

PLYMOUTH BOROUGH COUNCIL
REGULAR MEETING-MARCH 8, 2022 at 6:00PM

Mr. Kobusky began the work session at 6:00pm by asking Mr. Ryncavage if he had anything to report..

Mr. Ryncavage – Plymouth Neighborhood Watch will sponsor an Easter Egg Hunt on April 9th at 11:00. Event will take place at Huber Field. The Easter Bunny on the fire truck will be there. Bus patrol with the cameras on the buses to address drivers who fail to stop for the school buses is proceeding forward. Currently in the discussion stage with WVW. They are meeting with the company and then will reach out to the other towns

Lastly, Borough website is almost complete, except for Mayor's comments section.

Mr. Morehart – Thanked Mr. Thomas, Mr. Dixon, Mr. Cunningham and Mr. Kovach for repairing the flag outside the Borough Building and also the VFW American flag and POW flag.

Hometown Heroes project is almost set. There are samples of the Hometown Hero flags on the table. Information will go on Facebook when ready. The VFW will be the anchor nonprofit but the project will have its own bank account. This is not a council project, this is something I am doing on my own, please be patient. Questioned status of garbage proposal and if it ready for a RFD. Team Green has left the borough and we are on borrowed time.

Mr. Kobusky – There are 2 or 3 items to put aside. The police contract is with the solicitor. Once done we can move on to finalizing the garbage proposal. Payment per bag instead of containers seems to be the fairest way to go.

Mr. Morehart – The TNR program working well. You can contact them and help control the cat population. He spoke with Todd Hevner, Dir. of the SPCA regarding the new 5-year contract. The contract itself should remain the same as the last 5-year contract. Mr. Hevner was not able to comment on a price at this time so we will have more information as it becomes available. Wished all women a Happy International Women's Day.

Mr. Cunningham – Thanked all borough employees and volunteers for a great job.

Mr. Thomas – nothing to add

Mr. Dixon – Street Dept has had multiple training classes. One with the Dept of Labor regarding safety. A PA One Call that focused on street markings. We have to know where to mark streets if there is work to be done. We also need to know who is to mark them. Sewer, gas and underground electric lines have to be marked. A Poison Ivy Awareness – run into this a lot. On 3/10 we will be having a CPR certification training and on 3/31 a PennDot Work Zone safety class. The big sewer project on Vine St has been completed.

Mr. Dixon –Commended the street department on a good job, out in the elements. If you don't see them, they may be training. They need the training because they get points for it and those points go toward grants that we apply for. He also thanked street dept, police, fire departments and Atty. Kostelansky for a job well done.

Mr. Kobusky – Department heads, please do your job but if there are ways to save gas please do. Street department and police, please buddy up if possible. Department heads, please monitor.

Urged all to do what can be done to conserve gas. There is no room in the budget for additional costs.

Mr. Dixon requested approval for he and DPW foreman to attend a seminar on April 24th – 26th in Harrisburg. This is a PennDot municipal roadshow and will cover the ABC's, of liquid fuels and stormwater. Also, maintaining pavement and traffic control. It is a two day seminar with an overnight stay. Approved.

Mr. Dixon – For the record, I am paying for my own gas.

Mr. Kobusky – Council and the borough appreciates that.

Ms. Eroh - Plymouth Shawnee Indians asked Ms. Eroh to advocate for them. Please get your children, grandchildren involved. They are one of the last activities in town. Please support. Signups are on 3/19/22 from 1pm – 3 pm at the field on Rowe Lane.

Talked to County Waste and gave them a heads up about the possible increase in their volume as Team Green will depart from town by the end of the month. Team Green is no longer selling stickers, and will honor those that have been paid for until the end of the month.

Mr. Kobusky – What is the reason they are ceasing operations?

Mr. Morehart – Gas prices are killing them. They are going with a monthly pick- up plan because the sticker program is not sustainable. These are the reasons he heard.

Mayor Coughlin – Believes they had been planning this for a while. He has heard discussion on change of ownership and location of Team Green.

Ms. Eroh Plymouth Planning Agency met on Wednesday and awarded the 1st Historic Home Award to Ted Reese and family from 22 W. Shawnee Ave. They were not able to attend tonight so the award will be given at next month's meeting. The planning agency is still accepting nominations and plan to choose a recipient of said award quarterly.

Mr. Vito Malacari was introduced. He is running for State Representative in the 119th District and asked to come tonight and speak briefly to the audience.

Mr. Coughlin – Spring cleanup Month is in April. Now called Pick Up Pennsylvania the project focuses on towns and their cleanup of trash, litter and debris. We will call ours Pick up Plymouth and will be held on April 23rd – meet at borough building at 8:30 am. Usually runs until noon. If these clean ups are done in April Penn Dot picks up the trash free of charge. Last year 2 ½ trucks of garbage was picked up in town.

Mayor Coughlin read a letter he received from the District Attorney. Police applied for money to buy a new mobile computer. While the amount asked for exceeded what they were able to grant, police were granted \$6,783.18. These funds came from drug seizures and were dispersed from a forfeiture fund.

Our police are out there every day making a dent in the drug crisis. This a friendly town if you live right, but very unfriendly if you do not. The situation is becoming worse and it is all over and in all towns.

It is going to get warm out and the ATV's will be out. The ATV activity on the levy is out of hand. Looking into ways the police can impound the ATVs and cite the owners, or arrest them. Get the word out that we are buckling down. Permission has been given by the Flood Protection Authority to go up on the levy, will give keys to Sgt Thomas. It would be helpful if anyone had clear pictures of these vehicles & maybe it would help prosecute them. He asked for all to remember the people of Ukraine.

Mr. Kobusky called the regular meeting called to order following the conclusion of the work session with the reciting of the Pledge of Allegiance and a moment of silence.

The roll was called:

All members were present: Mr. Cunningham, Ms. Eroh, Mr. Morehart,
Mr. Ryncavage, Mr. Thomas, Mr. Dixon & Mr. Kobusky

*There was no citizen's input regarding agenda items.

*Citizens input regarding general items:

Ms. Mickie Goodrich – lives right across the street from the former St. Vincent's Rectory. This property was denied commercial zoning to open an alcohol rehab type facility. Had a conversation with some people about 2 weeks ago who said they were moving in. They stated it was a sober house. There are 6 individuals living there and was told there will be a lot more. At a zoning hearing for the property at 101 Church St, the request for commercial zoning was denied. There were no Occupancy inspections or permits issued.

Mr. Thomas – there was an inspection of the property.

Ms. Goodrich – prior to them moving in?

Mr. Thomas – said yes, BHW and Mr. Kovach are aware. Atty. Aritz, their solicitor, has been contacted.

Ms. Goodrich – What about a dumpster permit?

Mr. Kobusky – a dumpster permit is not needed if it is on your property, only when on the street. Discussion regarding the need for a dumpster permit.

Mayor Coughlin – clarified that while there is no fee for a dumpster on your property you do still need a permit.

Mr. Kobusky – Will get in touch with the BHW inspector

Mr. Thomas and Mr. Dixon stated that Jason was in there last week

Mr. Kobusky – will call Jason tomorrow

Mr. Morehart – thinks the bigger issue is what is going on in there.

Ms. Goodrich – it is a sober house.

Mr. Ryncavage – If it is a sober house is that against our zoning variance or is there a loophole? Is it a question for the solicitor?

Mr. Thomas – There is a loophole. On the corner of Willow and Center Ave is a home for the challenged. They cannot house more than 5 people. There is also one on E. Railroad St.

Ms. Goodrich – thank you for responding so quickly. I am very concerned about this situation. The McCauly House has women who are there to be protected and you have this place where they are court mandated to be there. This puts these women in jeopardy. Not concerned about her safety but the safety of these women.

Mr. Kobusky – The McAuley House has been here for 25 years without a problem – they are a great asset.

Ms. Goodrich – discussed the dangers of this house being near them.

Mayor Coughlin – County Waste changed the color of their stickers. As long as they say County Waste, they are valid.

Ms. Laura Keller – Director of the Plymouth Public Library – invited Council to a celebration for Ms. Lillian Caffrey who is reaching a milestone birthday.

Ms. Caffrey was a long-time employee of the library and continues to be a great supporter. The event will be a fundraiser for the library. Date is May 1st from 10am to 2 pm

AGENDA VOTING:

There was a motion made for the Borough to withdraw from a Class Action Lawsuit:

Whereas, over the years the Borough has obtained and currently maintains its health insurance coverage for some of its full-time employees, which included coverages for Blue Shield through Highmark, Inc;

Whereas, the Borough joined a Class action suit filed by Cyndie Nordi et as vs. Highmark, Inc. involving the huge underwriting profits by charging premiums utilizing a risk and contingency factor when it was not authorized among other things;

Whereas, Highmark obtained a favorable ruling in the Court of Common Pleas of Allegheny County and the case is currently on appeal to the Commonwealth Court;

Whereas, it is very difficult to overturn on appeal the decision of a lower court and the appeal does not look favorable for the Plaintiffs;

Whereas, the original Plaintiff, Cyndie Nordi passed away some time ago and as a result therefore can no longer be a party to this litigation;

Whereas, some time ago the Federation of Teachers Health and Welfare Fund, also dropped out as a Plaintiff in the matter;

Whereas, Plains Township, who is a remaining Plaintiff in the matter is dropping out and consents to the discontinuance of the appeal;

Now therefore, I hereby move that since Plymouth Borough will be the only party remaining in the lawsuit that has been filed in the Court of Common Pleas of Allegheny County Pennsylvania to Class action Complaint No. GD-14-019917 and which is currently on appeal to the Commonwealth Court of Pennsylvania and based upon Council for the Plaintiff case, therefore the Borough does consent and ratify the discountenance of the above referenced matter before the Pennsylvania Commonwealth Court by Attorney David Senoff, council for Plaintiffs with the understanding that the litigation will be forever concluded and that the Borough owes nothing in the way of fees or costs.

*On the question: This is a class action lawsuit the Borough joined back on April 12, 2016. The original plaintiff has passed away and the Borough is last in the suit.

Motion: Mr. Dixon

2nd: Mr. Cunningham

Vote: 7 Yes

Motion made to approve the proposed 2022 Response Maintenance for traffic lights in town from Kuharchik Construction, Inc.

*On the question: Mr. Ryncavage wanted to know the cost associated with the proposal. As stated in the proposal this will lock in pricing for certain things involving call outs and repairs of traffic lights.

Motion: Mr. Cunningham

2nd: Mr. Dixon

Vote: 7 Yes

A motion was made to pay the invoice for Eckert Seamans, Attorneys at Law, in the amount of \$11,740.00, for professional legal fees regarding a personnel matter.

Motion: Ms. Eroh

2nd: Mr. Cunningham

Vote: 7 Yes

Motion to approve payment for the Lower South Valley Council of Governments (LSV COG) Annual membership & program fees.

Motion: Mr. Dixon

2nd: Mr. Cunningham

Vote: 7 Yes

Motion to approve payment for the Berkheimer bill in the amount of \$7,126.03 for the per capita tax postage and bills:

Motion: Mr. Dixon

2nd: Ms. Eroh

Vote: 7 Yes

Motion to enter into a one-year agreement with S Krasavage Concrete Construction for the use of the company's backhoe. The cost would be \$170.00 per month, with the option for council to renew annually:

*On the question: Mr. Ryncavage asked: Will the Borough pay the insurance? No Will we have to pay for repairs? Only if we cause the damage. Regular maintenance will not be the Borough's responsibility:

Motion: Mr. Cunningham

2nd: Ms. Eroh

Vote: 7 Yes

Respectfully submitted by:



Gail Burdulis, Borough Secretary

Approved at regular meeting April 12, 2022