

Plymouth Borough  
Regular Meeting  
October 14, 2014

The meeting was called to order by Mr. William Dixon, Vice President of Council.

RESOLUTION NO. 3: A RESOLUTION OF PLYMOUTH BOROUGH, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA, APPROVING PARTICIPATION AND VOTING BY TELECOMMUNICATIONS' DEVICE

MOTION: Mr. Gerko  
SECOND: Mr. Mahon  
VOTE: 2 yes, 2 No  
Mayor Petrosky voted no.

ON THE QUESTION: Mr. Mahon confirmed this resolution was to allow Mr. Madrack to vote.

MOTION NOT PASSED

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL

Mr. Dixon                      Mr. Kochinski  
Mr. Mahon                      Mr. Gerko

Excused:

Mr. Coughlin  
Mr. Madrack

Absent:

Mr. McTague

Mr. Dixon reminded all who attended the meeting that he is following parliamentary procedure and must be recognized by the Chair before speaking.

CITIZEN'S INPUT

Mrs. Mary Jarret, filed for a Right to know request following the last council meeting, the following Friday, the Secretary called to inform her cost of her request would be one dollar per page for a total of eighty dollars. Mrs. Jarret informed all attendees that she spoke to Office of Open Records about the price of the pages in regards to "Right to Know" requests. According to Office of Open Records, the cost per page can range between ten cents to twenty-five cents at a maximum. Mrs. Jarret came to the Borough and spoke to Mr. Mahon and Mr. McTague about this issue, received her Right to Know request and was charged twenty dollars. Mrs. Jarret said Right to know can only charge ten to twenty-five cents a page. She also stated there is interest from Harrisburg on how long Plymouth Borough has been charging a dollar per page.

Mrs. Jarret has a second issue concerning the salt shed. She measured the distance between the Borough garage and the salt shed. She stated the distance was .23 miles, from the Borough Garage to the salt shed, uphill. The Street Department will be doing this at night, down a dirt road, that must be plowed each time they go to the shed to get salt. They must pick up the skid steer, drive it up to the shed, fill up the truck and drive the skid steer back to the garage to have to walk back up to get the truck, which is equivalent to six football fields. She said that this is liability. Mrs. Jarret further states the area right next to the Borough Garage is ideal for a salt shed and meets every qualification. With the shed up on the hill, it is located in water shed of Wadham's Creek and believes we do not have a permit and according to Mrs. Jarret's sources at PennDot, a permit would be necessary.

Mr. Dixon thanks Mrs. Jarret for looking into the issue with the Right to Know requests and assures Mrs. Jarret the Secretary has only done what she was told; Mrs. Jarret stated she provided the Secretary with a copy of the law. Mr. Mahon asked to speak on this subject. Mr. Mahon said once it was brought up to the office it was rectified and no one knew about it.

Mr. John Frey, Shawnee Avenue, would like to provide a report from the Plymouth Citizen's Action Committee meeting that was held last Monday at 7:00 pm at the Plymouth Borough Building. Mr. Dixon and Mr. Mahon were in attendance to review two ordinances, the Property Maintenance Code and Residential Rental Unit Ordinance which was passed in 2013. As written in the code, the purpose of the property maintenance code ordinance is to regulate the maintenance of residential, commercial and public properties throughout the Borough, which establishes maintenance requirements, inspections and penalties for non-compliance. The Residential Rental Unit ordinance's purpose is to protect the health, safety, and welfare of the residents by establishing registration and licensing requirements for landlords. The difference between the two is the Property Maintenance Ordinance focuses on the maintenance of properties and the Residential Rental Unit ordinance focuses on landlord/tenant situations, which includes registration of units, occupancy licensing requirements, the fees to obtain licenses, landlord/owner responsibilities, and penalties for non-compliance. After the committee reviewed the ordinances, the committee came up with suggestions based on the observations from the ordinances and would like to offer the suggestions to Council in their convenience. Mr. Dixon thanked Mr. Frey. Mr. Dixon addressed Mr. Telesco, Plymouth Borough Code Enforcement Officer, and said they need to discuss these ordinances to clarify the grey areas of the ordinances.

Mrs. Mary Rittenhouse, Main Street, President of Plymouth Neighborhood Watch, said on Halloween at the Wyoming Valley West High school parking lot, Plymouth Neighborhood Watch will be holding the 3rd Annual Trunk or Treat, and the Kiwanis will be holding the Parade. Lineup is at 6:00 P.M., starting at the Dan Flood apartment building and heading up Main Street to Wyoming Valley West High School's Parking lot where the Trunk or Treat will be held. Many businesses and organizations have been very generous. They are looking for more trucks from private citizens. Anyone who is interested to register, may email Mrs. Rittenhouse at [pnw18651@gmail.com](mailto:pnw18651@gmail.com). All are welcome to enjoy a safe Halloween. Plymouth Neighborhood Watch

meetings are held the third Tuesday of the month at 7:00 P.M... All are welcome. Plymouth Neighborhood Watch will be holding the next meeting on next Tuesday, October 21. Currently, they do not have a speaker, but once one is available Mrs. Rittenhouse will announce it.

Mrs. Rittenhouse said they host some Facebook pages where they are receiving complaints about the Beade Street Park and coming across people who want to do something for Beade Street Park, but have no options. Mrs. Rittenhouse came across a suggestion and that is to have a Beade Street Park Association. Residents may become members and help maintain, look after the park and possibly come up with activities during the summer for the kids. Residents are saying because it is a toddler park, there isn't any age appropriate equipment for the older kids. We are getting complaints about the older kids going on the equipment and breaking some things. There have already been repairs on the equipment. Instead of chasing the older kids out of the park, use the upper area for the older kids and provide activities for something they can use, such as a volleyball net. Mrs. Rittenhouse asked if she would we need the approval of Council to implement something of this nature in town. Mr. Dixon said Mrs. Poremba, herself, and Paul Sims is on Recreation and Parks Board, and said it would be up to the Recreation Board to implement this. Anything concerning parks and recreation is to be brought up to the Board and then given to Mr. Dixon, because he is the liaison to Council, and then he would bring up the plan to Council. Mr. Dixon said Council has never turning anything down concerning children. Mr. Mahon asked if there was still a problem with the mulch at the Beade Street Park.

Mr. Wayne Smith, of 252 Orchard Street, would like to know what criteria the council uses for landlords and tenants. Mr. Dixon called on Mr. Telesco to provide some answers. Mr. Smith asked Mr. Telesco, who gets inspected and who does not. Mr. Telesco said every rental property gets inspected. If the deed is not in the person's name that lives there, it must be inspected. Mr. Telesco said even homeowners get one time occupancy inspections, before the home is purchased. Mr. Smith asked Mr. Telesco how he finds out whether or not a property has been inspected. Mr. Dixon said Mr. Telesco checks everything out. Mr. Dixon said for people to fill out a complaint form whenever there is a problem and the names are not divulged to anyone.

Mr. Mathew Hornick, of Turner St., said he wanted to discuss the subject of one of the councilmen working with the street department and Mr. Hornick is concerned that the action is a violation of the union contract which was brought up by Mr. Mahon. Mr. Hornick asked if councilman cannot donate his own time to beautify the town because of taking away work from the street department, would citizens be taking work away from the street department by beautifying the town. Mayor Petrosky asked if she could share her opinion. Mr. Dixon recognized Mayor Petrosky. She said in all the years that she and her husband lived in Plymouth they always swept the sidewalk and doesn't see how that could be a problem.

Mr. Mahon said Mr. Hornick can contact the Union representatives to find the answer to that question and if he is wrong he will apologize. Mr. Hornick asked Mr. Mahon to find out because he is the one making the accusations. Mr. Kochinski said he is a member of the Teamsters Union. The street department and secretaries are in the Teamsters Union as well, and has some experience with the understanding of the contract. Mr. Kochinski explained elected officials can do community service work as long as the full time street department employees weekly hours meet or exceed forty hours. Mr. Kochinski explained a violation would be if council was taking hours away from the street department, or if another violation would be if a borough coordinator, someone who council hired, was doing labor work. Elected officials are allowed to volunteer because the council are elected, not hired. Mr. Hornick feels the allegations should be withdrawn with an apology. Mr. Dixon said he knows all of the contracts. Mr. Dixon said he was vice president of Local 262 Utility Workers of America out of Washington D.C., and states he would not violate any contract.

AGENDA VOTING

MOTION TO ACCEPT MR. THOMAS MCTAGUE'S RESIGNATION AS PLYMOUTH BOROUGH COUNCIL PRESIDENT

MOTION: Mr. Kochinski  
SECOND: Mr. Dixon  
VOTE: 2 yes, 2 No  
Mayor Petrosky voted yes.  
MOTION PASSED

MOTION TO REFUND MR. AND MRS. WILLIAM LOUGHLIN ONE HUNDRED FOURTY FIVE DOLLARS AND SIXTEEN CENTS (\$145.16) AND MR. AND MRS. THOMAS WHIGHT SIXTEEN DOLLARS AND THIRTY FOUR CENTS (16.34) FOR THE 2014 REAL ESTATE TAXES DURING THE PERIOD OF AUGUST 1, 2014 THRU AUGUST 31, 2014

MOTION: Mr. Gerko  
SECOND: Mr. Mahon  
VOTE: 4 yes

MOTION TO RELOCATE THE SALT SHED ADJACENT TO THE BOROUGH GARAGE DUE OF CONCERNS OF PRESENT LOCATION

MOTION: Mr. Kochinski  
SECOND: Mr. Dixon  
VOTE: 2 yes, 2 No  
Mayor Petrosky voted yes.  
MOTION PASSED

On the question: Mr. Kochinski asked if the location was zoned for a salt shed. Mr. Dixon said it was zoned for R2.

MOTION TO ACCEPT AUGUST 12, 2014 REGULAR MEETING MINUTES

MOTION: Mr. Gerko  
SECOND: Mr. Mahon  
VOTE: 4 yes

On September 29, 2014 an executive session was held by council. This session was to receive information regarding a personnel matter involving a member of the Police Department. No action was taken nor was any type of business conducted at said meeting.

MOTION TO BE MADE ON A PERSONELL MATTER: BASED ON INFORMATION PROVIDED TO COUNCIL AT THE SEPTEMBER 29, 2014 EXECUTIVE SESSION, I HEREBY MOVE THAT THE THREE MEMBERS OF COUNCIL THOMAS MCTAGUE, FRANK COUGHLIN, AND GARY KOCHINSKI TO INVESTIGATE THE PERSONNEL MATTER INVOLVING A MEMBER OF THE POLICE DEPARTMENT AND AFTER DOING SO REPORT BACK TO COUNCIL, IN AN EXECUTIVE SESSION TO BE SCHEDULED AFTER THE INVESTIGATION HAS BEEN CONCLUDED, THE RESULTS OF THE INVESTIGATION.

MOTION: Mr. Kochinski  
SECOND: Mr. Dixon  
VOTE: 3 Yes, 1 No

MOTION TO SEND A REQUEST TO LUZERNE COUNTY COMMUNITY DEVELOPMENT TO REALLOCATE REMAINING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE ROADWAY ACCOUNT TO THE RECREATION WORK ACCOUNT

MOTION: Mr. Kochinski  
SECOND: Mr. Dixon  
VOTE: 3 Yes, 1 No

MOTION TO SUBMIT REQUEST FOR PAYMENT TO THE LUZERNE COUNTY OFFICE OF COMMUNITY DEVELOPMENT IN REGARDS TO THE BEADE STREET PLAYGROUND PROJECT

MOTION: Mr. Kochinski  
SECOND: Mr. Dixon  
VOTE: 3 Yes, 1 No

MOTION TO PAY OCTOBER BILLS

GENERAL FUND: 14-478--- 14-535  
LIQUID FUEL: 14-102--- 14-112  
STREET FUND: 14-075---14-083  
RECREATION : 14-026---14-027

MOTION: Mr. Gerko  
SECOND: Mr. Mahon  
VOTE: 4 yes

MEETING ADJOURNED