 9, Domestic 12, Driving Drunk 1, Drugs 1, Dumping 3, Emotionally/Mental 4, Escort 1, Fight 2, Fraud 2, Harassment 4, Hazardous 4, Hearing /court 4, Highway/road 9, Hit and Run 1, Hold up/ robbery 0, Identity Theft 2, Intrusion Alarm 12, Investigation 59, Juvenile 0, Landlord Tenant 1, Lockout 2, Loitering 0, Lost/recovered 3, Missing Person 2, Motor Vehicle 11, Neighbor dispute 6, Non-Structure Fire 0, Nuisance 3, Ordinance 4, Other Unspecified 29, Overdose 2, Parking Complaint 11, Police Assistance 4, Police Information 2, PFA 0, Robbery/Holdup 1, Service 3, Sex Crime 0, Shooting 1, Special duty 6, Stolen Vehicle 0, Structure Fire 3, Suicide /attempt 2, Suspicious Person 9, Suspicious Vehicle 9, Theft 8, Threats 1, Traffic Control 15, Traffic Stops 68, Transport 2, Trespassing 6, Vehicle Pursuit 1, Warrant Service 2, Water Main 0, Weapon 0, Welfare Check 20, Wire Down 0. During the month we have had 68 Traffic stops; during the stops there were 20 Warnings and 22 Citations given; about 25% of the warning turn into citations; Truck 4 is going down to Ford for a new front axle differential; this repair is covered by warranty; we also had the resignation of David Graham who was one of our part-time officers; Sedlak said he and Chief DeVoe and the rest of the officers are continuing a great communication.

**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 Communication with DEP and sub consultant KBA on submission of PRP; 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 and reimbursement submission to DCED, began closeout of project; Olyphant Borough 2021 Dirt and Gravel Roads Project placement of Driving Surface Aggregate, communication with Lackawanna County Soil Conservation; DCNR Condella Park Equipment Project, completed design, drawings and contract documents for project; 2022 Pothole patching project Contractor completed work on project, inspection and approved payment application; Borough Stormwater /Paving Project received signed contract, bonds and insurances; communication with contractor about start date; 2022 Local Share Account Grant application-began application.

**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, \$250.00, Total collected in July \$4,498.50; **Code Enforcement Activity:** 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: Mailed numerous Notices out concerning violations of Borough Ordinances; attended magistrate hearing; 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 proposed new Electric Rates, possibly going into effect September 1st; consulted with Borough Civil and Electrical Engineers regarding ongoing projects and several proposed developments throughout the Borough; including meetings and discussions with PPL 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 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. **Legal:** Discussions and review of insurance coverage with Insurance Agency regarding the renewal of the Borough Insurance Package and the Workers Compensation Policy; drafted a Resolution for the appointment of additional, alternate Zoning Hearing Board Members; drafted and submitted claim for damage to Borough Electric facilities; reviewed requests for tax assessment appeals, prepared and advertised notice for Borough Manager Position; review of case files for Eric Hartshorn and Robert Powell.

**Fire Chief Report:** Abda read the Fire Chief's Report- 7/1 205 Lackawanna Ave gas odor; 7/1 26-1 relocate to Station 63; 7/1 228 Gravity porch fire; 7/1 N. Valley & Northpoint smoke in the area; 7/2 CanPack AFA; 7/2 Dickson City Mutual Aid; 7/5 66 Adams CO alarm; 7/5 700 E Grant St Fireworks on fire; 7/6 417 Delaware Ave gas odor; 7/7 Walsh Plaza Electrical box sparking; 7/14 Ken's Bar gas odor; 7/17 Behind Borough Building small fire; 7/21 229 S Valley Ave Electrical outlet burning smell; 7/22 Church MVA; 7/22 405 Lackawanna Ave building material hanging; 7/23 N Garfield and Park smell of burning rubber; 7/24 CanPack AFA; 7/24 Fleetville relocate; 7/25 325 Lynch St Open burn call; 7/28 CanPack AFA; 8/1 Valley View Dr. UTV lost in woods; Fire Department along with Police and EMS will be conducting a walk through CanPack due to changes throughout the structure..

**Committee Reports:** Krukovitz apologized on repair delay on trucks; Frushon said there was an issue with Condella Park bathrooms, resolved; coordination of Lions Football schedule and maintenance; Hudak said trimming is needed along Earth Levee at Condella Park; need work order for ponding along trail; pothole repairs and catch basin issues, project to be completed by DPW; vehicle and equipment inspections need to be done; asked for meeting DPW Committee; Hudak asked about Infrastructure Project; LaFratte said it should be ready to proceed next month; Abda said Condella Park will need more garbage receptacles; Abda applauded the work of the Police and the Committee members; CanPack is working on a way to cancel AFA before it is sent out to Com Center; Baldan said CanPack is organizing to schedule a Phot-op, donation being made to the Borough; Tony's Pizza demolition should begin sometime after Labor Day.

A motion was made by Krukovitz and seconded by Hudak to accept the reports; all members assented.

**Unfinished Business:** None

**New Business:** A motion by Abda and seconded by Krukovitz to adopt a Resolution to appoint two (2) alternate members of the Olyphant Borough Zoning Hearing Board Joseph Collarini and Edward Woytach; all members present assented.

A motion was made by Hudak and seconded by Krukovitz to approve the renewal of Borough Insurance Liability Insurance Package, Employee and Official Bonding to go into effect August 1, 2022 and the Borough Worker's Compensation Insurance Police to go into effect August 14, 2022, all members assented.

A motion was made by Abda and seconded by Krukovitz to authorize solicitation of Quotes for line painting of crosswalks at school bus stops and other marked crosswalk locations and to authorize award of the contract; all members assented.

A motion was made by Hudak and seconded by Abda to introduce authorization to have LaFratte apply to the Signal Technologies Grant Program for the upgrade of traffic signals at S. Valley, E. Scott and Burk By-Pass intersection and to solicit help through Kuharchik Construction for design; all members assented.

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**Public Comment:** Lauren Telep said she was able to introduce Jerry Tully to WBRE Reporter, and he was able to discuss the new crosswalks and the revitalization of the downtown; she said the SWAT team was able to use the old SS Cyril's School for practice; She said there has been a car parked on Willow Ave, next to the bank for weeks; police will look into it; complained about an individual working on cars at 834 E Scott St; she asked if Council considered different rates for flat fee for electric meter; Baldan explained that was increased to keep pace with PPL service; Christine Powell said there were 21 responses to CanPack since beginning of the year; she heard the AFA isn't audible throughout their complex; Shigo will look into it; Atty. Bradley Moyer, representing Bar & Company, asked Council if they would consider creating an Ordinance, which would allow the Borough, instead of Liquor Control Board, dictate what is considered a nuisance or a noise violation for outdoor events; currently LCB regulates and determines noise violations; this has had an adverse effect on bars everywhere because of the increased outdoor venues; he gave Council a sample Ordinance, which the City of Scranton has enacted, and is asking Borough Council to consider passing a similar Ordinance; Mustacchio said we have looked at this in the past, and it is difficult to enforce and with the LCB regulating it, it takes the politics out enforcement; Baldan said the problem is, anyone can make a complaint; Frushon asked what are the regulations; Mustacchio said you have to ascertain a standard to enforce it.

Adjournment: A motion was made by Abda to Adjourn.

Secretary

John Tomcho