

**OLYPHANT BOROUGH
COUNCIL MEETING
OCTOBER 4, 2022**

Flag Salute: Baldan led with the Pledge of Allegiance.

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: AJ Gilgallon \$100.00, AM Trust North America \$11,894.00, Building Inspection Underwriters of PA \$3,427.23, Cintas \$355.05, Corky's Garden Path Greenhouses \$59.98, Thomas Cummings \$485.00, DGK Insurance \$8,926.70, FedEx \$24.66, Frasier Advanced Information Systems \$258.84, 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, Hunter Keystone Peterbilt \$293.00, Jan Pro \$729.00 John Stankiewicz \$5,700.00, KBA Engineering \$5,640.00, Louis LaFratte \$11,390.00, Legendary Autoworks \$1,798.44, Manasek Auto Parts \$60.62, Northeast Inspection Consultants \$213.50, Olyphant Ambulance \$450.00, One Point \$63.38, Rossi Rooter \$1,520.00, Staples \$471.29, Stratix Systems \$8.34, UGI \$53.16, Witmer Associates \$3,451.89, **Total \$63,874.08.**

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

TREASURERS REPORT: Income: Taxes \$48,073.11, Licenses & Permits \$0, Fines & Forfeits \$682.23, Interest, Rents & Royalties \$9.96, Intergovernmental Revenue \$175,389.82, Charge for Services \$4,972.45, Miscellaneous Revenues \$272,459.21, Other Finance Source \$133,783.33, Total Income \$635,370.11. Expense, Legislative Body \$1,541.64, Executive \$291.67, Executive Manager \$0, Financial Administration \$7,400.00, Tax Collection \$4,176.08, Law-Retainer Fee \$1,041.47, Clerk/Secretary \$15,276.78, Data Processing \$0, Engineering Retainer Fee \$625.00, General Government \$1,953.43, Public Safety \$79,597.45, Fire \$10,818.32, Ambulance/Rescue \$450.00, Protective Inspection \$7,309.30, Planning & Zoning \$550.00, Employee Salaries \$30,552.01, Recycling Collection \$2,083.56, Solid Waste Collection \$69,810.93, Wastewater Sanitary Sewer \$7,363.50, Highways \$96,371.58, Recreation \$5,411.82, Debt Service \$10,929.68, Miscellaneous Expenditures \$163,217.62, Finance Uses \$28,698.08, Total Expense \$545,463.92, Net Income **\$89,906.19.** **STATEMENT OF ACCOUNTS-** Olyphant Borough General Fund Beginning Balance \$229,981.73, Receipts \$590,369.73, Interest \$2.76, Bills Paid \$792,632.03, Ending Balance \$27,722.19, General Hi-Fi (Parking Meters) Beginning Balance \$12,489.5, Meter Collection \$0, Interest Earned \$.102, Ending Balance \$12,490.77, Special Road Account (Liquid Fuels) Beginning Balance \$236,797.38, Interest Earned \$19.47, Deposit \$234.54, Liquid Fuels Ending Balance \$237,051.16, Sinking Fund Account Beginning Balance \$26,453.63, Receipts \$11,000.00 Loan Payments \$10,929.68, Ending Balance \$26,523.95, Refuse Account Beginning Balance \$52,947.58, Sale of Refuse Stickers \$550.00, Interest \$0.38, Bills Paid \$17,134.06, Ending Balance \$36,363.90, Police Pension Fund Beginning Balance 2,144,474.69, Ending Balance \$2,013,788.78, Non Uniform Pension Plan Beginning Balance \$1,118,003.26, Ending Balance \$1,038,469.20, 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 \$822,999.75, Transfer \$12,000.00, Interest \$6.82, MMO \$134,691.74, Taxes \$21,440.42, NC Outdoor \$1,600.00, CNA \$900.00, Jacobeno \$3,200.00, M&T Bank \$14,647.77, Ending Balance \$967,648.48, Flood Account Beginning Balance \$25,467.60, Interest \$0.23, Ending Balance \$25,467.60, American Rescue Plan Beginning Balance \$262,876.73, Deposit \$263,707, Ending Balance \$4526,584.61.

Secretary's Monthly Report: None.

Mayor's Monthly Report: None.

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 Resubmission to, and Communication with DEP and sub consultant KBA on submission of PRP (Pollution Reduction Plan) and annual MS4 Report; Lackawanna County OECD Borough Building ADA Access Project-Contractor placed sidewalks, began placement of steel for platform and handrailing; performed project inspection and communication with Lackawanna County and Contractor Flood Plain Administrator- review of multiple zoning applications for Flood Zone, attended meeting with FEMA Representative about the Borough; Olyphant Borough 2021 Dirt and Gravel Roads Project- project inspection by Lackawanna County Soil Conservation, submitted all invoices and project completion form for grant reimbursement; DCNR Condella Park Equipment Project, received and correcting comments from DCNR; Borough Stormwater /Paving Project contractor continuing project continued placement of stormwater system, placed concrete sidewalk, downspouts, line painting, parking blocks and handicap parking signs; performed project inspection and communication with Contractor; 2022 Local Share Account Grant application-completed application process for downtown project (Street Lighting, Parkin Meters and facades); 2022 Local Share Account Grant application-Began and completed application for Borough Police Station Garage Facility; LaFratte said the pothole patching will begin and should be completed within the next couple of weeks. **Reimbursable- Preliminary/Final Plans-Subdivision Plan-Triboro-** Review of Lackawanna Co. Planning comment letter; Communication with Engineering; Communication with LCRPC, Borough Officials and Zoning Officer; attended Planning Commission Meeting.

Code Enforcement Officer Report: Permit Activity: UCC Building Permits 2, Administration Fee 2, Zoning Permits 9, Pave Cut 1, Dumpster Permit 1, Total collected in September \$6,653.45; **Code Enforcement Activity:** Attended Planning Commission meeting regarding Triboro Industrial Park Minor Sub division; attended Zoning Hearing Board regarding a business operating as a kennel in residential zone without permits; Board upheld Zoning Officer's decision; continued to compile data on the landlords/owners of rental properties within the borough ; responded to Right to Know request; completed monthly report for Census Bureau; Continued scanning plans to eliminate the need to store paper plans; continue to purge old paperwork, plans and catalog pertinent documents for easier retrieval; Code Enforcement Activity: Filed complaints with Magistrate's office; mailed numerous 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 (the account is at 98% and there is distress status); 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 conducted meeting with DPW Committee regarding enforcement of Contract provisions and directives to a proposed concerning services and tasks to be provided by Borough DPW employees; coordinated the dissemination of the State Firemen Relief Funds to the five (5) Volunteer Fire companies of the Borough. **Legal:** Discussions/negotiations with SEIU Business Agent concerning possible modification of Collective Bargaining Agreement Terms and Conditions of Employment; Contract Proposals of Union and Borough Exchanged; continued work on draft of Developer Agreement for the Tri-Boro Development and discussions with Tri-Boro Representative in reference to alternatives to points of electrical service to the proposed Tri-Boro Development; discussions with Project Electrical Engineer regarding the Bid Specifications for the construction of Borough Electric Service to the Endurance Development; review of Contractor Proposal to provide equipment and installation to allow for remote participation in Public Council Meetings; reviewed Resolution for authorizations to apply for a DCNR Grant for Condella Park Recreational Features.

Fire Chief Report: None.

Committee Reports: Krukovitz said Tully, Hudak, Mustacchio and he met to discuss equipment issues in the DPW, and formulated a list of things that need to be done; he also said they confirmed the Peterbilt Dump truck needs additional work on it; Frushon said she wants to set up a meeting in regard to CBA, with the negotiating committee (Frushon, Hudak and Tully); she said she received complaints about the condition of the parks and the vandalism that occurred; Baldan said we discussed the issues at the last Work Session; he said there are communities that are forced to close the public restrooms because of vandalism and illegal activities; some communities are using port a potty's as an option; there is a liability; the police are locking the restrooms at the parks; cameras would help, but they don't solve all the problems; Baldan also said Olyphant is the only community that still hosts Junior Football, other communities use the school district facilities; he said he talked to school board members who are receptive to the teams playing at the school; Mustacchio said we have people complaining on line about the conditions of the parks, we have two employees who maintain the parks; vandals are stealing toilet paper and leaving the restrooms a mess; Frushon said she received a complaint about the steps at Condella Park; Hudak said they were repaired; Hudak said the Steamtown Marathon is this Sunday, please make sure the trail is in good shape; Frushon asked if the request of lighting at Fern Hill Park was discussed; It was discussed and Mustacchio said the Borough would accept donations towards lighting, but said it is not a good idea to have the Soccer League install lights; the Borough would have to do it; Frushon asked if the Borough updated their COVID protocol, Mustacchio said he would welcome assistance from Frushon to update protocol.

A motion was made by Hudak and seconded by Krukovitz to accept the reports; on the question Hudak thanked Mustacchio for his work on the Pensions' MMO, and thanked LaFratte for the work on N. Valley Ave; all members assented.

Unfinished Business: None

New Business: A motion by Hudak and seconded by Harrington to approve a Resolution for the Borough to apply for a DCNR Grant for the upgrade of Tennis/Basketball Courts and walking Trail at and around Condella Park (second round of the American Rescue Plan); all members present assented.

A motion was made by Harrington and seconded by Frushon to approve a proposal to provide and install necessary equipment so that Council Chamber Meeting Room will have the capability of providing remote participation for the public and Borough Official in compliance with state law, in amount not exceed \$20,999.00, all members assented.

Public Comment: Rebecca Sheroshak said there is no street light at 84-86 W Swallow St; she asked if a pool requires a fence around it, she was told as long as the pool is four feet high it does not require one; complained about an individual who does not clean up after his dog; asked about the debris under the Lackawanna Ave bridge; she was told PennDot hired a consultant to seek a design

to alleviate the problem; Mustacchio said we have been trying to get them to take care of the problem; she voiced concerns in regard to flooding; Mustacchio said the project in regard to the Pump Station does what it is designed to do.

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

Secretary

John Tomcho