

**PLYMOUTH BOROUGH COUNCIL  
REGULAR MEETING  
MAY 13, 2014**

**CALL TO ORDER**

**MOMENT OF SILENT PRAYER**

**ROLL CALL.**

Mr. Dixon	Mr. Kochinski	Mr. McTague
Mr. Madrack	Mr. Gerko	
Mr. Coughlin	Mr. Mahon	

**CITIZEN'S INPUT**

Donna Menchack, Plymouth business owner, begins by saying the new Council is doing a really good job but is disappointed because a promise was made in the beginning to pledge money to the Larksville Canine Unit. Mrs. Menchack is here as a Plymouth business owner and not because she lives in Larksville. The pledge was very large and believes that not even a small percentage was given to Larksville Canine Unit. She listens to the scanner and hears Larksville Police backing up Plymouth Borough Police a lot and Plymouth backing up Larksville once in a while and she believes the towns need to work together and this a big expense that Larksville took on. Plymouth Neighborhood Watch did a great job raising money but that is not Plymouth Borough Council, it is a separate organization. Eventually, Plymouth Police will be calling Officer Una down to do perform a drug search, look for a missing child or an elderly person that wandered away. This dog is seven months old and already has 4 drug arrests. Mrs. Menchack's store was robbed a year ago and if her store is broken into she wants the dog down there chasing the guy because the dog does an incredible search.

Mr. McTague said that he doesn't remember the Council making any pledge to donate money from the Borough, if we did say that, I would be too glad to donate now. Mrs. Menchak said someone said it, Mr. McTague asked if it was said at an official meeting and Mrs Menchak said that she usually does not attend the monthly meetings. Mr. McTague asked if anyone knew how long ago it was and if anyone had heard it. Mrs. Menchak said it was not said at a meeting. Mr. Coughlin asked what the amount was and Mrs. Menchack said two thousand dollars. Mr. Coughlin said he could not remember anyone saying that. Mrs. Menchack knows money is tight and even if the whole two thousand dollars could not be given, anything would be appreciated. She said, personally, she has given much more than that because she believes in this. When she is in her store, in Plymouth, she does not feel safe. Mr. Dixon said that there were a lot of organizations from Plymouth that had donated a lot of money, to his knowledge; the pledge was not brought up.

Mrs. Menchack apologizes, but insists that someone had said that they would give two thousand dollars to the Canine Unit. She said organizations still donate a lot of money and again that the dog and the training has already been paid for. The vehicle is forty thousand dollars because they need a special vehicle, by law, for the dog. She believes it's a wonderful vehicle but it is a lot of expense for the dog. Mrs. Menchack indicated the training, the vehicle, and the training aids. For example, synthetic drug kits are two thousand dollars. She is unsure whether or not the dog will be in Plymouth.

Mr. McTague said he is pretty tight when it comes to spending the tax payer's money. If they were really hurting

for money, the Borough would be glad to do it. Mr. McTague apologized if he had missed that signal and said the people in this town are good givers. Mrs. Menchak mentioned the charity auctions being held. Mr. McTague asked the audience, "How many people think that the Borough should donate money to the dog?" Almost everyone in the audience raised their hands and Mr. McTague said the Canine Unit will get the money. Mrs. Menchak thanked Mr. McTague. Mr. McTague thanked Mrs. Menchak for bringing this to his attention.

Mr. Jim Woodruff, of 310 Beade Street, brought a petition to Council, regarding the Beade and Railroad Street area. He would like to read this petition and provide a copy for the Council. Attached to these minutes is a copy of the petition submitted to Council. Mr. McTague thanked Mr. Woodruff.

Mr. Woodruff said he was approached by a councilman, that a councilman said something that was pretty disturbing to Mr. Woodruff. The comment was supposedly made by head of council and said in front of some other councilmen. Mr. Woodruff said that he approached the person that allegedly made this remark and the person denied it. Mr. Woodruff went to the person who told him that the person said it and said that he is lying. Mr. Mahon asked what the comment was and Mr. Woodruff reported that someone said, something to the affect, of we (the Borough) are being "screwed" by his wife. Mr. Mahon said he never heard that remark made. Mr. McTague said this is not the place to discuss personnel matters. Mr. Woodruff insisted that this is a borough thing, and Mr. McTague said this is personnel business. Mr. Woodruff said that she is still a borough employee and Mr. McTague said he would be glad to sit down and discuss this with him after the meeting.

Maryanne Meeker of 823 Beverly Drive, said her house was built in 1966, and they love their residential section and they work hard to keep it nice, but there is a situation coming from Township to the alley way. Mrs. Meeker is getting garbage, glass, boulders, ashes and all kinds of debris. Mrs. Meeker said Gail knows how many times she has called the borough to come and clean it. She said Mr. Kotsy's house is a mess all the time. We are supposed to get torrential downpours on Friday so that means we are going to have that mess again. Mrs. Meeker doesn't think it is fair that we need the township to come and solve this problem for us. Mrs. Meeker provided a copy of a petition from the residents of Beverly Drive to the Plymouth Borough Council to address these runoff issues.

Mr. McTague said we are all aware of the problem down there and you know we are as concerned about this issue as you are. Mr. McTague said he had been down there a thousand times if he had been down there once. We have never turned anyone down and we do our best to get everything done that we can, but it is very difficult, and that is a special problem down there. Mr. McTague said he went to the township to get a shared grant to get this problem fixed. Supposedly, they are working on it. But it is like everything else in government, it takes so long to get everything done, because everything must be voted on. Mr. McTague said all of council is concerned about it as well as she is. Because if we get what we got in 2011, you won't have to worry about picking up dirt down there, she will have a house to worry about, and that is what Mr. McTague told the Township. In fact, Mr. Mahon spoke to Gail Conrad as late as this afternoon.

Mr. McTague is really pushing for Township to tell us what they are going to do with this issue. Mr. McTague said we cannot wait for another rainy season. Mrs. Meeker said we appreciate what Council is doing and wants to give the Street department a plus because whenever she calls, the Street Department is very receptive. Mr. McTague said we make sure and they are aware that they need to get down there right after a storm. Mrs. Meeker said she doesn't think it is fair because the Plymouth Borough Street department has more important things to take care of instead of this problem. Mr. McTague agrees with Mrs. Meeker, and anyone who would take the time to walk up into the woods, they will see how bad it is. Mr. McTague said in fact, there were pictures at the work session regarding this issue.

Mrs. Meeker offered any kind of help to assist with this issue. Mr. Mahon asked Mrs. Meeker since she has a group together, has she thought about seeking council. Mr. McTague said they are not thinking about that because it

shouldn't cost them money to protect their houses. Mrs. Meeker said the township did something with the streets, up on Curry Hill, with the ditches coming into that property. Mr. Dixon said they paved the road and covered the French drains and put a drain on each side of the road, the second drain is draining into the hill itself and it is a road. Mr. Dixon said they should have drained all the way down. Mr. McTague said he will do what he can to keep them informed of this issue.

Mr. John Lovenduski, of North Street, is requesting the support of the Plymouth Borough Council with his water run off problem on North Street. Mr. Lovenduski spoke during the citizens input at the regular monthly Council meeting that was held on August 13, 2013 discussing the same issue. He States, "last year someone was supposed to be in the back yard with me." Mr. Lovenduski stated he was the one that diverted the water so it came down the back alley. Representation was presented to the neighborhood on North Street last year, to go to the Plymouth Township meeting, Mr. McTague said that he would be there. Mr. McTague said he was there at Mr. Lovenduski's house. Mr. Lovenduski said he was supposed to be at the Plymouth Township meeting.

Mr. Lovenduski said when he had to represent himself at the Plymouth Township meeting; Gail would not let him get a word in edgewise. Mr. Lovenduski is upset with the way Mrs. Gail Conrad treated him and this situation. When Coal Street was flooded two years ago, Mr. Lovenduski went to speak to Mrs. Conrad, and she told him that she was aware of the situation. When Mr. Lovenduski went down there last year Mrs. Conrad gave him the cold shoulder. Mr. Lovenduski felt like he was brushed off like he was nobody by Mrs. Conrad. Mr. Lovenduski provided Mrs. Conrad a petition from the neighborhood. Mr. Lovenduski put a stop to it because he knew it would not go anywhere until he had representation.

Mr. Lovenduski would like representation from council to accompany him to the Plymouth Township's meeting to see how this situation is being addressed by the township. Mr. Lovenduski said the township is buying and planning to develop the land up there. He knows every little detail about the runoff and as a taxpayer and resident of this town he deserves representation by the council. Mr. Lovenduski expressed frustration with the decisions Plymouth Township is making regarding the redevelopment of the township. Mr. Lovenduski said legal representation has to be presented to the township and we as the people need to be there. Mr. Lovenduski asked about a workshop being held, and asked if the public was invited to be there and Mr. McTague said yes. This problem will get worse if this is not solved. Mr. Lovenduski had to install a floor drain in his basement because of this issue. Mr. Coughlin said there is a long term solution to fix this but right now the township needs to come up with a short term solution. Mr. Coughlin said during the work session last Tuesday, a long term solution was discussed. Mr. Coughlin said we have to sit and talk to the township to work something out regarding a short term solution.

Mr. George Meeker, of Beverly drive, and said that there are no storm drains on Beverly Drive. He said when construction was being done, storm drains could have been easily installed and storm drains were not installed. Mr. Lovenduski said there is a storm drain on the corner North Street and Main Street that is completely clogged from the run off. Mr. McTague directed the secretary to notify Mr. and Mrs. Meeker of this situation and what develops.

AGENDA VOTING:

I HEREBY MOVE THAT COUNCIL APPROVE AND ACCEPT THE COMMITMENT FOR CREDIT ACCOMMODATIONS FROM FIRST KEYSTONE COMMUNITY BANK AS SET FORTH IN THEIR LETTER DATED MAY 8, 2014 REGARDING THE INSSUANCE OF A GENERAL OBLIGATION NOTE IN ORDER TO BORROW \$180,000.00 AT A FIXED INTEREST RATE OF 2.57% FOR A TERM OF THIRTY-SIX MONTHS ALONG WITH ALL OF THE OTHER TERMS AND CONDITIONS SET FORTH THERIN. THE PURPOSE OF THIS LOAN IS TO REFUND/PAYOFF AN EXISTING LOAN FROM PNC BANK, DATED JUNE 15, 2004 THAT CARRIES AN INTEREST RATE OF 5.69% AND HAS AN OUTSTANDING PRINCIPAL BALANCE OF \$180,000.00 WITH THREE YEARS REMAINING UNTIL PAYOFF. ALSO, I HEREBY MOVE TO AUTHORIZE THE PRESIDENT OF COUNCIL TO EXECUTE SAID LETTER ACKNOWLEDGING THAT THE BOROUGH HAS ACCEPTED THE TERMS AND CONDITIONS OF SAID COMMITMENT AND AUTHORIZE THE BOROUGH SECRETARY TO ATTEST/WITNESS THE PRESIDENT'S SIGNATUREON SAID LETTER AND RETURN THE EXECUTED DOCUMENT TO FIRST KEYSTONE COMMUNITY BANK. I ALSO MOVE TO AUTHORIZE THE BOROUGH SECRETARY TO FILE THE APPROPRIATE DOCUMENTS WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT IN HARRISBURG, PA IN ORDER TO OBTAIN THEIR APPROVAL OF THE BORROWING. I ALSO MOVE TO AUTHORIZE THE APPROPRIATE BOROUGH OFFICERS TO ISSUE A CHECK MADE PAYABLE TO THE COMMONWEALTH OF PENNSYLVANIA IN THE AMOUNT NECESSARY TO COVER THE FILING FEE THAT MUST ACCOMPANY THE FILING WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT.

MOTION: Mr. Madrack  
SECOND: Mr. Mahon  
VOTE: 7 yes

MOTION TO APPROVE SCHOOLING FOR TWO POLICE OFFICERS TO ATTEND DIGITAL VOICE STRESS ANALYSIS TRAINING IN BERWICK, AUGUST 4<sup>TH</sup>-8<sup>TH</sup>, 2014.

MOTION: Mr. Kochinski  
SECOND: Mr. Dixon  
VOTE: 5 yes, 2 No

On the Question:

Mr. McTague asked Mayor Petrosky to provide comment regarding the training for the public. The digital voice stress analysis test does not replace the polygraph test, but will be used more often, it may not be as accurate as a polygraph test, but the test is being recognized more and more. The Plymouth Borough Police will be able to administer the test without incurring the cost of having the state police perform the test. Mr. Kochiniski said that this will cost the Borough a total cost of \$1500.00 (one thousand five hundred dollars) and in return we are receiving a \$9950.00 (nine thousand nine hundred fifty dollars) grant that will cover the cost of the computer software to perform the tests. When they pull anyone in for a crime such as robbery, sexual assault, or any other crime of that nature, they will be able to

perform the test, and then you are able get a confession a lot sooner. Instead of scheduling an appointment with the State Police, which allows time for someone to figure out whether or not they want to be attached to this machine.

MOTION TO APPROVE SCHOOLING FOR TWO POLICE OFFICERS TO ATTEND FIELD TRAINING OFFICER (FTRO)PROGRAM IN WILKES BARRE, PUT ON BY PENN STATE JUSTICE AND SAFETY INSTITUTE (JASI), JUNE 9<sup>TH</sup>-11<sup>TH</sup>, 2014.

MOTION: Mr. Coughlin  
SECOND: Mr. Kochinski  
VOTE: 7 yes

Mr. McTague asked the Mayor to provide an explanation of this training. Mayor Petrosky said this is a concentrated course for Field training; training to have someone who is in charge downstairs in the Police Department, to provide training to new officers. Mr. McTague said he has been here a long time, and I don't remember anyone going to schools that were worthwhile, so this may be a step in the right direction, we will have to live with it if we find out it isn't. Mr. McTague said schooling will not hurt anyone, and it's only a few bucks and see what we can get out of it. We hope it will develop the Police Department.

MOTION TO APPROVE THE MINUTES FROM REGULAR MEETING MARCH 11, 2014.

MOTION: Mr. Coughlin  
SECOND: Mr. Gerk  
VOTE: 7 yes

Mr. McTague said that he is not in defense all the time, although it may seem that way, in this first motion where some of the guys decided to say no its not because they are against sending anyone to school, it's a matter of understanding, which is the polygraph test is not admissible in court. Mr. McTague said he called the training center to find out whether or not the Stress test could be used in court and found out the stress test cannot be used in court. Mr. McTague said this will not give us any more or any less for the buck. Mr. McTague said he thinks it will be a good thing, because most of the time you are supposed to fake these criminals out, he said he thinks it will be better for the community as well as the department.

Mr. Madrack asked why there was a two thousand dollar bill for cutting trees down. He said he was unaware and is not sure why it happened. Mr. McTague explained for many years there has been attempt to cut down the trees and it was constantly brought up. Concerned parents asked Mr. Dixon and myself to cut them down to avoid their children getting hurt. Mr. McTague said we thought it would be better to just clear the ground to avoid any kind of injury.

MOTION TO PAY MAY BILLS:

GENERAL FUND:	14-203 – 14-274
LIQUID FUELS:	14-047 – 14-058
STREET FUND:	14-030 – 14-038
RECREATION FUND:	14-008 – 14-012

ON THE QUESTION:

Mr. Madrack asked why there was a two thousand dollar bill for cutting trees down. He said he was unaware and is not sure why it happened. Mr. McTague explained for many years there has been attempt to cut down the trees and it was constantly brought up. Concerned parents asked Mr. Dixon and myself to cut them down to avoid their children getting hurt. Mr. McTague said we thought it would be better to just clear the ground to avoid any kind of injury.

MOTION: Mr. Mahon  
SECOND: Mr. Gerko  
VOTE: 7 yes

Mr. McTague said we have our engineer here to open the bids for the road paving project and the demolition. The demolition for the three homes will have to be delayed because the title search was not properly done and our solicitor would like us to pass. We must make a motion to hold on the demolition of the homes.

MOTION: Mr. Madrack  
SECOND: Mr. Coughlin  
VOTE: 6 Yes, 1 No

Mr. Amato, Plymouth Borough Engineer, said there were two projects that were dually advertised in the paper one being the demolition of the projects and he received the advice of the solicitor and confirmed there will be no action taken as of yet to demolish the homes.

The second project is the Community Development Block Grant paving project of Davis, Fairview and Hanover streets. The first bid is Hazelton Site Contractors of Hazelton, total amount of bid is one hundred forty seven thousand two hundred forty eight dollars (\$147,248.00) attached as a bid bond of ten percent (10%) of Liberty Mutual Insurance Company; the next bid is Pennsy Supply of Pittston, total amount of bid is eighty nine thousand six hundred fifty four dollars (\$89,654.00) attached as a bid bond of ten percent (10%) by Liberty Mutual Insurance Company; the next bid is American Asphalt of Shavertown, total amount of bid is one hundred two thousand nine hundred ninety five dollars and fifty cents (\$102,995.50) attached as a bid bond of ten percent (10%) of Hartford Insurance; Stell Enterprises of Plains, total bid amount one hundred sixteen thousand six hundred ninety one dollars (\$116,691.00) attached with a bid bond of ten percent (10%) of Hudson Insurance Group; the last bid is Barletta Materials of Tamaqua, total bid amount is one hundred thirty five thousand five hundred fifteen dollars (\$135,515.00) attached with a bid bond of ten percent (%10) by the Federal Insurance Company. That concludes the amount of bids and Mr. Amato recommends the acceptance of the low apparent bid by Pennsy Supply in the amount of eighty nine thousand six hundred fifty four dollars (\$89,654.00). Mr. Madrack said he would make that motion. Mr. McTague asked Mr. Amato if he was satisfied with those bids, Mr. Amato

said yes, the budget was around one hundred thousand, and Mr. Coughlin confirmed Pennsy Supply was the only one below the budgeted amount.

MOTION: Mr. McTague  
SECOND: Mr. Coughlin  
VOTE: 7 yes

ON THE QUESTION: Mr. Dixon asked Mr. Amato's opinion of Pennsy Supply. Mr. Amato said they have done work before and they were formally known as Slusser Brothers . Mr. Dixon asked if they are going to pitch the road. Mr. Amato said it is not a total reconstruction project. Mr. Dixon asked if milling would be done, and Mr. Amato said the milling would be done.

Mr. McTague asked if someone would be there during construction. Mr. Amato said he would be there periodically and an inspector will be on site. Mr. McTague said he wanted to discuss the bad water spots, he said the last time he went over they were not corrected and that it is irritating to have to wait so long for them to be corrected. Mr. McTague said the low water spots are located near Happy Pizza. Mr. McTague said he was going to have the solicitor send the construction group a letter notifying the spots that need to be fixed.

Mr. Amato wanted to provide updates for the following projects that are being done for Plymouth Borough. The Community Development Block Grant project for Beade Street park has commenced. The downtown revitalization project for the final restoration of the coble wall is scheduled to commence after the Memorial Day holiday, and will be completed within two to three weeks. Mr. McTague asked if it is now being pushed until after the Memorial Holiday? Mr. McTague said that is what people don't know, they set dates and don't stick to them and we have to rely on what you tell us because we have to relay this information to the public. Mr. McTague assured Mr. Amato that this will stop. Mr. McTague said we are going to ask for a deadline. Mr. Dixon said we have dates for Community Day and Mr. McTague said they are aware of the Community Days. Mr. McTague asked Mrs. Jarret if she was having a farmers market for twenty four weeks. Mrs. Jarret said Community day is the June 21, at Main Street parking lot and they are encouraging everyone to join in and they are accepting vendors.

Mr. Coughlin asked Mr. Amato for a starting date. Mr. Amato said the procedure is we give the notice of award to the contractor. The contractor has ten days to submit their bonds, insurance documents and form of agreement. We have sixty calendar days for his project, including the required preconstruction meeting. Mr. Amato said he should begin this project with in thirty days.

Mr. Madrack asked if Mr. Amato was working with Wyoming Valley Sanitary Authority to check on the piping that is in the dyke near Beade street. Mr. McTague asked if he had any more information regarding the meeting we are trying to set up. Mr. McTague said Mr. Woodruff is concerned about this. Mr. Amato said he received the drawings from the Sewer Authority and he has knowledge on how the diversion chamber works, Mr. Amato does not have drawings from Luzerne county flood authority when the levee was built, we are going to receive the drawings and continue our research on this project. Mr. McTague asked if a date was set for this meeting. Mr. Amato assured that he would contact Mr. McTague once it was getting closer. Mr. Madrack said we need to know so that we could notify the residents that live down there.

Mr. Amato said he looked at the retaining wall on Ackley street and indicated some cosmetic damage but there was no structural damage done to the wall.

Mr. Amato said they looked at the football field's ongoing draining improvements that are necessary. Mr. McTague asked Mr. Amato if he will be sending a letter regarding Ackley Street, Mr. Amato said yes.

Meeting Adjourned.

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