

## MOSCOW BOROUGH COUNCIL

### MINUTES OF THE AUGUST 8, 2016 MEETING

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A meeting of the Moscow Borough Council was held on August 8, 2016 at 7:00 p.m. at the Moscow Borough Building, 123 VanBrunt Street, Moscow, PA. The following Council members were either present or absent:

Daniel F. Edwards – Mayor	Present	Marc Gaughan	Present
Arthur Pencek – President	Present	William Heim, Vice-President	Present
Joseph Castrogiovanni	Absent	Thomas Lynch	Present
Edward Gaughan	Present	Rosemarie Warner, Secretary	Absent

Also present were Constance Sanko (Secretary/Treasurer), Ivy Brenzel (Police Chief), David Lamm (Building Inspector/Zoning Officer), Bruce Zero (Solicitor), Harry Andes (Engineer), Gerard Hetman (Lackawanna County Community Relations), John and Donna Newman, Elaine Waskovitch, and Theresa Ripley.

#### **Citizen's Comments:**

- Gerard Hetman, Lackawanna County Community Relations, gave a report on some upcoming events taking place. He said that a Survey for Gypsy Moths 2017 has been distributed and if you are interested in having your property sprayed in 2017 send the survey in which will be given to The Pennsylvania Department of Conservation and Natural Resources.
- John and Donna Newman, and Elaine Waskovitch, were present to express their concerns with the flooding of the Bear Brook Creek during a recent severe storm and wanted to know who owns the pipe that was installed in the culvert on Scanlon Lane in the early 1970's on Scanlon Lane. They said that this caused the natural flow of the stream to be upset and that now the road and bridge are unsafe. Mrs. Waskovitch, who rents a property behind Larry Hartpence's on Brook Street, said that she believes many years ago that Mr. Hartpence built the new roadway to alleviate property owners behind him from going on his property. She said that Mr. Hartpence told her that the culvert was put in for the Borough by Arthur Alt.

Art Pencek said that in 2006 when the creek flooded Borough representatives, State Representative Ken Smith, and PennDOT officials looked at the culvert but nothing could be done because Scanlon Lane is a private road. He also said that Mark Mecca cleared out the creek by the culvert the day of the storm that caused the flooding to help alleviate any problems. Art said that he will contact State Representative Mike Carroll's office and asked Gerard Hetman to see if Lackawanna County is involved in any way. He also said if the road is unsafe the Solicitor can be asked if the Borough can close the road or ask the person who owns it to close it. Bill Heim said it is private property so the Borough has no jurisdiction.

Mrs. Ripley said that she is a realtor who has a client with property for sale on Bryant Lane and said that the roadway is in very bad condition and should be condemned. She also said that the Borough should work with other agencies to see what can be done about this situation.

Harry Andes said according to courthouse records it appears that Scanlon Lane is a private road. He also said that the culvert that was put in is inadequate. Harry's opinion is that the Borough needs to put pressure on the parent property owner as he is the party responsible. Some deeds refer to it as a private 15 foot lane intended to be dedicated to the Borough but the Borough did not take over. Bruce Zero said it was originally developed as an easement for property access. Art Pencek asked Harry to look into this matter and keep the Borough advised and the County Engineer will be asked to look up to see if the County was involved. Harry said it appears that the culvert was installed without permission on a private road and the Borough has no responsibility.

- Art Pencek expressed his appreciation to Borough employees and everyone that helped with National Night Out. It was a big success and there was a lot of activity in town.
- Art also said that the Moscow County Street Fair, which was sponsored by the North Pocono Cultural Society, brought a lot of attention to the Borough, and that Lisa Duffy did a great job for the first year. Dan Edwards said it was nice to see so many people walking through town.

**Minutes of the July 5, 2016 meeting:** Bill Heim made a motion to accept the minutes of the July 5, 2016 meeting as written. Ed Gaughan seconded the motion. The motion carried unanimously.

**Treasurer's Report:** Connie Sanko presented the Treasurer's Report for the month of July and lists of bills to be paid from the General Fund and Liquid Fuels Fund. Marc Gaughan made a motion to accept the Treasurer's Report and to pay the bills as presented. Tom Lynch seconded the motion. The motion carried unanimously with a roll call vote.

**Grants:**

- Murphy, Dougherty and Company submitted its audit of the Pennsylvania Department of Environmental Protection recycling grant. Council members were provided with copies of the findings. The entire audit report is available in the Borough Office for review.
- The grant application submitted to the Pennsylvania Department of Community and Economic Development Monroe County Local Share Account for the Main Street Sidewalk Extension project was not approved.

**Correspondence:** Council members were provided with the following:

- Newspaper article from The Scranton Times regarding Nick Trinovitch's Eagle Scout Project.
- Newspaper article from The Scranton Times regarding Moscow Borough's first LERTA Application.
- Newspaper article from The Scranton Times regarding the North Pocono Tennis Courts.

**Police Report:**

- Chief Brenzel gave the police report for the month of July. There were 132 911 calls and 126 cleared calls.
- Chief Brenzel thanked Borough Council for budgeting for the radKIDS program. This year 47 children went through the Safety Program.
- Matt Cianfichi, part-time patrolman in the Police Department, submitted a letter of resignation as he is moving out of state and will join another department. He thanked the Borough for giving him the opportunity to work here for the past three years and was honored and privileged to have had the opportunity to work alongside some of the finest police officers in the North Pocono area. Marc Gaughan made a motion to accept Matt's resignation. Ed Gaughan seconded the motion. The motion carried unanimously. Council members wished Matt well in his new position.
- The American Legion Riders presented the police department with a Certificate of Appreciation for its outstanding service and assistance on July 10, 2016.
- Rolling Thunder PA Chapter 3 sent a thank you note to the police department for its assistance on July 17, 2016 during the "Salute to Veterans Ride", which involved 477 registered riders going through the community.
- Dan Edwards said we need to advertise for part-time police. This will be done in the near future.

**Building Permits:** Dave Lamm reported on the following:

- Four building permits, one zoning permit and three temporary sign permits were issued in the month of July.
- A Right-to-Know request was received from Attorney David Smith regarding Eleanor Street. Dave responded with a letter.
- He will be meeting with Frank Bianco, 102 Gardner Road, regarding the status of his house on Gardner Road.

**Building/Zoning Officer's Report:** A sign permit was issued to St. Eulalia's for a temporary sign, however, after the sign was placed someone moved it. Dave tried to reach St. Eulalia's but got no response. Marc Gaughan said he asked a local contractor to design something that can be placed at the intersection of Church and Main Streets to place signs on but has not heard from him so someone else

will be contacted. Dave said that Fawn Dellavalle (O'Grady) asked to place a sign for her business in the lower parking lot where The Jive and VanBrunt Grill currently have signs. Dave asked Fawn to hold off until he can see if the three businesses can get together and come up with something where all three can put their information on one sign.

#### **Planning Commission:**

- Marc Gaughan reported that Greenman-Pedersen, Inc. gave approval for the Harmony Hills Twin Homes project which was also approved by the Erosion and Soil Conservation District. Harry Andes said Mr. Hubbard can break ground today.
- Engineering Surveying Consultants and Design, Inc., on behalf of Frank Hubbard, submitted a letter requesting a forty five (45) day extension for his Harmony Hills Twin Home project. Bill Heim made a motion to grant the forty-five day extension to Mr. Hubbard for his project. Tom Lynch seconded the motion. The motion carried unanimously.

**Recreation:** Council members were provided with a newspaper article from The Scranton Times regarding Old Mill Park.

#### **Municipal Building:**

- Art Pencek reported that the bid packet for the perimeter fence at the Borough Building needs to be revised to include an alternate for a vinyl fence.
- Art will talk to someone about the overhang and rain gutters on the building and is looking into getting the attic door moved.

#### **Financial Report:**

- The Pennsylvania Public Employee Retirement Commission sent a Notice that the 2016 Distress Determination for the Borough is 0.
- Paperwork was submitted to the Pennsylvania Department of Community and Economic Development Local Government Unit Debt Act requesting approval of the 2016 Pave Loan from Peoples Security Bank in the amount of \$200,000.00.
- Peoples Security Bank approved the Borough using funds allocated for Old Logger Road from the 2014 Pave Loan for the Stephens Heights Road Improvements project due to the emergency conditions in that area after severe storms created damage.

**Moscow Sewer Authority:** Engineering Surveying Consultants & Design, Inc. sent a letter dated July 26, 2016 and a Sewage Facilities Planning Module Component 3M, Minor Act 537 Plan, Update Revision, for the Moscow Sewer Authority Church Street Sanitary Sewer Extension, for the Borough's review. This is for the extension of the sewer line to SR 690/SR380 to the Borough line ending at the Library.

**Streets:** Marc Gaughan reported on the following:

- Stephens Heights Roadway Improvements Project - Wayco was the low bidder on the project so Wayco was asked to move the Stephens Heights project ahead of Old Logger Road, due to the emergency situation with the drainage. Harry Andes is meeting with Wayco tomorrow at Stephens Heights. DPW set all drainpipes for this project. Since then there were three severe storms with flooding so Mark put all the gravel back in the ditches and is working with the Benjamin family.
- Minutes of the Pre-Bid Conference for the ADA Handicapped Curb Cut project were provided to all council members. Harry said that Leeward Construction was awarded the bid for the Community Development Block grant to be used for Academy, Spring Garden and Maple Street sidewalks.
- A letter should be send to the residents affected by the Maple Street drainage problem explaining that it is not Borough property.
- A Work Order was submitted to DPW to do some work on the sidewalks by Sallie Motter's house on Market Street.
- State Representative Mike Carroll is still working on the crosswalk issue on Market Street.

- Funds have been budgeted to have the retention basins in Harmony Hills cleaned.
- "No Turn on Red" signs have been installed at the intersection of Main and Market Streets, and the timer to have all traffic stopped in all directions so that people may cross more easily will be installed soon.
- During the recent storms Mark Mecca had to open grates on Main Street by Dollar General to get water out of the street, which was difficult and challenging. Marc said he handled it very well and thanked the fire company for its assistance during the storms as well.
- Council members were provided with a PennDOT Maintenance Agreement for the drains on Main Street and were asked to make a determination who is responsible for cleaning the grates on the drains.

**Solicitor's Report:** Attorney Zero reported on the following:

- An application was received from the Department of Conservation and Natural Resources to be completed for the sale of New Street Park. Connie and Marc Gaughan are working on it. Bruce talked to Jason Toy and explained to him that it may take more time for the transfer to take place.
- A letter will be sent to the lawyer for the property owner on Marion Street that had issues with individuals walking on his property.

**Old Business:**

- Attorney Zero said discharging of firearms in the Borough is not permitted.
- Dan Edwards is looking into replacing the entrance signs to the Borough and the park signs.

**New Business:**

- Mark Paradise's Affordable Senior Housing project financing was approved.
- Theresa Ripley said a lot of people park in Old Mill Park and bring their dogs which is a non-dog walking park and wanted to know where they will park. Marc Gaughan said the new trailhead across the street near the Sewer Authority entrance will be a parking lot.

**Adjournment:** Marc Gaughan made a motion to adjourn the meeting. Bill Heim seconded the motion. The motion carried unanimously.

**Minutes submitted by Constance Sanko**