

**PLYMOUTH BOROUGH COUNCIL**

**REGULAR MEETING-DECEMBER 13, 2022 at 6:00PM**

**WORK SESSION**

Mr. Earl Cunningham: Merry Christmas and Happy New Year to all!

Mr. Adam Morehart: Wished all a Merry Christmas and may 2023 be better than 2022. He added that he had heard of another grant opportunity today regarding water structure and was going to look into applying for it for the Coal Street project. He said he will continue to apply for whatever funds he can until the problem with Coal Creek is fixed.

Ms. Alexis Eroh: said the Planning Agency met and turned the kids coats from the coat drive over to the Knights of Columbus for distribution. The website domain has been approved. The original domain was never secured, so Lori had to go through the process of submitting all over again. The domain was approved and will be ready to launch very soon. Civil service Commission met last week and certified the test result from December 19<sup>th</sup> testing. They recommended that James Coslett be hired as a full-time police officer, which is on the agenda for this evening's meeting. Merry Christmas and Happy New Year!

Mr. John Thomas: Merry Christmas and a Happy New Year to all.

Mr. Bill Dixon: Merry Christmas and Happy New Year. As a reminder to the residents, when it snows, please park your vehicles as close to the curb as possible, otherwise the plow cannot get through. Also, when the plow comes through, it cannot help but push the snow into driveways. You will have to get out there and shovel it open, and please do not throw the snow back out into the road.

Mr. Ron Kobusky: wished all a Merry Christmas and Happy New Year and asked all to be safe. He said the budget has been posted in the front window and on the website for public review. Council will have to hold another meeting before the end of the year to vote on the budget. He told council to pick either Friday December 30, 2022 at 6pm or Saturday morning December 31, 2022.

Mayor Frank Coughlin: gave council the 2022 report of the weddings he performed for the year. The mayor attended the November WWV school board meeting and expressed his concern over the violence at the high school. He told the board that he and Plymouth Borough Council would like to see the district put another Resource Officer on duty at the high school. The board has since put on two-armed security guards at the high school to help with the trouble. He said the police calls for last month were increasing again and was glad that council intended to hire another full-time police officer this evening. He would like council to consider hiring one more officer in the future.

John Thomas said that council had discussed it and intended to hire by years end.

With that the mayor wished all a Merry Christmas and Happy New Year.

Mr. Ron Kobusky: added that council was able to put in the budget to hire another officer later in the year without raising taxes.

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The regular meeting for December 13, 2022 was called to order at 6:07pm. A moment of silence was observed after the "Pledge of Allegiance" was recited.

The roll was called: All present: Mr. Earl Cunningham, Ms. Alexis Eroh, Mr. Adam Morehart,  
Mr. John Thomas, Mr. William (Bill) Dixon and Ron Kobusky

There were no Citizens' requests or comments regarding agenda items.

Citizens' requests and comments regarding general items:

1. Michael Stone of 405 3<sup>rd</sup> St: reports that at 251 Orchard St it is a mess and has been for a long time. Thinks current owner has moved. The lot is over grown attracting snakes, rats, groundhogs and this past summer a yellow jackets nest appeared. On June 26 he called and they came and sprayed it with a fire hose. He has talked to code enforcement and he and the neighbors have put in numerous complaints. They would like to see something done. He said he found the property still under Levendoski, but is told they do not own it anymore.

Ron Kobusky explains that when a bank comes in and takes over a property, they do not take ownership because of the liability involved. They push it back on the towns and we cannot go after anybody. Bank don't do anything and the former owner won't either.

Mr. Stone is concerned that in spring the nest will come back bigger. He gave Ron Kobusky some pictures to make copies for council.

Mr. Kobusky took the pictures and explained that they are aware of the bees. They will work on a solution, but you can't take tax payer money to solve a problem on private property. Council will continue to seek a solution.

In conclusion, Earl Cunningham added that Bob Lusheski and himself have gone up to the bees' nest and Bob bought, with his own funds, two cans of foam to spray the nest. They have tried.

Mr. Kobusky assured we will keep trying for a solution

2. Marybeth Rosensteel Academy St, president Neighborhood Watch, announced that they are having breakfast with Santa at the Polish Connection on Saturday from 9am til noon. She said they would like to take Santa on a fire truck ride through town.  
Ron Kobusky said he had no problem with Santa going through town with just a couple of truck, not them all as fuel is very high. Council agreed. She also asked if police could help with the traffic during the "parade".
3. Jonas Kreitzer, a representative from County Waste wanted to address councils' intent to reject all of the garbage bids. His company is planning on doing away with the sticker per bag and offer residents a monthly subscription plan, but have been waiting to see what council will be doing about the bids that were submitted. Original plan is to do away with the stickers January 1, 2023 and work out some way to honor the stickers residents have already purchased.  
Mr. Kobusky asked if council would have time to inform residents of the change.

Mr. Kreitzer will update council with new information regarding County Waste's intents as it becomes available.

Mayor Coughlin is concerned about the subscription being a "one size fits all".

Mr. Kobusky further explained that council is planning to reject all of the bids because it would incur a cost to the borough and there are no funds budgeted for garbage, therefore the cost would be on the residents in the form of higher taxes, possibly a five or six mil increase.

Councils' intent is to keep looking for a solution that works for the garbage company and well as our residents, but Mr. Kobusky does not feel we are there yet.

4. John Frey, Shawnee Ave addressed his concerns regarding the garbage stickers. He said he is unable to get through on the number County Waste provided.

Mr. Kreitzer said he will give council a better number and Mr. Kobusky assured that it would be posted on the website. And in the front window.

#### AGENDA VOTING:

Motion made to approve RESOLUTION 10 of 2022: A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF PLYMOUTH, LUZERNE COUNTY, PENNSYLVANIA, FILLING VACANCY IN COUNCIL OCCURRING DUE TO RESIGNATION OF COUNCILMAN ALEC RYNCAVAGE.

WHEREAS, Alec Ryncavage, a dedicated public servant, served Plymouth Borough as a Councilman;

WHEREAS, Alec Ryncavage, whose term expires on January 3, 2024, tendered his resignation from Council effective on November 15, 2022, thereby, creating a vacancy on the Plymouth Borough Council;

WHEREAS, Section 901 of the Borough Code, 8 Pa C.S. § 901 (a.) authorizing the Borough Council to fill such a vacancy within thirty (30) days, thereof, by appointing by Resolution, a registered elector of the Borough to hold such office, until his term expires on January 3, 2024;

WHEREAS, Section 901 of the Borough Code requires that the person appointed to fill such a vacancy be a registered elector of the Borough and have resided continuously in the Borough for at least one (1) year immediately prior to being appointed to fill the vacancy;

NOW THEREFORE BE IT RESOLVED by the Plymouth Borough Council that due to the resignation of Alec Ryncavage, Council hereby declares that the seat held by Councilman Alec Ryncavage is vacant for the remainder of his term, which expires on the first Tuesday of 2024 on January 3, 2024. In conformity with the authority, dictates and requirements of Section 901 of the Borough Code, Council does hereby appoint Thomas Hogan, a registered elector of Plymouth Borough, who has resided within the Borough for at least one (1) year immediately prior to this appointment to fill the vacancy caused by the resignation of Alec Ryncavage and to serve as a member of Plymouth Borough Council effective immediately until the first Monday in January 2024, which is January 3, 2024.

The person appointed above shall give bond if required by law or any Ordinance of the Borough.

This Resolution shall be effective immediately upon adoption by Council.

Resolved and adopted at a regular meeting of the Plymouth Borough Council held on this the 13<sup>th</sup> day of December, 2022.

Motion was made to nominate Thomas Hogan to fill the vacant seat of council by Ms. Eroh  
2<sup>nd</sup> by Earl Cunningham  
Passed unanimously – 6 YES

After the vote was taken, the Honorable Judge Donald Whittaker gave the Oath of Office to Mr. Thomas Hogan and he became the new council member and Mr. Hogan took his seat among the rest of council.

*\*Of note:* Magistrate Whittaker commended the Borough police force for the great job they do. He was glad that council is planning on hiring another officer in the near future. He strongly encouraged council, to find it in your budget to hire two officers, big city crime is here in town. He sees it every day in his courts. Hire two officers!

Motion made to approve RESOLUTION 11 of 2022: A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF PLYMOUTH, LUZERNE COUNTY, PENNSYLVANIA, FILLING UNEXPIRED TERM OF STEPHANIE DELZEIT.

WHEREAS, the Borough Council has adopted Ordinance No. 1 of 2020 creating a Planning Agency to advise council on the items specified therein, consisting of five (5) members;

WHEREAS, Council expanded that membership to seven members (six residents of the Borough and one council member) by amending Section 2 of Ordinance No. 1 of 2020 by adopting Ordinance No. 4 of 2020;

WHEREAS, Section 2 authorizes the Council to appoint the members of the Planning Agency by Resolution;

WHEREAS, due to the resignation of member Stephanie Delzeit whose term expires on December 31, 2023, there is a vacancy;

NOW THEREFORE, BE IT RESOLVED AND ADOPTED by the Borough Council of Plymouth, that the Borough hereby approves and appoints, as per Ordinance No. 4 of 2020, to the Planning Agency the following: Borough Resident Kristen Rowlands, is appointed to immediately fill the unexpired term of Stephanie Delzeit which will expire on December 31, 2023.

This resolution shall become effective immediately upon adoption.

Adopted at a regular meeting of the Borough Council of the Borough of Plymouth, Luzerne County, Pennsylvania, held on this 13<sup>th</sup> day of December, 2022.

Motion made by Mr. Dixon to nominate Kristen Rowlands to fill vacant seat on Planning Agency  
2<sup>nd</sup> by Ms. Eroh  
Passed unanimously – 7 YES

Ms. Kristen Rowlands was immediately given the Oath of Office by Mayor Coughlin and immediately became the newest member of the Planning Agency.

Motion was made to reject all bids submitted for the Municipal Waste and Recyclable Materials contract:

Whereas, the Borough received a timely Proposal from the following BIDDERS:

NAME OF BIDDER

ADDRESS

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| a. Solid Waste Services, Inc. d/b/a<br>J.P. Mascaro & Sons | 2650 Audubon Road<br>Audubon, PA 19403             |
| b. GFL/County Waste  | 411 Route 146<br>Clifton Park, NY 12065            |
| c. Prestige Disposal, LLC                                  | 1015 Old Highway Road<br>Monroe Township, PA 18618 |

Whereas, all of the three proposals submitted bids for a two-year contract for the collection of waste and recycling materials;

Whereas, after review of all of the bids submitted, it was determined that the lowest bid received was \$2,354,916 for a two-year contract for the collection of both municipal waste and recycling materials;

Whereas, it is determined that the amount of the lowest bid as well as the other two bids which were higher, are not financially feasible for the Borough to accept at this time;

Therefore, I hereby move that the Borough Council reject all three bids due to the significant cost, which the Borough cannot afford at the current time, including the lowest bid/proposal. I further move that considering the above action to reject the proposals the proposal bond provided by Solid Waste Services, Inc. d/b/a J.P. Mascaro & Sons as well as the proposal bond provided by GF/County Waste be hereby released without any claim regarding same by Plymouth Borough. I further move that the cashier's check #111422 drawn from Luzerne Bank, dated 11/14/2022 and made payable to Plymouth Borough Council that accompanied the proposal submitted by Prestige Disposal be marked void and returned to Prestige Disposal without any claim to the check by Plymouth Borough.

\*On the question: Ron Kobusky explained that this contract was something that council could not do as it is not feasible at this time. Mr. Thomas added that according to the numbers they came up with, they would have to raise taxes by 8 mills! Mr. Morehart said residents could choose who they wanted to haul the garbage. Mr. Dixon said unfortunately the more garbage haulers in town, the more garbage days!

Motion: Mr. Bill Dixon  
2<sup>nd</sup>: Mr. Adam Morehart  
Passed unanimously – 7 yes

Motion made to appoint James Coslett as a full-time Probationary Plymouth Borough Police Officer under the following terms and conditions as herein stated: Said Officer is to serve a probationary period of one hundred eighty (180) days under such terms and conditions that may be prescribed by the Plymouth Borough Council. During the probationary period the police officer shall not be entitled to shall not receive any benefits, including but not limited to health care, vacation, sick days, personal days, paid holidays, or any other benefits or rights as specified in the current collective bargaining agreement between the Police Bargaining Unit and Borough. In addition, the employment status during the probationary period will be at will and not change unless appointed to a full-time police position. At the completion of the probationary period, the Plymouth Borough may at its discretion, appoint the probationary officer to the position of full time Police Officer, at which time such appointment will be subject to the terms and conditions of the current collective bargaining agreement between the Borough and the Police Bargaining unit. In addition, during the probationary period, the probationary police officer shall accumulate no seniority rights nor have any rights under the terms and conditions of the current of the foresaid collective bargaining agreement. However, once having been appointed by the Council to a position of Full time Police Officer, the one hundred eighty (180) day probationary period time shall be considered as part of the officers' calculations under the collective bargaining agreement.

Motion: Ms. Alexis Eroh  
2<sup>nd</sup>: Mr. John Thomas  
Passed unanimously – 7 yes

Motion made to authorize the purchase of \$700,000 face value or par value of one year Treasury Bills from the funds currently in the Plymouth Borough Police Pension Plan and to authorize Ron Kobusky, President of Council, Council person Alexis Eroh, Trustee of the Plymouth Borough Police Pension and/or Gail Burdulis, Plymouth Borough Secretary and Pension Administrator for the Plymouth Borough Police Pension Plan, either individually or collectively to sign all documents necessary, take all steps necessary and transfer all funds necessary to purchase the one-year treasury bills in the face amount or par value amount stated herein above for the Plymouth Borough Police Pension Fund effective immediately.

Motion: Mr. Adam Morehart  
2<sup>nd</sup>: Mr. Bill Dixon  
Passed unanimously – 7 yes

Motion made to pay refund of \$11.35 to Mark and Heide Kobusky for property reassessment.

Motion: Mr. Bill Dixon  
2<sup>nd</sup>: Mr. Earl Cunningham  
Passed unanimously – 7 yes

Motion made to pay \$7,726.00 to AmTrust for the 20-21 payroll audit.

\*On the question: The audit is done annually, and this is the audit for last year.

Motion: Mr. Bill Dixon  
2<sup>nd</sup>: Mr. Adam Morehart  
Passed unanimously – 7 yes

Motion made to pay Freedom Systems \$1,695.00 for the 2023 software Bronze Level Maintenance package.

\*On the question: Ron stated that this is for the administrative office.

Motion: Mr. Bill Dixon  
2<sup>nd</sup>: Ms. Alexis Eroh  
Passed unanimously – 7 yes

Motion made to pay \$15,814.00 to Ed Krasavage for the repairs and to replacement of a collapsing inlet with new frame and grate, to reconnect several pipes of various sizes, replace sidewalk and curb and repave excavation.

\*On the question: Ron Kobusky added that this invoice would be submitted to WWSA to pay out of the stormwater account.

Motion: Mr. . Adam Morehart  
2<sup>nd</sup>: Mr. John Thomas  
Passed unanimously – 7 yes

Motion made to accept the monthly Fire and Police reports for November.

Motion: Mr. Earl Cunningham  
2<sup>nd</sup>: Mr. Bill Dixon  
Passed unanimously – 7 yes

Motion to pay the monthly bills:

General Fund: 22-926GF – 22-993GF  
Liquid Fuels: 22-182LF – 22-200LF  
Recreation Fund: 22-054RF – 22-056RF

Motion: Mr. Adam Morehart  
2<sup>nd</sup>: Ms. Alexis Eroh  
Passed unanimously – 7 yes

\*On the question: Mr. John Thomas votes yes to all bills except his health insurance reimbursement which he feels a conflict of interest.

Motion to adjourn made by Mr. Earl Cunningham

Respectfully submitted:



Gail Burdulis, Plymouth Borough Secretary

Approved at rescheduled regular meeting 1/17/2023